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LAURA M. TOY, Vice President
SCOTT BAHR
ROB GJONAJ DONOVIC
BRANDON McCULLOUGH
KATHLEEN E. McINTYRE
SCOTT MORGAN

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2250
citycouncil@livonia.gov

OFFICE OF THE COUNCIL

ELECTRONIC AGENDA PACKET FOR THE REGULAR MEETING OF MONDAY, JUNE 5, 2023 7:00 P.M.

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(734) 466-2250

The official documents are on file in the City Clerk's office.

1970th Regular Meeting Agenda of the Council of the City of Livonia
Monday, June 5, 2023 - Revised

7:00 p.m. - City Hall
Auditorium 33000 Civic Center
Drive Livonia, Michigan

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF MINUTES - Regular Meeting Minutes of May 22, 2023

AUDIENCE COMMUNICATION

REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS

a. Communication from the Department of Finance, dated May 5, 2023, re: forwarding various financial statements of the City of Livonia for the month ending March 31, 2023.

CONSENT AGENDA

1. WAIVER PETITION: Planning Commission, re: Petition 2023-04-02-03 submitted by Wade Shows, Inc. requesting waiver use approval to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games, and food concessions from July 13, 2023, through July 23, 2023, on the property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2.

2. SITE PLAN PETITION: Planning Commission, re: Petition 2023-04-08-04 submitted by Haidous Brothers Livonia L.L.C., on behalf of Dairy Queen, requesting approval to redevelop the site, including reconfiguring the parking lot and drive-thru facilities, add an outdoor patio area and remodel the interior and exterior of the restaurant (former Steak N Shake) at 17200 Middlebelt Road, located on the east side of Middlebelt Road, north of Six Mile Road, in the Southwest ¼ of Section 12.

3. REAPPOINTMENT OF PAT CRANDELL TO THE LIVONIA ECONOMIC DEVELOPMENT CORP: Office of the Mayor, re: for a six-year term, which will expire on June 7, 2029.

4. REAPPOINTMENT OF SAM CARAMAGNO TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2026.

5. REAPPOINTMENT OF GLEN LONG TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire June 9, 2026.

6. REAPPOINTMENT OF PETER VENTURA TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2026.

7. REQUEST FOR APPROVAL OF THE 2023 CDBG ANNUAL ACTION PLAN, 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL PLAN AND BUDGET, AND REQUEST TO APPROVE HOLD HARMLESS CONTRACTS BETWEEN THE CITY OF LIVONIA AND FIRST STEP, FAIR HOUSING CENTER OF METROPOLITAN DETROIT, WAYNE METROPOLITAN COMMUNITY ACTION AGENCY, CRUZ CLINIC, HEGIRA PROGRAMS, INC., STONEBROOK COUNSELING ASSOCIATES, PLCC, AND THE COLLABORATIVE HEALTH CENTER: Livonia Housing Commission, re: in connection with the operation of a domestic violence victim assistance program; for the purpose of providing fair housing; and for the mental health counseling program provided for through the Community Development Block Grant (CDBG) programs for the 2023-2024 program year.

8. REQUEST TO PURCHASE DUO MULTIFACTOR AUTHENTICATION SECURITY WITH CONTRACT PRICING: Department of Information Systems, re: with People Driven Technology, from budgeted funds.

9. REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.

10. REQUEST FOR AUTHORIZATION TO PURCHASE TWO (2) DUMP TRUCKS THROUGH THE ROCHESTER HILLS CO-OP AWARD AGREEMENT: Public Works Division, re: for use by the Roads Department, from budgeted funds.

UNFINISHED BUSINESS – MEETINGS OF THE COMMITTEE

11. LAW AND EDUCATION COMMITTEE MEETING OF MAY 17, 2023
    a. The subject matter to amend the Livonia Code of Ordinances to add a “dog leash law” to ensure that dogs are under the control of their owners and to prevent possible tragedies. (CR 177-05)

    b. The subject matter of the regulation of veterinary hospitals. (CR 294-14)

    c. The subject matter of Sign Permit Application, Petition 2015-08-SN-04, submitted by Huron Sign Company, on behalf of the Livonia Family YMCA, requesting approval for a replacement ground sign with variable electronic message board at 14255 Stark Road. (CR 317-15)

    d. The subject matter of the demolition of blighted residential and commercial properties.(CR 110-23)

UNFINISHED BUSINESS

12. BLOCK PARTY: Ray Franges, re: to be held Saturday, August 19, 2023, from 3:00 p.m. to 10:00 p.m., on Brentwood Street between Meadowlark and Jacquelyn Streets, with a rain date of Sunday, August 20, 2023.

13. REQUEST TO AMEND THE PREVIOUSLY ESTABLISHED COMMERCIAL REHABILITATION DISTRICT NO. 4: Paul F. Bohn, Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc., re: for a three-year extension for the redevelopment of property located at 31501 Schoolcraft Road, in the Northeast ¼ of Section 27. (CR 306-19)

14. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

15. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 050 of Title 13, Chapter 08 (Water Service Rates and Revenues) to provide changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

16. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 050 of Title 13, Chapter 28 (Industrial Waste Surcharge) to provide for changes in the industrial waste surcharge rate to become effective with the first billing on or after July 1, 2023.

17. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 120 of Title 13, Chapter 20 (Livonia Sewage Disposal System) to provide for changes to the sewer disposal and maintenance rates to become effective with the first billing on or after July 1, 2023.

18. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: Section 130 of Title 13, Chapter 20 (Livonia Sewage Disposal System) to provide for changes to the special rates for designated uses to become effective with the first billing on or after July 1, 2023.

19. AWARD OF CONTRACT: Department of Public Works, re: for all labor, materials, and equipment to complete the 2023 roof replacement projects in an amount not to exceed $681,853.00, from budgeted funds.

NEW BUSINESS

20.. BLOCK PARTY AND STREET BARRICADE: Lauren Feigel, re: to be held Sunday, June 25, 2023, from 12:00 p.m. to 10:00 p.m. along the Five Mile Service Road from 36996 to 36916 Five Mile Road, with no rain date requested.

AUDIENCE COMMUNICATION

NOTICES

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerk's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs. Please call (734) 466-2236 or email clerk@livonia.gov if you need assistance. Council agendas are available on the City's website – www.livonia.gov - under Your Government, City Council, Agendas, Minutes.

SUSAN M. NASH, CITY CLERK

LETTER TO THE LIVONIA CITY COUNCIL

Finance
May 5, 2023

MEETING DATE	PREPARED BY
June 5, 2023 Regular Meeting	DeAnne Bates, Program Supervisor,

AGENDA ITEM

a. Communication from the Department of Finance, dated May 5, 2023, re: forwarding various financial statements of the City of Livonia for the month ending March 31, 2023.

BACKGROUND DETAILS

Attached hereto are the various financial statements of the City of Livonia for the month ending March 31, 2023. These statements are summarized so that you may make a quick financial overview of the various funds. Detailed statements, in support of the summarized statements, have been forwarded electronically to the Council Office.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

We respectfully request that City Council receive and file this report.

ATTACHMENTS

1. BUDGET TO ACTUAL - COUNCIL SUMMARY - MARCH 2023

APPROVED BY

Michael T Slater

Michael Slater, Finance Director — Date: May 05, 2023

Maureen Miller Brosnan

Maureen Miller Brosnan, Mayor — Date: May 11, 2023

BUDGET TO ACTUAL - COUNCIL SUMMARY - 03/31/2023

Through 03/31/23

Prior Fiscal Year Activity Included

Organization		Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund	**101 - GENERAL FUND**									
REVENUE										
Department	**000 - ACCOUNT BALANCES**	67,118,544.00	.00	67,118,544.00	1,623,870.21	.00	45,968,938.50	21,149,605.50	68	47,220,869.87
	REVENUE TOTALS	$67,118,544.00	$0.00	$67,118,544.00	$1,623,870.21	$0.00	$45,968,938.50	$21,149,605.50	68%	$47,220,869.87
EXPENSE										
Department	**101 - CITY COUNCIL**	312,021.00	.00	312,021.00	30,564.56	.00	86,367.80	225,653.20	28	90,569.77
Department	**173 - MAYOR'S OFFICE**	515,464.00	.00	515,464.00	55,347.08	.00	170,649.61	344,814.39	33	156,523.93
Department	**174 - COMMUNICATIONS**	400,731.00	.00	400,731.00	39,995.16	.00	130,417.15	270,313.85	33	107,222.68
Department	**175 - GOVERNMENT AFFAIRS**	184,371.00	.00	184,371.00	3,746.25	.00	14,018.14	170,352.86	8	35,090.86
Department	**191 - ACCOUNTING**	227,442.00	.00	227,442.00	49,869.44	.00	67,880.22	159,561.78	30	45,472.56
Department	**192 - FINANCE DEPARTMENT**	428,000.00	.00	428,000.00	41,690.97	.00	140,670.61	287,329.39	33	126,865.00
Department	**215 - CITY CLERK**	631,484.00	.00	631,484.00	54,065.19	.00	178,995.75	452,488.25	28	170,238.60
Department	**223 - INDEPENDENT AUDIT**	42,859.00	.00	42,859.00	(1,270.00)	.00	24,412.74	18,446.26	57	17,423.97
Department	**228 - INFORMATION SYSTEMS**	1,362,324.00	.00	1,362,324.00	184,697.84	5,954.00	571,191.28	785,178.72	42	450,093.47
Department	**236 - ETHICS BOARD**	400.00	.00	400.00	.00	.00	.00	400.00	0	.00
Department	**247 - BOARD OF REVIEW**	3,545.00	.00	3,545.00	.00	.00	344.48	3,200.52	10	344.48
Department	**253 - TREASURER**	604,347.00	.00	604,347.00	58,964.99	.00	191,306.55	413,040.45	32	158,595.95
Department	**257 - ASSESSING**	652,605.00	.00	652,605.00	72,542.44	.00	224,393.21	428,211.79	34	193,759.46
Department	**261 - UTILITIES AND SUPPLIES**	551,593.00	.00	551,593.00	16,184.30	.00	106,059.60	445,533.40	19	116,263.36
Department	**262 - ELECTION COMMISSION**	376,094.00	.00	376,094.00	17,466.49	.00	90,986.66	285,107.34	24	29,150.23
Department	**263 - INSURANCE-GENERAL**	140,761.00	.00	140,761.00	62.95	.00	332,293.67	(191,532.67)	236	361,061.10
Department	**264 - INSURANCE-WORKERS COMP**	435,460.00	.00	435,460.00	53,847.19	.00	370,744.79	64,715.21	85	294,847.36
Department	**265 - NON DEPARTMENTAL**	4,000.00	.00	4,000.00	.00	.00	.00	4,000.00	0	.00
Department	**266 - LAW DEPARTMENT**	860,645.00	.00	860,645.00	90,313.50	.00	276,486.18	584,158.82	32	245,933.50
Department	**267 - EMPLOYEE BENEFITS CONTROL**	42,000.00	.00	42,000.00	445,688.50	.00	(215,554.89)	257,554.89	-513	(726,264.61)
Department	**268 - NON-DEPT CAPITAL PROJECTS**	5,000.00	.00	5,000.00	.00	.00	.00	5,000.00	0	.00
Department	**269 - CIVIL SERVICE**	833,562.00	.00	833,562.00	73,916.33	.00	211,407.43	622,154.57	25	195,519.31
Department	**270 - TERMINATION PAY**	1,300,000.00	.00	1,300,000.00	184,844.83	.00	402,832.51	897,167.49	31	359,241.98
Department	**271 - LABOR RELATIONS**	96,500.00	.00	96,500.00	525.00	.00	9,475.00	87,025.00	10	7,060.00
Department	**272 - DUES AND SUBSCRIPTIONS**	58,000.00	.00	58,000.00	640.00	.00	5,909.00	52,091.00	10	9,486.60
Department	**286 - 16TH DISTRICT COURT**	3,104,346.00	.00	3,104,346.00	264,824.87	.00	952,898.60	2,151,447.40	31	868,985.17
Department	**302 - TRAFFIC BUREAU**	1,118,415.00	.00	1,118,415.00	106,385.18	25,046.00	319,551.59	773,817.41	31	272,516.85
Department	**304 - POLICE ADMINISTRATION**	3,443,056.00	.00	3,443,056.00	248,120.64	22,026.64	766,173.01	2,654,856.35	23	795,821.10
Department	**306 - POLICE DATA PROCESSING**	1,088,388.00	.00	1,088,388.00	62,243.87	69,066.37	202,797.36	816,524.27	25	208,543.73
Department	**307 - DETECTIVE BUREAU**	3,575,834.00	.00	3,575,834.00	347,002.70	.00	1,013,813.55	2,562,020.45	28	1,017,568.50
Department	**309 - AUTOMOTIVE SERVICE**	586,150.00	.00	586,150.00	51,669.23	.00	163,256.24	422,893.76	28	136,983.91
Department	**310 - POLICE COMMUNICATIONS**	1,014,163.00	.00	1,014,163.00	96,733.66	.00	267,182.87	746,980.13	26	252,334.37
Department	**313 - CROSSING GUARDS**	118,089.00	.00	118,089.00	10,076.05	.00	25,406.58	92,682.42	22	16,428.68
Department	**316 - SCHOOL LIAISON**	547,427.00	18,080.00	565,507.00	54,913.96	18,080.00	162,505.40	384,921.60	32	106,366.95
Department	**318 - OFFICE OF EMERG PREP**	175,493.00	.00	175,493.00	10,726.73	.00	58,310.16	117,182.84	33	61,181.15
Department	**319 - RESERVE POL/SPECIAL EVENT**	418,687.00	.00	418,687.00	31,886.59	.00	89,263.78	329,423.22	21	79,089.54

BUDGET TO ACTUAL - COUNCIL SUMMARY - 03/31/2023

Through 03/31/23

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **101 - GENERAL FUND**									
EXPENSE									
Department **325 - POLICE PATROL BUREAU**	13,867,507.00	(18,080.00)	13,849,427.00	1,207,407.41	190,613.50	3,606,667.83	10,052,145.67	27	3,400,393.15
Department **329 - INTELLIGENCE BUREAU**	2,470,179.00	.00	2,470,179.00	249,674.13	138,401.00	646,179.85	1,685,598.15	32	472,013.75
Department **336 - FIRE ADMINISTRATION**	1,305,323.00	.00	1,305,323.00	138,185.45	.00	435,344.25	869,978.75	33	364,025.69
Department **338 - FIRE FIGHTING**	14,679,677.00	.00	14,679,677.00	1,396,199.63	326,596.37	4,224,409.24	10,128,671.39	31	3,709,903.02
Department **341 - FIRE PREVENTION**	884,992.00	.00	884,992.00	92,690.43	.00	270,225.50	614,766.50	31	235,005.57
Department **371 - INSPECTION**	1,832,980.00	.00	1,832,980.00	170,549.28	.00	484,217.85	1,348,762.15	26	426,768.91
Department **381 - BLDG CODE BD OF APPEALS**	1,861.00	.00	1,861.00	20.00	.00	20.00	1,841.00	1	.00
Department **435 - TRAFFIC COMMISSION**	2,353.00	.00	2,353.00	118.41	.00	581.29	1,771.71	25	672.84
Department **441 - PUBLIC SERV ADMIN**	21,971.00	15,000.00	36,971.00	36,717.77	.00	3,503.55	33,467.45	9	(57,414.79)
Department **443 - PUBLIC SERV-EQUIP MAINT**	128,377.00	.00	128,377.00	6,803.72	.00	(187,820.30)	316,197.30	-146	(52,477.65)
Department **447 - ENGINEERING**	795.00	.00	795.00	25,836.12	.00	(45,361.50)	46,156.50	-5706	(109,399.57)
Department **448 - STREET LIGHTING**	242,321.00	.00	242,321.00	24,728.86	.00	96,919.68	145,401.32	40	72,581.82
Department **463 - MAINTENANCE-STREET**	271,255.00	(5,500.00)	265,755.00	277,907.26	2,744.48	360,353.81	(97,343.29)	137	177,861.03
Department **523 - PUBLIC SERV-BLDG MAINT**	1,817,657.00	(4,000.00)	1,813,657.00	193,075.48	17,322.73	484,334.35	1,311,999.92	28	358,763.80
Department **524 - PARKS**	1,407,503.00	(5,500.00)	1,402,003.00	214,266.17	21,431.72	400,012.98	980,558.30	30	174,830.47
Department **701 - PLANNING**	695,738.00	.00	695,738.00	67,905.52	.00	202,766.27	492,971.73	29	182,384.43
Department **702 - ZONING BOARD OF APPEALS**	58,973.00	.00	58,973.00	97.68	.00	8,468.66	50,504.34	14	17,412.05
Department **752 - RECREATION ADMINISTRATION**	138,003.00	.00	138,003.00	26,827.51	.00	38,105.69	99,897.31	28	17,372.53
Department **758 - RECREATION FACILITIES**	292,056.00	.00	292,056.00	671.53	.00	1,429.78	290,626.22	0	1,810.21
Department **759 - RECREATION ATHLETICS**	112,294.00	.00	112,294.00	643.80	.00	8,826.68	103,467.32	8	2,157.86
Department **820 - PARKS & REC - SENIOR SERVICES**	610,732.00	.00	610,732.00	59,008.96	.00	190,672.93	420,059.07	31	184,582.07
Department **821 - P&R - GREENMEAD AND CULTURAL**	1,015,269.00	.00	1,015,269.00	86,405.97	31,314.00	278,561.83	705,393.17	31	232,632.61
EXPENSE TOTALS	$67,117,072.00	$0.00	$67,117,072.00	$7,034,027.58	$868,596.81	$18,920,866.85	$47,327,608.34	29%	$16,072,199.31
Fund **101 - GENERAL FUND** Totals									
REVENUE TOTALS	67,118,544.00	.00	67,118,544.00	1,623,870.21	.00	45,968,938.50	21,149,605.50	68%	47,220,869.87
EXPENSE TOTALS	67,117,072.00	.00	67,117,072.00	7,034,027.58	868,596.81	18,920,866.85	47,327,608.34	29%	16,072,199.31
Fund **101 - GENERAL FUND** Totals	$1,472.00	$0.00	$1,472.00	($5,410,157.37)	($868,596.81)	$27,048,071.65	($26,178,002.84)		$31,148,670.56

BUDGET TO ACTUAL - COUNCIL SUMMARY - 03/31/2023

Through 03/31/23

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **202 - MAJOR STREET FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	9,094,315.00	.00	9,094,315.00	745,815.50	.00	1,699,648.51	7,394,666.49	19	1,560,614.34
REVENUE TOTALS	$9,094,315.00	$0.00	$9,094,315.00	$745,815.50	$0.00	$1,699,648.51	$7,394,666.49	19%	$1,560,614.34
EXPENSE									
Department **448 - STREET LIGHTING**	610,359.00	.00	610,359.00	39,667.00	.00	158,668.00	451,691.00	26	157,666.68
Department **451 - CONST-STREET AND BRIDGES**	60,000.00	4,290.00	64,290.00	.00	.00	.00	64,290.00	0	.00
Department **463 - MAINTENANCE-STREET**	944,892.00	373,897.00	1,318,789.00	41,498.70	.00	143,463.42	1,175,325.58	11	163,987.95
Department **475 - MAINTENANCE-TRAFFIC SERV**	.00	.00	.00	.00	.00	.00	.00	+++	.00
Department **478 - MAINT-FREEWAY LIGHTING**	25,000.00	.00	25,000.00	1,501.95	.00	5,990.45	19,009.55	24	5,356.15
Department **479 - SNOW AND ICE REMOVAL**	921,234.00	396,497.00	1,317,731.00	26,769.00	.00	107,076.00	1,210,655.00	8	107,996.68
Department **483 - ADMIN, ENGIN RECORD KEEPI**	147,228.00	.00	147,228.00	12,267.00	.00	49,068.00	98,160.00	33	49,588.00
Department **484 - FUND TRANSFERS**	6,700,000.00	.00	6,700,000.00	558,333.33	.00	2,233,333.32	4,466,666.68	33	2,550,000.00
EXPENSE TOTALS	$9,408,713.00	$774,684.00	$10,183,397.00	$680,036.98	$0.00	$2,697,599.19	$7,485,797.81	26%	$3,034,595.46
Fund **202 - MAJOR STREET FUND** Totals									
REVENUE TOTALS	9,094,315.00	.00	9,094,315.00	745,815.50	.00	1,699,648.51	7,394,666.49	19%	1,560,614.34
EXPENSE TOTALS	9,408,713.00	774,684.00	10,183,397.00	680,036.98	.00	2,697,599.19	7,485,797.81	26%	3,034,595.46
Fund **202 - MAJOR STREET FUND** Totals	($314,398.00)	($774,684.00)	($1,089,082.00)	$65,778.52	$0.00	($997,950.68)	($91,131.32)		($1,473,981.12)

BUDGET TO ACTUAL - COUNCIL SUMMARY - 03/31/2023

Through 03/31/23

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **203 - LOCAL STREET FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	10,155,239.00	.00	10,155,239.00	842,531.54	.00	2,881,290.52	7,273,948.48	28	3,142,104.86
REVENUE TOTALS	$10,155,239.00	$0.00	$10,155,239.00	$842,531.54	$0.00	$2,881,290.52	$7,273,948.48	28%	$3,142,104.86
EXPENSE									
Department **448 - STREET LIGHTING**	130,000.00	.00	130,000.00	10,833.00	.00	43,332.00	86,668.00	33	41,666.68
Department **451 - CONST-STREET AND BRIDGES**	125,000.00	.00	125,000.00	.00	.00	.00	125,000.00	0	.00
Department **463 - MAINTENANCE-STREET**	1,765,706.00	.00	1,765,706.00	131,515.00	.00	526,060.00	1,239,646.00	30	525,688.36
Department **475 - MAINTENANCE-TRAFFIC SERV**	.00	.00	.00	.00	.00	.00	.00	+++	.00
Department **479 - SNOW AND ICE REMOVAL**	449,168.00	.00	449,168.00	37,430.00	.00	149,720.00	299,448.00	33	139,735.68
Department **483 - ADMIN, ENGIN RECORD KEEPI**	709,656.00	.00	709,656.00	59,136.00	.00	236,544.00	473,112.00	33	226,584.00
Department **484 - FUND TRANSFERS**	7,150,000.00	.00	7,150,000.00	595,833.00	.00	2,383,332.00	4,766,668.00	33	2,650,000.00
EXPENSE TOTALS	$10,329,530.00	$0.00	$10,329,530.00	$834,747.00	$0.00	$3,338,988.00	$6,990,542.00	32%	$3,583,674.72
Fund **203 - LOCAL STREET FUND** Totals									
REVENUE TOTALS	10,155,239.00	.00	10,155,239.00	842,531.54	.00	2,881,290.52	7,273,948.48	28%	3,142,104.86
EXPENSE TOTALS	10,329,530.00	.00	10,329,530.00	834,747.00	.00	3,338,988.00	6,990,542.00	32%	3,583,674.72
Fund **203 - LOCAL STREET FUND** Totals	($174,291.00)	$0.00	($174,291.00)	$7,784.54	$0.00	($457,697.48)	$283,406.48		($441,569.86)

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Fund **204 - ROAD - SIDEWALK & TREE**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	11,810,117.00	319,000.00	12,129,117.00	900,926.34	.00	7,087,108.69	5,042,008.31	58	6,766,276.12
REVENUE TOTALS	$11,810,117.00	$319,000.00	$12,129,117.00	$900,926.34	$0.00	$7,087,108.69	$5,042,008.31	58%	$6,766,276.12
EXPENSE									
Department **441 - PUBLIC SERV ADMIN**	30,968.00	.00	30,968.00	2,580.00	.00	10,320.00	20,648.00	33	16,984.00
Department **447 - ENGINEERING**	2,286,944.00	319,866.00	2,606,810.00	58,445.33	.00	452,727.85	2,154,082.15	17	304,694.74
Department **463 - MAINTENANCE-STREET**	10,320,000.00	1,825,998.00	12,145,998.00	51,580.40	.00	58,563.60	12,087,434.40	0	28,949.87
Department **530 - FORESTRY**	125,000.00	319,000.00	444,000.00	.00	.00	.00	444,000.00	0	.00
EXPENSE TOTALS	$12,762,912.00	$2,464,864.00	$15,227,776.00	$112,605.73	$0.00	$521,611.45	$14,706,164.55	3%	$350,628.61
Fund **204 - ROAD - SIDEWALK & TREE** Totals									
REVENUE TOTALS	11,810,117.00	319,000.00	12,129,117.00	900,926.34	.00	7,087,108.69	5,042,008.31	58%	6,766,276.12
EXPENSE TOTALS	12,762,912.00	2,464,864.00	15,227,776.00	112,605.73	.00	521,611.45	14,706,164.55	3%	350,628.61
Fund **204 - ROAD - SIDEWALK & TREE** Totals	($952,795.00)	($2,145,864.00)	($3,098,659.00)	$788,320.61	$0.00	$6,565,497.24	($9,664,156.24)		$6,415,647.51

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Fund **208 - COMMUNITY RECREATION**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	8,273,773.00	343,803.00	8,617,576.00	347,949.82	.00	5,319,338.21	3,298,237.79	62	5,042,988.69
REVENUE TOTALS	$8,273,773.00	$343,803.00	$8,617,576.00	$347,949.82	$0.00	$5,319,338.21	$3,298,237.79	62%	$5,042,988.69
EXPENSE									
Department **755 - RECREATION CENTER**	7,464,634.00	79,744.00	7,544,378.00	445,813.96	44,250.24	1,579,628.64	5,920,499.12	22	1,424,621.21
Department **756 - OTHER RECREATION**	22,100.00	319,823.00	341,923.00	22,268.84	6,720.00	56,806.92	278,396.08	19	22,871.69
Department **757 - ICE RINK**	389,636.00	.00	389,636.00	.00	.00	52.25	389,583.75	0	52.25
Department **776 - SPECIAL EVENTS**	159,342.00	.00	159,342.00	2,157.63	.00	13,717.76	145,624.24	9	9,795.73
Department **795 - SWIMMING POOL - BOTSFORD**	278,189.00	12,000.00	290,189.00	988.09	11,201.74	2,035.10	276,952.16	5	1,466.81
Department **796 - SWIMMING POOL - CLEMENT C**	169,164.00	.00	169,164.00	1,048.18	14,165.74	2,569.08	152,429.18	10	2,143.37
Department **797 - SWIMMING POOL - SHELDON**	104,227.00	.00	104,227.00	899.73	4,914.00	1,315.58	97,997.42	6	56,436.36
EXPENSE TOTALS	$8,587,292.00	$411,567.00	$8,998,859.00	$473,176.43	$81,251.72	$1,656,125.33	$7,261,481.95	19%	$1,517,387.42
Fund **208 - COMMUNITY RECREATION** Totals									
REVENUE TOTALS	8,273,773.00	343,803.00	8,617,576.00	347,949.82	.00	5,319,338.21	3,298,237.79	62%	5,042,988.69
EXPENSE TOTALS	8,587,292.00	411,567.00	8,998,859.00	473,176.43	81,251.72	1,656,125.33	7,261,481.95	19%	1,517,387.42
Fund **208 - COMMUNITY RECREATION** Totals	($313,519.00)	($67,764.00)	($381,283.00)	($125,226.61)	($81,251.72)	$3,663,212.88	($3,963,244.16)		$3,525,601.27

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Fund **211 - DESIGNATED PURPOSE**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	120,000.00	.00	120,000.00	11,178.50	.00	36,349.70	83,650.30	30	23,223.22
REVENUE TOTALS	$120,000.00	$0.00	$120,000.00	$11,178.50	$0.00	$36,349.70	$83,650.30	30%	$23,223.22
EXPENSE									
Department **000 - ACCOUNT BALANCES**	191,140.00	.00	191,140.00	14,733.34	.00	58,870.82	132,269.18	31	12,855.52
EXPENSE TOTALS	$191,140.00	$0.00	$191,140.00	$14,733.34	$0.00	$58,870.82	$132,269.18	31%	$12,855.52
Fund **211 - DESIGNATED PURPOSE** Totals									
REVENUE TOTALS	120,000.00	.00	120,000.00	11,178.50	.00	36,349.70	83,650.30	30%	23,223.22
EXPENSE TOTALS	191,140.00	.00	191,140.00	14,733.34	.00	58,870.82	132,269.18	31%	12,855.52
Fund **211 - DESIGNATED PURPOSE** Totals	($71,140.00)	$0.00	($71,140.00)	($3,554.84)	$0.00	($22,521.12)	($48,618.88)		$10,367.70

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **219 - SP ASSESS-LIGHTING**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	2,000.00	.00	2,000.00	2,486.89	.00	7,486.40	(5,486.40)	374	(898.54)
Department **457 - STREETLIGHTING**	1,130,906.00	.00	1,130,906.00	.00	.00	1,154,117.51	(23,211.51)	102	1,175,282.36
REVENUE TOTALS	$1,132,906.00	$0.00	$1,132,906.00	$2,486.89	$0.00	$1,161,603.91	($28,697.91)	103%	$1,174,383.82
EXPENSE									
Department **000 - ACCOUNT BALANCES**	.00	.00	.00	.00	.00	.00	.00	+++	.00
Department **457 - STREETLIGHTING**	1,170,764.00	.00	1,170,764.00	30,971.29	.00	309,766.29	860,997.71	26	684,394.97
EXPENSE TOTALS	$1,170,764.00	$0.00	$1,170,764.00	$30,971.29	$0.00	$309,766.29	$860,997.71	26%	$684,394.97
Fund **219 - SP ASSESS-LIGHTING** Totals									
REVENUE TOTALS	1,132,906.00	.00	1,132,906.00	2,486.89	.00	1,161,603.91	(28,697.91)	103%	1,174,383.82
EXPENSE TOTALS	1,170,764.00	.00	1,170,764.00	30,971.29	.00	309,766.29	860,997.71	26%	684,394.97
Fund **219 - SP ASSESS-LIGHTING** Totals	($37,858.00)	$0.00	($37,858.00)	($28,484.40)	$0.00	$851,837.62	($889,695.62)		$489,988.85

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Fund **226 - MUNICIPAL REFUSE FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	12,846,718.00	.00	12,846,718.00	107,465.89	.00	12,034,849.76	811,868.24	94	11,248,136.44
REVENUE TOTALS	$12,846,718.00	$0.00	$12,846,718.00	$107,465.89	$0.00	$12,034,849.76	$811,868.24	94%	$11,248,136.44
EXPENSE									
Department **521 - SANITATION**	1,360,439.00	.00	1,360,439.00	105,299.23	.00	405,525.85	954,913.15	30	353,263.97
Department **528 - PUBLIC SERVICE**	11,858,726.00	226,413.00	12,085,139.00	485,288.15	143,610.00	2,941,601.62	8,999,927.38	26	2,812,902.64
Department **529 - ANIMAL CONTROL**	382,033.00	(20,000.00)	362,033.00	29,343.72	.00	85,363.88	276,669.12	24	61,267.02
EXPENSE TOTALS	$13,601,198.00	$206,413.00	$13,807,611.00	$619,931.10	$143,610.00	$3,432,491.35	$10,231,509.65	26%	$3,227,433.63
Fund **226 - MUNICIPAL REFUSE FUND** Totals									
REVENUE TOTALS	12,846,718.00	.00	12,846,718.00	107,465.89	.00	12,034,849.76	811,868.24	94%	11,248,136.44
EXPENSE TOTALS	13,601,198.00	206,413.00	13,807,611.00	619,931.10	143,610.00	3,432,491.35	10,231,509.65	26%	3,227,433.63
Fund **226 - MUNICIPAL REFUSE FUND** Totals	($754,480.00)	($206,413.00)	($960,893.00)	($512,465.21)	($143,610.00)	$8,602,358.41	($9,419,641.41)		$8,020,702.81

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Fund **242 - LIVONIA BROWNFIELD - LSRRF**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	150,000.00	.00	150,000.00	2,166.59	.00	4,925.50	145,074.50	3	39,995.61
REVENUE TOTALS	$150,000.00	$0.00	$150,000.00	$2,166.59	$0.00	$4,925.50	$145,074.50	3%	$39,995.61
EXPENSE									
Department **000 - ACCOUNT BALANCES**	36,700.00	.00	36,700.00	2,640.00	.00	10,560.00	26,140.00	29	10,452.00
EXPENSE TOTALS	$36,700.00	$0.00	$36,700.00	$2,640.00	$0.00	$10,560.00	$26,140.00	29%	$10,452.00
Fund **242 - LIVONIA BROWNFIELD - LSRRF** Totals									
REVENUE TOTALS	150,000.00	.00	150,000.00	2,166.59	.00	4,925.50	145,074.50	3%	39,995.61
EXPENSE TOTALS	36,700.00	.00	36,700.00	2,640.00	.00	10,560.00	26,140.00	29%	10,452.00
Fund **242 - LIVONIA BROWNFIELD - LSRRF** Totals	$113,300.00	$0.00	$113,300.00	($473.41)	$0.00	($5,634.50)	$118,934.50		$29,543.61

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **243 - LIVONIA BROWNFIELD REDEV AUTH**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	830,000.00	.00	830,000.00	.00	.00	.00	830,000.00	0	194,091.42
REVENUE TOTALS	$830,000.00	$0.00	$830,000.00	$0.00	$0.00	$0.00	$830,000.00	0%	$194,091.42
EXPENSE									
Department **000 - ACCOUNT BALANCES**	830,000.00	.00	830,000.00	.00	.00	.00	830,000.00	0	.00
EXPENSE TOTALS	$830,000.00	$0.00	$830,000.00	$0.00	$0.00	$0.00	$830,000.00	0%	$0.00
Fund **243 - LIVONIA BROWNFIELD REDEV AUTH** Totals									
REVENUE TOTALS	830,000.00	.00	830,000.00	.00	.00	.00	830,000.00	0%	194,091.42
EXPENSE TOTALS	830,000.00	.00	830,000.00	.00	.00	.00	830,000.00	0%	.00
Fund **243 - LIVONIA BROWNFIELD REDEV AUTH** Totals	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		$194,091.42

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Fund **244 - ECONOMIC DEVEL CORP**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	100.00	.00	100.00	144.77	.00	326.14	(226.14)	326	(124.29)
REVENUE TOTALS	$100.00	$0.00	$100.00	$144.77	$0.00	$326.14	($226.14)	326%	($124.29)
EXPENSE									
Department **000 - ACCOUNT BALANCES**	107.00	.00	107.00	.00	.00	.00	107.00	0	.00
EXPENSE TOTALS	$107.00	$0.00	$107.00	$0.00	$0.00	$0.00	$107.00	0%	$0.00
Fund **244 - ECONOMIC DEVEL CORP** Totals									
REVENUE TOTALS	100.00	.00	100.00	144.77	.00	326.14	(226.14)	326%	(124.29)
EXPENSE TOTALS	107.00	.00	107.00	.00	.00	.00	107.00	0%	.00
Fund **244 - ECONOMIC DEVEL CORP** Totals	($7.00)	$0.00	($7.00)	$144.77	$0.00	$326.14	($333.14)		($124.29)

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Fund **248 - PLYMOUTH RD DEV AUTHORITY**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	780,419.00	.00	780,419.00	495.62	.00	1,508.84	778,910.16	0	243.48
REVENUE TOTALS	$780,419.00	$0.00	$780,419.00	$495.62	$0.00	$1,508.84	$778,910.16	0%	$243.48
EXPENSE									
Department **000 - ACCOUNT BALANCES**	820,041.00	.00	820,041.00	31,387.27	.00	47,392.32	772,648.68	6	169,516.65
EXPENSE TOTALS	$820,041.00	$0.00	$820,041.00	$31,387.27	$0.00	$47,392.32	$772,648.68	6%	$169,516.65
Fund **248 - PLYMOUTH RD DEV AUTHORITY** Totals									
REVENUE TOTALS	780,419.00	.00	780,419.00	495.62	.00	1,508.84	778,910.16	0%	243.48
EXPENSE TOTALS	820,041.00	.00	820,041.00	31,387.27	.00	47,392.32	772,648.68	6%	169,516.65
Fund **248 - PLYMOUTH RD DEV AUTHORITY** Totals	($39,622.00)	$0.00	($39,622.00)	($30,891.65)	$0.00	($45,883.48)	$6,261.48		($169,273.17)

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Fund **260 - MIDC GRANT**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	456,199.00	.00	456,199.00	.00	.00	418,643.64	37,555.36	92	479,108.51
REVENUE TOTALS	$456,199.00	$0.00	$456,199.00	$0.00	$0.00	$418,643.64	$37,555.36	92%	$479,108.51
EXPENSE									
Department **000 - ACCOUNT BALANCES**	456,199.00	.00	456,199.00	27,656.69	.00	74,473.32	381,725.68	16	69,961.89
EXPENSE TOTALS	$456,199.00	$0.00	$456,199.00	$27,656.69	$0.00	$74,473.32	$381,725.68	16%	$69,961.89
Fund **260 - MIDC GRANT** Totals									
REVENUE TOTALS	456,199.00	.00	456,199.00	.00	.00	418,643.64	37,555.36	92%	479,108.51
EXPENSE TOTALS	456,199.00	.00	456,199.00	27,656.69	.00	74,473.32	381,725.68	16%	69,961.89
Fund **260 - MIDC GRANT** Totals	$0.00	$0.00	$0.00	($27,656.69)	$0.00	$344,170.32	($344,170.32)		$409,146.62

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Fund **261 - PUB. SAFETY COMMUNICATION**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	460,000.00	.00	460,000.00	49,725.77	.00	303,003.00	156,997.00	66	415,369.08
REVENUE TOTALS	$460,000.00	$0.00	$460,000.00	$49,725.77	$0.00	$303,003.00	$156,997.00	66%	$415,369.08
EXPENSE									
Department **000 - ACCOUNT BALANCES**	3,915,500.00	.00	3,915,500.00	6,250.40	.00	31,683.30	3,883,816.70	1	104,920.00
EXPENSE TOTALS	$3,915,500.00	$0.00	$3,915,500.00	$6,250.40	$0.00	$31,683.30	$3,883,816.70	1%	$104,920.00
Fund **261 - PUB. SAFETY COMMUNICATION** Totals									
REVENUE TOTALS	460,000.00	.00	460,000.00	49,725.77	.00	303,003.00	156,997.00	66%	415,369.08
EXPENSE TOTALS	3,915,500.00	.00	3,915,500.00	6,250.40	.00	31,683.30	3,883,816.70	1%	104,920.00
Fund **261 - PUB. SAFETY COMMUNICATION** Totals	($3,455,500.00)	$0.00	($3,455,500.00)	$43,475.37	$0.00	$271,319.70	($3,726,819.70)		$310,449.08

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Fund **262 - ADJUDICATED FORFEITURES**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	170,000.00	.00	170,000.00	60,954.97	.00	87,974.56	82,025.44	52	(1,282.87)
REVENUE TOTALS	$170,000.00	$0.00	$170,000.00	$60,954.97	$0.00	$87,974.56	$82,025.44	52%	($1,282.87)
EXPENSE									
Department **333 - STATE/LOCAL FORFEITURE EX**	532,600.00	.00	532,600.00	(57.65)	.00	14,289.67	518,310.33	3	12,093.23
Department **334 - FEDERAL FORFEITURE EXP**	223,750.00	.00	223,750.00	.00	.00	.00	223,750.00	0	17,914.54
Department **335 - CONTINUING CRIMINAL ENTERPRISE**	145,000.00	.00	145,000.00	.00	.00	.00	145,000.00	0	1,083.75
EXPENSE TOTALS	$901,350.00	$0.00	$901,350.00	($57.65)	$0.00	$14,289.67	$887,060.33	2%	$31,091.52
Fund **262 - ADJUDICATED FORFEITURES** Totals									
REVENUE TOTALS	170,000.00	.00	170,000.00	60,954.97	.00	87,974.56	82,025.44	52%	(1,282.87)
EXPENSE TOTALS	901,350.00	.00	901,350.00	(57.65)	.00	14,289.67	887,060.33	2%	31,091.52
Fund **262 - ADJUDICATED FORFEITURES** Totals	($731,350.00)	$0.00	($731,350.00)	$61,012.62	$0.00	$73,684.89	($805,034.89)		($32,374.39)

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Fund **270 - HISTORICAL COMMISSION**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	89,200.00	.00	89,200.00	15,227.63	.00	32,785.45	56,414.55	37	50,840.13
REVENUE TOTALS	$89,200.00	$0.00	$89,200.00	$15,227.63	$0.00	$32,785.45	$56,414.55	37%	$50,840.13
EXPENSE									
Department **000 - ACCOUNT BALANCES**	62,000.00	1,635.00	63,635.00	682.28	.00	18,326.53	45,308.47	29	9,041.97
EXPENSE TOTALS	$62,000.00	$1,635.00	$63,635.00	$682.28	$0.00	$18,326.53	$45,308.47	29%	$9,041.97
Fund **270 - HISTORICAL COMMISSION** Totals									
REVENUE TOTALS	89,200.00	.00	89,200.00	15,227.63	.00	32,785.45	56,414.55	37%	50,840.13
EXPENSE TOTALS	62,000.00	1,635.00	63,635.00	682.28	.00	18,326.53	45,308.47	29%	9,041.97
Fund **270 - HISTORICAL COMMISSION** Totals	$27,200.00	($1,635.00)	$25,565.00	$14,545.35	$0.00	$14,458.92	$11,106.08		$41,798.16

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Fund **271 - LIBRARY FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	4,430,642.00	.00	4,430,642.00	71,922.44	.00	4,147,288.11	283,353.89	94	3,861,493.71
REVENUE TOTALS	$4,430,642.00	$0.00	$4,430,642.00	$71,922.44	$0.00	$4,147,288.11	$283,353.89	94%	$3,861,493.71
EXPENSE									
Department **778 - CIVIC CENTER LIBRARY**	4,178,232.00	375,738.00	4,553,970.00	360,964.76	490.44	1,036,713.26	3,516,766.30	23	925,131.81
Department **779 - NOBLE LIBRARY**	15,000.00	.00	15,000.00	515.80	.00	1,577.84	13,422.16	11	1,906.75
Department **780 - SANDBURG LIBRARY**	747,294.00	.00	747,294.00	67,503.72	.00	242,107.09	505,186.91	32	237,906.05
EXPENSE TOTALS	$4,940,526.00	$375,738.00	$5,316,264.00	$428,984.28	$490.44	$1,280,398.19	$4,035,375.37	24%	$1,164,944.61
Fund **271 - LIBRARY FUND** Totals									
REVENUE TOTALS	4,430,642.00	.00	4,430,642.00	71,922.44	.00	4,147,288.11	283,353.89	94%	3,861,493.71
EXPENSE TOTALS	4,940,526.00	375,738.00	5,316,264.00	428,984.28	490.44	1,280,398.19	4,035,375.37	24%	1,164,944.61
Fund **271 - LIBRARY FUND** Totals	($509,884.00)	($375,738.00)	($885,622.00)	($357,061.84)	($490.44)	$2,866,889.92	($3,752,021.48)		$2,696,549.10

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **272 - ARTS COMMISSION FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	8,500.00	.00	8,500.00	504.37	.00	1,157.01	7,342.99	14	843.14
REVENUE TOTALS	$8,500.00	$0.00	$8,500.00	$504.37	$0.00	$1,157.01	$7,342.99	14%	$843.14
EXPENSE									
Department **000 - ACCOUNT BALANCES**	17,700.00	.00	17,700.00	.00	.00	.00	17,700.00	0	557.03
EXPENSE TOTALS	$17,700.00	$0.00	$17,700.00	$0.00	$0.00	$0.00	$17,700.00	0%	$557.03
Fund **272 - ARTS COMMISSION FUND** Totals									
REVENUE TOTALS	8,500.00	.00	8,500.00	504.37	.00	1,157.01	7,342.99	14%	843.14
EXPENSE TOTALS	17,700.00	.00	17,700.00	.00	.00	.00	17,700.00	0%	557.03
Fund **272 - ARTS COMMISSION FUND** Totals	($9,200.00)	$0.00	($9,200.00)	$504.37	$0.00	$1,157.01	($10,357.01)		$286.11

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Fund **286 - TRANSIT & CAPITAL IMPR**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	2,608,950.00	.00	2,608,950.00	.00	.00	2,445,027.00	163,923.00	94	2,337,723.92
REVENUE TOTALS	$2,608,950.00	$0.00	$2,608,950.00	$0.00	$0.00	$2,445,027.00	$163,923.00	94%	$2,337,723.92
EXPENSE									
Department **000 - ACCOUNT BALANCES**	2,608,950.00	.00	2,608,950.00	.00	.00	2,608,950.00	.00	100	2,465,846.00
EXPENSE TOTALS	$2,608,950.00	$0.00	$2,608,950.00	$0.00	$0.00	$2,608,950.00	$0.00	100%	$2,465,846.00
Fund **286 - TRANSIT & CAPITAL IMPR** Totals									
REVENUE TOTALS	2,608,950.00	.00	2,608,950.00	.00	.00	2,445,027.00	163,923.00	94%	2,337,723.92
EXPENSE TOTALS	2,608,950.00	.00	2,608,950.00	.00	.00	2,608,950.00	.00	100%	2,465,846.00
Fund **286 - TRANSIT & CAPITAL IMPR** Totals	$0.00	$0.00	$0.00	$0.00	$0.00	($163,923.00)	$163,923.00		($128,122.08)

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **288 - COMMUNITY TRANSIT PROGRAM**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	704,445.00	.00	704,445.00	13,623.97	.00	582,953.17	121,491.83	83	670,210.79
REVENUE TOTALS	$704,445.00	$0.00	$704,445.00	$13,623.97	$0.00	$582,953.17	$121,491.83	83%	$670,210.79
EXPENSE									
Department **606 - COMM TRANSIT DISPATCHERS**	102,624.00	.00	102,624.00	10,720.53	.00	30,138.04	72,485.96	29	25,222.74
Department **607 - COMMUNITY TRANSIT ADMIN**	160,583.00	.00	160,583.00	15,583.90	.00	49,616.26	110,966.74	31	45,358.88
Department **608 - COMMUNITY TRANSIT**	935,910.00	212,883.00	1,148,793.00	33,796.85	1,075.35	405,051.02	742,666.63	35	335,631.36
EXPENSE TOTALS	$1,199,117.00	$212,883.00	$1,412,000.00	$60,101.28	$1,075.35	$484,805.32	$926,119.33	34%	$406,212.98
Fund **288 - COMMUNITY TRANSIT PROGRAM** Totals									
REVENUE TOTALS	704,445.00	.00	704,445.00	13,623.97	.00	582,953.17	121,491.83	83%	670,210.79
EXPENSE TOTALS	1,199,117.00	212,883.00	1,412,000.00	60,101.28	1,075.35	484,805.32	926,119.33	34%	406,212.98
Fund **288 - COMMUNITY TRANSIT PROGRAM** Totals	($494,672.00)	($212,883.00)	($707,555.00)	($46,477.31)	($1,075.35)	$98,147.85	($804,627.50)		$263,997.81

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **297 - CABLE TELEVISION FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	386,200.00	.00	386,200.00	4,059.60	.00	99,974.04	286,225.96	26	90,237.15
REVENUE TOTALS	$386,200.00	$0.00	$386,200.00	$4,059.60	$0.00	$99,974.04	$286,225.96	26%	$90,237.15
EXPENSE									
Department **806 - CABLE TELEVISION**	641,279.00	32,000.00	673,279.00	95,087.06	.00	190,457.05	482,821.95	28	133,750.84
EXPENSE TOTALS	$641,279.00	$32,000.00	$673,279.00	$95,087.06	$0.00	$190,457.05	$482,821.95	28%	$133,750.84
Fund **297 - CABLE TELEVISION FUND** Totals									
REVENUE TOTALS	386,200.00	.00	386,200.00	4,059.60	.00	99,974.04	286,225.96	26%	90,237.15
EXPENSE TOTALS	641,279.00	32,000.00	673,279.00	95,087.06	.00	190,457.05	482,821.95	28%	133,750.84
Fund **297 - CABLE TELEVISION FUND** Totals	($255,079.00)	($32,000.00)	($287,079.00)	($91,027.46)	$0.00	($90,483.01)	($196,595.99)		($43,513.69)

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **372 - D/S 2015 MBA REFUNDING**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	181,245.00	.00	181,245.00	.00	.00	.00	181,245.00	0	.00
REVENUE TOTALS	$181,245.00	$0.00	$181,245.00	$0.00	$0.00	$0.00	$181,245.00	0%	$0.00
EXPENSE									
Department **000 - ACCOUNT BALANCES**	181,245.00	.00	181,245.00	.00	.00	.00	181,245.00	0	.00
EXPENSE TOTALS	$181,245.00	$0.00	$181,245.00	$0.00	$0.00	$0.00	$181,245.00	0%	$0.00
Fund **372 - D/S 2015 MBA REFUNDING** Totals									
REVENUE TOTALS	181,245.00	.00	181,245.00	.00	.00	.00	181,245.00	0%	.00
EXPENSE TOTALS	181,245.00	.00	181,245.00	.00	.00	.00	181,245.00	0%	.00
Fund **372 - D/S 2015 MBA REFUNDING** Totals	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		$0.00

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **373 - D/S 2016 MBA REFUNDING**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	548,300.00	.00	548,300.00	500.00	.00	500.00	547,800.00	0	500.00
REVENUE TOTALS	$548,300.00	$0.00	$548,300.00	$500.00	$0.00	$500.00	$547,800.00	0%	$500.00
EXPENSE									
Department **000 - ACCOUNT BALANCES**	548,300.00	.00	548,300.00	500.00	.00	500.00	547,800.00	0	500.00
EXPENSE TOTALS	$548,300.00	$0.00	$548,300.00	$500.00	$0.00	$500.00	$547,800.00	0%	$500.00
Fund **373 - D/S 2016 MBA REFUNDING** Totals									
REVENUE TOTALS	548,300.00	.00	548,300.00	500.00	.00	500.00	547,800.00	0%	500.00
EXPENSE TOTALS	548,300.00	.00	548,300.00	500.00	.00	500.00	547,800.00	0%	500.00
Fund **373 - D/S 2016 MBA REFUNDING** Totals	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		$0.00

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **374 - D/S 2017 MBA REFUNDING**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	1,994,175.00	.00	1,994,175.00	.00	.00	500.00	1,993,675.00	0	500.00
REVENUE TOTALS	$1,994,175.00	$0.00	$1,994,175.00	$0.00	$0.00	$500.00	$1,993,675.00	0%	$500.00
EXPENSE									
Department **000 - ACCOUNT BALANCES**	1,994,175.00	.00	1,994,175.00	.00	.00	500.00	1,993,675.00	0	500.00
EXPENSE TOTALS	$1,994,175.00	$0.00	$1,994,175.00	$0.00	$0.00	$500.00	$1,993,675.00	0%	$500.00
Fund **374 - D/S 2017 MBA REFUNDING** Totals									
REVENUE TOTALS	1,994,175.00	.00	1,994,175.00	.00	.00	500.00	1,993,675.00	0%	500.00
EXPENSE TOTALS	1,994,175.00	.00	1,994,175.00	.00	.00	500.00	1,993,675.00	0%	500.00
Fund **374 - D/S 2017 MBA REFUNDING** Totals	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		$0.00

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **401 - CAPITAL PROJECTS**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	2,118,950.00	.00	2,118,950.00	563,761.16	.00	3,194,366.28	(1,075,416.28)	151	2,365,206.07
REVENUE TOTALS	$2,118,950.00	$0.00	$2,118,950.00	$563,761.16	$0.00	$3,194,366.28	($1,075,416.28)	151%	$2,365,206.07
EXPENSE									
Department **000 - ACCOUNT BALANCES**	2,907,500.00	8,615,278.00	11,522,778.00	641,392.99	1,045,071.88	1,564,320.18	8,913,385.94	23	874,705.49
EXPENSE TOTALS	$2,907,500.00	$8,615,278.00	$11,522,778.00	$641,392.99	$1,045,071.88	$1,564,320.18	$8,913,385.94	23%	$874,705.49
Fund **401 - CAPITAL PROJECTS** Totals									
REVENUE TOTALS	2,118,950.00	.00	2,118,950.00	563,761.16	.00	3,194,366.28	(1,075,416.28)	151%	2,365,206.07
EXPENSE TOTALS	2,907,500.00	8,615,278.00	11,522,778.00	641,392.99	1,045,071.88	1,564,320.18	8,913,385.94	23%	874,705.49
Fund **401 - CAPITAL PROJECTS** Totals	($788,550.00)	($8,615,278.00)	($9,403,828.00)	($77,631.83)	($1,045,071.88)	$1,630,046.10	($9,988,802.22)		$1,490,500.58

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Fund **409 - GOLF COURSE CAPITAL IMPR**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	205,200.00	.00	205,200.00	(3,735.48)	.00	(18,075.92)	223,275.92	-9	313,856.00
REVENUE TOTALS	$205,200.00	$0.00	$205,200.00	($3,735.48)	$0.00	($18,075.92)	$223,275.92	-9%	$313,856.00
EXPENSE									
Department **000 - ACCOUNT BALANCES**	282,500.00	.00	282,500.00	8,000.00	.00	16,580.00	265,920.00	6	2,678.74
EXPENSE TOTALS	$282,500.00	$0.00	$282,500.00	$8,000.00	$0.00	$16,580.00	$265,920.00	6%	$2,678.74
Fund **409 - GOLF COURSE CAPITAL IMPR** Totals									
REVENUE TOTALS	205,200.00	.00	205,200.00	(3,735.48)	.00	(18,075.92)	223,275.92	-9%	313,856.00
EXPENSE TOTALS	282,500.00	.00	282,500.00	8,000.00	.00	16,580.00	265,920.00	6%	2,678.74
Fund **409 - GOLF COURSE CAPITAL IMPR** Totals	($77,300.00)	$0.00	($77,300.00)	($11,735.48)	$0.00	($34,655.92)	($42,644.08)		$311,177.26

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Fund **418 - BUILDING IMPROVEMENT FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	5,000.00	.00	5,000.00	54,459.60	.00	122,924.11	(117,924.11)	2458	(23,203.45)
REVENUE TOTALS	$5,000.00	$0.00	$5,000.00	$54,459.60	$0.00	$122,924.11	($117,924.11)	2458%	($23,203.45)
EXPENSE									
Department **000 - ACCOUNT BALANCES**	100,000.00	.00	100,000.00	969.35	.00	15,449.04	84,550.96	15	6,803.25
EXPENSE TOTALS	$100,000.00	$0.00	$100,000.00	$969.35	$0.00	$15,449.04	$84,550.96	15%	$6,803.25
Fund **418 - BUILDING IMPROVEMENT FUND** Totals									
REVENUE TOTALS	5,000.00	.00	5,000.00	54,459.60	.00	122,924.11	(117,924.11)	2458%	(23,203.45)
EXPENSE TOTALS	100,000.00	.00	100,000.00	969.35	.00	15,449.04	84,550.96	15%	6,803.25
Fund **418 - BUILDING IMPROVEMENT FUND** Totals	($95,000.00)	$0.00	($95,000.00)	$53,490.25	$0.00	$107,475.07	($202,475.07)		($30,006.70)

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **419 - SENIOR CENTER CONSTRUCTION FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	.00	.00	.00	23,219.35	.00	52,376.30	(52,376.30)	+++	.00
REVENUE TOTALS	$0.00	$0.00	$0.00	$23,219.35	$0.00	$52,376.30	($52,376.30)	+++	$0.00
EXPENSE									
Department **000 - ACCOUNT BALANCES**	.00	696,678.00	696,678.00	20,536.63	.00	22,671.03	674,006.97	3	.00
EXPENSE TOTALS	$0.00	$696,678.00	$696,678.00	$20,536.63	$0.00	$22,671.03	$674,006.97	3%	$0.00
Fund **419 - SENIOR CENTER CONSTRUCTION FUND** Totals									
REVENUE TOTALS	.00	.00	.00	23,219.35	.00	52,376.30	(52,376.30)	+++	.00
EXPENSE TOTALS	.00	696,678.00	696,678.00	20,536.63	.00	22,671.03	674,006.97	3%	.00
Fund **419 - SENIOR CENTER CONSTRUCTION FUND** Totals	$0.00	($696,678.00)	($696,678.00)	$2,682.72	$0.00	$29,705.27	($726,383.27)		$0.00

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Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **470 - COURT BUILDING IMPROVEMENTS**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	350,100.00	.00	350,100.00	41,810.12	.00	136,476.82	213,623.18	39	79,659.42
REVENUE TOTALS	$350,100.00	$0.00	$350,100.00	$41,810.12	$0.00	$136,476.82	$213,623.18	39%	$79,659.42
EXPENSE									
Department **000 - ACCOUNT BALANCES**	548,300.00	.00	548,300.00	500.00	.00	500.00	547,800.00	0	500.00
EXPENSE TOTALS	$548,300.00	$0.00	$548,300.00	$500.00	$0.00	$500.00	$547,800.00	0%	$500.00
Fund **470 - COURT BUILDING IMPROVEMENTS** Totals									
REVENUE TOTALS	350,100.00	.00	350,100.00	41,810.12	.00	136,476.82	213,623.18	39%	79,659.42
EXPENSE TOTALS	548,300.00	.00	548,300.00	500.00	.00	500.00	547,800.00	0%	500.00
Fund **470 - COURT BUILDING IMPROVEMENTS** Totals	($198,200.00)	$0.00	($198,200.00)	$41,310.12	$0.00	$135,976.82	($334,176.82)		$79,159.42

BUDGET TO ACTUAL - COUNCIL SUMMARY - 03/31/2023

Through 03/31/23

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **536 - NEWBURGH VILLAGE**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	843,000.00	.00	843,000.00	78,224.95	.00	299,029.42	543,970.58	35	266,046.94
REVENUE TOTALS	$843,000.00	$0.00	$843,000.00	$78,224.95	$0.00	$299,029.42	$543,970.58	35%	$266,046.94
EXPENSE									
Department **677 - NEWBURGH VILLAGE**	703,934.00	716,985.00	1,420,919.00	70,993.56	11,270.00	211,065.53	1,198,583.47	16	198,572.71
EXPENSE TOTALS	$703,934.00	$716,985.00	$1,420,919.00	$70,993.56	$11,270.00	$211,065.53	$1,198,583.47	16%	$198,572.71
Fund **536 - NEWBURGH VILLAGE** Totals									
REVENUE TOTALS	843,000.00	.00	843,000.00	78,224.95	.00	299,029.42	543,970.58	35%	266,046.94
EXPENSE TOTALS	703,934.00	716,985.00	1,420,919.00	70,993.56	11,270.00	211,065.53	1,198,583.47	16%	198,572.71
Fund **536 - NEWBURGH VILLAGE** Totals	$139,066.00	($716,985.00)	($577,919.00)	$7,231.39	($11,270.00)	$87,963.89	($654,612.89)		$67,474.23

BUDGET TO ACTUAL - COUNCIL SUMMARY - 03/31/2023

Through 03/31/23

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **538 - SILVER VILLAGE FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	668,620.00	.00	668,620.00	63,591.13	.00	237,448.96	431,171.04	36	204,207.93
REVENUE TOTALS	$668,620.00	$0.00	$668,620.00	$63,591.13	$0.00	$237,448.96	$431,171.04	36%	$204,207.93
EXPENSE									
Department **676 - SILVER VILLAGE**	603,445.00	160,000.00	763,445.00	61,076.07	.00	198,871.99	564,573.01	26	161,923.87
EXPENSE TOTALS	$603,445.00	$160,000.00	$763,445.00	$61,076.07	$0.00	$198,871.99	$564,573.01	26%	$161,923.87
Fund **538 - SILVER VILLAGE FUND** Totals									
REVENUE TOTALS	668,620.00	.00	668,620.00	63,591.13	.00	237,448.96	431,171.04	36%	204,207.93
EXPENSE TOTALS	603,445.00	160,000.00	763,445.00	61,076.07	.00	198,871.99	564,573.01	26%	161,923.87
Fund **538 - SILVER VILLAGE FUND** Totals	$65,175.00	($160,000.00)	($94,825.00)	$2,515.06	$0.00	$38,576.97	($133,401.97)		$42,284.06

BUDGET TO ACTUAL - COUNCIL SUMMARY - 03/31/2023

Through 03/31/23

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **584 - GOLF COURSE FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	2,075,397.00	.00	2,075,397.00	19,458.42	.00	67,975.09	2,007,421.91	3	39,116.84
REVENUE TOTALS	$2,075,397.00	$0.00	$2,075,397.00	$19,458.42	$0.00	$67,975.09	$2,007,421.91	3%	$39,116.84
EXPENSE									
Department **000 - ACCOUNT BALANCES**	.00	.00	.00	.00	.00	.00	.00	+++	340,000.00
Department **773 - WHISPERING WILLOWS**	735,662.00	.00	735,662.00	57,056.77	3,850.00	164,856.85	566,955.15	23	166,186.44
Department **774 - IDYL WYLD**	559,662.00	.00	559,662.00	49,596.72	.00	156,745.78	402,916.22	28	143,881.63
Department **775 - FOX CREEK**	777,570.00	.00	777,570.00	62,202.40	.00	178,314.30	599,255.70	23	163,538.00
EXPENSE TOTALS	$2,072,894.00	$0.00	$2,072,894.00	$168,855.89	$3,850.00	$499,916.93	$1,569,127.07	24%	$813,606.07
Fund **584 - GOLF COURSE FUND** Totals									
REVENUE TOTALS	2,075,397.00	.00	2,075,397.00	19,458.42	.00	67,975.09	2,007,421.91	3%	39,116.84
EXPENSE TOTALS	2,072,894.00	.00	2,072,894.00	168,855.89	3,850.00	499,916.93	1,569,127.07	24%	813,606.07
Fund **584 - GOLF COURSE FUND** Totals	$2,503.00	$0.00	$2,503.00	($149,397.47)	($3,850.00)	($431,941.84)	$438,294.84		($774,489.23)

BUDGET TO ACTUAL - COUNCIL SUMMARY - 03/31/2023

Through 03/31/23

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund **592 - WATER AND SEWER FUND**									
REVENUE									
Department **000 - ACCOUNT BALANCES**	43,581,472.00	.00	43,581,472.00	3,084,690.00	.00	12,234,062.53	31,347,409.47	28	11,467,098.76
REVENUE TOTALS	$43,581,472.00	$0.00	$43,581,472.00	$3,084,690.00	$0.00	$12,234,062.53	$31,347,409.47	28%	$11,467,098.76
EXPENSE									
Department **558 - W & S FINANCIAL ADMIN**	34,947,013.00	.00	34,947,013.00	2,794,889.12	.00	11,257,922.29	23,689,090.71	32	11,322,045.21
Department **559 - W & S FIELD OPERATIONS**	7,842,052.00	851,544.00	8,693,596.00	796,212.39	19,937.50	1,884,325.22	6,789,333.28	22	1,918,643.67
EXPENSE TOTALS	$42,789,065.00	$851,544.00	$43,640,609.00	$3,591,101.51	$19,937.50	$13,142,247.51	$30,478,423.99	30%	$13,240,688.88
Fund **592 - WATER AND SEWER FUND** Totals									
REVENUE TOTALS	43,581,472.00	.00	43,581,472.00	3,084,690.00	.00	12,234,062.53	31,347,409.47	28%	11,467,098.76
EXPENSE TOTALS	42,789,065.00	851,544.00	43,640,609.00	3,591,101.51	19,937.50	13,142,247.51	30,478,423.99	30%	13,240,688.88
Fund **592 - WATER AND SEWER FUND** Totals	$792,407.00	($851,544.00)	($59,137.00)	($506,411.51)	($19,937.50)	($908,184.98)	$868,985.48		($1,773,590.12)
Grand Totals									
REVENUE TOTALS	184,197,726.00	662,803.00	184,860,529.00	8,727,029.67	.00	100,642,277.85	84,218,251.15	54%	99,030,335.65
EXPENSE TOTALS	192,329,448.00	15,520,269.00	207,849,717.00	15,016,887.06	2,175,153.70	51,370,277.19	154,304,286.11	26%	48,349,944.14
Grand Totals	($8,131,722.00)	($14,857,466.00)	($22,989,188.00)	($6,289,857.39)	($2,175,153.70)	$49,272,000.66	($70,086,034.96)		$50,680,391.51

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

3. WAIVER PETITION: Planning Commission, re: Petition 2023-04-02-03 submitted by Wade Shows, Inc. requesting waiver use approval to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games, and food concessions from July 13, 2023, through July 23, 2023, on the property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2.

   Joanna Hardesty of Wade Shows and Pat Zucal of Livonia AM Rotary Club presented the request to Council.

   Councilmember Toy offered an approving resolution for the Consent agenda.

   Councilmember McCullough asked who determines what games will be at the carnival. Joanna indicated the owner, Frank, makes that decision.

   President Jolly asked where the concession rides are kept between the Spree and when they arrive at Sears. Joanna indicated she isn't sure.

   Councilmember Morgan asked if Reserve Officers are used or if they hire their own security. Joanna said they do both. Livonia Police Department schedules Reserve Officers and they have a security company they work closely with that knows the midway areas well and it usually keep them event free.

   DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

3.

Planning
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Stephanie Reece, Program Supervisor,

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2023-04-02-03 submitted by Wade Shows, Inc. requesting waiver use approval to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games, and food concessions from July 13, 2023, through July 23, 2023, on the property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2.

BACKGROUND DETAILS

May 10, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2023-04-02-03 - Wade Shows

Dear Council Members:

At the 1,199th Public Hearings and Regular Meeting held by the City Planning Commission on May 9, 2023, the following resolution was adopted:

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

#05-27-2023 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on May 9, 2023, on Petition 2023-04-02-03 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Sections 3.11 and 6.56 of the Livonia Vision 21 Zoning Ordinance, as amended, to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games, and food concessions from July 13, 2023, through July 23, 2023, on the property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2., the Planning Commission does hereby recommend to the City Council that Petition 2023-04-02-03 be approved subject to the following conditions:

1. The carnival shall be limited to July 13 through July 23, 2023.

2. The carnival shall be confined to the areas illustrated on the plan received by the Planning

Commission on April 18, 2023.

3. All rides, food concessions, booths, and other equipment and apparatus relating to the carnival operation shall be at least sixty feet (60') from the rights-of-way of Seven Mile and Middlebelt Roads.

4. The temporary housing and storage of trucks and equipment associated with the carnival shall be in the property's southwest corner, as shown on the plan, no closer than sixty feet (60') from the right-of-way of Seven Mile Road.

5. The hours of operation shall be limited to Monday through Friday from 4:00 p.m. to 11:00 p.m., and on Saturday and Sunday, from 12:00 p.m. to 11:00 p.m., and

6. Permits and inspections are required. Wade Shows shall request a pre-event meeting with the Director of Inspection, Fire Marshal, and Emergency Preparedness.

Subject to the preceding conditions, this petition is approved for the following reasons:

1. The proposed use complies with all of the special and general waiver use standards and requirements outlined in Sections 6.56 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended.

2. The site can accommodate the proposed use.

3. The carnival will not disrupt the normal traffic flow and circulation in the area and will not impede access to neighboring properties.

4. No reporting City department objects to the proposed use.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance, as amended.

ATTACHMENTS

1. 2023-04-02-03_E-COUNCIL Pkt

APPROVED BY

Date: May 10, 2023

Mark Taormina, Planning and Economic Development Director

Date: May 11, 2023

Maureen Miller Brosnan, Mayor

Petition 2023-04-02-03 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Sections 3.11 and 6.56 of the Livonia Vision 21 Zoning Ordinance, as amended, to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games and food concessions from July 13, 2023 through July 23, 2023, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2.

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR WAIVER USE APPROVAL

All applications must be presented in triplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications **must** include property owner's name, address and notarized signature.

For filing fee see below for computation

Date Filed: 4/17/23 Petition 2023-04-02-03

Site Address: 29500 7-Mile Road Sidwell 008990012000 Zoning of Property _____

Requesting Approval To Host a Carnival Fundraiser / Livonia AM Rotary Club 7/13-7/23

Applicant: Wade Shows/Joanna Hardesty Business/Company: Wade Shows, Inc-------

Applicant's Address: P O Box 51730----- City: Livonia ---- State: MI---- Zip Code: 48151---

Applicant's Phone # (810) 397-9058 Applicant's Email joanna@wadeshowsinc.com

Contact Person: Joanna Hardesty --- Business/Company: Wade Shows, Inc.------

Contact's Address: P O Box 548 --------- City: Hamburg ----- State: MI --- Zip Code: 48139

Contact's Phone # (810) 397-9058 Contact's Email joanna@wadeshowsinc.com

RECEIVED
OFFICE OF THE CITY CLERK
2023 APR 17 AM 11:41

Please provide the following information:

1) **Site Plan** showing:
   - property dimensions, including road right-of-way & building setback lines
   - foot print of building(s), including dimensions & square footage
   - all easements, protective walls, sidewalks & existing trees
   - any significant topographic features (existing or proposed)
   - parking layout, including type of surface material, sizes of spaces & aisles
   - method used in calculating parking requirement
   - location of light standards servicing parking lot & cutout showing type & height
   - location of trash receptacle, including description of screening
   - location of signs
2) **Detailed Landscape Plan** including:
   - listing or labeling of all planted materials as to type and size
   - areas to be fully irrigated
   - percentage of landscaping provided (15% of total site required)
3) **Building Elevation Plan** depicting:
   - architectural quality
   - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
   - all visible rooftop mechanical equipment and how they will be screened
4) **General Floor Plan** showing:
   - floor layout
   - entrances & exits
   - restaurants are required to illustrate seating arrangement & capacity
5) One (1) set of reduced plans (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to planning@livonia.gov
6) **Legal Description** of the property to be considered (Clearly Printed)
7) Three (3) completed application forms & **three (3)** sets of full-size drawings

You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

FEE COMPUTATION **$700.00 ($400 publication fee plus $300 base review fee) plus**

_____ sq. ft. of new construction x $20.00 per 1,000 sq. ft. plus $30 per lot or unit for residential construction.

(**NOTE**: Round off to nearest 1,000) + _____

Total Amount Due $ _____

Owner of Property: TF Wilmington DE LLC

Owner's Address: 5407 Trillium Blvd, Suite B120 City: Hoffman Estates State: IL Zip Code: 60192

Owner's Phone # (224) 955-1899 Owner's Email greg.simross@transformco.com

Signature of Owner [signature] Print Name: Greg Simross, Director Licensed Business

Subscribed and sworn to before me, a Notary Public in and for the County of COOK State of ILLINOIS

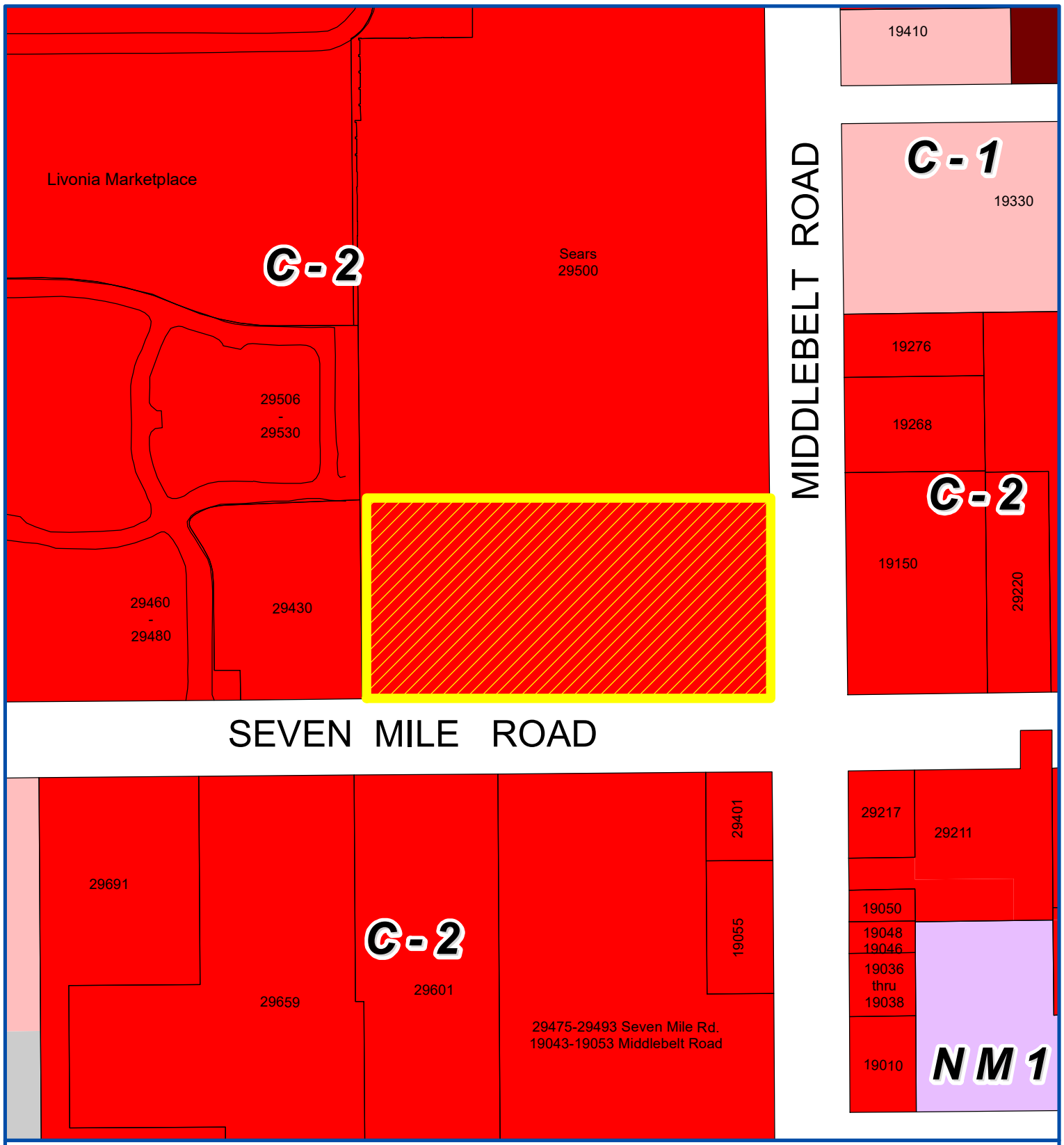
on this 6th day of APRIL 20 23

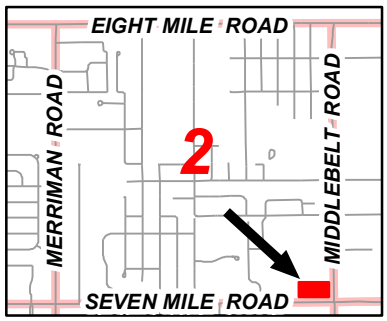
Signature of Notary [signature] My commission expires 03/05/24

Acting in the County of COOK

OFFICIAL SEAL
JULIE S ROMAN
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:03/05/24

(G)



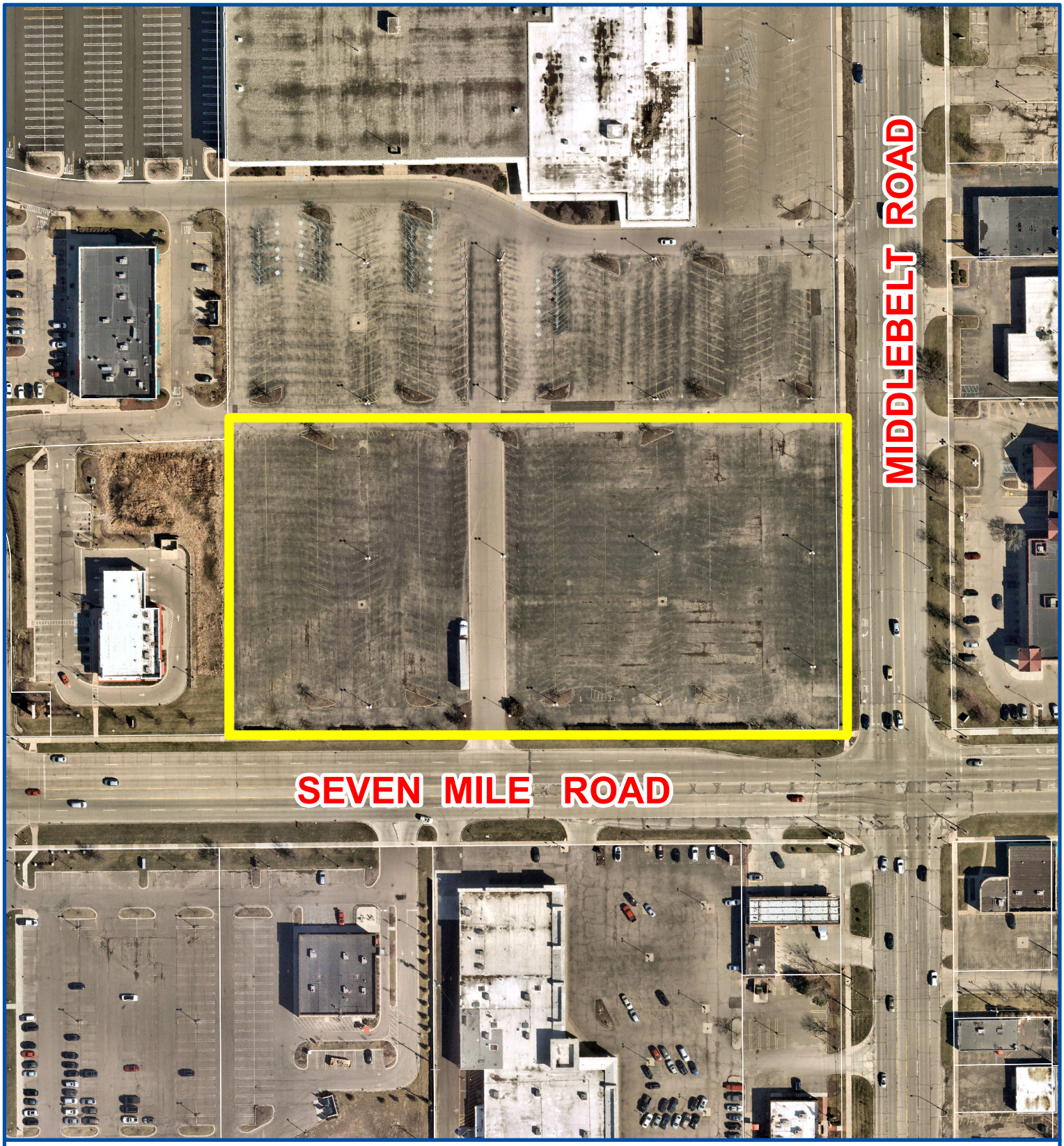


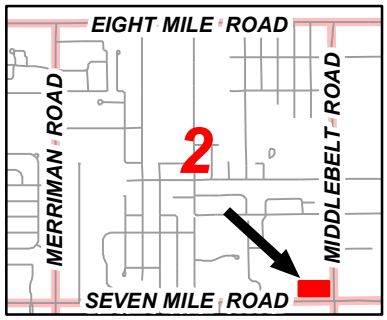
Address & Zoning Map

Petition 2023-04-02-03
Livonia AM Rotary Club
29500 Seven Mile
Conduct a Carnival

N
Not to Scale

City of Livonia
Planning Department





Aerial Map

Petition 2023-04-02-03
Livonia AM Rotary Club
29500 Seven Mile
Conduct a Carnival

N

Not to Scale

City of Livonia
Planning Department

P□ANNING COMMISSION STAFF NOTES

PU□□IC □EARING

ITEM 3

Petition 2023-04-02-03 submitted by □ ade Shows, Inc. requesting waiver use approval under Sections 3.11 and 6.56 of the Livonia □ision 21 □oning Ordinance, as amended, to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games, and food concessions from □uly 13, 2023, through □uly 23, 2023, on the property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast □ of Section 2.

April 25, 2023: Study Meeting:

This recurring waiver use petition by the Livonia AM Rotary Club is to hold a fundraising carnival at the former Sears property at the northwest corner of Seven Mile and Middlebelt Roads. The carnival operator is Wade Shows, Inc. The site is zoned C-2 (General Business).

To the west of the site is Livonia Marketplace, a multi-building commercial development comprised of Walmart and Kohls and several other shops and restaurants. North, across St. Martins Avenue, are several commercial uses zoned C-1 and C-2 that front along Middlebelt Road and Nottingham □illage Condominiums zoned NM1 (Neighborhood Multifamily). East, across Middlebelt Road, are various commercial uses zoned C-2 and C-1. And to the south, across Seven Mile Road, is the Mid-Seven shopping center and several other commercial uses zoned C-2.

The operation of a carnival is allowed with waiver use approval in the C-2 District under the provisions outlined in Section 6.56 of the □oning Ordinance. Carnivals may be allowed for at most two (2) weeks. This proposed carnival will be eleven (11) days from □uly 13 through □uly 23, 2023. The proposed hours of operation are as follows: Monday through Friday from 4:00 p.m. to 11:00 p.m., and on Saturday and Sunday from 12:00 p.m. to 11:00 p.m. On Monday, □uly 24th, the carnival would be dismantled.

The area where the carnival would be held measures approximately 660□(E-W) x 320□(N-S) and has been the same layout for several years. The northerly limit of the carnival would be the central drive aisle that extends across the former Sears parking lot and provides ingress and egress from Middlebelt Road to Livonia Marketplace. The westerly boundary is the Sears property line adjacent to Livonia Marketplace.

The overall operation consists of two (2) main components. In the southwest part, labeled on the plan as □*RV Parking,*□would be the temporary housing and storage of other trucks and equipment associated with the carnival. The rides and the

midway would be in the remaining easterly part of the property near the intersection of Middlebelt and Seven Mile Roads, labeled □*Carnival Midway Area.*□

May 9, 2023: Public □earing:

Approving Resolution: This request to conduct a carnival sponsored by the Livonia AM Rotary Club in the parking lot of the former Sears at 29500 Seven Mile Road is hereby approved, subject to City Council approval and the following conditions:

1. The carnival shall be limited to □uly 13 through □uly 23, 2023.

2. The carnival shall be confined to the areas illustrated on the plan received by the Planning Commission on April 18, 2023.

3. All rides, food concessions, booths, and other equipment and apparatus relating to the carnival operation shall be at least sixty feet (60□) from the rights-of-way of Seven Mile and Middlebelt Roads.

4. The temporary housing and storage of trucks and equipment associated with the carnival shall be in the property□s southwest corner, as shown on the plan, no closer than sixty feet (60□) from the right-of-way of Seven Mile Road.

5. The hours of operation shall be limited to Monday through Friday from 4:00 p.m. to 11:00 p.m., and on Saturday and Sunday, from 12:00 p.m. to 11:00 p.m., and

6. Permits and inspections are required. Wade Shows shall request a pre-event meeting with the Director of Inspection, Fire Marshal, and Emergency Preparedness.

Subject to the preceding conditions, this petition is approved for the following reasons:

1. The proposed use complies with all of the special and general waiver use standards and requirements outlined in Sections 6.56 and 13.13 of the Livonia □ision 21 □oning Ordinance, as amended.

2. The site can accommodate the proposed use.

3. The carnival will not disrupt the normal traffic flow and circulation in the area and will not impede access to neighboring properties.

4. No reporting City department objects to the proposed use.

UNAPPROVED MINUTES

MINUTES OF THE 1,199th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, May 9, 2023, the City Planning Commission of the City of Livonia held its 1,199th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7:00 p.m.

Members present:	Wafa Dinaro	David Bongero	Sam Caramagno
	Glen Long	Peter Ventura	Ian Wilshaw

Members absent: None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #3 PETITION 2023-04-02-03 Wade Shows

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2023-04-02-03 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Sections 3.11 and 6.56 of the Livonia Vision 21 Zoning Ordinance, as amended, to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games, and food concessions from July 13, 2023, through July 23, 2023, on the property at 29500 Seven Mile Road, located on the

northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2.

Mr. Taormina: Thank you. This year's Livonia AM Rotary Club carnival will be held from July 13 through July 23, 2023. The hours of operation are as follows: Monday through Friday, 4 pm to 11 pm, and then on the weekends, Saturday and Sunday from 12 pm to 11 pm. Monday, July 24 is when the carnival will be closed and dismantled. The carnival area is the same as it has been for the past several years. It measures approximately 660 feet in an east-to-west direction by about 320 feet in a north-to-south direction. The north limit, as you can see, is the main drive aisle that extends across the former Sears parking lot and provides ingress and egress from Middle Belt Road to Livonia Marketplace. That driveway will remain open. The carnival consists of two main components. The first is the actual carnival, or midway, in the southeast corner of the parking lot, and the other is the RV parking and storage area in the southwest corner. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated April 18, 2023, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced waiver use approval request. The address of #29500 Seven Mile Road is correct for the subject parcel, and should be used in connection with this petition. We have no objections to the proposed petition, although the following items should be noted: 1. Should the carnival have the need to occupy, or should any of the associated activities impact either of the Seven Mile Road or Middlebelt Road right-of-way, a permit from Wayne County will be required as both roads are under their jurisdiction. 2. All sanitary sewage from the site, recreational vehicles or campers shall be disposed of properly. 3. Should the operators need to have water provided for their facilities, they should contact the City of Livonia Water Department to obtain the proper equipment, including a water meter with backflow preventer."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated April 23, 2023, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request for a carnival on the property located at the above referenced address. We have no objections to this proposal with the following stipulations: 1.Carnival rides and*

attractions must be inspected, certified and stickered that is current with the State of Michigan requirements for carnivals, PRIOR to inspection by this AHJ. 2.All cooking operations must comply with the State of Michigan and NFPA codes. Suppression systems are required to be inspected and in compliance with current codes and tagged when compliance is met by a certified, licensed service provider. 3.Certified fire extinguishers at every attraction and ride and readily accessible for trained operators in the use of fire extinguishers. IF THE ABOVE REQUIREMENTS ARE NOT IN PLACE PRIOR TO AHJ INSPECTION, OPERATIONS OF THIS CARNIVAL WILL NOT COMMENCE UNTIL FULL COMPLIANCE WITH FIRE CODE IS MET. A further detailed plan review will take place when this division receives an official plan set." The letter is signed by Brian Kukla, Fire Marshal. The next letter is from the Division of Police, dated April 18, 2023, which reads as follows: *"I have reviewed the plans in connection with the petition. I have no objections to the proposal."* The letter is signed by Paul Walters, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated April 24, 2023, which reads as follows: *" Pursuant to your request, the above-referenced Petition has been reviewed. 1. Permits and inspections will be required for this proposed carnival. A pre-event meeting will be required with the Director of Inspection, Fire Marshal, and the Public Emergency Manager prior to filing the required permits. This Department has no further objections to this Petition."* The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated April 19, 2023, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. As there are no outstanding amounts receivable, general or water and sewer, I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated April 19, 2023, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the address connected with the above noted petition. At this time, there are no outstanding amounts receivable for taxes. Therefore, I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Thank you, Mr. Taormina. I had to lookup AHJ. It means Authority Having Jurisdiction, I believe. So, if anybody was wondering. All right, thank you. Is there any questions for our

planning staff? Other than acronym definitions? Thank you. If not, Miss Hardesty is here. Good evening. Good to see you.

Joanna Hardesty, Wade Shows. It's good to see you guys. It's great to be back this year. Again. We were a little nervous there for a little bit. But we're back.

Mr. Wilshaw: Well, welcome back. And what would you like to tell us about your carnival over here?

Ms. Hardesty: Same old, same old. Same thing as we've done in years past, it's been very successful, and nothing will change. It'll be the same number of rides. We will not be on the road right away. We know all about the permit process. And we take care of all of that. So nothing new. Nothing.

Mr. Wilshaw: All right. Sounds good. Any questions for our petitioner? This is, this is a good sign of questions for you. anyone in our audience wishing to speak for against this item? I don't see anybody else running forward to talk about the carnival. I will close the public hearing and ask for a motion.

On a motion by Long, seconded by Bongero, and unanimously adopted, it was:

#05-27-2023 ***RESOLVED***, That pursuant to a Public Hearing having been held by the City Planning Commission on May 9, 2023, on Petition 2023-04-02-03 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Sections 3.11 and 6.56 of the Livonia Vision 21 Zoning Ordinance, as amended, to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games, and food concessions from July 13, 2023, through July 23, 2023, on the property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2., the Planning Commission does hereby recommend to the City Council that Petition 2023-04-02-03 be approved subject to the following conditions:

1. The carnival shall be limited to July 13 through July 23, 2023.

2. The carnival shall be confined to the areas illustrated on the plan received by the Planning Commission on April 18, 2023.

3. All rides, food concessions, booths, and other equipment and apparatus relating to the carnival operation shall be at least sixty feet (60') from the rights-of-way of Seven Mile and Middlebelt Roads.

4. The temporary housing and storage of trucks and equipment associated with the carnival shall be in the property's southwest corner, as shown on the plan, no closer than sixty feet (60') from the right-of-way of Seven Mile Road.

5. The hours of operation shall be limited to Monday through Friday from 4:00 p.m. to 11:00 p.m., and on Saturday and Sunday, from 12:00 p.m. to 11:00 p.m., and

6. Permits and inspections are required. Wade Shows shall request a pre-event meeting with the Director of Inspection, Fire Marshal, and Emergency Preparedness.

Subject to the preceding conditions, this petition is approved for the following reasons:

1. The proposed use complies with all of the special and general waiver use standards and requirements outlined in Sections 6.56 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended.

2. The site can accommodate the proposed use.

3. The carnival will not disrupt the normal traffic flow and circulation in the area and will not impede access to neighboring properties.

4. No reporting City department objects to the proposed use.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

RV PARKING
CARNIVAL MIDWAY AREA
W Seven Mile Rd
Middlebelt Rd
© 2018 Google
Google Earth
Imagery Date: 4/13/2016 42°25'40.36" N 83°20'14.83" W elev 645 ft eye alt 1592 ft

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

DAVID W. LEAR, P.E.
ASST. CITY ENGINEER

MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
DIRECTOR OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150
(734) 466-2571
FAX: (734) 466-2195

April 18, 2023

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2023-04-02-03 – 29500 Seven Mile Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced waiver use approval request.

The address of **#29500 Seven Mile Road** is correct for the subject parcel, and should be used in connection with this petition.

We have no objections to the proposed petition, although the following items should be noted:

1. Should the carnival have the need to occupy, or should any of the associated activities impact either of the Seven Mile Road or Middlebelt Road right-of-way, a permit from Wayne County will be required as both roads are under their jurisdiction.
2. All sanitary sewage from the site, recreational vehicles or campers shall be disposed of properly.
3. Should the operators need to have water provided for their facilities, they should contact the City of Livonia Water Department to obtain the proper equipment, including a water meter with backflow preventer.

Should you have any additional questions, or need any additional information on this matter, please feel free to contact either myself at (734) 466-2608, or Todd Zilincik, the City Engineer at (734) 466-2561.

Sincerely,

David W. Lear, P.E.
Asst. City Engineer

cc: 2023 petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

ROBERT JENNISON
FIRE CHIEF

MAUREEN MILLER BROSNAN
MAYOR

14910 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5419
734-466-2444
734-466-2082 fax

DATE: April 23, 2023

TO: Scott O. Miller, Planner IV

FROM: Livonia Fire Prevention Division

SUBJECT: Petition 2023-04-02-03 29500 Seven Mile Rd. "Carnival"

This office has reviewed the site plan submitted in connection with a request for a carnival on the property located at the above referenced address.

We have no objections to this proposal with the following stipulations:

1. Carnival rides and attractions must be inspected, certified and stickered that is current with the State of Michigan requirements for carnivals, **PRIOR to inspection by this AHJ.**
2. All cooking operations must comply with the State of Michigan and NFPA codes. Suppression systems are required to be inspected and in compliance with current codes and tagged when compliance is met by a certified, licensed service provider.
3. Certified fire extinguishers at every attraction and ride and readily accessible for trained operators in the use of fire extinguishers.

IF THE ABOVE REQUIREMENTS ARE NOT IN PLACE PRIOR TO AHJ INSPECTION, OPERATIONS OF THIS CARNIVAL WILL NOT COMMENCE UNTIL FULL COMPLIANCE WITH FIRE CODE IS MET.

A further detailed plan review will take place when this division receives an official plan set.

Sincerely,

Brian Kukla

Brian Kukla
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

THOMAS GORALSKI
CHIEF OF POLICE

MAUREEN MILLER BROSNAN
MAYOR

15050 Farmington Road
Livonia, Michigan 48154-5499
(734) 466-2470
FAX: (734) 261-2265

April 18th 2023

Mr. Scott Miller
City of Livonia Planning Dept
33000 Civic Center Drive
Livonia, MI 48154

Re: **Petition 2023-04-02-03 - 29500 Seven Mile Road**

Mr. Miller,

I have reviewed the plans in connection with the petition. I have no objections to the proposals.

Please feel free to contact me, should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE,

Paul Walters, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT

MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

Date: April 24, 2023

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2023-04-02-03 – 29500 Seven Mile Road

Pursuant to your request, the above-referenced Petition has been reviewed.

1. Permits and inspections will be required for this proposed carnival. A pre-event meeting will be required with the Director of Inspection, Fire Marshal, and the Public Emergency Manager prior to filing the required permits.

This Department has no further objections to this Petition.

I trust this provides the requested information.

Jerome Hanna
Jerome Hanna
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT

MAUREEN MILLER BROSNAN
MAYOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2260
FAX: (734) 421-1807

April 19, 2023

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2023-04-02-03 - 29500 Seven Mile Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3060
(734) 466-2245
FAX: (734) 421-7230

April 19, 2023

Mr. Scott Miller – Planner IV
Planning Commission
City of Livonia

Re: Petition 2023-04-02-03 29500 Seven Mile Road
Wade Shows

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal.

Sincerely,

Lynda L. Scheel

Lynda L. Scheel
Treasurer, City of Livonia

OTHER ITEMS RELATED TO THE PETITION

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

4. SITE PLAN PETITION: Planning Commission, re: Petition 2023-04-08-04 submitted by Haidous Brothers Livonia L.L.C., on behalf of Dairy Queen, requesting approval to redevelop the site, including reconfiguring the parking lot and drive-thru facilities, add an outdoor patio area and remodel the interior and exterior of the restaurant (former Steak N Shake) at 17200 Middlebelt Road, located on the east side of Middlebelt Road, north of Six Mile Road, in the Southwest ¼ of Section 12.

   Alex Haidous and Sam Haidous, owners, were present to answer questions.

   Mark Taormina, Planning and Economic Development Director, presented the request to Council.

   Vice President Toy asked how this Dairy Queen will differ from the one on Plymouth and Farmington Roads and what the menu will look like. Alex said this one will be a bigger and will have the best menu that Dairy Queen offers including full food selections from burgers, chicken strips, salads, fries, onion rings, cheese curds, fish sandwiches and seasonal popcorn shrimp.

   Councilmember Donovic thanked them and asked about the entrance. Alex indicated there will be a two-way entrance.

   Councilmember McCullough thanked them and asked about the renderings. Alex indicated they will be painting the current brick and it must match the renderings required by Corporate.

   Councilmember Donovic asked Mark Taormina if we can dictate colors in the site plan process. Mark said there is greater flexibility and discretion with waiver petitions.

   Councilmember Toy offered an approving resolution for the Consent agenda.

   DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

4.

Planning
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Stephanie Reece, Program Supervisor,

AGENDA ITEM

SITE PLAN PETITION: Planning Commission, re: Petition 2023-04-08-04 submitted by Haidous Brothers Livonia L.L.C., on behalf of Dairy Queen, requesting approval to redevelop the site, including reconfiguring the parking lot and drive-thru facilities, add an outdoor patio area and remodel the interior and exterior of the restaurant (former Steak N Shake) at 17200 Middlebelt Road, located on the east side of Middlebelt Road, north of Six Mile Road, in the Southwest ¼ of Section 12.

BACKGROUND DETAILS

May 10, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2023-04-08-04 -Dairy Queen

Dear Council Members:

At the 1,199th Public Hearings and Regular Meeting held by the City Planning Commission on May 9, 2023, the following resolution was adopted:

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

#05-31-2023 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-04-08-04 submitted by Haidous Brothers Livonia L.L.C., on behalf of Dairy Queen, requesting approval of all plans required by Sections 3.11 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, in connection with a proposal to redevelop the site, including reconfiguring the parking lot and drive-thru facilities, add an outdoor patio area and remodel the interior and exterior of the restaurant (former Steak N Shake) at 17200 Middlebelt Road, located on the east side of Middlebelt Road, north of Six Mile Road, in the Southwest ¼ of Section 12., be approved subject to the following conditions:

1. The Architectural Site Layout identified as sheet number A1.1, dated April 28, 2023, as revised, prepared by James E. Wilkerson A.I.A., is approved and shall be adhered to.

2. The parking lot shall be repaired, resealed, and restriped as necessary to the satisfaction of the

Inspection Department. Parking spaces shall be appropriately sized and marked, including any barrier-free space(s) as may be required by the State of Michigan.

3. The Landscape Plan & Plant List identified as sheet number L1.1, dated April 28, 2023, as revised, prepared by James E. Wilkerson A.I.A., is approved and shall be adhered to.

4. That underground sprinklers are to be provided for all landscaped and sodded areas, and all planted materials shall be installed to the satisfaction of the Inspection Department and, after that, permanently maintained in a healthy condition.

5. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

6. The Elevations plan identified as sheet number A3.1, dated April 28, 2023, as revised, prepared by James E. Wilkerson A.I.A., is approved and shall be adhered to.

7. All rooftop mechanical equipment shall be concealed from public view on all sides by screening compatible with other building exterior materials.

8. This restaurant's maximum customer seating count shall be ninety-eight (98).

9. The three walls of the dumpster enclosure shall be constructed of brick veneer. The gates shall be solid steel or durable, long-lasting panel fiberglass.

10. All light fixtures shall not exceed twenty feet (20') in height and shall be shielded to minimize glare trespassing on adjacent properties and roadways.

11. Only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.

12. No unshielded LED light band or neon shall be permitted on this site, including the building or around the windows.

13. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.

14. That the plans referenced in this approving resolution shall be submitted to the Inspection Department at the time of application for the Certificate of Occupancy; and,

15. Under Section 13.13 of the Livonia Vision 21 Zoning Ordinance, this approval is valid for one year only from the date of approval by the City Council. Unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

ATTACHMENTS

1. 2023-04-08-04_E-COUNCIL Pkt

APPROVED BY

Date: May 10, 2023

Mark Taormina, Planning and Economic Development Director

Date: May 11, 2023

Maureen Miller Brosnan, Mayor

Petition 2023-04-08-04 submitted by Haidous Brothers Livonia L.L.C., on behalf of Dairy Queen, requesting approval of all plans required by Sections 3.11 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, in connection with a proposal to redevelop the site, including reconfiguring the parking lot and drive-thru facilities, add an outdoor patio area and remodel the interior and exterior of the restaurant (former Steak N Shake) at 17200 Middlebelt Road, located on the east side of Middlebelt Road, north of Six Mile Road, in the Southwest ¼ of Section 12.

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR SITE PLAN REVIEW & APPROVAL

All petitions for Site Plan Approval shall be filed with the City Planning Commission, 33000 Civic Center Drive, Livonia, MI 48154-3097.

For filing fee see computation below

Date Filed: _____ Petition 2023-04-08-04

Site Address: 17200 Middlebelt Sidwell 46-047-99-0004-007

Requesting Approval to Revise site plan for Dairy Queen conversion of Steak N Shake Restaurant

Applicant: Hussein Haidous (Sam) Business/Company: Haidous Brothers Livonia LLC

Applicant's Address: 26309 Lawrence Dr. City: Dearborn Heights State: MI Zip Code: 48127

Applicant's Phone # (313) 999-9994 Applicant's Email ahaidous@hotmail.com/haidous86@gmail.com

Contact Person: James E. Wilkerson Business/Company: Wilkerson Architects, LLC

Contact's Address: 119 E Tallulah City: Greenville State: SC Zip Code: 29605

Contact's Phone # (864) 414-1499 Contact's Email Wilkpoe@charter.net

Please provide the following information:

1) **Site Plan** showing:
   - property dimensions, including road right-of-way & building setback lines
   - foot print of building(s), including dimensions & square footage
   - all easements, protective walls, sidewalks & existing trees
   - any significant topographic features (existing or proposed)
   - parking layout, including type of surface material, sizes of spaces & aisles
   - method used in calculating parking requirement
   - location of light standards servicing parking lot & cutout showing type & height
   - location of trash receptacle, including description of screening
   - location of signs (if proposed must submit separate sign application)
2) **Detailed Landscape Plan** including:
   - listing or labeling of all planted materials as to type and size
   - areas to be fully irrigated
   - percentage of landscaping provided (15% of total site required)
3) **Building Elevation Plan** depicting:
   - architectural quality
   - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
   - all visible rooftop mechanical equipment and how they will be screened
4) **General Floor Plan** showing:
   - floor layout
   - entrances & exits
   - restaurants are required to illustrate seating arrangement & capacity
5) One (1) set of reduced plans (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to: planning@livonia.gov
6) **Legal Description** of the property to be considered (Clearly Printed)
7) One (1) completed application form & **three (3)** sets of full-size drawings

You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

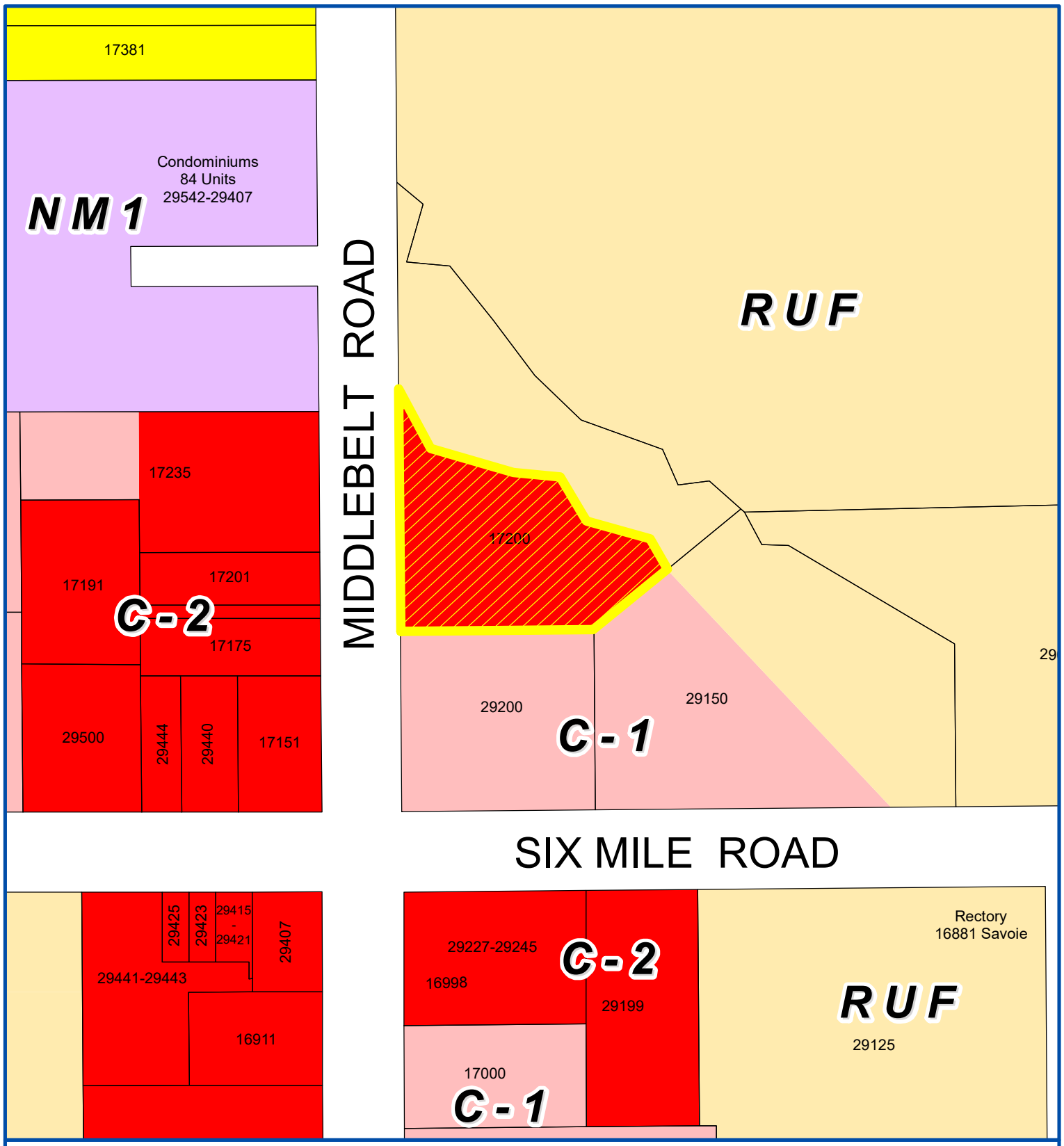
FEE COMPUTATION	$600.00
_____ sq. ft. of new construction x $20.00 per 1,000 sq. ft.	
(NOTE: Round off to nearest 1,000) +	
Total Amount Due $	

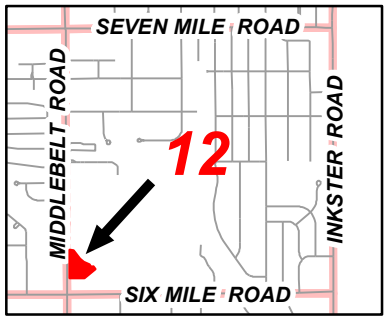
Owner of Property: Haidous Brothers Livonia LLC

Owner's Address: 26309 Lawrence City: Dearborn Heights State: MI Zip Code: 48127

Owner's Phone # (313) 999-9994 Owner's Email ahaidous@hotmail.com/haidous86@gmail.com

Signature of Owner: Hussein Haidous Print Name: Hussein Haidous





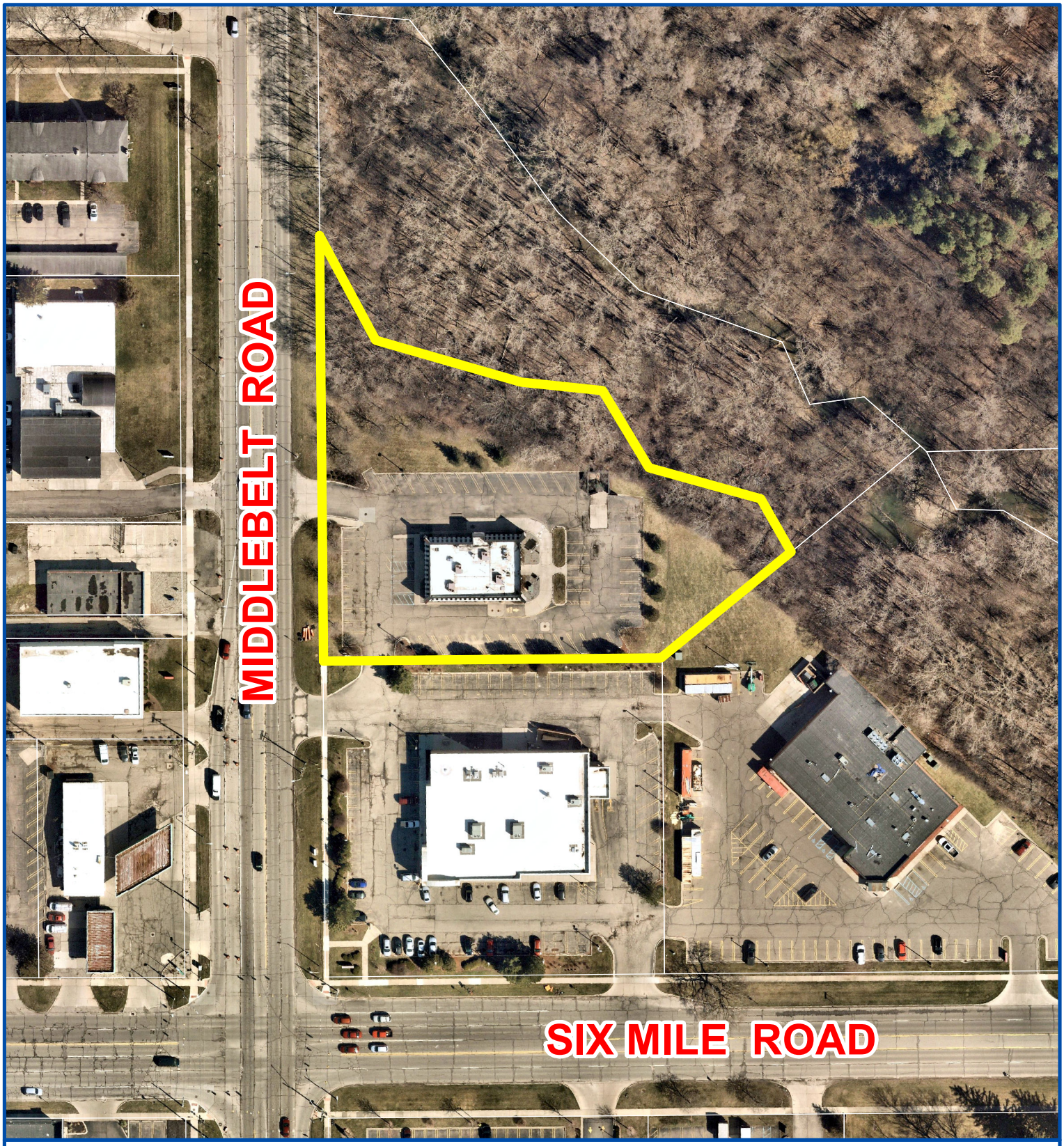
Address & Zoning Map

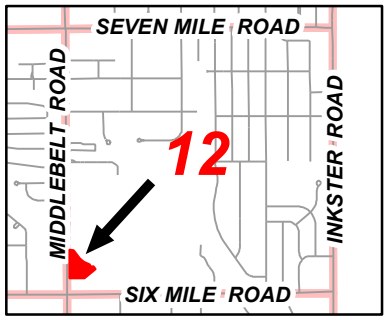
Petition 2023-04-08-04
Dairy Queen
17200 Middlebelt Road
redevelop the site

N

Not to Scale

City of Livonia
Planning Department





Aerial Map

Petition 2023-04-08-04
Dairy Queen
17200 Middlebelt Road
redevelop the site

N

Not to Scale

City of Livonia
Planning Department

P□ANNING COMMISSION STAFF NOTES

MISCE□□ANEOUS

ITEM 5

Petition 2023-04-08-04 submitted by □aidous □rothers □ivonia □.□.C., on behalf of Dairy Queen, requesting approval of all plans required by Sections 3.11 and 13.13 of the Livonia □ision 21 □oning Ordinance, as amended, in connection with a proposal to redevelop the site, including reconfiguring the parking lot and drive-thru facilities, add an outdoor patio area and remodel the interior and exterior of the restaurant (former Steak N Shake) at 17200 Middlebelt Road, located on the east side of Middlebelt Road, north of Six Mile Road, in the Southwest □ of Section 12.

April 25, 2023: Study Meeting:

This petition involves a proposal to renovate and re-purpose the former Steak N Shake restaurant on Middlebelt Road, just north of Six Mile Road, as a Dairy Queen Grill □ Chill restaurant. The proposal includes changes to the parking lot and drive-thru facilities, the addition of an outdoor patio, and remodeling of both the interior and exterior of the building. Steak N Shake received waiver use approval (CR #384-99) to construct the full-service restaurant in 1999 and remained in operation until it closed in 2019. Since that time, the building has been vacant.

The entire site is 3.89 acres in size and is split-zoned. The portion of the property where the restaurant is located measures approximately 1.86 acres and is zoned C-2, General Business. This irregularly shaped portion of the property has about 360 feet of road frontage. The remaining part of the site borders Tarabusi Creek and is zoned RUF, Rural Urban Farm. To the south, the property lies adjacent to a Walgreens pharmacy and Gordons Food Service.

The existing restaurant is one-story in height and about 3,690 square feet. Parking is available on all four sides, with a drive-up window on the north side of the building. A two-way drive off Seven Mile Road and a shared driveway with Walgreens to the south provide access to the site. Steak N Shake was approved for a maximum of ninety-nine (99) customer seats. Dairy Queen is proposing a total of ninety-eight (98) seats, including sixty-four (64) interior seats and thirty-six (36) patio seats.

The proposed outdoor patio would extend across the entire front of the building and measure 22□x 46□-10□. The patio would be enclosed by 3□-3□ □high decorative wrought iron fencing. The seating plan shows nine (9) tables. Four (4) parking spaces along the front of the building would be removed to accommodate the patio.

A landscape plan has not been submitted. The existing landscaping would be maintained, including several mature trees along Middlebelt Road. Other shrubs are needed to bring the site into compliance with the new landscape standards.

Another change to the site is the configuration of the drive-thru service lane. Currently, the service lane commences on the south side of the building, wraps around the back, and continues to the drive-up window on the north side. Dairy Queen proposes the same

general arrangement but with the service lane farther back on the site, offering a longer stacking distance. To accommodate this change, seventeen (17) parking spaces behind the building would be removed, with an enlarged island inside the service lane loop would be created to help direct traffic flow. As required for drive-thru facilities, a twelve-foot (12□) wide bypass lane would be provided along the outside edge of the service lane. Access to the site, including the driveway on Seven Mile Road and the cross-connection with Walgreens, would remain as is.

The remaining parking spaces on the west, north, and south sides would remain as is. Parking for restaurants is based on one (1) space for every 125 square feet of floor area, plus one (1) space for each three (3) outside patio seats, plus one (1) space for each employee. The proposed Dairy Queen, with a net usable floor area of 1,593 square feet, thirty-six (36) patio seats, and seven (7) employees, requires a total of thirty-two (32) spaces. The plans show that there would be thirty-four (34) spaces available.

The existing building is constructed of brick on all four sides. At each corner of the building, brick wing walls project outward approximately six feet (6□) at 45-degree angles. The proposed fa□ade changes for Dairy Queen would include removing the wing walls, painting the building□s existing brick, and covering sections of the building with E.I.F.S. and metal panels. To add character to the building, intermittent sections of the roof□s parapet walls would be extended upward. The Dairy Queen□s exterior color scheme would be red, blue, and shades of gray. Small structural awnings would extend above the windows and doors. The interior would be remodeled to meet the needs of the new restaurant.

Per Section 11.08, the restaurant will be allowed one (1) wall sign not to exceed forty-seven (47) square feet. Also permitted is one (1) ground sign no larger than thirty (30) square feet in area and six feet (6□) in height. The elevation plan shows a conforming wall sign on the front elevation over the main entrance. The plan also shows a spoon and a graphic of an upside-down Blizzard on the south elevation. Any signage over what is permitted by the sign ordinance would require a variance from the □oning Board of Appeals. The site has an existing ground sign near the southeast corner of the site. This sign appears to be replaced with a similar size of thirty (30) square feet.

In an email from the Petitioner□s architect, it is explained that Dairy Queen proposes adding additional site lighting to comply with the current light level requirements. They plan on changing out four (4) 1000-watt light heads with LED full cut-off light heads to lower intensity and add three (3) additional LED full cut-off light poles to even out the light distribution throughout the site. The submitted photometric plan provides information on site lighting, including the fixtures□type, height, location, and illumination levels. The height of the light poles is consistent with the guidelines of the City of Livonia Outdoor Lighting Policy for the installation of exterior lighting in all non-residential zoning districts, which specifies that pole-mounted lights do not exceed a height of twenty feet (20□) above grade.

May 9, 2023: Regular Meeting:

On April 28, 2023, revised plans were submitted. In an email, the project architect outlines the following changes:

1. I have added sheet L1.1 Landscape plan showing 4 ornamental trees and 24 shrubs along Middlebelt, foundation landscaping and landscaping in the area behind the building created by the enlarged drive-thru arrangement. I□ve taken my best shot at choosing plant material.
2. New sheet L1.2 Landscape notes □ details have been added.
3. The existing trash enclosure has been removed and a brick veneer trash enclosure has been added with the location rotated 30 degrees for better truck access. New Sheet A1.3 Trash enclosure details has been added.
4. Site Demolition sheet D1.1 has been revised showing the removal of existing trash enclosure.
5. Site Layout sheet A1.1 has been revised showing the new trash enclosure location and orientation.
6. Exterior elevation sheet A3.1 has been revised to show an additional sign along the South entry elevation of a size less than 50□ of the Front wall sign at the West elevation.
7. Signage Matrix sheet A3.3 has been revised to show the additional wall sign and its size calculation.

Approving Resolution: That the request to redevelop the restaurant site at 17200 Middlebelt Road is hereby approved, subject to City Council approval and the following conditions:

1. The Architectural Site Layout identified as sheet number A1.1, dated April 28, 2023, as revised, prepared by □ames E. Wilkerson A.I.A., is approved and shall be adhered to.

2. The parking lot shall be repaired, resealed, and restriped as necessary to the satisfaction of the Inspection Department. Parking spaces shall be appropriately sized and marked, including any barrier-free space(s) as may be required by the State of Michigan.

3. The Landscape Plan □ Plant List identified as sheet number L1.1, dated April 28, 2023, as revised, prepared by □ames E. Wilkerson A.I.A., is approved and shall be adhered to.

4. That underground sprinklers are to be provided for all landscaped and sodded areas, and all planted materials shall be installed to the satisfaction of the Inspection Department and, after that, permanently maintained in a healthy condition.

5. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

6. The Elevations plan identified as sheet number A3.1, dated April 28, 2023, as revised, prepared by □ames E. Wilkerson A.I.A., is approved and shall be adhered to.

7. All rooftop mechanical equipment shall be concealed from public view on all sides by screening compatible with other building exterior materials.

8. This restaurant's maximum customer seating count shall be ninety-eight (98).

9. The three walls of the dumpster enclosure shall be constructed of brick veneer. The gates shall be solid steel or durable, long-lasting panel fiberglass.

10. All light fixtures shall not exceed twenty feet (20□) in height and shall be shielded to minimize glare trespassing on adjacent properties and roadways.

11. Only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the □oning Board of Appeals.

12. No unshielded LED light band or neon shall be permitted on this site, including the building or around the windows.

13. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.

14. That the plans referenced in this approving resolution shall be submitted to the Inspection Department at the time of application for the Certificate of Occupancy□and,

15. Under Section 13.13 of the Livonia □ision 21 □oning Ordinance, this approval is valid for one year only from the date of approval by the City Council. Unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

UNAPPROVED MINUTES

MINUTES OF THE 1,199th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, May 9, 2023, the City Planning Commission of the City of Livonia held its 1,199th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7:00 p.m.

Members present:	Wafa Dinaro	David Bongero	Sam Caramagno
	Glen Long	Peter Ventura	Ian Wilshaw

Members absent: None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #5 PETITION 2023-04-08-01 Dairy Queen

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2023-04-08-04 submitted by Haidous Brothers Livonia L.L.C., on behalf of Dairy Queen, requesting approval of all plans required by Sections 3.11 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, in connection with a proposal to redevelop the site, including reconfiguring the parking lot and drive-thru facilities, add an outdoor patio area and remodel the interior and exterior of the restaurant (former Steak N Shake) at

17200 Middlebelt Road, located on the east side of Middlebelt Road, north of Six Mile Road, in the Southwest ¼ of Section 12.

Mr. Taormina: Thank you. This is a request to renovate the former Steak N Shake restaurant on Middle Belt Road just north of Six Mile Road. Steak N Shake received approval in 1999. The restaurant remained in operation until 2019. The building has been vacant since then. The site is about 3.9 acres in size. A significant portion of the property borders the Tarabusi Creek within a regulated floodplain and zoned RUF(Rural Urban Farm). The building is south of a floodplain on a portion of the property zoned C-2. The building is about 3,700 square feet in size. You'll see from the aerial photograph that there's parking available on all four sides of the building with drive-thru window service on the north side. The site lies next to a Walgreens pharmacy and Gordon's Food Service. Access is available via a two-way drive on Middle Belt Road. There's also a shared driveway with the Walgreens to the south. Steak N Shake was approved with a total of 99 customer seats. The proposed Dairy Queen would have 98 seats, including 64 interior and 36 patio seats. Four parking spaces would be removed along the front of the building to make room for the 22-foot by 47-foot outdoor patio. There would be a wrought iron fence around that patio seating area. The patio seating plan shows a total of nine tables. The landscaping is in very good condition. This was discussed at the study session. This is the updated landscape plan, which shows additional foundation plantings and additional shrubbery along Middle Belt Road. It also provides plantings in the island area created where the drive-up service stacking lane would be expanded. The drive-thru is a slightly different arrangement than what Steak N Shake had. For years, the drive-up operated, for the most part, directly behind the building. It commenced on the south side and then wrapped directly around the back of the building. The new plan extends the drive-thru lane further east creating a new landscape island by removing roughly 17 parking spaces behind the building. This increases the stacking distance for vehicles utilizing the drive-thru lane. There's still a full bypass lane and delivery vehicles can access the back of the store. The parking requirement is 32 spaces. This plan shows 34 spaces. Even eliminating the 17 spaces, the plan complies with the zoning regulations. In terms of the building design, there will be several changes. The brick will be painted. There are wing walls on all four corners of the building that would be removed. You can see the color scheme combines grays, reds, and other colors. The brick would be painted, with some areas containing E.I.F.S. and metal panels

that would be added to the building. The interior would be completely remodeled. Regarding signage, the main sign on the front of the building complies with the ordinance. This revised plan shows an additional sign on the south side of the building that conforms with the new zoning regulations, which were adopted by the City Council just last night. Also shown is a ground sign that would comply with the zoning regulations. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated April 17, 2023, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed project at this time. The subject parcel is assigned the address of #17200 Middlebelt Road. The legal description provided with the submitted drawings appears to be correct and should be used in conjunction with this proposal. The existing parcel is currently served by public sanitary sewer and water main, as well as private storm sewer. Per the submitted drawings, there are no planned alterations to the services, so we do not expect any impacts to the existing systems at this time. It should be noted that any disturbances within the Middlebelt Road right-of-way would require the owner to obtain permits from the Wayne County Department of Public Services."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated April 23, 2023, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request to modify a commercial building on property located at the above referenced address. We have no objections to this proposal. 1. If sprinkler system and fire alarm exist, must be maintained and operational. 2. Provide Plans and Permits for Hood and Duct with suppression system. A further detailed plan review will take place when this division receives an official plan set."* The letter is signed by Brian Kukla, Fire Marshal. The next letter is from the Division of Police, dated April 14, 2023, which reads as follows: *"I have reviewed the plans in connection with the petition. I have no objections to the proposal."* The letter is signed by Paul Walters, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated April 24, 2023, which reads as follows: *"Pursuant to your request, the above-referenced Petition has been reviewed. 1.The parking lot shall be repaired and restriped as necessary. Parking spaces shall be 10' wide and 20' deep*

and double striped. 2.The signage shall conform to Livonia Vision 21 Zoning Ordinance. Any excess signage would require a variance from the Zoning Board of Appeals. This Department has no further objections to this Petition." The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated April 17, 2023, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. As there are no outstanding amounts receivable, general or water and sewer, I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated April 19, 2023, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the address connected with the above noted petition. At this time, there are no outstanding amounts receivable for taxes. Therefore, I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Thank you, Mr. Taormina. Any questions for planning staff? Our petitioner is very trailblazing to have the sign conform to the ordinance that was just passed last night. That's very quick. I like that. Is there no question for our planning staff, I believe our petitioner is in the audience. Feel free to come forward to our podium. Good evening, gentlemen.

Sam Haidous, Alex Haidous, and Joe Haidous. Good evening, commissioners.

Mr. Wilshaw: The whole team is here. All right, anything else that you'd like to add to what you've already heard tonight?

Mr. Haidous: Not really. We are just looking forward to bringing this project to the city and presenting it as family oriented. That's about it.

Mr. Wilshaw: Okay.

Mr. S. Haidous: We are looking forward to hopefully hiring about 40-50 younger kids. I mean, we love to work together. Mostly high schoolers. So, we're looking forward to it.

Mr. Wilshaw: All right, excellent. Let's see if we have any questions for you from any of our commissioners. Anyone have a question for our petitioner? Mr. Caramagno.

Mr. Caramagno: Tell me about the spoon on the side of the building. What is that?

Mr. S. Haidous: So, you can eat out of it. Just kidding. It's just a signature that the Dairy Queen came out in 2019, I believe.

Mr. Caramagno: Is it painted on the wall or an actual spoon?

Mr. S. Haidous: It is an actual spoon. We have in our current locations in Taylor and Monroe, and its crazy how many people love it and love to take pictures with it, and it's like, they come to this location just for the picture with the spoon.

Mr. Caramagno: Hopefully to buy ice cream too.

Mr. J. Haidous: They hold their Blizzard upside down.

Mr. Caramagno: What's it made out of?

Mr. S. Haidous: Foam and there's a protection layer on like plastic protection layer from the outside.

Mr. Caramagno: Does it become damaged?

Mr. S. Haidous: No. It cost an arm and a leg.

Mr. Caramagno: Cost an arm and a leg?

Mr. S. Haidous: Yes, it does.

Mr. Caramagno: Okay, thank you.

Mr. S. Haidous: When you come and we open, you can take a picture with it.

Mr. Caramagno: No worries. I'll be there. I'll be there.

Mr. Wilshaw: Mr. Taormina, I believe the location and Plymouth Road which is a different owner. I believe that has the spoon as well. Is that correct?

Mr. Taormina: You know, I was just wondering the same thing.

Mr. Wilshaw: I can't remember if that was…

Mr. S. Haidous: They do. It's a must from corporate.

Mr. Wilshaw: Okay. All right. We got the spoon issue addressed. Is there any other questions from any of our commissioners? Mr. Ventura.

Mr. Ventura: Can you tell us how soon you'd be open?

Mr. A. Haidous: How soon? Sooner than the Plymouth one.

(Laughter)

Mr. A. Haidous: The sooner Council approves this…the plan is to open sometime this year.

Mr. J. Haidous: When we get possession and start working on the building, it will take about three to four months after. That's how long it usually takes us. So, it all depends on when we start.

Mr. Ventura: Great. Thank you.

Mr. Wilshaw: Thank you. Any other questions for our petitioner? I believe this is a larger building than the one that's on Plymouth Road. Is that correct?

Mr. A. Haidous: That is correct. It seats less and it's smaller in the back.

Mr. Wilshaw: Okay, so you'll have a much larger interior dining area. Okay, good. All right. Any other questions from anyone?

Mr. A Haidous: I believe the one on Plymouth should be opening in the next month or so. I think they're opening on the 23rd. or it was the 18th or one of those…10 days or so.

Mr. Wilshaw: Yeah, it's on the verge of opening soon, I think. All right. And just so anyone in our audience understands and it was kind of explained at the study meeting, that this is really an initiative by Dairy Queen to grow as a brand as a full restaurant as opposed to just the ice cream service.

Mr. S. Haidous: Correct. So, this is not just ice cream. This is going to be a full menu that Dairy Queen now carries, and Dairy Queen is no longer approving any ice cream stores only. They must be the combination of food and treat.

Mr. Wilshaw: Okay.

Mr. A. Haidous: That's where they get the Word Grill & Chill from.

Mr. Wilshaw: All right, excellent. If there's no other questions from any of our commissioners, and there's no one else in our audience to speak on this item. A motion would be an order.

On a motion by Dinaro, seconded by Bongero, and unanimously adopted, it was

#05-30-2023 ***RESOLVED***, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-04-08-04 submitted by Haidous Brothers Livonia L.L.C., on behalf of Dairy Queen, requesting approval of all plans required by Sections 3.11 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, in connection with a proposal to redevelop the site, including reconfiguring the parking lot and drive-thru facilities, add an outdoor patio area and remodel the interior and exterior of the restaurant (former Steak N Shake) at 17200 Middlebelt Road, located on the east side of Middlebelt Road, north of Six Mile Road, in the Southwest ¼ of Section 12., be approved subject to the following conditions:

1. The Architectural Site Layout identified as sheet number A1.1, dated April 28, 2023, as revised, prepared by James E. Wilkerson A.I.A., is approved and shall be adhered to.

2. The parking lot shall be repaired, resealed, and restriped as necessary to the satisfaction of the Inspection Department. Parking spaces shall be appropriately sized and marked, including any barrier-free space(s) as may be required by the State of Michigan.

3. The Landscape Plan & Plant List identified as sheet number L1.1, dated April 28, 2023, as revised, prepared by James E. Wilkerson A.I.A., is approved and shall be adhered to.

4. That underground sprinklers are to be provided for all landscaped and sodded areas, and all planted materials shall be installed to the satisfaction of the Inspection Department and, after that, permanently maintained in a healthy condition.

5. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

6. The Elevations plan identified as sheet number A3.1, dated April 28, 2023, as revised, prepared by James E. Wilkerson A.I.A., is approved and shall be adhered to.

7. All rooftop mechanical equipment shall be concealed from public view on all sides by screening compatible with other building exterior materials.

8. This restaurant's maximum customer seating count shall be ninety-eight (98).

9. The three walls of the dumpster enclosure shall be constructed of brick veneer. The gates shall be solid steel or durable, long-lasting panel fiberglass.

10. All light fixtures shall not exceed twenty feet (20') in height and shall be shielded to minimize glare trespassing on adjacent properties and roadways.

11. Only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.

12. No unshielded LED light band or neon shall be permitted on this site, including the building or around the windows.

13. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.

14. That the plans referenced in this approving resolution shall be submitted to the Inspection Department at the time of application for the Certificate of Occupancy; and,

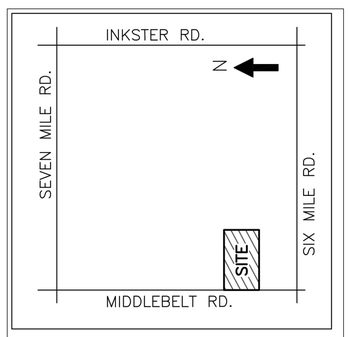
15. Under Section 13.13 of the Livonia Vision 21 Zoning Ordinance, this approval is valid for one year only from the date of approval by the City Council. Unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

GRILL & CHILL

LOCATION MAP



VICINITY MAP
NO SCALE

BUILDING & SITE DESIGN NARRATIVE:

THIS SET OF DRAWINGS DESCRIBES THE CONVERSION OF A SINGLE STORY 3,692 SF WOOD FRAMED STRUCTURE (STEAK AND SHAKE) INTO A 3,676 SF DAIRY QUEEN. (16 SF REDUCTION).

IT IS PROPOSED TO REVISE THE SITE LAYOUT IN RELOCATING THE MAIN ENTRY TO THE SOUTH ELEVATION ALONG WITH ACCESSIBLE PARKING, RE-STRIPE THE ENTIRE LOT TO COMPLY WITH LATEST CITY OF LIVONIA PARKING SPACE DIMENSIONS AND STRIPING REQUIREMENT.

PARKING SPACES, SNOW STORAGE CALCULATIONS CAN BE FOUND ON SHEET A1.1.

A 1,030 SF OUTDOOR SEATING PATIO IS PROPOSED

THE BUILDING IS INTENDED TO HOUSE THE OPERATION OF A DAIRY QUEEN RESTAURANT WITH INTERIOR SEATING AND PATIO SEATING.

PLUMBING FIXTURES

MICHIGAN PLUMBING CODE 2015 (IPC 2015)

Table 403.1 Minimum Number of Plumbing Facilities

ASSEMBLY OCCUPANCY

Assembly Restaurant: 82 people
Patio Seating: 34 people
Total Assembly (116 people, 58 Men / 58 Women):

Water Closets: 1 per 75
Urinals = not more than 67 % of WC
Lavatories = 1 per 200
Drinking fountain = 1 per 500

Others = 1 Service Sink

REQUIRED PLUMBING FIXTURES:

Men (58) = 1 water closet
1 Urinal
1 Lavatoy

Women (58) = 2 water closets
1 Lavatory

Others = 1 Service Sink
1 drinking fountain

PLUMBING FIXTURES PROVIDED:

Men = 1 water closet
1 urinal
1 Lavatory

Women = 2 water closets
1 Lavatory

Others = 1 Service Sink
1 water dispenser at drink dispenser

APPLICABLE CODES

MICHIGAN BUILDING CODE, 2015
MICHIGAN REHABILITATION CODE FOR EXISTING BLDGS, 2015
MICHIGAN PLUMBING CODE, 2015 (PART 7 RULES)
INTERNATIONAL FUEL GAS CODE (IFGC 2015)
MICHIGAN MECHANICAL CODE, (PART 9 RULES)
MICHIGAN FIRE PREVENTION CODE, 2015 (IFPC 2015)
MICHIGAN UNIFORM ENERGY CODE,(MUEC) 2015 (PART 10 RULES)
COMMERCIAL ASHRAE STANDARD 90.1/2013 EDITION
MICHIGAN ACCESSIBILITY CODE, 2015 (ANSI A.117.1 2015)
MICHIGAN ELECTRIC CODE, (NEC 2017 + PART 8 RULES)

BUILDING CODE ANALYSIS

CODE ANALYSIS SUMMARY:

MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS 2015

CHAPTER 5 CLASSIFICATION OF WORK
SECTION 505 ALTERATION - LEVEL 3
505.1 SCOPE
505.2 APPLICATION
LEVEL 3 ALTERATIONS SHALL COMPLY WITH THE PROVISIONS OF CHAPTERS 7 AND 8 FOR LEVEL 1 AND 2 ALTERATIONS, RESPECTIVELY, AS WELL AS THE PROVISIONS OF CHAPTER 9

A. CHAPTER 3 - USE AND OCCUPANCY CLASSIFICATION
SECTION 303.1 - ASSEMBLY, GROUP A-2

B. CHAPTER 6 - CLASSIFICATION OF BUILDINGS BY CONSTRUCTION:

602.5 - TYPE V CONSTRUCTION

TABLE 503 - TYPE VB CONSTRUCTION, UNSPRINKLERED, UNPROTECTED ONE STORY BUILDING, ALLOWABLE AREA = 6,000 S.F., 1 STORY ,MAX. HEIGHT = 40 FT.
ACTUAL AREA = 3,6,76 SQ.FT. / ACTUAL HEIGHT =16-0" (HIGH POINT)

TABLE 601 - FIRE RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS

STRUCTURAL FRAME:	
COLUMNS, FIRDERS AND TRUSSES:	O HR
BEARING WALLS:	
EXTERIOR	O HR
INTERIOR:	0 HR
NON BEARING WALLS AND PARTITIONS:	
EXTERIOR:	0 HR
NON BEARING WALLS AND PARTITIONS:	
INTERIOR	0 HR
FLOOR CONSTRUCTION: SLAB ON GRADE	0 HR
ROOF CONSTURCTION:	
INCLUDING SUPPORTING BEAMS AND JOISTS:	0 HR

C. CHAPTER 10 - MEANS OF EGRESS:

SECTION 1004 OCCUPANT LOAD

TABLE 1004.1.1 - MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT - ASSEMBLY

ASSEMBLY WITH FIXED SEATS	
BOOTH SEATING: (680" / 24") =	29 PEOPLE
BENCH SEATING: (255" / 18") =	15 PEOPLE
NON-FIXED SEATING (156 SF @ 15 SF /PERSON)=	11 PEOPLE
STANDING AREA (905SF @ 5 SF /PERSON) =	18 PEOPLE
KITCHEN & UTILITYAREA (995 SF @ 200 SF/PERSON) =	5 PEOPLE
STORAGE AREA (738 SF @ 300 SF/PERSON) =	3 PEOPLE
OFFICE AREA (40 SF @ 100 SF/PERSON) =	1 PERSON
TOTAL	82 PEOPLE

TABLE 1016.1 -ASSEMBLY - TRAVEL DISTANCE TO EXIT	=	200 FT.
SECTION 1014.3 COMMON PATH OF EGRESS TRAVEL:	=	75 FT.
SECTION 1018.4. MAX. DEAD END CORRIDOR	=	20 FT.
SECTION 1005.1: MINIMUM REQUIRED EGRESS WIDTH MULTIPLIER	=	0.2 IN.
81 PEOPLE X .2 = 16.2 INCHES REQUIRED EXIT, 104" PROVIDED		
SECTION 1018.2 MINIMUM CORRIDOR WIDTH	=	44 IN.
SECTION 1008.1.1 MIN. CLEAR OPENING DOORS	=	32 IN.
SECTION 1021.1 MIN NUMBER OF EXITS	=	2
NUMBER OF EXITS PROVIDED	=	2

TABLE 803.9 - INTERIOR WALL AND CEILING FINISH REQUIREMENTS BY OCCUPANCY

OCCUPANCY - GROUP A-2, UNSPRINKLERED
CORRIDORS AND LOBBIES = CLASS A or B, FLAMESPREAD 26-75, SMOKE DEVELOPED = 0-450
ROOMS AND ENCLOSED SPACES = CLASS B, FLAMESPREAD 76-200, SMOKE DEVELOPED = 0-450
EXIT ENCLOSURES = CLASS A, FLAMESPREAD 26-75, SMOKE DEVELOPED = 0-450

PROJECT DIRECTORY

ARCHITECT: JAMES E. WILKERSON, A.I.A.
ADDRESS: 119 EAST TALLULAH DRIVE
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E-MAIL: wilkpoe@charter.net

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ADDRESS: 1401 CARTER ST, STE 100
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ENGINEER (ELECTRICAL): WOLF ENGINEERING, INC
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CITY/STATE/ZIP: DALTON, GA 30721
PHONE: (256) 310-7642 FAX: -
E-MAIL:

ENGINEER (STRUCTURAL): MARK HUDSON, P.E.
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ENGINEER (SURVEYOR): LANDWISE INC.
ADDRESS: P.O. BOX 1952
CITY/STATE/ZIP: DEARBORN, MI 48121
PHONE: (248) 257-5700 FAX:

ADQ PROJECT MANAGEMENT: 1-800-985-6686

DESIGN INTENT DRAWINGS

IT IS THE INTENT OF THESE DRAWINGS AND SPECIFICATIONS TO CONVEY THE DESIGN OF AN AMERICAN DAIRY QUEEN RESTAURANT BUILDING

THE OWNER / TENANT IS ADVISED TO HAVE A SOILS INVESTIGATION PERFORMED AND A REPORT GENERATED BY A LICENSED PROFESSIONAL MAKING RECOMMENDATIONS FOR FOOTING/FOUNDATION DESIGN AND BITUMINOUS PARKING COMPOSITION. THIS DOCUMENT SHALL BECOME PART OF THE CONTRACT CONSTRUCTION DOCUMENTS. ASSUMPTIONS HAVE BEEN MADE REGARDING THE SOIL BEARING CAPACITY AND THE BUILDING FOOTING/FOUNDATION DESIGN AND NOTED ON STRUCTURAL DRAWING SHEETS AND IN THE PROJECT MANUAL. REVISIONS MAY BE NECESSARY AS A RESULT OF THE SOIL TEST, STATE OR COUNTY CODES,

IT SHALL BE THE RESPONSIBILITY OF THE FRANCHISEE AND THEIR CONTRACTORS TO VERIFY THESE ASSUMPTIONS. IT IS ALSO THE FRANCHISEE AND THEIR CONTRACTORS RESPONSIBILITY TO MAKE NECESSARY REVISIONS TO THE BUILDING STRUCTURAL AND THE PARKING LOT DESIGN. ALL NECESSARY INFORMATION TO BE NOTED ON DOCUMENTS PROVIDED BY THE OWNERS/TENANTS LOCAL CIVIL/ STRUCTURAL ENGINEERING FIRM. TO INCLUDE FINAL SITE AND GRADING PLAN DOCUMENTS.

IT IS THE RESPONSIBILITY OF THE FRANCHISEE AND THEIR LICENSED PROFESSIONALS TO DETERMINE THE MOST APPROPRIATE BUILDING STRUCTURAL SYSTEM FOR THE SELECTED SITE. THESE DESIGN INTENT DRAWINGS SPECIFY WOOD CONSTRUCTION, HOWEVER, AN ALTERNATIVE SYSTEM MAY BE UTILIZED THAT DOES NOT ALTER THE BUILDING IMAGE OR BRAND IDENTITY.

THESE DESIGN INTENT DRAWINGS ARE DESIGNED TO MEET GENERAL BUILDING CODE REQUIREMENTS. IT SHALL BE THE RESPONSIBILITY OF THE FRANCHISEE AND HIS CONSULTANTS TO SUBMIT THESE DOCUMENTS TO THE PROPER GOVERNING AGENCIES FOR THEIR REVIEW AND MAKE ALL NECESSARY MODIFICATIONS OR REVISIONS.

DESIGN, CONCEPTS, DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND ANY & ALL REVISIONS TO AMERICAN DAIRY QUEEN CORPORATION PROTOTYPE PLANS, BRAND, IMAGE & TRADE DRESS ARE ALSO PROPERTY OF AMERICAN DAIRY QUEEN, INC., LOCATED AT 7505 METRO BOULEVARD, EDINA, MINNESOTA 55439.

WARNING: PROPERTY OF AMERICAN DAIRY QUEEN, INC.. NOT TO BE COPIED IN ANY MANNER WITHOUT WRITTEN APPROVAL OF A.D.Q. IF CONSTRUCTION IS NOT BEGUN WITHIN 6 MONTHS OF FINAL PLAN APPROVAL, PRINT SET IS TO BE CONSIDERED OBSOLETE AND CONSTRUCTION SHALL NOT COMMENCE. CONTACT THE ARCHITECTURE/ CONSTRUCTION DEPARTMENT OF A.D.Q. FOR INSTRUCTIONS ON DISPOSITION OF THIS PRINT SET.

OWNERSHIP

ALL PLANS SHALL REMAIN THE PROPERTY OF ADQ. PLANS ARE ISSUED FOR USE AT THE ABOVE ADDRESS ONLY. ANY REPRODUCTION USE, OR DISCLOSURE THEREOF TO UNAUTHORIZED PERSONS IS PROHIBITED WITHOUT THE CONSENT OF ADQ FOR ANY LOCATION OTHER THAN THAT LISTED ABOVE. FRANCHISEE (OR ITS ASSIGNS) AGREES TO PAY ADQ $10,000.00 FOR EACH UNAUTHORIZED USE OF THE PLANS.

AMERICANS WITH DISABILITIES ACT

AMERICAN DAIRY QUEEN, WANTS TO REMIND YOU THAT AS AN OWNER OR OPERATOR OF A RESTAURANT, YOU HAVE CERTAIN OBLIGATIONS UNDER THE AMERICANS WITH DISABILITIES ACT:
IF YOU ARE INVOLVED IN NEW CONSTRUCTION OR REMODELING, YOU SHOULD DISCUSS WITH YOUR ARCHITECT, CONTRACTORS AND LEGAL COUNSEL YOUR OBLIGATIONS UNDER THE AMERICANS WITH DISABILITIES ACT TO MAKE SURE YOUR RESTAURANT IS IN FULL COMPLIANCE WITH THE LAW. YOU ALSO SHOULD OBTAIN A COPY OF THE ADA ACCESSIBILITY GUIDELINES (ADAAG) WHICH IS THE FEDERAL HANDICAPPED ACCESS STANDARD FOR NEW CONSTRUCTION AND ALTERATIONS. YOU CAN OBTAIN A COPY BY WRITING:

U.S. ARCHITECTURAL & TRANSPORTATION BARRIERS COMPLIANCE BOARD
1331 F STREET, N.W., SUITE 1000
WASHINGTON, D.C. 20004-1111
(800) 872-2253 (VOICE)
(800) 993-2822 (TTY)
www.ada.gov

BECAUSE AMERICAN DAIRY QUEEN, INC. CANNOT HAVE AVAILABLE TO IT ALL OF THE SPECIFIC DETAILS RELATING TO YOUR RESTAURANT OPERATION, IT CANNOT ENSURE THAT YOUR RESTAURANT COMPLIES. BECAUSE OF IT'S COMMITMENT OF SERVICE TO DAIRY QUEEN CUSTOMERS, HOWEVER AMERICAN DAIRY QUEEN, INC. ENCOURAGES ALL OF IT'S FRANCHISEES TO MAINTAIN FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT.

CODE REVIEW:

CONSTRUCTION TYPE:	V-B
OCCUPANCY GROUP:	A-2
SEATING:	64
GROSS BUILDING AREA:	3676 S.F.
HEIGHT OF BUILDING:	16'-0"

SHEET INDEX

	ARCHITECTURAL
T1	TITLE SHEET AND CODE ANALYSIS
	SURVEYING
TS-1	TOPOGRAPHIC AND BOUNDARY SURVEY
	EQUIPMENT
F1	EQUIPMENT PLAN
	ARCHITECTURAL
D1.1	SITE DEMOLITION PLAN
A1.1	ARCHITECTURAL SITE PLAN AND NOTES
A1.1A	MDOT DETAILS
A1.2	SITE EQUIPMENT DETAILS
D-1	DEMOLITION FLOOR PLAN
A2.1	FLOOR PLAN
D-2	DEMOLITION ROOF PLAN PLAN
A2.2	ROOF PLAN & DETAILS
D-3	DEMOLITION EXTERIOR ELEVATIONS
A3.1	EXTERIOR ELEVATIONS (COLOR)
A3.2	EXTERIOR ELEVATIONS, EXTERIOR FINISH KEY NOTES
A3.3	SIGNAGE MATRIX
	ELECTRICAL
AE3.2	SITE PHOTOMETRIC PLAN
AE3.3	SITE LIGHT FIXTURE CUT SHEETS

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STATE OF MICHIGAN
JAMES EUGENE WILKERSON
ARCHITECT
No. 1301070508
LICENSED ARCHITECT
03/22/23

JOB NO. 202302

DQ GRILL & CHILL
17200 MIDDLEBELT RD
LIVONIA MI 48152

GRILL & CHILL

AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.

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BUILDING TYPE:
DAIRY QUEEN GRILL & CHILL
STEAK & SHAKE CONVERSION
STORE No. XXXXXX

DRAWN, CHECKED, & APPROVED BY: ADQ DESIGN-ARCHITECTURE-CONSTRUCTION (DAC) DEPARTMENT

NORTH — THIS IS "PLAN" NORTH FOR ACTUAL BUILDING ORIENTATION REFER TO SITE PLAN (BY OTHERS)

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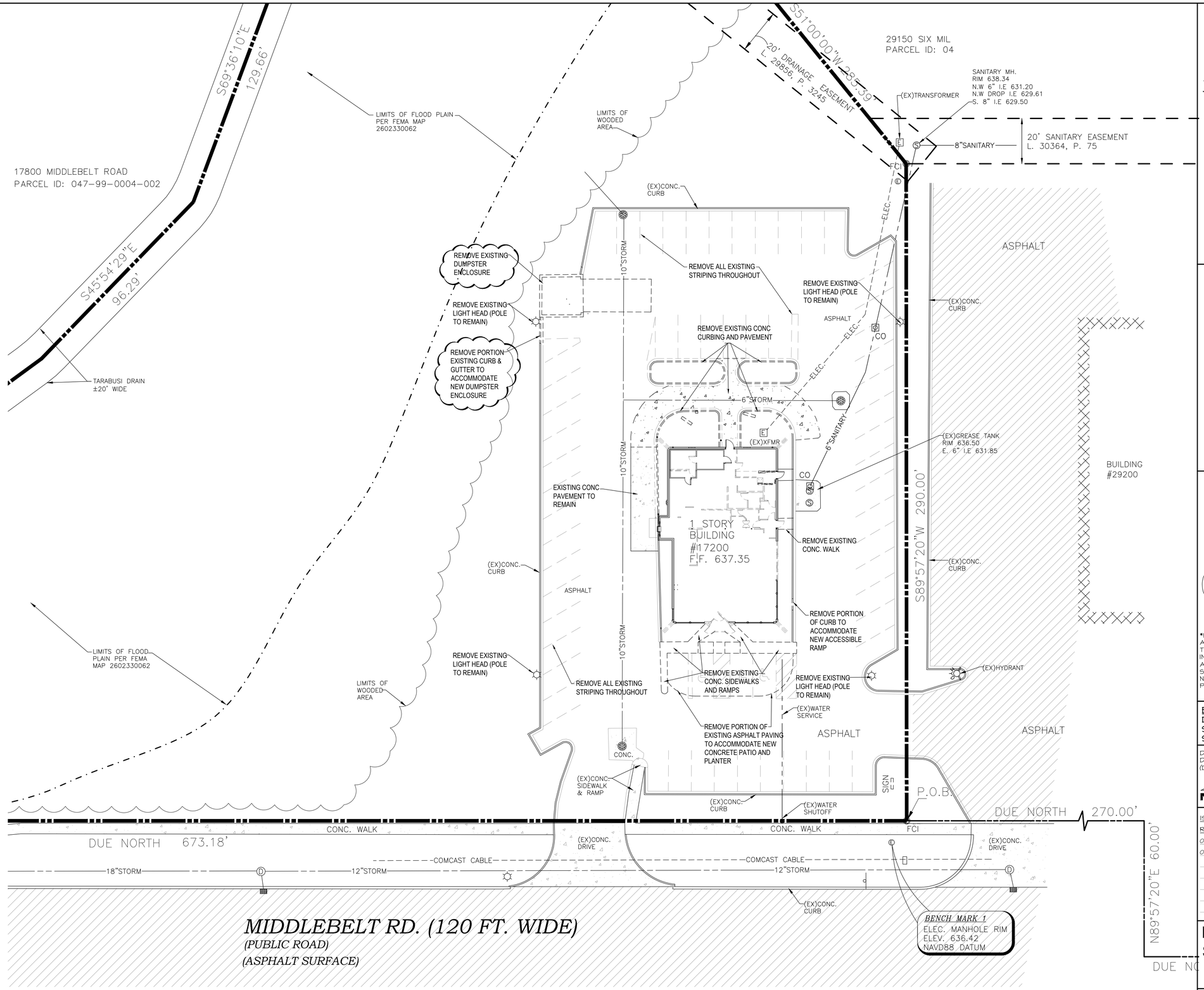
TITLE SHEET CODE ANAYLSIS

SHEET NUMBER:
T1



1 / A1.1 ARCHITECTURAL SITE PLAN

SCALE: 1" = 20'-0"

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JAMES EUGENE WILKERSON ARCHITECT No. 1301070508 LICENSED ARCHITECT

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DEMOLITION SITE PLAN

SHEET NUMBER:

D1.1

PARKING CALCULATIONS

GROSS FLOOR AREA (PUBLIC) = 1,593 sf
1,593 sf / 125 sf (per space) = 13 spaces

36 PATIO SEATS / 3 seats per space = 12 spaces

MAX. NUMBER OF EMPLOYEES = 7 spaces
TOTAL REQUIRED SPACES = 32 spaces

MAX PARKING SPACES ALLOWABLE
32 spaces x 20% = 6 spaces
TOTAL ALLOWABLE PARKING SPACES = 38
PARKING SPACES PROVIDED = 34

OFF-STREET PARKING SPACE STDS

PER 9.04 OFF-STREET PARKING SPACE LAYOUT STANDARDS
60 DEG PARKING = 20ft MIN STALL LENGTH (20ft PROVIDED)
10ft MIN STALL WIDTH (10ft PROVIDED)
90 DEG PARKING = 20ft MIN STALL LENGTH (18ft PROVIDED *)
10ft MIN STALL WIDTH (10ft PROVIDED)
* PER 9.04 (2): PARKING STALL LENGTH MAY BE REDUCED BY TWO (2) FEET WHERE 90-DEGREE PARKING ABUTS A SODDED AREA IN FRONT OF THE STALLS

BARRIER-FREE PARKING

PER SECTION 9.06
25-50 = 2 BARRIER-FREE PARKING SPACES REQ'D
BARRIER-FREE PARKING SPACES PROVIDED = 2

OFF-SITE LOADING SPACE

PER SECTION 9.08 (COMMERCIAL)
1,401-20,000 sf = ONE USABLE LOADING SP 10ft X 50ft in area
ONE LOADING SPACE PROVIDED: 10ft X 50ft in area.

SNOW STORAGE CALCULATION

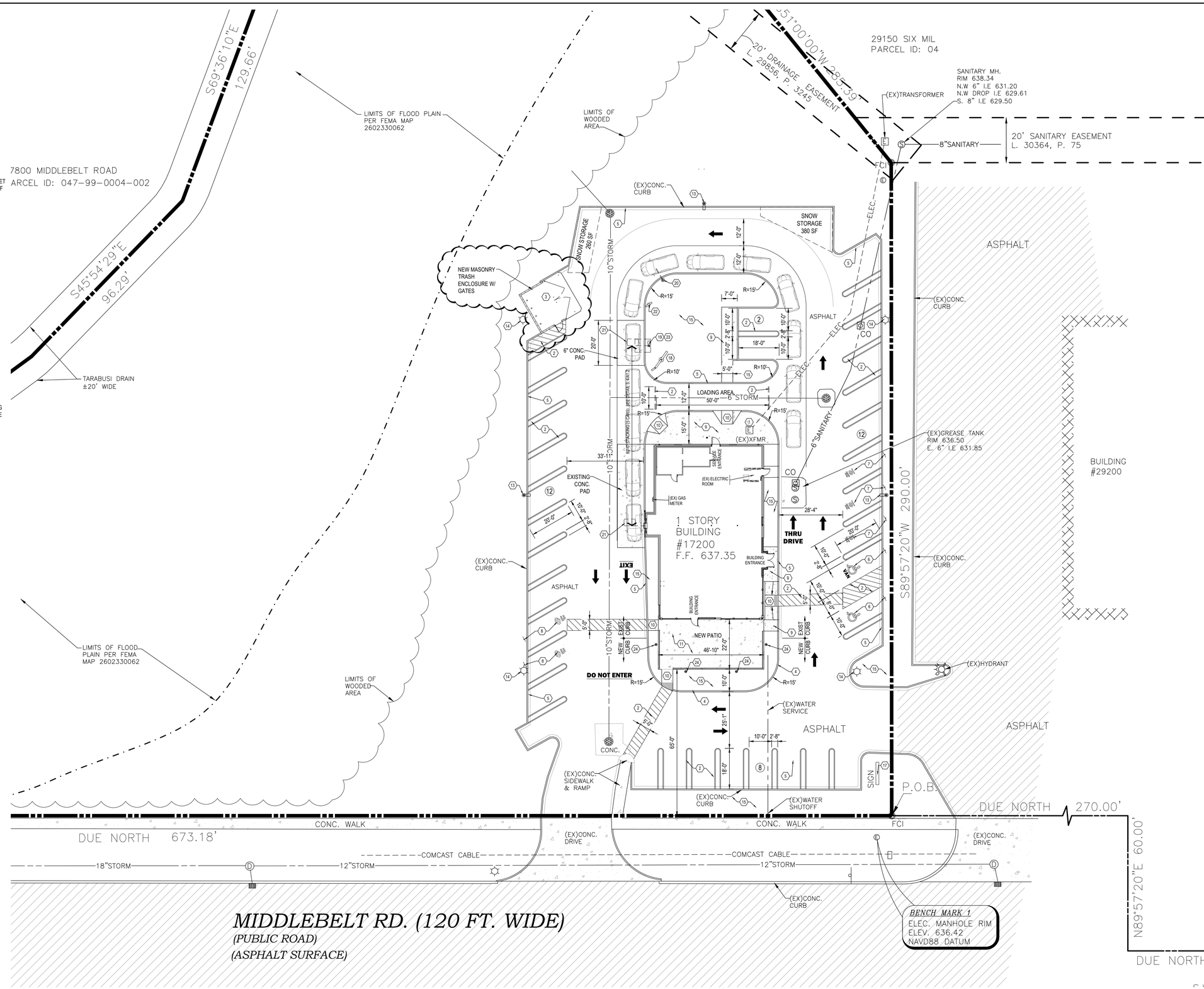
PER SECTION 9.03 (7)
AN AREA EQUIVALENT TO TEN PERCENT (10%) OF THE REQUIRED PARKING STALL AREA MUST BE PROVIDED

32 REQ'D PARKING SPACES X 200sf PER SPACE = 6400 sf area
6400 sf X 10% = 640 SQUARE FEET SNOW STORAGE REQ'D
640 SQUARE FEET SNOW STORAGE PROVIDED (20ft X 32ft)

SITE PLAN NOTES

IT IS THE INTENT OF THIS DRAWING TO PROVIDE INFORMATION RELATING TO SITE DESIGN ELEMENTS WHICH ARE TO BE INCORPORATED INTO THE FINAL SITE DESIGN. REFER TO DRAWINGS PREPARED BY THE CIVIL ENGINEER AND LANDSCAPE ARCHITECT FOR FINAL SITE DEVELOPMENT INFORMATION.

1. EXISTING ELECTRICAL TRANSFORMER LOCATION
2. PARKING LOT STRIPING COLOR TO BE "HIGHWAY WHITE" OR "SAFETY YELLOW". HANDICAPPED STALL PICTOGRAM COLOR AS PER LOCAL CODE, VERIFY.
3. NEW TRASH ENCLOSURE SEE SHEET A1.3
4. NEW CONCRETE CURBING BLDG. PERIMETER: VERTICAL CURB, SEE: X/A1.1
5. EXISTING CONCRETE CURBING SITE PERIMETER
6. ACCESSIBLE PARKING SIGNAGE, SEE DETAIL 6/A1.2
7. MOBILE ORDER PARKING SIGNAGE, SEE DETAIL 6/A1.2& PAVING STENCIL
8. DT PULL AHEAD PARKING SIGNAGE, SEE DETAIL 6/A1.2 & PAVING STENCIL
9. CONCRETE SIDEWALK
10. CURB RAMP SEE: X/A1.1
11. CONCRETE PATIO: BROOM FINISHED CONCRETE WITH TOOLED JOINTS @ 8'-0" EA. WAY TYPICAL, SLOPE AWAY FROM BUILDING 1/8" PER FOOT. ALTERNATIVE PATIO: STAMPED/COLORED CONCRETE. SEE MATERIAL M.29 ON A5.3
12. EXISTING BOLLARD 6" STEEL PAINTED BLACK
13. LIGHT POLE, SEE DETAIL 9/A1.2 AND ELECTRICAL SITE PLAN
14. EXISTING LIGHT POLE WITH NEW LED FULL CUT-OFF HEAD
15. LANDSCAPING TO BE BY GENERAL CONTRACTOR PER LANDSCAPE ARCHITECT'S PLAN
16. PATIO RAILING, SEE DETAIL 5/A1.2
17. EXISTING GROUND SIGN, SEE DETAIL 8/A1.2 & SHEET A3.3
18. MENU BOARD SEE 11/A1.2 & SHEET A3.3
19. SPEAKER INCORPORATED IN CANOPY SEE DETAIL 12/A1.2
20. CLEARANCE SIGN SEE 16/A1.2
21. LOOP INDUCTION SYSTEM SEE 1/A1.2 OR 3/A1.2
22. PREVIEW BOARD, SEE DETAIL 14/A1.2 & SHEET A3.3
23. CANOPY AT DRIVE-THRU SPEAKER SEE 15/A1.3
24. PATIO LIGHTS, SEE 10/A1.2 & SHEET E3.3
25. NOT USED
26. DIRECTIONAL SIGNAGE, SEE DETAIL 7/A1.2 & SHEET A3.3



1 / A1.1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'-0"

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JAMES EUGENE WILKERSON ARCHITECT No. 1301070508
04/28/23

JOB NO. 202302

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GRILL & CHILL
AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.

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BUILDING TYPE:
DAIRY QUEEN GRILL & CHILL
STEAK & SHAKE CONVERSION
STORE No. XXXXXX

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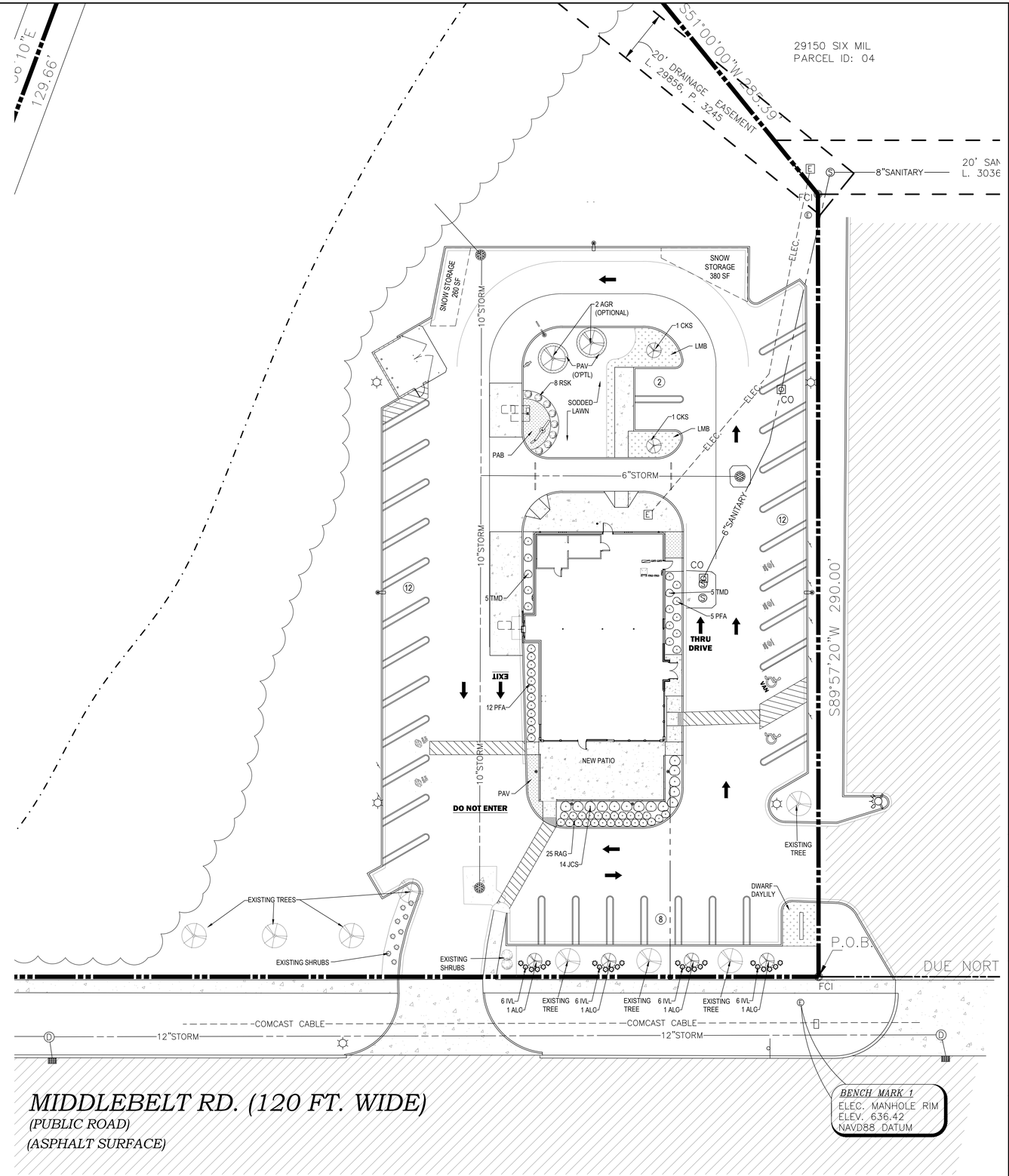
ARCHITECTURAL SITE LAYOUT

SHEET NUMBER:
A1.1

PLANT LIST

KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
GENERAL SITE PLANTING				
ALC	4	*Amelanchier laevis* 'Cumulus'	Cumulus Allegheny Serviceberry	2" cal. B&B
IVL	24	*Itea virginiana* 'Little Henry'	Little Henry Virginia Sweetspire	24" ht., 3 gal. pot
AGR	2	*Amelanchier x grandiflora* 'Robin Hill'	Robin Hill Apple Serviceberry	2" cal. B&B
CKS	2	*Cornus kousa* 'Summer Fun'	Summer Fun Kousa Dogwood	2" cal. B&B
JCS	14	Juniperus chinensis 'Spartan'	Spartan Chinese Juniper	4' - 5' ht. B&B
PFA	17	*Potentilla fruticosa* 'Abbottswood'	Abbottswood Shrub Cinquefoil	24" ht., 3 gal. pot
RAG	25	*Rhus aromatica* 'Gro-low'	Gro-low Fragrant Sumac	24" ht., 3 gal. pot
RSK	8	*Rosa sp.* 'Knockout'	Knockout Rose	24" ht., 3 gal. pot
TMD	10	*Taxus x media* 'Densiformis'	Densiformis Yew	24" ht. B&B
LMB	*	Liriope muscari Big Blue	Big Blue Monkey Grass	1 gal. pot, 24" o.c.
PAB	*	*Pennisetum alopecuroides* 'Burgandy Bunny'	Burgandy Bunny Dwarf Fouritain Grass	1 gal. pot, 24" o.c.
PAV	*	*Pennisetum alopecuroides* 'Viridescens'	Black Flowered Fountain Grass	1 gal. pot, 30" o.c.

* Landscape Contractor to determine the quantity in the field.



1 / A1.1 LANDSCAPE PLAN

SCALE: 1" = 20'-0"

NORTH

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LANDSCAPE PLAN & PLANT LIST

SHEET NUMBER:

L1.1

LANDSCAPE PLANTING NOTES:

PLANTING

1. Installation of all plant material shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock* and with the specifications set forth by the City of Monroe, Michigan.
2. The plant materials shall conform to the type stated on the plant list. Sizes shall be the minimum stated on the plant list or larger. All measurements shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock.*
3. The plant material shall be nursery grown and inspected by the Owner's representative before planting. The Owner's representative reserves the right to reject any plant material at any time.
4. Plants designated "B&B" shall be balled and burlapped with firm balls of earth.
5. Dig shrub pits one foot (1') larger than the shrub rootball, tree pits three (3) times the width of the tree rootball and backfill with one (1) part topsoil and one (1) part soil from excavated pit. Plant trees and shrubs at the same grade level at which they were planted at the nursery. If wet, clay soils are evident, plant trees and shrubs slightly higher.
6. The Contractor is responsible for planting the materials at the correct grades and spacing. The plants shall be oriented to give the best appearance.
7. When the plant has been properly set, the pit shall be backfilled with the topsoil mixture, gradually filling, patting, and settling with water.
8. Trees in lawn areas to have a four foot (4') circle of mulch, four inches (4') deep, and three inches (3") away from the trunk. Shrub beds are to be mulched with shredded bark mulch to a minimum depth of three inches (3"). Perennial beds are to be mulched with shredded bark mulch to a minimum depth of two inches (2"). Only natural color, finely shredded hardwood bark mulch will be accepted.
9. Remove all twine, wire, and burlap from the top one third (1/3) of tree and shrub root balls and from tree trunks. Remove all non-biodegradable material such as plastic or nylon completely from branches and stems. All tree wrap, stakes, and guys are to be removed after one (1) winter season.
10. All plant materials shall be pruned and injuries repaired. The amount of pruning shall be limited to the removal of dead or injured limbs and to compensate for the loss of roots from transplanting. Cuts should be flush, leaving no stubs. Cuts over three quarters of an inch (3/4") shall be painted with tree paint. Shrubs along the site perimeter shall be allowed to grow together in a natural form.
11. Organic, friable topsoil shall be evenly distributed and fine graded over all areas to receive lawns at uniform depth of four inches (4") after settlement.
12. All disturbed lawn areas to be restored with a Grade A Kentucky Blue Grass blend. Existing lawn in generally good condition but with bare, sparse, or weedy areas must be renovated by filling in low areas, raking, overseeding, and top dressing all sparse and bare spots and continuing with a weed and feed program.
13. All plantings shall be completed within three (3) months, and no later than November 30, from the date of issuance of a certificate of occupancy if such certificate is issued during the April1 thru September 30 period; if the certificate is issued during the October 1 thru March 31 period, the planting shall be completed no later than the ensuing May 31; plantings shall thereafter be reasonably maintained, including permanence and health of plant materials to provide a screen to abutting properties and including the absence of weeds and refuse.
14. Backfill directly behind all curbs and along sidewalks and compact to the top of curbs or walk to support vehicle and pedestrian weight without settling.
15. Conversion of all asphalt and gravel areas to landscape planting beds shall be done in the following manner: a. Remove all asphalt, gravel, and compacted earth to a depth of six inches to eighteen inches (6"-18") depending on the depth of the sub base and dispose of off site; b. Call the City for an inspection prior to backfilling; c. Replace excavated material with good, medium-textured planting soil (loam or light yellow clay loam) to a minimum of two inches (2") above the top of the curb and sidewalk, add four inches to six inches (4"-6") of topsoil and crown to a minimum of six inches (6") above the adjacent curb and walk after earth settling, unless otherwise noted on the landscape plan.
   If conversion from asphalt to landscape occurs in or between an existing landscape area(s), replace excavated material from four inches to six inches (4"-6") below adjacent existing grade with good, medium-textured planting soil (loam or light yellow clay loam) and add four inches to six inches (4"-6") of topsoil to meet existing grades after earth settling.

MATERIALS

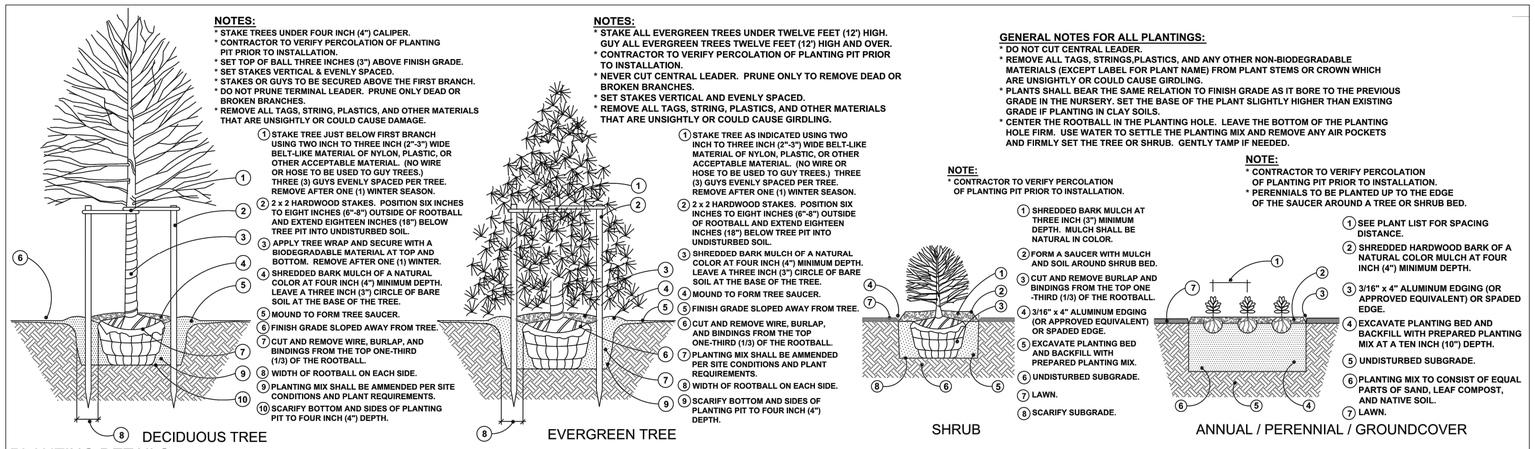
1. Required landscape material shall satisfy the criteria of the American Association of Nurserymen Standards for Nursery Stock and be: a.) Northern nursery grown; b.) State Department of Agriculture inspected; c.) No. 1 grade material with a straight, unscarred trunk, and well-developed uniform crown (park grade trees will not be accepted); d.) Staked, wrapped, watered, and mulched according to the details provided; and e.) Guaranteed for one (1) year.
2. Topsoil shall be friable, fertile soil of clayloam character containing at least five percent (5%) but not more than twenty percent (20%) by weight of organic matter with a pH range between 6.0 and 7.0. The topsoil shall be free from clay lumps, coarse sand, plant roots, sticks, and other foreign materials.
3. The seed mixture for the lawn areas in the street rights-of-way shall consist of a Kentucky Blue Grass blend and mulched with clean straw free of noxious weed seeds. Maintenance of the right-of-way lawn area shall consist of a regular cuttings as needed. Weed content of the seed mixture shall not exceed one percent (1%). The mix shall be applied at a rate of 200 pounds per acre.
4. Sod, if specified, shall be two (2) year old "Baron/Sheri/Adelphi" Kentucky Blue Grass blend grown in a sod nursery on loam soil.
5. Proposed perennials shall be full, well-rooted plants.
6. Callery Pear (*Pyrus calleryana*) and Norway Maple (*Acer platanoides*) shall not be substituted for any tree species in the plant list. Contact the Landscape Architect for acceptable plant substitutions.

GENERAL

1. Do not plant deciduous or evergreen trees directly over utility lines or under overhead wires. Maintain a six foot (6') distance from the centerline of utilities and twenty feet (20') from the centerline of overhead wires for planting holes. Call MISS DIG forty-eight (48) hours prior to landscape construction for field location of utility lines.
2. The Contractor agrees to guarantee all plant material for a period of one (1) year. At that time, the Owner's representative reserves the right for a final inspection. Plant material with twenty-five percent (25%) die back, as determined by the Owner's representative shall be replaced. This guarantee includes the furnishing of new plants, labor, and materials. These new plants shall also be guaranteed for a period of one (1) year.
3. The work shall consist of providing all necessary materials, labor, equipment, tools, and supervision required for the completion as indicated on the drawings.
4. Landscape areas shall be irrigated by an automatic underground irrigation system. Lawns and shrub/landscape areas shall be watered by separate zones to minimize overwatering.
5. All written dimensions override scale dimensions on the plans.
6. All substitutions or deviations from the landscape plan must be approved by the City of Livonia prior to installation.
7. All bidders must inspect the site and report any discrepancies to the Owner's representative.
8. All specifications are subject to change due to existing conditions.
9. The Owner's representative reserves the right to approve all plant material.

MAINTENANCE

1. The Owner of the landscaping shall perpetually maintain such landscaping in good condition so as to present a healthy, neat, and orderly appearance, free from refuse and debris.
2. The Owner shall conduct a seasonal landscape maintenance program including regular lawn cutting (at least once per week during the growing season), pruning at appropriate times, watering, and snow removal during winter.
3. The Contractor is responsible for watering and maintenance of all seed areas until a minimum of ninety percent (90%) coverage, as determined by the Owner's representative.
4. All diseased and/or dead material shall be removed within sixty (60) days following notification and shall be replaced within the next appropriate planting season or within one (1) year, whichever comes first.
5. Any debris such as lawn clippings, fallen leaves, fallen limbs, and litter shall be removed from the site on a weekly basis at the appropriate season.
6. All planting beds shall be maintained by removing weeds, fertilizing, and replenishing mulch as needed.



PLANTING DETAILS

not to scale

JAMES E. WILKERSON
A.I.A.
119 East Tallulah Drive
Greenville, S.C. 29605
864-370-2582
864-240-5375 f

JAMES EUGENE WILKERSON ARCHITECT No. 1301070508 REGISTERED ARCHITECT

04/28/23

JOB NO. 202302

DQ GRILL & CHILL
17200 MIDDLEBELT RD
LIVONIA MI 48152

GRILL & CHILL

AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.

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BUILDING TYPE:
DAIRY QUEEN GRILL & CHILL
STEAK & SHAKE CONVERSION
STORE No. XXXXXX

DRAWN, CHECKED, & APPROVED BY: ADQ DESIGN-ARCHITECTURE-CONSTRUCTION (DAC) DEPARTMENT

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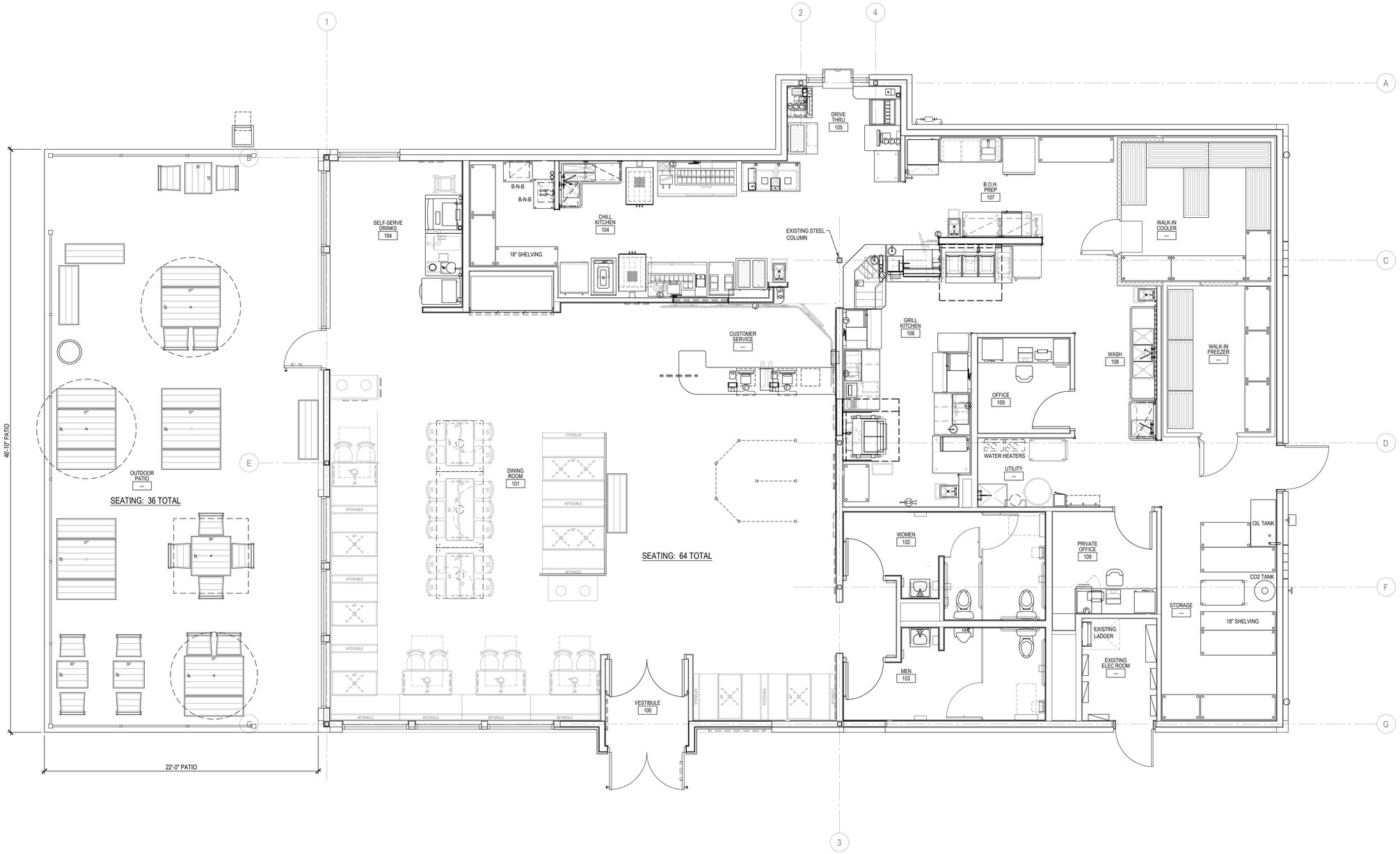
LANDSCAPE NOTES & DETILS

SHEET NUMBER:

L1.2



1 / F1 EQUIPMENT PLAN

SCALE: 1/4" = 1'-0"

NORTH

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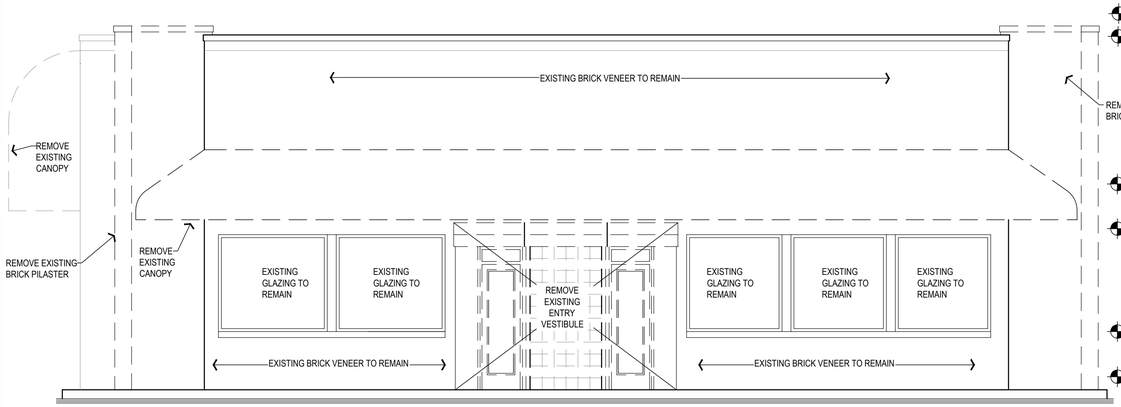
EQUIPMENT PLAN

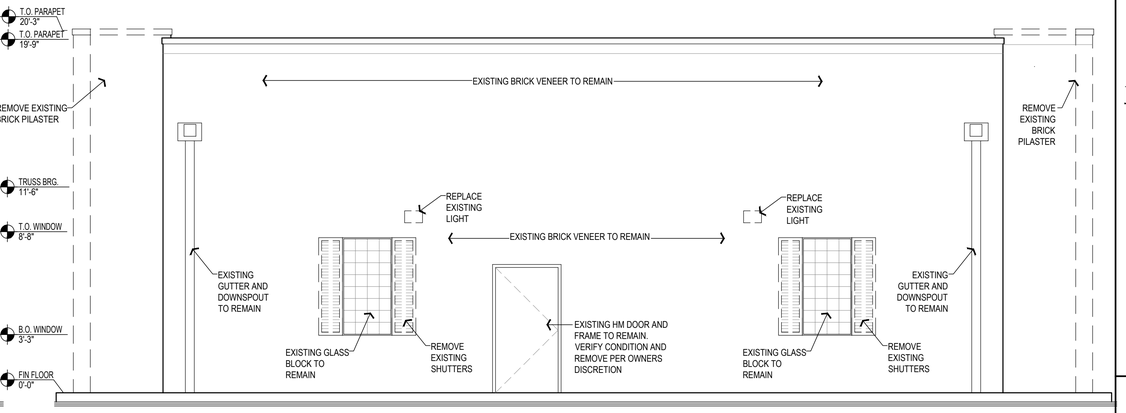
SHEET NUMBER:

F1



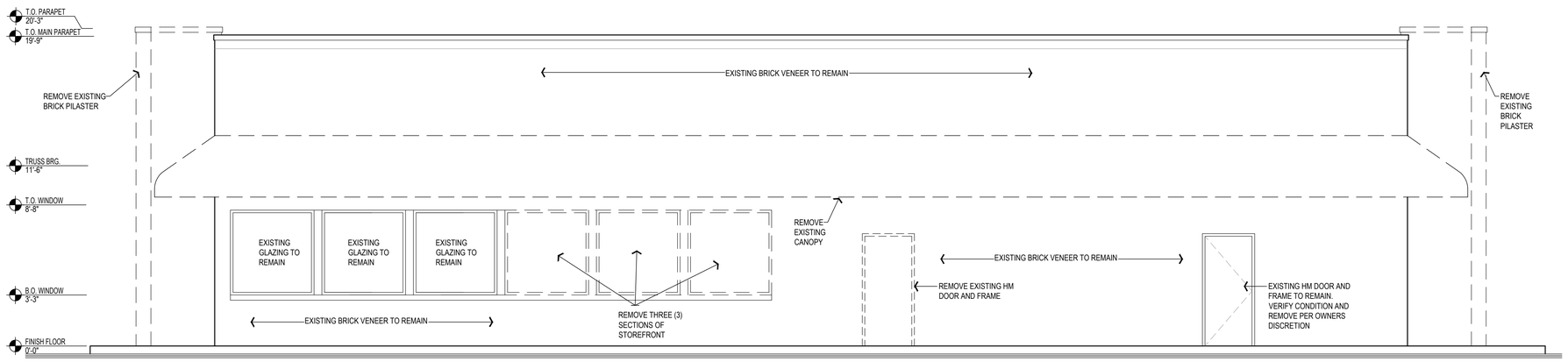
1 / D.3 DEMOLITION WEST ELEVATION (FRONT)

SCALE: 1/4" = 1'-0"



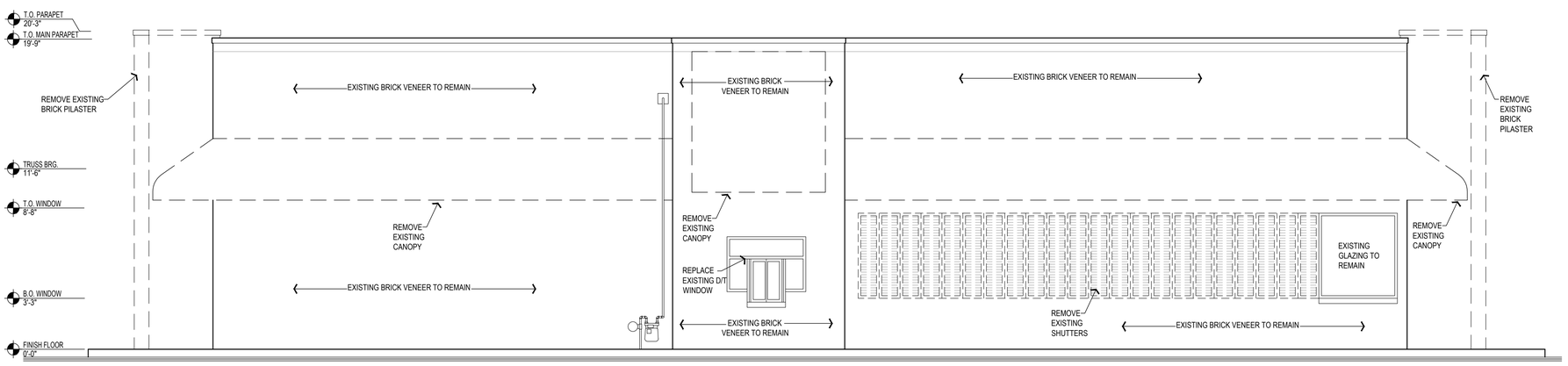
2 / D.3 EXISTING WEST ELEVATION (FRONT)

SCALE: 1/4" = 1'-0"



3 / D.3 EXISTING SOUTH ELEVATION (ENTRANCE)

SCALE: 1/4" = 1'-0"



4 / D.3 EXISTING NORTH ELEVATION (DRIVE-THRU)

SCALE: 1/4" = 1'-0"

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DEMOLITION ELEVATIONS

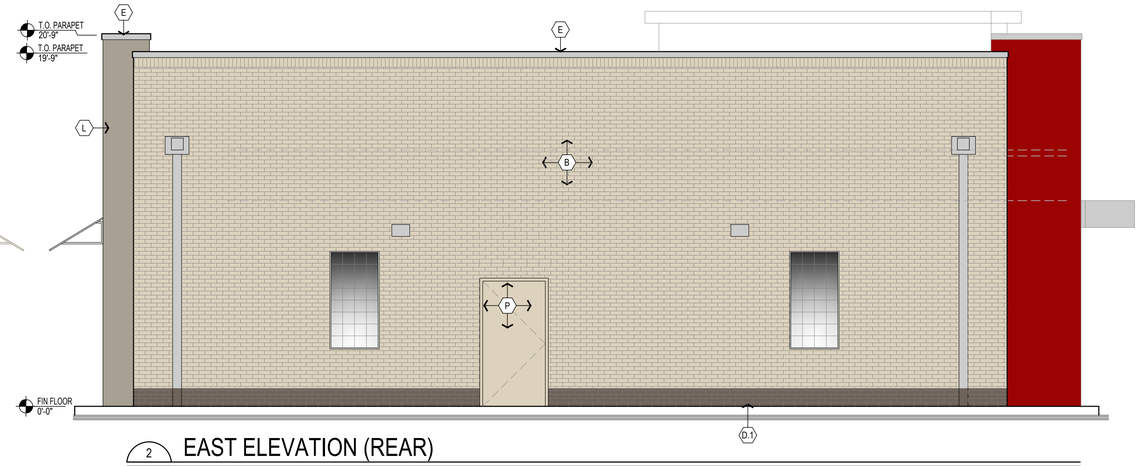
SHEET NUMBER:

D.3

WALL SIGNAGE CALCULATION
47.75 LF FRONTAGE WALL X 1SF = 47.75 SF (ALLOWABLE)
DAIRY QUEEN SIGN = 27.60 SF
GRILL & CHILL = 12.03 SF
TOTAL WALL SIGN AREA = 39.63 SF

NOTE: ALL SIGNAGE TO BE PERMITTED UNDER A SEPARATE SIGN PERMIT

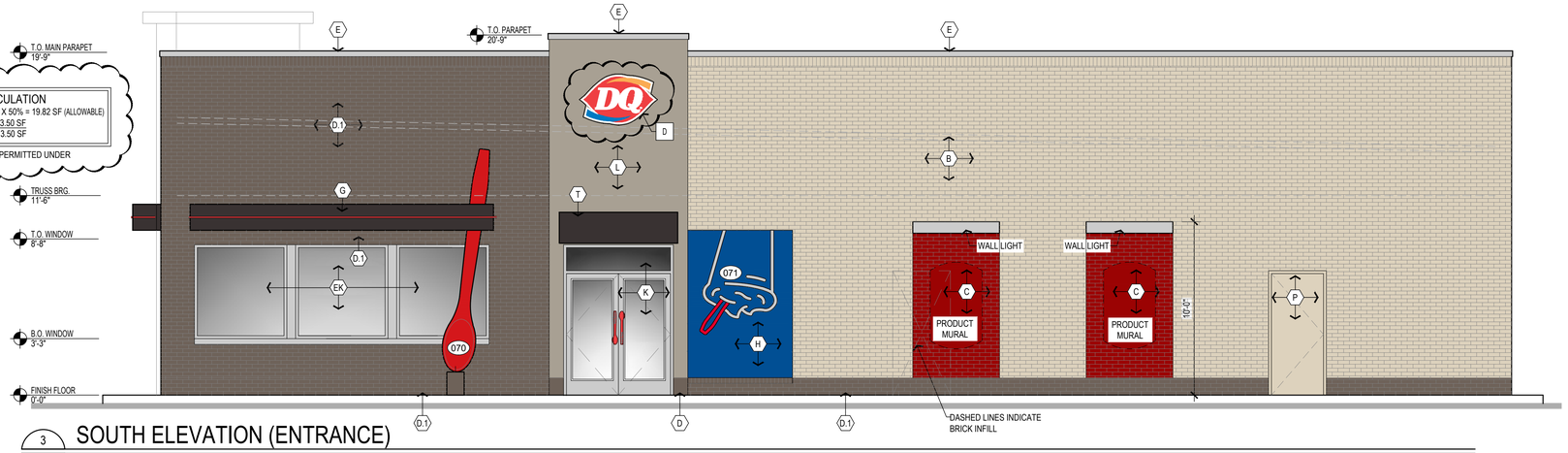
1 A3.1 WEST ELEVATION (FRONT)
SCALE: 1/4" = 1'-0"



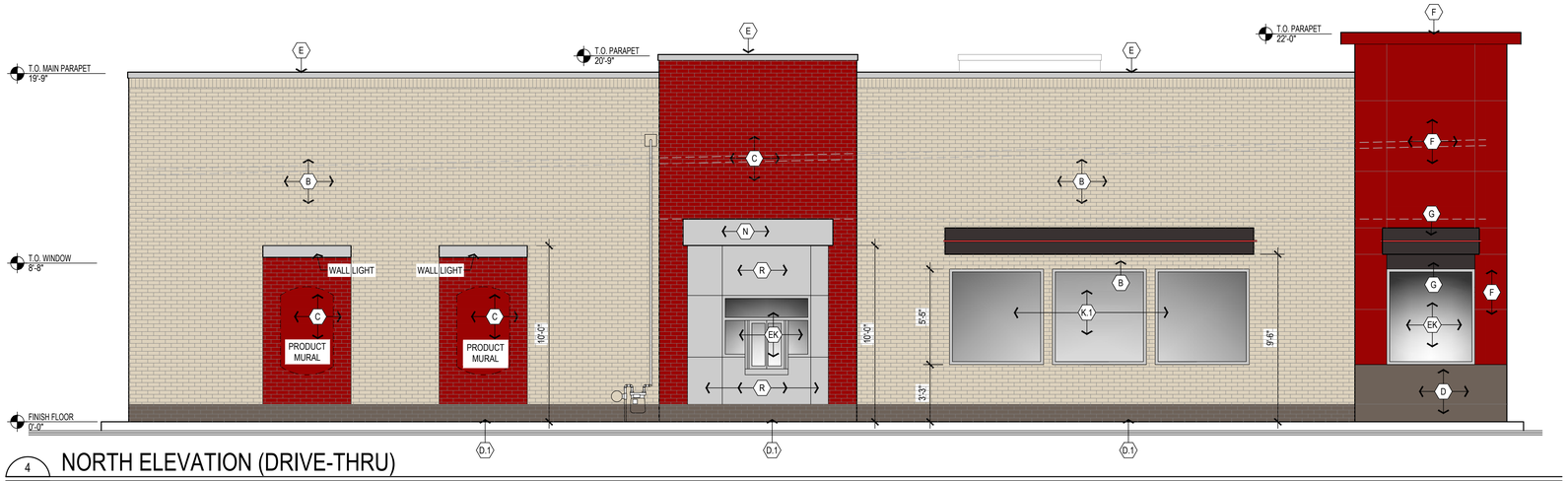
2 A3.1 EAST ELEVATION (REAR)
SCALE: 1/4" = 1'-0"

WALL SIGNAGE CALCULATION
39.63 SF FRONT WALL SIGN X 50% = 19.82 SF (ALLOWABLE)
DAIRY QUEEN SIGN = 13.50 SF
TOTAL WALL SIGN AREA = 13.50 SF

NOTE: ALL SIGNAGE TO BE PERMITTED UNDER A SEPARATE SIGN PERMIT



3 A3.1 SOUTH ELEVATION (ENTRANCE)
SCALE: 1/4" = 1'-0"



4 A3.1 NORTH ELEVATION (DRIVE-THRU)
SCALE: 1/4" = 1'-0"

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GRILL & CHILL

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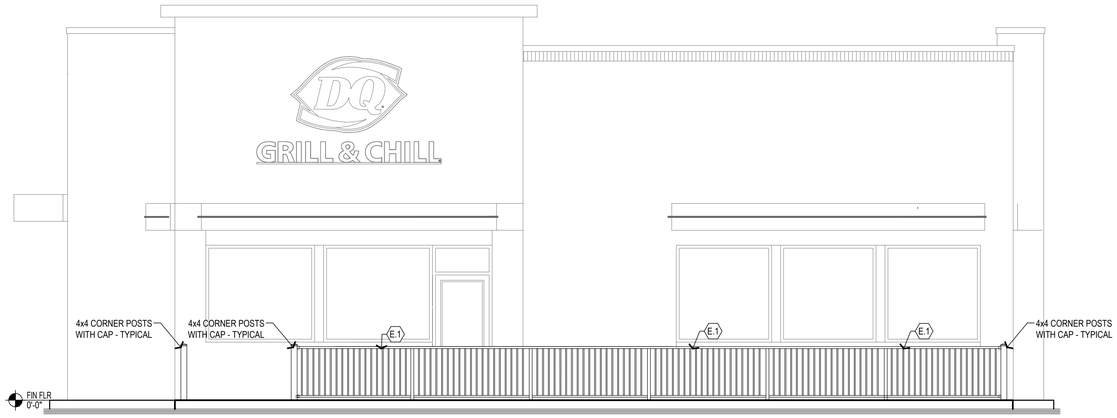
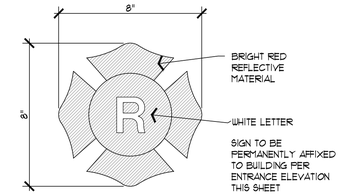
ELEVATIONS

SHEET NUMBER:
A3.1



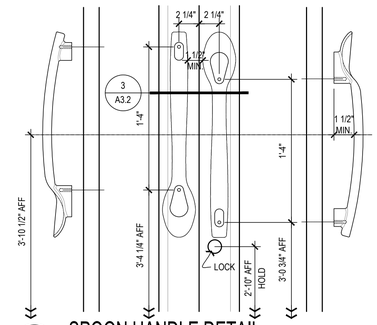
1 / A3.2 PATIO FRONT ELEVATION

SCALE: 1/4" = 1'-0"



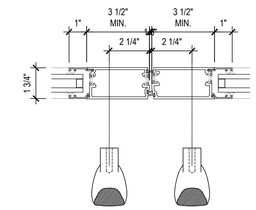
A / A3.2 LIGHTWEIGHT TRUSS ROOF PLACARD

SCALE: 3" = 1'-0"



2 / A3.2 SPOON HANDLE DETAIL

SCALE: 1 1/2" = 1'-0"



3 / A3.2 SPOON HANDLE DETAIL

SCALE: 3" = 1'-0"

EXTERIOR ELEVATION KEYNOTES:

A — MONUMENT SIGN BRICK VENEER (DARK):
MFGR: BELDEN BRICK
COLLECTION: ARCHITECTURAL
COLOR: VELOUR DARK GRAY
SIZE: MODULAR OR QUEEN
GROUT: COOSA / EQUAL OF COLOR TO MATCH BRICK

B — PAINTED BRICK: (LIGHT)
MFGR: BENJAMIN MOORE
COLOR: TEMPORAL SPIRIT 965
PRODUCT: AURA EXTERIOR PAINT, EGG SHELL LOW LUSTRE #634
PRIMER: FIRST COAT - AS RECOMMENDED BY MANUFACTURER

C — PAINTED BRICK: (RED)
MFGR: BENJAMIN MOORE
COLOR: CALIENTE AF-290)
PRODUCT: AURA EXTERIOR PAINT, EGG SHELL LOW LUSTRE #634
PRIMER: FIRST COAT - AS RECOMMENDED BY MANUFACTURER

D — EIFS: (DARK)
MFGR: STO CORPORATION
COLOR: NA19-0023 (MATCHES BENJAMIN MOORE, DEEP CREEK 1477)
FINISH: 130D STOLIT 1.0D (FINE SAND)
NOTE: PROVIDE HIGH IMPACT EIFS FROM GRADE TO 3'-0" A.F.F.

D.1 — PAINTED BRICK: (DARK)
MFGR: BENJAMIN MOORE
COLOR: DEEP CREEK 1477
PRODUCT: AURA EXTERIOR PAINT, EGG SHELL LOW LUSTRE #634
PRIMER: FIRST COAT - AS RECOMMENDED BY MANUFACTURER

E — COPING & SCUPPERS:
MFGR: FIRESTONE UNA-CLAD
MATL: 24 GA. STEEL
COLOR: SILVER METALLIC
FINISH: KYNAR 500
VENDOR: ARCHITECTURAL METALS, SEE NATIONAL VENDORS LIST

E.1 — PATIO RAILING:
OPTIONS:
A) WROUGHT IRON ALL WELDED CONSTRUCTION WITH PAINT FINISH, BLACK (HIGH PERFORMANCE ACRYLIC).
B) ALUMINUM ALL WELDED CONSTRUCTION, BLACK ANODIZED.
C) FORTRESS IRON 'AL13 BLACK' ALUMINUM RAILING, AVAILABLE THROUGH H.J.C., SEE ADQ PRIMARY VENDORS LIST.

F — METAL PANEL:
MFGR: ALPOLIC
STYLE: 4MM
COLOR: SHIMMER DQS MAROON GOLD
NOTE: MUST BE INSTALLED HORIZONTALLY. REFERENCE ARROWS ON BACK OF PANEL MUST BE ALIGNED IN THE SAME DIRECTION.
VENDOR: ARCHITECTURAL METALS, SEE NATIONAL VENDORS LIST

G — METAL EYEBROW, OUTRIGGERS, & FLASHINGS:
MFGR: FIRESTONE UNA-CLAD
MATL: .040 ALUMINUM
COLOR: EXTRA DARK BRONZE
FINISH: KYNAR 500
VENDOR: ARCHITECTURAL METALS, SEE NATIONAL VENDORS LIST

H — EIFS: (BLUE)
MFGR: STO CORPORATION
COLOR: NA19-0024 (MATCHES BENJAMIN MOORE, BIG COUNTRY BLUE #2066-30)
FINISH: 130D STOLIT 1.0 (FINE SAND)
NOTE: PROVIDE HIGH IMPACT EIFS FROM GRADE TO 3'-0" A.F.F.

K — STOREFRONT:
STYLE: 2"x4 1/2"
FINISH: CLEAR ANODIZED
GLAZING: CLEAR, 1" INSULATED, LOW E

K.1 — STOREFRONT (SPANDREL):
STYLE: 2"x2"
FINISH: CLEAR ANODIZED
GLAZING: GRAY OR BLACK SPANDREL

EK — EXISTING STOREFRONT :
STYLE: 2"x4 1/2"
FINISH: CLEAR ANODIZED
GLAZING: EXISTING CLEAR INSULATING

L — EIFS: (MEDIUM)
MFGR: STO CORPORATION
COLOR: NA20-0019 (MATCHES BENJAMIN MOORE, WILLOW CREEK #1468)
FINISH: 310 STO (FINE SAND)
NOTE: PROVIDE HIGH IMPACT EIFS FROM GRADE TO 3'-0" A.F.F.

N — METAL EYEBROW, OUTRIGGERS, & FLASHINGS:
MFGR: FIRESTONE UNA-CLAD
MATL: .040 ALUMINUM
COLOR: CLEAR ANODIZED
FINISH: SATIN
VENDOR: ARCHITECTURAL METALS, SEE NATIONAL VENDORS LIST

P — PAINT:
MFGR: BENJAMIN MOORE
COLOR: TEMPORAL SPIRIT 965
PRODUCT: AURA EXTERIOR PAINT, EGG SHELL LOW LUSTRE #634
PRIMER: FIRST COAT - AURA EXTERIOR PAINT

Q.1 — TRASH ENCLOSURE PAINT:
MFGR: BENJAMIN MOORE
COLOR: DEEP CREEK 1477
PRODUCT: AURA EXTERIOR PAINT, EGG SHELL LOW LUSTRE #634
PRIMER: FIRST COAT - AURA EXTERIOR PAINT

R — METAL PANEL:
MFGR: ALPOLIC
STYLE: 3MM
COLOR: TBX SILVER
NOTE: MUST BE INSTALLED HORIZONTALLY. REFERENCE ARROWS ON BACK OF PANEL MUST BE ALIGNED IN THE SAME DIRECTION.
VENDOR: ARCHITECTURAL METALS, SEE NATIONAL VENDORS LIST

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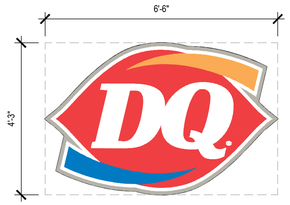
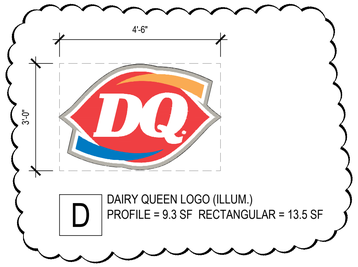
ELEVATIONS, EXTERIOR FINISH KEY NOTES

SHEET NUMBER:

A3.2



C DAIRY QUEEN LOGO (ILLUM.)
PROFILE = 19.6 SF RECTANGULAR = 27.6 SF

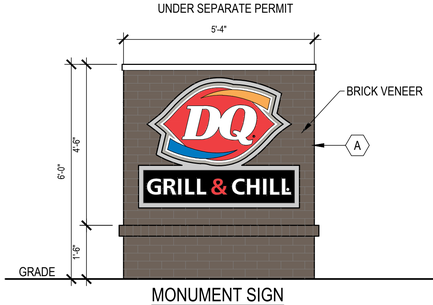


D DAIRY QUEEN LOGO (ILLUM.)
PROFILE = 9.3 SF RECTANGULAR = 13.5 SF

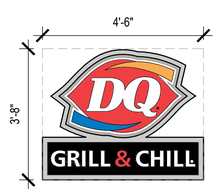
104 1'-2" H. CHANNEL LETTERS
INTERNALLY ILLUMINATED
PROFILE AREA: 5.99 SF RECTANGULAR AREA: 12.03 SF

2 / A3.3 BUILDING SIGNAGE
SCALE: 1/2" = 1'-0"

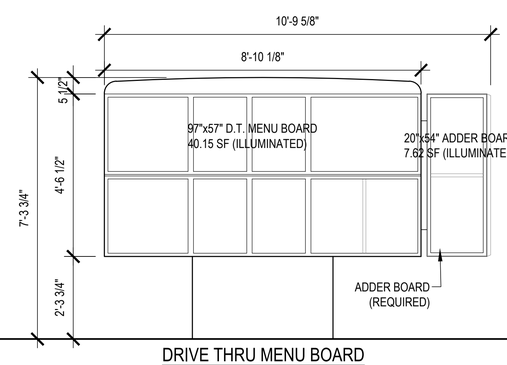
NOTE:
SIGNS MUST BE PERMITTED
UNDER SEPARATE PERMIT



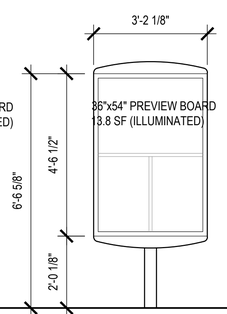
MONUMENT SIGN



E DAIRY QUEEN LOGO
INTERNALLY ILLUMINATED
RECTANGULAR = 16.5 SF

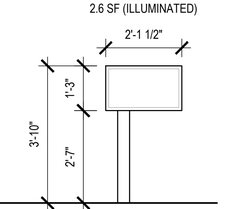


DRIVE THRU MENU BOARD



PRE-VIEW MENU BOARD
(OPTIONAL)

WALL MOUNTED
EXTERIOR PROMO BOARD



DIRECTIONAL SIGN
(OPTIONAL)

1 / A3.3 SITE SIGNAGE
SCALE: 1/2" = 1'-0"

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STORE No. XXXXXX

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NORTH — THIS IS "PLAN" NORTH FOR ACTUAL BUILDING ORIENTATION REFER TO SITE PLAN (BY OTHERS)

ISSUE DATE: 03/22/23
REVISION DATE: 04/28/23

03/22/23	0	ISSUE FOR REVIEW
04/28/23	1	REVISED PER COMMENTS
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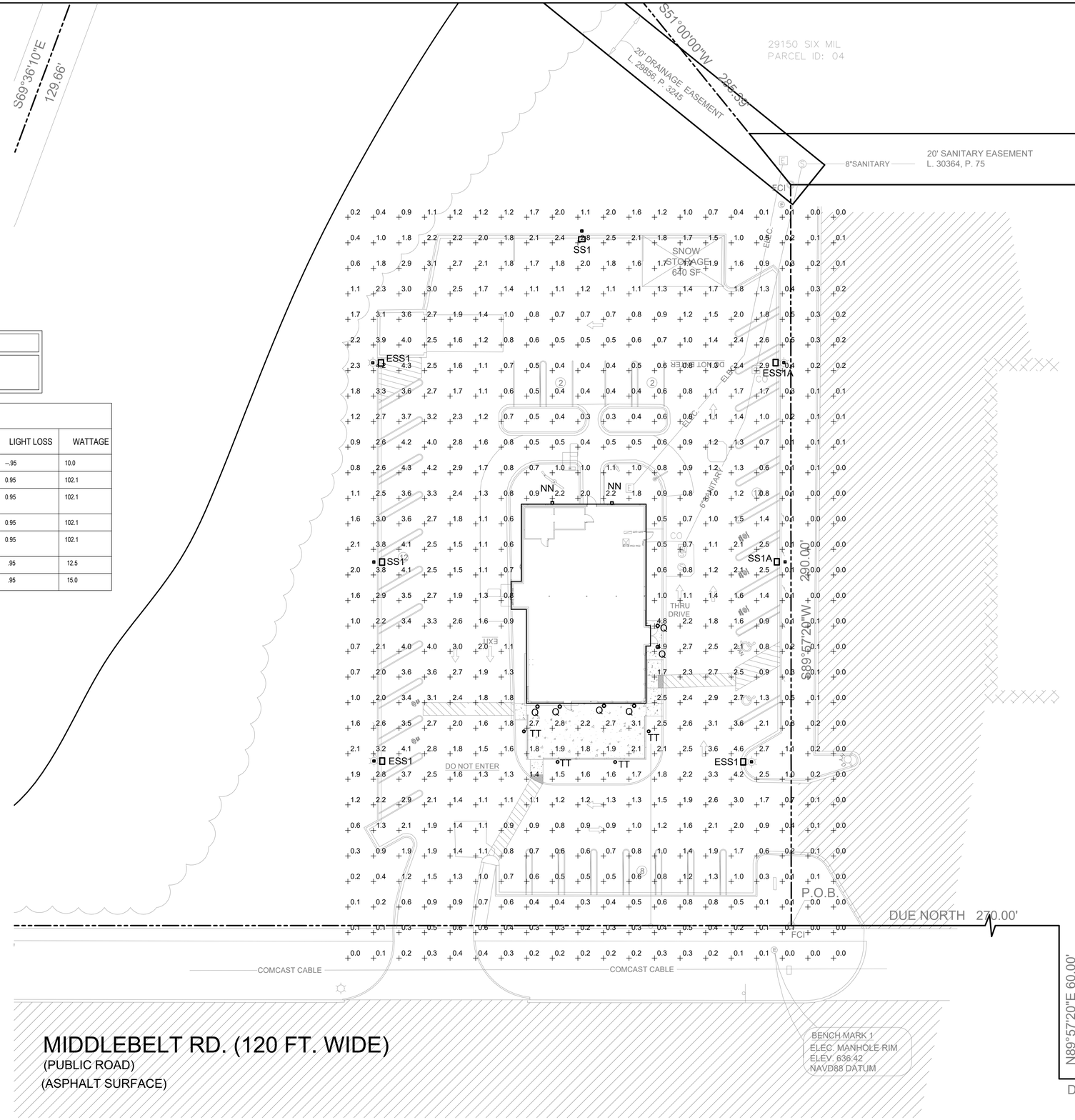
	4	
	5	
	6	

SIGNAGE MATRIX

SHEET NUMBER:
A3.3



GENERAL NOTES

1. VERIFY WITH LOCAL MUNICIPAL CODE MINIMUM, AVERAGE AND MAXIMUM LIGHTING LEVELS ALLOWABLE BY LOCAL CODE REQUIREMENTS.
2. READINGS SHOWN ARE BASED ON A TOTAL LLF OF .95 AT 5FT ABOVEGRADE.
3. PLEASE REFER TO THE "LUMINAIRE LOCATIONS" TABLE FOR MOUNTING HEIGHTS.

LIGHTING SCHEDULE: LIGHT MEASUREMENT TAKEN AT +5FT ABV GRADE

PLAN SYM.	QTY.	LOCATION	FIXTURE MFGR.	FIXTURE CATALOG NUMBER	LUMENS	LIGHT LOSS	WATTAGE
NN	2	OUTDOOR SECURITY	STONCO	LPW7-10-NW-G3-2-120-PCB-BK	1050	--.95	10.0
SS1	3	PARKING LOT	VISIONAIRE LIGHTING	VSX-II (ARRAY)-T3-15L-5K-UNV-AM-BZ POLE: ALLIANCE COMPOSITES #DS24xSDN1	14394	0.95	102.1
ESS1	2	PARKING LOT	VISIONAIRE LIGHTING	VSX-II (ARRAY)-T3-15L-5K-UNV-AM-BZ FIXTURE HEAD ONLY POLE: EXISTING POLE TO REMAIN	14394	0.95	102.1
SS1A	1	PARKING LOT	VISIONAIRE LIGHTING	VSX-II (ARRAY)-T3-15L-5K-UNV-AM-BZ-HS (SHIELDS) POLE: ALLIANCE COMPOSITES #DS24xSDN1	14394	0.95	102.1
ESS1A	1	PARKING LOT	VISIONAIRE LIGHTING	VSX-II (ARRAY)-T3-15L-5K-UNV-AM-BZ-HS (SHIELDS) FIXTURE HEAD ONLY POLE: EXISTING POLE TO REMAIN	14394	0.95	102.1
TT	4	PATIO	HINKLEY LIGHTING	REEF-1951-HE	840	.95	12.5
Q	6	PATIO	HINKLEY LIGHTING	REEF-1951-HE	1497	.95	15.0

1 / E3.2 SITE PHOTOMETRICS PLAN

SCALE: 1" = 20'-0"

JAMES E. WILKERSON
A.I.A.
119 East Tallulah Drive
Greenville, S.C. 29605
864-370-2582
864-240-5375 f

STATE OF MICHIGAN
JAMES EUGENE WILKERSON
ARCHITECT
No. 1301070508
LICENSED ARCHITECT
03/22/23

JOB NO. 202302

DQ GRILL & CHILL
17200 MIDDLEBELT RD
LIVONIA MI 48152

GRILL & CHILL

AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.

*REGISTERED U.S. PATENT OFFICE. AMERICAN DAIRY QUEEN CORPORATION. THIS DRAWING, IT'S DESIGN DETAIL AND INVENTION ARE THE PROPERTY OF AMERICAN DAIRY QUEEN INC. (ADQ) AND SHALL NOT BE COPIED IN ANY MANNER NOR DISCLOSED TO ANY OUTSIDE PARTY WITHOUT ADQ CONSENT.

BUILDING TYPE:
DAIRY QUEEN GRILL & CHILL
STEAK & SHAKE CONVERSION
STORE No. XXXXXX

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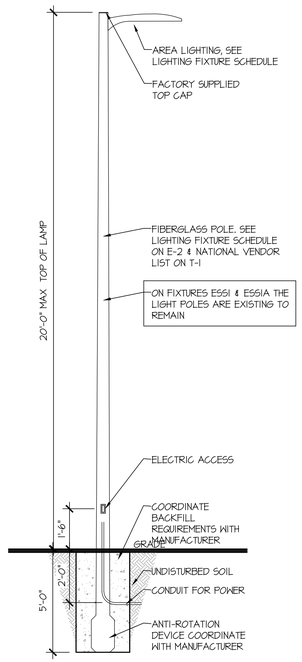
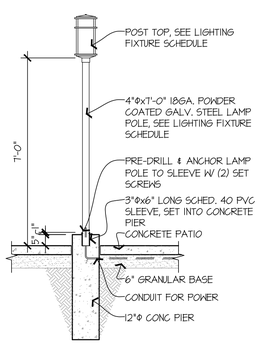
SITE PHOTOMETRIC PLAN

SHEET NUMBER:

AE3.2



A SITE LIGHTS SS1 & SS1A
E3.4 SCALE: 3/8" = 1'-0"



B PATIO LIGHT TT
E3.4 SCALE: 3/8" = 1'-0"

Control Number: AREA-VSX-II-AR-08_19_2022

VSX-II Array LED Specifications

*Universal Arm Mount (UAM) Version Shown.

Project Name:

Catalog Number:

Area: SS1 / ESS1 /SS1A /ESS1A

The new **VSX-II Array LED** Series offers clean, functional styling that is defined by its sleek low profile design and rugged construction. It combines the latest LED Array technology, advanced LED thermal management and provides outdoor lighting that is both energy efficient and aesthetically pleasing.

The LED's performance and the driver's life are maximized by enclosing them in two separate die cast aluminum housings.

The VSX-II Array LED fixture is offered with lumen packages ranging from 5,000 - 25,000. Ten optical distribution patterns are available. Choose between 3000, 4000 or 5000 Kelvin temperature of the LEDs.

A durable polyester powder coat finish is guaranteed for five years; and is available in standard or custom colors.

The **VSX-II Array LED** series is an exceptional choice for commercial parking lots, office complexes, architectural projects, and other general lighting projects.

Ordering Information

MODEL	OPTICS	LUMENS	KELVIN	VOLTAGE	MOUNTING	FINISH	OPTIONS	OPTIONS	OPTIONS
VSX-II	T3	20L	5K	UNV	AM	BZ	-		HS
VSX-II	**T1** Type 1 **T2** Type 2 **T3** Type 3 **T3L** Type 3 Long **T4** Type 4 **T4L** Type 4 Long **T4A** Type 4 Automotive **T5SR** Type 5 Short Round **T5LR** Type 5 Long Round **T5LS** Type Long Square	**5L** **10L** **15L** **20L** **25L**	**3K** 3000K **4K** 4000K **5K** 5000K	**UNV** 120-277V **8** 347V **5** 480V	**AM** Arm Mount **SAM** Straight Arm Mount W/ Terminal Block (New Construction) **UAM** Universal Arm W/ Terminal Block Mount (Retrofit) **MAF** Mast Arm Fitter **KM** Knuckle Mount **WM** Wall Mount *Requires BAWP **AWM** Adjustable Wall Mount *Round Pole Plate Adapters (RPP) are to be ordered separately. *BAWP to be ordered separately	**BZ** Bronze **BK** Black **SBK** Smooth Black **WH** White **SWH** Smooth White **GP** Graphite **GY** Grey **SL** Silver Metallic **CC** Custom Color	**PCR-120** **PCR-208** **PCR-240** **PCR-277** **PCR-347** **PCR-480** Photocell & Receptacle **PER** **5PINPER** **7PINPER** 3, 5 or 7 Pin Photo Receptacle w/shorting cap Requires Dimming Driver **DIM** 0-10v Dimming Driver **RPP-3"** **RPP-4"** **RPP-5"** Round Pole Plate Adaptor **VWC** Visionaire Wireless Controls *Consult Factory	**WSC-8** Motion Sensor 8' Mounting Height **WSC-20** Motion Sensor 9-20' Mounting Height **WSC-40** Motion Sensor 21-40' Mounting Height *The WSC option will require (1) FSR 100 remote for programming **UMAP** Universal Mast arm fitter **ECLS** Egg Crate Louver Shield **ADJLS** Adjustable Louver Light Shield **BD** Barn Door Shield	**UPMA-S** Universal Square Pole Mount Adaptor **UPMA-R** Universal Round Pole Mount Adaptor **BAWP** Cast Wall Plate **ROT-R** Rotated Optics Right Side **ROT-L** Rotated Optics Left Side **CLS** Backside cutoff shield *Not to be used with KM **RCLS** Rightside cutoff shield *Not to be used with KM **LCLS** Leftside cutoff shield *Not to be used with KM **HS** House shield

VISIONAIRE LIGHTING

VL-PA-ING-001-F37 REV. 0 CRCABR22-03

Control Number: AREA-VSX-II-AR-08_19_2022

VSX-II ARRAY LED Specifications

FIXTURES SS1/SS1A

VSX-II ARRAY - 3K LUMEN DATA											
LUMENS	T1	T2	T3	T3L	T4	T4L	T4A	T5SR	T5LR	T5LS	Watts
5L	4533	4513	4477	4213	4412	4170	4504	4616	4389	4582	34
10L	8725	8687	8618	8110	8493	8026	8668	8884	8448	8819	70
15L	13694	13634	13526	12730	13329	12597	13605	13943	13260	13841	102
20L	17648	17571	17431	16404	17178	16234	17533	17969	17088	17837	134
25L	21818	21723	21550	20281	21237	20070	21676	22215	21126	22052	167
VSX-II ARRAY - 4K LUMEN DATA											
LUMENS	T1	T2	T3	T3L	T4	T4L	T4A	T5SR	T5LR	T5LS	Watts
5L	5020	4998	4958	4667	4886	4618	4987	5111	4861	5074	34
10L	9662	9620	9544	8982	9405	8888	9599	9838	9356	9766	70
15L	15165	15099	14979	14097	14761	13950	15066	15441	14684	15328	102
20L	19544	19458	19304	18167	19023	17978	19416	19899	18924	19753	134
25L	24162	24056	23865	22459	23518	22225	24004	24601	23395	24421	167
VSX-II ARRAY - 5K LUMEN DATA											
LUMENS	T1	T2	T3	T3L	T4	T4L	T4A	T5SR	T5LR	T5LS	Watts
5L	5020	4998	4958	4667	4886	4618	4987	5111	4861	5074	34
10L	9662	9620	9544	8982	9405	8888	9599	9838	9356	9766	70
15L	15165	15099	14979	14097	14761	13950	15066	15441	14684	15328	102
20L	19544	19458	19304	18167	19023	17978	19416	19899	18924	19753	134
25L	24162	24056	23865	22459	23518	22225	24004	24601	23395	24421	167
VSX-II ARRAY - 3K LUMEN PER WATT DATA											
LUMENS	T1	T2	T3	T3L	T4	T4L	T4A	T5SR	T5LR	T5LS	Watts
5L	133	133	132	124	130	123	132	136	129	135	34
10L	125	124	123	116	121	115	124	127	121	126	70
15L	135	134	133	125	131	124	134	137	130	136	102
20L	132	131	130	122	128	121	131	134	128	133	134
25L	131	130	129	121	127	120	130	133	126	132	167
VSX-II ARRAY - 4K LUMEN PER WATT DATA											
LUMENS	T1	T2	T3	T3L	T4	T4L	T4A	T5SR	T5LR	T5LS	Watts
5L	148	147	146	137	144	136	147	150	143	149	34
10L	138	137	136	128	134	127	137	141	134	140	70
15L	149	148	147	139	145	137	148	152	144	151	102
20L	146	145	144	136	142	134	145	149	141	147	134
25L	145	144	143	134	141	133	144	147	140	146	167
VSX-II ARRAY - 5K LUMEN PER WATT DATA											
LUMENS	T1	T2	T3	T3L	T4	T4L	T4A	T5SR	T5LR	T5LS	Watts
5L	148	147	146	137	144	136	147	150	143	149	34
10L	138	137	136	128	134	127	137	141	134	140	70
15L	149	148	147	139	145	137	148	152	144	151	102
20L	146	145	144	136	142	134	145	149	141	147	134
25L	145	144	143	134	141	133	144	147	140	146	167

VISIONAIRE LIGHTING

VL-PA-ING-001-F37 REV. 0 CRCABR22-03

Stonco by Signify

Wall mount

LytePro

LPW7 small wall sconce

Stonco LytePro LED small wall sconce LPW7 features outstanding value in a compact, architectural design, and combines energy savings with good photometric performance. LPW7 is ideal for entryways, corridors, facade and other wall/surface lighting applications.

Project:
Location:
Cat.No:
Type:
Lamps: Qty:
Notes:

FIXTURE NN

Ordering guide

Example: LPW7-10-NW-G3-2-120-PCB-BZ

Prefix	Wattage	LED Color/Gen	Distribution	Voltage	Options: Photocontrol	Options: Location	Finish
LPW7	10	NW-G3	2	120	PCB		BK
LPW7 LytePro 7 LED small wall sconce	**10** 10W	**NW-G3** Neutral White 4000K 70 CRI Generation 3 WW-G3 Warm White 3000K 70 CRI Generation 3	**2** Type 2	**120** 120V **208** 208V **240** 240V **277** 277V **UNV** 120-277V (50/60Hz)	--- None **PCB** Photocontrol Button[1]	**BAC**[2] Meets the requirements of the Buy American Act of 1933 (BAA)	**Textured** **BK** Black **WH** White **BZ** Bronze **DGY** Dark Gray **MGY** Medium Gray **Customer specified** **RAL** Specify optional color or RAL (ex: OC-LGP or OC-RAL7024) **CC** Custom color (Must supply color chip for required factory quote)

Stocked luminaires – Ordering guide

Catalog Number	Description	Master Pack, Qty	UPC Code
LPW7-G3-8-BZ	LPW7, 250mA, 4000K, 120-277V, Bronze textured paint	6	622252813858
LPW7-G3-8-DGY	LPW7, 250mA, 4000K, 120-277V, Dark gray textured paint	6	622252813841

Stocked accessories – Ordering guide (Must be ordered separately)[4]

Catalog Number	Description	Master Pack, Qty	UPC Code
LPWCVRPLT-BZ[2]	LPW Universal wall cover mounting plate, Bronze textured paint	(none)	190096144860

[1] Must specify voltage.
[2] Other colors available upon request as made-to-order
[3] Failure to properly select the "BAC" suffix could result in you receiving product that is not BAA compliant product with no recourse for an RMA or refund. This BAC designation hereunder does not address (1) the applicability of, or availability of a waiver under, the Trade Agreements Act, or (ii) the "Buy America" domestic content requirements imposed on states, localities, and other non-federal entities as a condition of receiving funds administered by the Department of Transportation or other federal agencies.
[4] Consult Signify to confirm whether specific accessories are BAA-compliant.

LPW7_LytePro_sconce 06/21 page 1 of 3

DQ-MH15WMO-BLK

15W LED Flood Light

FIXTURES "P&Q"

Specifications

15 Watt LED floodlight with die cast aluminum housing, integral glare shield and tempered lens. Sleek good looks with minimal size. Supplied with 6" leads and ground wire.

Housing:
Precision die cast aluminum

Light Engine: LED
Actual Draw: 15W
Lumen output: 1350 Lumens
Power Factor: >.90
Color Temperature: 3000K
CRI: 85

Swivels:
1/2" NPS threaded arm with serrated locking swivel fits all standard mounting boxes. EZ Grip locknuts color matched to fixture.

Standoff:
12", 18", 24"

UL Listing:
Suitable for wet locations.

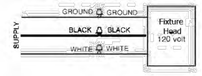
Voltage:
120-277VAC

Warranty:
5 years

WIRING

WARNING: *Make sure power is OFF before installing or maintaining fixture.*

1. Connect the black fixture lead to the black supply lead.
2. Connect the white fixture lead to the white supply lead.
3. Connect the copper ground wire to the supply ground.



5 YEAR WARRANTY

c UL us LISTED

morganhope INDUSTRIES LTD

MorganHope USA LLC
4425 US HWY 1 South
St. Augustine FL 32086
www.morganhope.com
Phone: 904 687 0660
Fax: 904 342 6308

REEF

FIXTURE TT

1951HE
LARGE POST TOP OR PIER MOUNT LANTERN
Reef's contemporary nautical shape features a sleek capsule of inside etched glass captured by bold rings of cast aluminum.

DETAILS	
FINISH:	Hematite
MATERIAL:	Cast Aluminum
GLASS:	Inside Etched

DIMENSIONS	
WIDTH:	9"
HEIGHT:	16.3"
WEIGHT:	8 lbs.

LIGHT SOURCE	
LIGHT SOURCE:	Socket
WATTAGE:	1-100w Med.equivalent LED
VOLTAGE:	120v

SHIPPING	
CARTON LENGTH:	17.1"
CARTON WIDTH:	10.2"
CARTON HEIGHT:	20"
CARTON WEIGHT:	11 lbs.

PRODUCT DETAILS:

- Suitable for use in wet (interior direct splash and outdoor direct rain or sprinkler) locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards
- 2 year finish warranty
- Classic, modern style with a nautical flair adds elegance to a variety of exteriors
- Rich gray tone

HINKLEY

HINKLEY
33000 Pin Oak Parkway
Avon Lake, OH 44012

PHONE: (440) 653-5500
Toll Free: 1 (800) 446-5539

hinkley.com

FIXTURE MM

MH402-24V-6500K

LED Linear Wall Washer

Description

Morgan Hope 402 low voltage wall wash fixtures are perfect for interior or exterior wall wash applications and are easily concealed due to their compact size. These wall wash fixtures are the choice of electricians, lighting designers and architects worldwide for their high performance light output, attractive styling, and accurate colors.

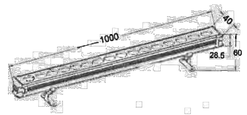
Applications

Architectural lighting for canopies, corridors, archways, windows
Downlighting or uplighting for wall wash applications
Landscape lighting
Excellent for hospitality applications
Road and bridge lighting
Museum and art gallery lighting
Sculpture and statue illumination

Specifications

Housing: Aluminum
Lens: Tempered Glass
Light Engine: CREE
Actual Draw: 18W
Lumen output: 1620 Lumens
Power Factor: >.90
Color Temperature: 6500K
CRI: 85
Beam Angle: 30 Degrees
IP Rating: IP65
Input Voltage: 24V

Warranty:
5 years



Parallel Installation

NO MORE THAN 3 LIGHT BARS PER 60W POWER SUPPLY

morganhope INDUSTRIES LTD

JAMES E. WILKERSON
A.I.A.
119 East Tallulah Drive
Greenville, S.C. 29605
864-370-2582
864-240-5375 f

JAMES EUGENE WILKERSON ARCHITECT No. 1301070508 REGISTERED ARCHITECT
03/22/23

JOB NO. 202302

DQ GRILL & CHILL
17200 MIDDLEBELT RD
LIVONIA MI 48152

GRILL & CHILL

AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.

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BUILDING TYPE:
DAIRY QUEEN GRILL & CHILL STEAK & SHAKE CONVERSION STORE No. XXXXXX

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03/22/23	0	ISSUE FOR REVIEW
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SITE LIGHT CUT SHEETS

SHEET NUMBER:
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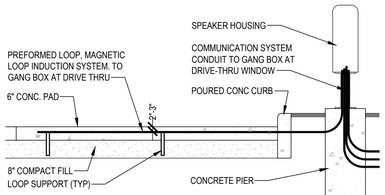
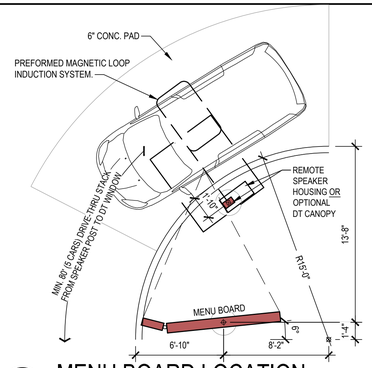


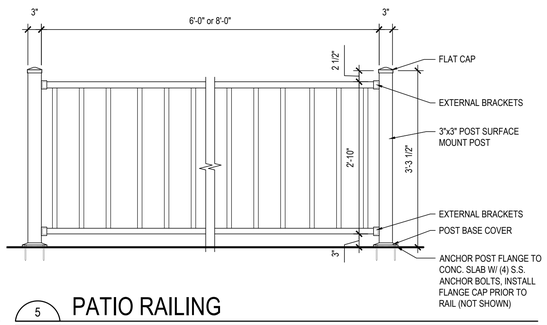
LOOP NOTES:
1) POSITION PREFORMED LOOP APPROX. 1'-3" FROM CURB, CENTERED IN FRONT OF SPEAKER POST OR MENU BOARD.
2) LOOP SHOULD BE INSTALLED 2"-3" BELOW THE SURFACE OF THE PAVEMENT (MAX. 5" DEPTH). NOTE: IF INSTALLED IN ASPHALT, COVER LOOP WITH MIN. 1" SOIL OR SAND TO PROTECT FROM HOT ASPHALT.
3) CONNECT LOOP TO 1/2" CONDUIT STUBBED UP IN SPEAKER POST OR MENU BOARD.
4) WIRE MESH OR REINFORCEMENT IN CONCRETE SHOULD BE CUT AWAY FROM PERIMETER OF LOOP A MINIMUM OF 36".
5) ALL CONNECTIONS AND SPLICES TO LOOP WIRES MUST BE SOLDERED.

1 / A1.2 INDUCTION LOOP SECTION
N.T.S.

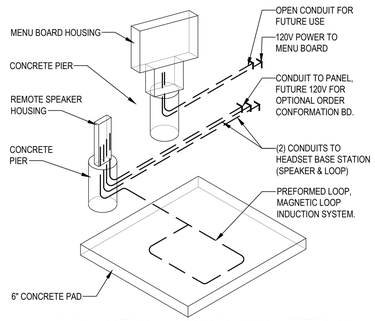


2 / A1.2 MENU BOARD LOCATION
N.T.S.

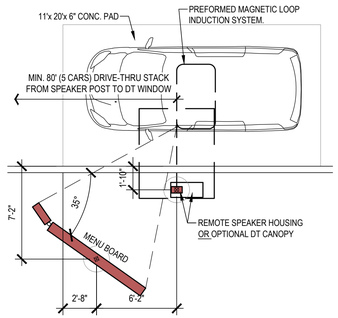
FABRICATION/FINISH OPTIONS:
A) WROUGHT IRON ALL WELDED CONSTRUCTION WITH PAINT FINISH, BLACK (HIGH PERFORMANCE ACRYLIC).
B) ALUMINUM ALL WELDED CONSTRUCTION, BLACK ANODIZED.
C) FORTRESS IRON 'AL13 BLACK' ALUMINUM RAILING, AVAILABLE THROUGH H.J.C., SEE ADQ PRIMARY VENDORS LIST.



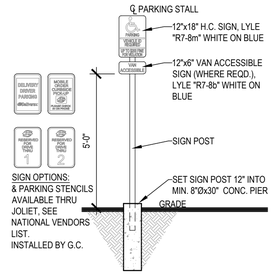
5 / A1.2 PATIO RAILING
SCALE: 3/8" = 1'-0"



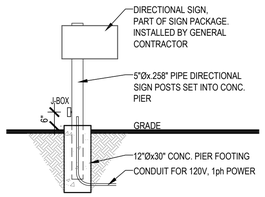
3 / A1.2 INDUCTION LOOP ISOMETRIC
N.T.S.



4 / A1.2 MENU BOARD LOCATION
N.T.S.



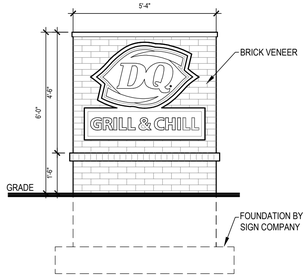
SIGN OPTIONS:
A) ENTER/ENTER
B) EXIT/THANK YOU
C) DRIVE THRU/DRIVE THRU
D) THANK YOU/ DO NOT ENTER



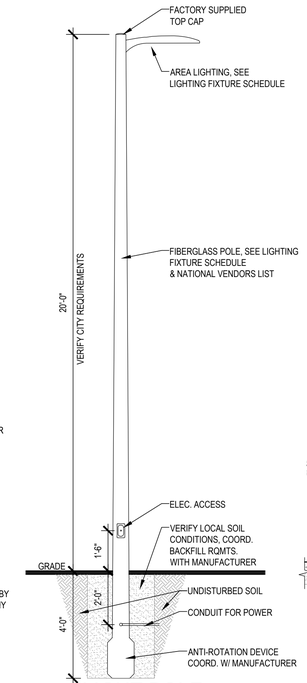
6 / A1.2 PARKING SIGNS
SCALE: 3/8" = 1'-0"

7 / A1.2 SITE DIRECTIONAL
SCALE: 3/8" = 1'-0"

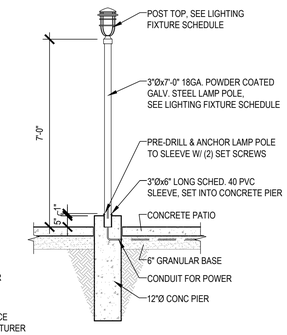
NOTE:
SIGNS MUST BE PERMITTED UNDER SEPARATE PERMIT



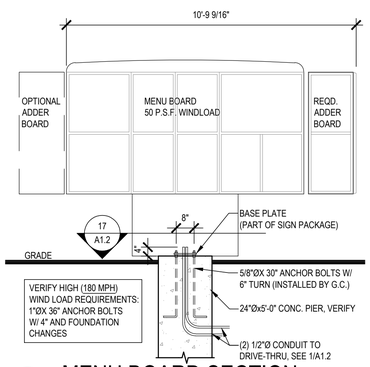
8 / A1.2 MONUMENT SIGN
SCALE: 3/8" = 1'-0"



9 / A1.2 LIGHT POLE
SCALE: 3/8" = 1'-0"



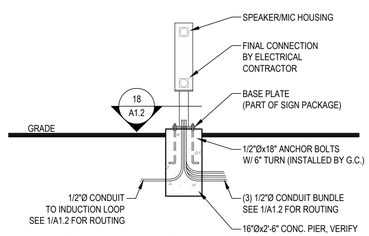
10 / A1.2 PATIO LIGHT
SCALE: 3/8" = 1'-0"



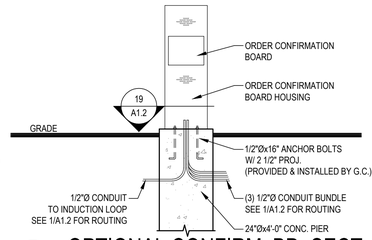
VERIFY HIGH (180 MPH) WIND LOAD REQUIREMENTS: 1"ØX 36" ANCHOR BOLTS W/ 4" AND FOUNDATION CHANGES

11 / A1.2 MENU BOARD SECTION
SCALE: 3/8" = 1'-0"
PROVIDED BY OWNER, INSTALLED BY G.C.

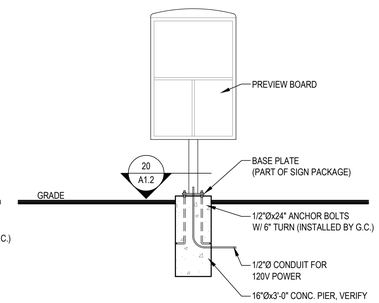
FOUNDATION NOTES:
THESE ARE APPROXIMATE FOUNDATION MEASUREMENTS. THE SOIL BEARING CAPACITY AT THE ERECTION SITE MUST BE CONSIDERED WHEN DESIGNING THE FOUNDATION. THE SIGN MANUFACTURER IS NOT ABLE TO PREDETERMINE THE SPECIFIC NEEDS OF EACH LOCATION. CONSULT A LOCAL ENGINEER FOR DESIGN SPECIFICATIONS. CONSULT AND COORDINATE WITH SIGN MANUFACTURER.



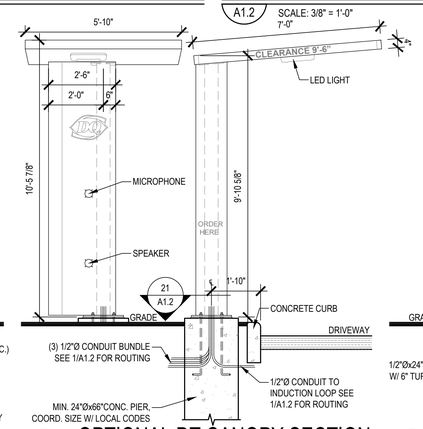
12 / A1.2 SPEAKER SECTION
SCALE: 3/8" = 1'-0"
PROVIDED BY OWNER, INSTALLED BY G.C.



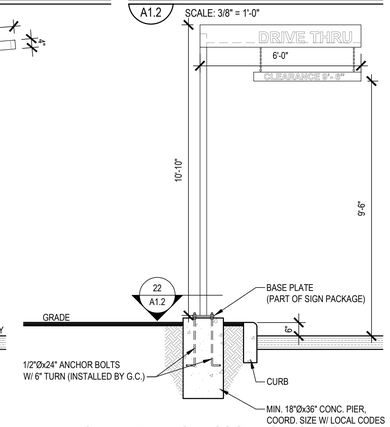
13 / A1.2 OPTIONAL CONFIRM. BD. SECT.
SCALE: 3/8" = 1'-0"
PROVIDED BY OWNER, INSTALLED BY G.C.



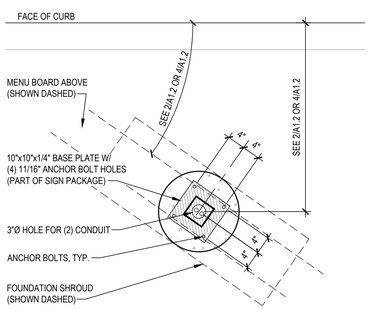
14 / A1.2 OPTIONAL PREVIEW BD. SECT.
SCALE: 3/8" = 1'-0"
PROVIDED BY OWNER, INSTALLED BY G.C.



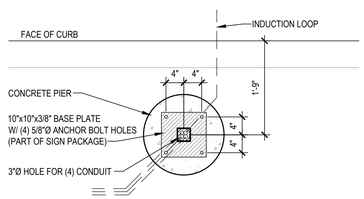
15 / A1.2 OPTIONAL DT CANOPY SECTION
SCALE: 3/8" = 1'-0"
PROVIDED BY OWNER, INSTALLED BY G.C.



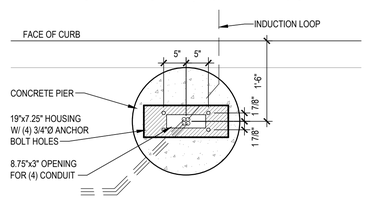
16 / A1.2 CLEARANCE SIGN SECTION
SCALE: 3/8" = 1'-0"
PROVIDED BY OWNER, INSTALLED BY G.C.



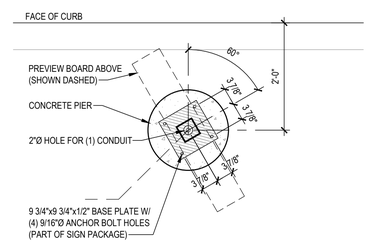
17 / A1.2 MENU BOARD SECTION
SCALE: 3/4" = 1'-0"



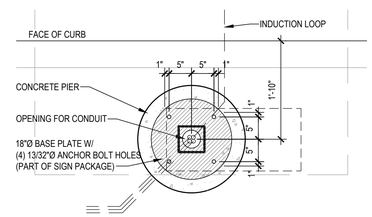
18 / A1.2 SPEAKER SECTION
SCALE: 3/4" = 1'-0"



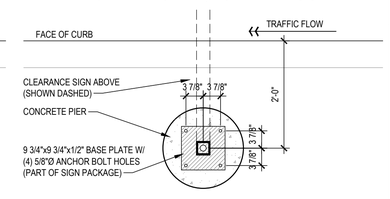
19 / A1.2 OPTIONAL CONFIRM. BD. SECT.
SCALE: 3/4" = 1'-0"



20 / A1.2 OPTIONAL PREVIEW BD. SECT.
SCALE: 3/4" = 1'-0"



21 / A1.2 DT CANOPY SECTION
SCALE: 3/4" = 1'-0"



22 / A1.2 CLEARANCE SIGN SECTION
SCALE: 3/4" = 1'-0"

JAMES E. WILKERSON
A.I.A.
119 East Tallulah Drive
Greenville, S.C. 29605
864-370-2582
864-240-5375 f
JAMES EUGENE WILKERSON ARCHITECT No. 1301070508 REGISTERED ARCHITECT
03/22/23

JOB NO. 202302

DQ GRILL & CHILL
17200 MIDDLEBELT RD
LIVONIA MI 48152

GRILL & CHILL

AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.

*REGISTERED U.S. PATENT OFFICE. AMERICAN DAIRY QUEEN CORPORATION. THIS DRAWING, IT'S DESIGN DETAIL AND INVENTION ARE THE PROPERTY OF AMERICAN DAIRY QUEEN INC. (ADQ) AND SHALL NOT BE COPIED IN ANY MANNER NOR DISCLOSED TO ANY OUTSIDE PARTY WITHOUT ADQ CONSENT.

BUILDING TYPE:
DAIRY QUEEN GRILL & CHILL STEAK & SHAKE CONVERSION STORE No. XXXXXX

DRAWN, CHECKED, & APPROVED BY: ADQ DESIGN-ARCHITECTURE-CONSTRUCTION (DAC) DEPARTMENT

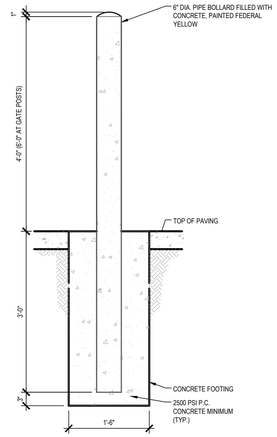
NORTH — THIS IS "PLAN" NORTH FOR ACTUAL BUILDING ORIENTATION REFER TO SITE PLAN (BY OTHERS)

ISSUE DATE: 03/22/23
REVISION DATE:

03/22/23	0	ISSUE FOR REVIEW
	1	
	2	
	3	
	4	
	5	
	6	

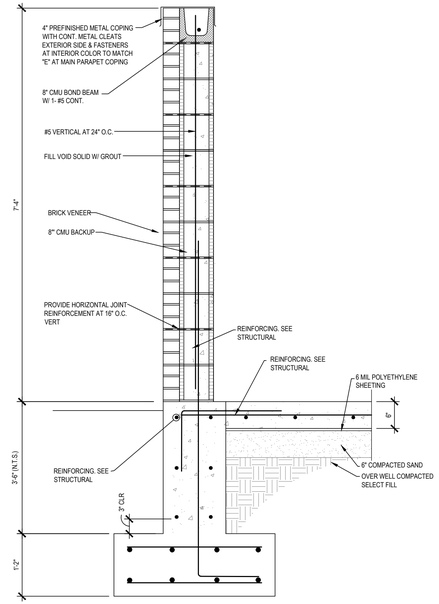
SITE EQUIPMENT DETAILS

SHEET NUMBER:
A1.2



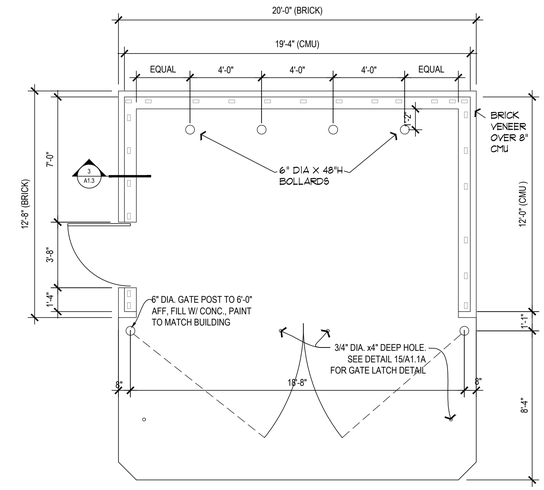
6 / A1.3 BOLLARD DETAIL

SCALE: 1" = 1'-0"



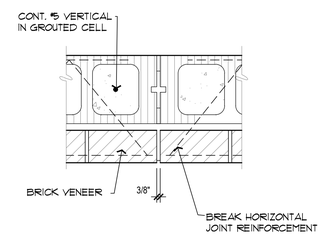
3 / A1.3 TRASH ENCLOSURE SECTION

SCALE: 1" = 1'-0"



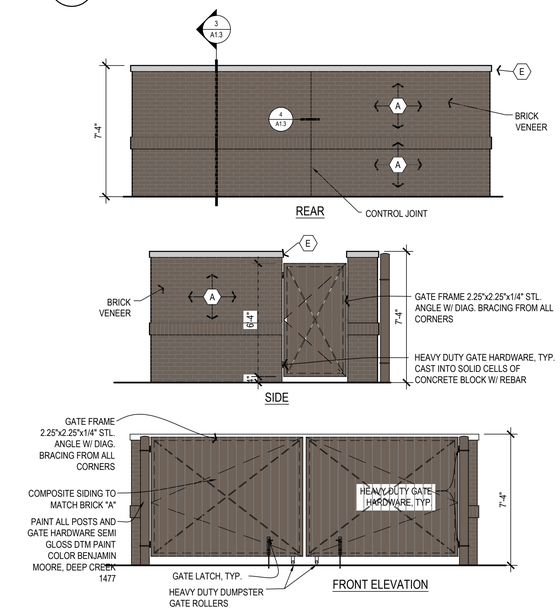
1 / A1.3 TRASH ENCLOSURE PLAN

SCALE: 1/4" = 1'-0"



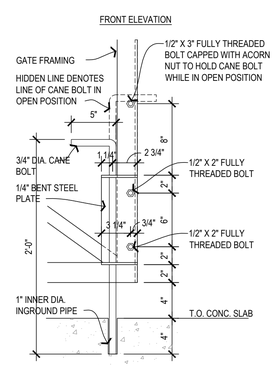
4 / A1.3 CONTROL JT DETAIL

SCALE: 1 1/2" = 1'-0"



2 / A1.3 TRASH ENCLOSURE ELEVATIONS

SCALE: 1/4" = 1'-0"



5 / A1.3 CANE BOLT DETAIL

SCALE: 1-1/2" = 1'-0"

JAMES E. WILKERSON
A.I.A.
119 East Tallulah Drive
Greenville, S.C. 29605
864-370-2582
864-240-5375 f

STATE OF MICHIGAN
JAMES EUGENE WILKERSON
ARCHITECT
No. 1301070508
LICENSED ARCHITECT

04/28/23

JOB NO. 202302

DQ GRILL & CHILL
17200 MIDDLEBELT RD
LIVONIA MI 48152

GRILL & CHILL

AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.

*REGISTERED U.S. PATENT OFFICE. AMERICAN DAIRY QUEEN CORPORATION. THIS DRAWING, IT'S DESIGN DETAIL AND INVENTION ARE THE PROPERTY OF AMERICAN DAIRY QUEEN INC. (ADQ) AND SHALL NOT BE COPIED IN ANY MANNER NOR DISCLOSED TO ANY OUTSIDE PARTY WITHOUT ADQ CONSENT.

BUILDING TYPE:
DAIRY QUEEN GRILL & CHILL
STEAK & SHAKE CONVERSION
STORE No. XXXXXX

DRAWN, CHECKED, & APPROVED BY: ADQ DESIGN-ARCHITECTURE-CONSTRUCTION (DAC) DEPARTMENT

NORTH — THIS IS "PLAN" NORTH FOR ACTUAL BUILDING ORIENTATION REFER TO SITE PLAN (BY OTHERS)

ISSUE DATE: 03/22/23
REVISION DATE: 04/28/23

03/22/23	0	ISSUE FOR REVIEW
04/28/23	1	REVISED PER COMMENTS
	2	
	3	
	4	
	5	
	6	

TRASH ENCLOSURE DETAILS

SHEET NUMBER:
A1.3

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

DAVID W. LEAR, P.E.
ASST. CITY ENGINEER

MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150
(734) 466-2571
FAX: (734) 466-2195

April 17, 2023

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2023-04-08-04 – #17200 Middlebelt Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed project at this time. The subject parcel is assigned the address of **#17200 Middlebelt Road.** The legal description provided with the submitted drawings appears to be correct and should be used in conjunction with this proposal.

The existing parcel is currently served by public sanitary sewer and water main, as well as private storm sewer. Per the submitted drawings, there are no planned alterations to the services, so we do not expect any impacts to the existing systems at this time.

It should be noted that any disturbances within the Middlebelt Road right-of-way would require the owner to obtain permits from the Wayne County Department of Public Services.

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608 or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at dlear@livonia.gov or tzilincik@livonia.gov.

Sincerely,

David W. Lear, P.E.
Assistant City Engineer

cc: 2023 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

ROBERT JENNISON
FIRE CHIEF

MAUREEN MILLER BROSNAN
MAYOR

14910 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5419
734-466-2444
734-466-2082 fax

DATE: April 23, 2023

TO: Scott O. Miller, Planner IV

FROM: Livonia Fire Prevention Division

SUBJECT: Petition # 2023-04-08-04 – 17200 Middlebelt Dairy Queen

This office has reviewed the site plan submitted in connection with a request to modify a commercial building on property located at the above referenced address.

We have no objections to this proposal.

1. If sprinkler system and fire alarm exist, must be maintained and operational.

2. Provide Plans and Permits for Hood and Duct with suppression system.

A further detailed plan review will take place when this division receives an official plan set.

Sincerely,

Brian R. Kukla

Brian R. Kukla
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

THOMAS GORALSKI
CHIEF OF POLICE

MAUREEN MILLER BROSNAN
MAYOR

15050 Farmington Road
Livonia, Michigan 48154-5499
(734) 466-2470
FAX: (734) 261-2265

April 14th 2023

Mr. Scott Miller
City of Livonia Planning Dept
33000 Civic Center Drive
Livonia, MI 48154

Re: **Petition 2023-04-08-04 - 17200 Middlebelt Road**

Mr. Miller,

I have reviewed the plans in connection with the petition. I have no objections to the proposals.

Please feel free to contact me, should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE,

Paul Walters, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT

MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

Date: April 24, 2023

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2023-04-08-04 – 17200 Middlebelt Road

Pursuant to your request, the above-referenced Petition has been reviewed.

1. The parking lot shall be repaired and restriped as necessary. Parking spaces shall be 10' wide and 20' deep and double striped.
2. The signage shall conform to Livonia Vision 21 Zoning Ordinance. Any excess signage would require a variance from the Zoning Board of Appeals.

This Department has no further objections to this Petition.

I trust this provides the requested information.

Jerome Hanna
Jerome Hanna
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT

MAUREEN MILLER BROSNAN
MAYOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2260
FAX: (734) 421-1807

April 17, 2023

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2023-04-08-04 - 17200 Middlebelt Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3060
(734) 466-2245
FAX: (734) 421-7230

April 19, 2023

Mr. Scott Miller – Planner IV
Planning Commission
City of Livonia

Re: Petition 2023-04-08-04 17200 Middlebelt Road
Haidous Brothers Livonia LLC

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal.

Sincerely,

Lynda L. Scheel

Lynda L. Scheel
Treasurer, City of Livonia

OTHER ITEMS RELATED TO THE PETITION

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

5. REAPPOINTMENT OF PAT CRANDELL TO THE LIVONIA ECONOMIC DEVELOPMENT CORP: Office of the Mayor, re: for a three-year term, which will expire on June 7, 2026.

   Mark Taormina, Planning and Economic Development Director, presented the request to Council.

   Councilmember Toy offered an approving resolution for the Consent agenda.

   DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

5.

Mayor's Office
May 2, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Janice Centers, Executive Assistant to the Mayor - Program Supervisor,

AGENDA ITEM

REAPPOINTMENT OF PAT CRANDELL TO THE LIVONIA ECONOMIC DEVELOPMENT CORP: Office of the Mayor, re: for a three-year term, which will expire on June 7, 2029.

BACKGROUND DETAILS

Honorable Members of the City Council, City of Livonia
RE: Reappointment of Pat Crandell to the Economic Development Corp

Dear Council Members,

I am herewith submitting to you, for your consideration and approval, the reappointment of Mr. Pat Crandell, 15177 Yale, Livonia, Michigan 48154, as a member of the Economic Development Corp for a term that will expire on June 7, 2029.

Your approval on this reappointment is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Reappoint Pat Crandell to the Livonia Economic Development Corp for a six-year term.

ATTACHMENTS

None

APPROVED BY

Maureen Miller Brosnan

Date: May 04, 2023

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

6. REAPPOINTMENT OF SAM CARAMAGNO TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2026.

   Mark Taormina, Planning and Economic Development Director, presented the request to Council.

   Councilmember Toy offered an approving resolution for the Consent agenda.

   DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

6.

Mayor's Office
May 2, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Janice Centers, Executive Assistant to the Mayor - Program Supervisor,

AGENDA ITEM

REAPPOINTMENT OF SAM CARAMAGNO TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2026.

BACKGROUND DETAILS

Honorable Members of the City Council, City of Livonia
RE: Reappointment of Sam Caramagno to the Planning Commission

Dear Council Members,

I am herewith submitting to you, for your consideration and approval, the reappointment of Mr. Sam Caramagno, 17441 Merriman, Livonia, Michigan 48152, as a member of the Planning Commission for a term that will expire on June 9, 2026.

Your approval on this reappointment is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Reappoint Sam Caramagno to the Livonia Planning Commission for a three-year term.

ATTACHMENTS

None

APPROVED BY

Maureen Miller Brosnan

Date: May 11, 2023

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

7. REAPPOINTMENT OF GLEN LONG TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire June 9, 2026.

   Mark Taormina, Planning and Economic Development Director, presented the request to Council.

   Councilmember McCullough offered an approving resolution for the Consent agenda.

   DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

7.

Mayor's Office
May 2, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Janice Centers, Executive Assistant to the Mayor - Program Supervisor,

AGENDA ITEM

REAPPOINTMENT OF GLEN LONG TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire June 9, 2026.

BACKGROUND DETAILS

Honorable Members of the City Council, City of Livonia
RE: Reappointment of Glen Long to the Planning Commission

Dear Council Members:

I am herewith submitting to you, for your consideration and approval, the reappointment of Mr. Glen Long, 16186 Edgewood Drive, Livonia, Michigan 48154, as a member of the Planning Commission for a term that will expire on June 9, 2026.

Your approval on this reappointment is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Reappoint Glen Long to the Livonia Planning Commission for a three-year term.

ATTACHMENTS

None

APPROVED BY

Maureen Miller Brosnan

Date: May 04, 2023

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

8. REAPPOINTMENT OF PETER VENTURA TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2026.

   Mark Taormina, Planning and Economic Development Director, presented the request to Council.

   Vice President offered an approving resolution for the Consent agenda.

   DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

8.

Mayor's Office
May 2, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Janice Centers, Executive Assistant to the Mayor - Program Supervisor,

AGENDA ITEM

REAPPOINTMENT OF PETER VENTURA TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2026.

BACKGROUND DETAILS

Honorable Members of the City Council, City of Livonia
RE: Reappointment of Peter Ventura to the Planning Commission

Dear Council Members,

I am herewith submitting to you, for your consideration and approval, the reappointment of Mr. Peter Ventura, 18517 Mayfield, Livonia, Michigan 48152, as a member of the Planning Commission for a term that will expire on June 9, 2026.

Your approval on this request is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Reappoint Peter Ventura to the Livonia Planning Commission for a three-year term.

ATTACHMENTS

None

APPROVED BY

Maureen Miller Brosnan

Date: May 04, 2023

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

9. REQUEST FOR APPROVAL OF THE 2023 CDBG ANNUAL ACTION PLAN, 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL PLAN AND BUDGET, AND REQUEST TO APPROVE HOLD HARMLESS CONTRACTS BETWEEN THE CITY OF LIVONIA AND FIRST STEP, FAIR HOUSING CENTER OF METROPOLITAN DETROIT, WAYNE METROPOLITAN COMMUNITY ACTION AGENCY, CRUZ CLINIC, HEGIRA PROGRAMS, INC., STONEBROOK COUNSELING ASSOCIATES, PLCC, AND THE COLLABORATIVE HEALTH CENTER: Livonia Housing Commission, re: in connection with the operation of a domestic violence victim assistance program; for the purpose of providing fair housing; and for the mental health counseling program provided for through the Community Development Block Grant (CDBG) programs for the 2023-2024 program year.

   Ermon Sims and Madison Bjertness, Housing Department, presented the request to Council.

   Councilmember Donovic asked why senior transportation went from $35,000.00 to $25,000.00 in the budget.

   Ermon indicated it is to supplement the drivers. They hadn't spent the $46,000 in previous budgets so it was lowered. They are currently going to PRC to raise the wages and hope to do a budget amendment.

   Vice President Toy offered an approving resolution for the Consent agenda.

   DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

7.

Housing
May 23, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Lori Miller, MiPMC, Deputy City Clerk,

AGENDA ITEM

REQUEST FOR APPROVAL OF THE 2023 CDBG ANNUAL ACTION PLAN, 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL PLAN AND BUDGET, AND REQUEST TO APPROVE HOLD HARMLESS CONTRACTS BETWEEN THE CITY OF LIVONIA AND FIRST STEP, FAIR HOUSING CENTER OF METROPOLITAN DETROIT, WAYNE METROPOLITAN COMMUNITY ACTION AGENCY, CRUZ CLINIC, HEGIRA PROGRAMS, INC., STONEBROOK COUNSELING ASSOCIATES, PLCC, AND THE COLLABORATIVE HEALTH CENTER: Livonia Housing Commission, re: in connection with the operation of a domestic violence victim assistance program; for the purpose of providing fair housing; and for the mental health counseling program provided for through the Community Development Block Grant (CDBG) programs for the 2023-2024 program year.

BACKGROUND DETAILS

Enclosed is a report containing an explanation of the CDBG program (Attachment A) and the recommended budget (Attachment B), prepared by the City of Livonia's Office of Community Development, for the use of CDBG funds for the 2023-2024 program year (July 1, 2023-June 30, 2024).

The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended 42 U.S.C. 5301 et seq. The program was designed to reinforce several important values and principles of community development:

• CDBG's flexibility empowers people and communities to design and implement strategies tailored to their own needs and priorities.
• CDBG's emphasis on consolidated planning expands and strengthens partnerships among all levels of government and the private sector in enhancing community development.
• CDBG's technical assistance activities and set-aside for grantees builds the capacity of these partners.

The City of Livonia's CDBG entitlement grant allocation for the 2023-2024 program year is $321,042.00. The National Objectives that will be addressed in the current program year are: to benefit low- and moderate- income (LMI) persons; aid in the prevention or elimination of slums or blight; and to meet a need having a particular urgency. In addition to the national objectives outlined by HUD's CDBG program, the Community Development office also incorporated goals and

objectives from the Livonia Vision 21 Master Plan, as well as, the AARP Age Friendly Community Action Plan.

Two long-standing CDBG activities, the Home Improvement Loan Program and Scattered Site Rental Housing Program, generate program income through the repayment of deferred loans and rental income. The importance of the program income is that fifteen percent (15%) of all program income generated in the previous program year plus fifteen percent (15%) of the entitlement grant allocation may be allocated to public service programs identified in Section VI of the attached proposed budget.

The planned public services are: continuing to support the senior transportation program, mental health counseling, assisting those who are survivors of domestic violence, emergency utility assistance, and supporting the City of Livonia's Fair Housing initiative.

In addition to public services, the CDBG will continue to offer its residential homeowners minor home repair grants and 0% and 3% low interest home improvement loans. This program provides an opportunity for low- and moderate- income families with needed home repairs that they otherwise would not have access to. Also, a partnership with Wayne County utilizing matching funds from the HOME program, the Community Development program will continue to provide opportunities for low- and moderate- income families with homebuyer assistance. This program provides financial resources for closing costs and down payment assistance, making homeownership more attainable.

The 2023-2024 CDBG Neighborhood Revitalization Program will continue working on its goal of creating an Age Friendly Community by supporting the Livonia Parks in its initiative to improve accessibility to its parks and open community spaces. Money is allocated for the installation of sidewalks and an access pad for ADA compliance to the playground and accessibility for those with limited mobility in County Homes Park. Furthermore, Community Development will continue to partner with the Livonia Public School Skilled Trades Program to provide students with hands-on experience in developing skilled trades. Rehabilitated residential properties that are completed through this activity are then sold to low- and moderate- income families, increasing homeownership in Livonia.

The Livonia Housing Commission also plans to continue its summer internship program to provide educational experiences in Public Housing and Community Development planning. This is a paid internship typically lasting 12-15 weeks and requires a deliverable upon completion. The student intern also receives 3 institutional credits from their university.

New programming for the 2023-2024 year is the addition of an Economic Development activity. This activity will be used to support the Livonia Pure Potential Workforce Development Program (LPPWDP). Livonia companies that hire an apprentice or trainee registered through the LPPWDP and pay for their educational requirements will be eligible to apply for a grant of up to $5,000 to reimburse these costs. Companies can use this as a tool to help recruit potential employees and offset the costs associated with taking on an apprentice. Additionally, we have added a financial planning activity where low and moderate income residents will be provided financial training services.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

It is respectfully requested that City Council approve the attached Community Development Block Grant (CDBG) 2023-2024 Annual Action Plan adopting the attached resolution. It is also requested that the Council authorize the Director of Housing, Mayor and the City Clerk to execute the contract documents on behalf of the City of Livonia with sub-recipients First Step, Fair Housing Center of Metropolitan Detroit, Wayne Metropolitan Community Action Agency, Cruz Clinic, Hegira Programs, Inc., Stonebrook Counseling Associates, PLLC, and the Collaborative Health Center.

RESOLVED, THAT WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to make grants to units of local government to help finance community development programs; and

WHEREAS, the primary objective of such Act is the development of viable urban communities by providing decent housing and suitable living environments and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, to obtain its Fiscal Year 2023-2024 entitlement funds under the Community Development Block Grant Program as authorized by the Housing Community Development Act of 1974, the City of Livonia must submit a statement of community development objectives and project use of funds, satisfactory assurances that the Program will be conducted and administered in accordance with appropriate federal and state laws and Department of Housing and Urban Development regulations; and satisfactory assurances that, prior to submission of its Final Statement of Community Development Objectives and Projected Use of Funds, it has (A) provided citizens with adequate information concerning the amount of funds available for proposed community development and housing activities; the range of activities that may be undertaken, the estimated amount of those funds proposed to be used for activities that will benefit low and moderate income persons, and other important program requirements, (B) held a public hearing to obtain the views of citizens on community development and housing needs, and (C) provided citizens an adequate opportunity to examine the content of and to submit comments on the proposed Statement of Community Development Objectives and Projected Use of Funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Livonia, Michigan, that the Final Statement of Community Development Objectives and Projected Use of Funds for the Fiscal Year 2023-2024 Community Development Block Grant Program is hereby approved and shall be submitted to the Department of Housing and Urban Development. Further, the Director of Housing, Mayor/Clerk shall have the authority to execute the sub-recipient contracts.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

2023-2024 CDBG Annual Action Plan

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$732,042

DETAILED WORK BEING PERFORMED

Rehabilitation, Acquisition of Tax- Reverted Properties, CDBG Scattered-Site Rental Homes, Neighborhood Revitalization, Public Facilities, Public Services, Planning and Administration

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

Accounts not yet created. Will be created upon approval.

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

N/A

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): N/A

ATTACHMENTS

1. S052223 LTC CDBG Annual Action Plan
2. 2023-24 Budget Council
3. Action Plan Narrative Final

APPROVED BY

_____ Date:
Ermon Sims, CDBG Division Director

_____ Date:
Michael Slater, Finance Director

_____ Date:
Paul Bernier, City Attorney

_____ Date:
Maureen Miller Brosnan, Mayor

LETTER TO THE LIVONIA CITY COUNCIL

9.

Housing
May 11, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Madison Bjertness, CDBG Specialist,

AGENDA ITEM

REQUEST FOR APPROVAL OF THE 2023 CDBG ANNUAL ACTION PLAN, 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL PLAN AND BUDGET, AND REQUEST TO APPROVE HOLD HARMLESS CONTRACTS BETWEEN THE CITY OF LIVONIA AND FIRST STEP, FAIR HOUSING CENTER OF METROPOLITAN DETROIT, WAYNE METROPOLITAN COMMUNITY ACTION AGENCY, CRUZ CLINIC, HEGIRA PROGRAMS, INC., STONEBROOK COUNSELING ASSOCIATES, PLCC, AND THE COLLABORATIVE HEALTH CENTER: Livonia Housing Commission, re: in connection with the operation of a domestic violence victim assistance program; for the purpose of providing fair housing; and for the mental health counseling program provided for through the Community Development Block Grant (CDBG) programs for the 2023-2024 program year.

BACKGROUND DETAILS

Enclosed is a report containing an explanation of the CDBG program (Attachment A) and the recommended budget (Attachment B), prepared by the City of Livonia's Office of Community Development, for the use of CDBG funds for the 2023-2024 program year (July 1, 2023-June 30, 2024).

The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended 42 U.S.C. 5301 et seq. The program was designed to reinforce several important values and principles of community development:

• CDBG's flexibility empowers people and communities to design and implement strategies tailored to their own needs and priorities.
• CDBG's emphasis on consolidated planning expands and strengthens partnerships among all levels of government and the private sector in enhancing community development.
• CDBG's technical assistance activities and set-aside for grantees builds the capacity of these partners.

The City of Livonia's CDBG entitlement grant allocation for the 2023-2024 program year is $321,042.00. The National Objectives that will be addressed in the current program year are: to benefit low- and moderate- income (LMI) persons; aid in the prevention or elimination of slums or blight; and to meet a need having a particular urgency. In addition to the national objectives outlined by HUD's CDBG program, the Community Development office also incorporated goals and

objectives from the Livonia Vision 21 Master Plan, as well as, the AARP Age Friendly Community Action Plan.

Two long-standing CDBG activities, the Home Improvement Loan Program and Scattered Site Rental Housing Program, generate program income through the repayment of deferred loans and rental income. The importance of the program income is that fifteen percent (15%) of all program income generated in the previous program year plus fifteen percent (15%) of the entitlement grant allocation may be allocated to public service programs identified in Section VI of the attached proposed budget.

The planned public services are: continuing to support the senior transportation program, mental health counseling, assisting those who are survivors of domestic violence, emergency utility assistance, and supporting the City of Livonia's Fair Housing initiative.

In addition to public services, the CDBG will continue to offer its residential homeowners minor home repair grants and 0% and 3% low interest home improvement loans. This program provides an opportunity for low- and moderate- income families with needed home repairs that they otherwise would not have access to. Also, a partnership with Wayne County utilizing matching funds from the HOME program, the Community Development program will continue to provide opportunities for low- and moderate- income families with homebuyer assistance. This program provides financial resources for closing costs and down payment assistance, making homeownership more attainable.

The 2023-2024 CDBG Neighborhood Revitalization Program will continue working on its goal of creating an Age Friendly Community by supporting the Livonia Parks in its initiative to improve accessibility to its parks and open community spaces. Money is allocated for the installation of sidewalks and an access pad for ADA compliance to the playground and accessibility for those with limited mobility in County Homes Park. Furthermore, Community Development will continue to partner with the Livonia Public School Skilled Trades Program to provide students with hands-on experience in developing skilled trades. Rehabilitated residential properties that are completed through this activity are then sold to low- and moderate- income families, increasing homeownership in Livonia.

The Livonia Housing Commission also plans to continue its summer internship program to provide educational experiences in Public Housing and Community Development planning. This is a paid internship typically lasting 12-15 weeks and requires a deliverable upon completion. The student intern also receives 3 institutional credits from their university.

New programming for the 2023-2024 year is the addition of an Economic Development activity. This activity will be used to support the Livonia Pure Potential Workforce Development Program (LPPWDP). Livonia companies that hire an apprentice or trainee registered through the LPPWDP and pay for their educational requirements will be eligible to apply for a grant of up to $5,000 to reimburse these costs. Companies can use this as a tool to help recruit potential employees and offset the costs associated with taking on an apprentice. Additionally, we have added a financial planning activity where low and moderate income residents will be provided financial training services.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

It is respectfully requested that City Council approve the attached Community Development Block Grant (CDBG) 2023-2024 Annual Action Plan adopting the attached resolution. It is also requested that the Council authorize the Director of Housing, Mayor and the City Clerk to execute the contract documents on behalf of the City of Livonia with sub-recipients First Step, Fair Housing Center of Metropolitan Detroit, Wayne Metropolitan Community Action Agency, Cruz Clinic, Hegira Programs, Inc., Stonebrook Counseling Associates, PLLC, and the Collaborative Health Center.

RESOLVED, THAT WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to make grants to units of local government to help finance community development programs; and

WHEREAS, the primary objective of such Act is the development of viable urban communities by providing decent housing and suitable living environments and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, to obtain its Fiscal Year 2023-2024 entitlement funds under the Community Development Block Grant Program as authorized by the Housing Community Development Act of 1974, the City of Livonia must submit a statement of community development objectives and project use of funds, satisfactory assurances that the Program will be conducted and administered in accordance with appropriate federal and state laws and Department of Housing and Urban Development regulations; and satisfactory assurances that, prior to submission of its Final Statement of Community Development Objectives and Projected Use of Funds, it has (A) provided citizens with adequate information concerning the amount of funds available for proposed community development and housing activities; the range of activities that may be undertaken, the estimated amount of those funds proposed to be used for activities that will benefit low and moderate income persons, and other important program requirements, (B) held a public hearing to obtain the views of citizens on community development and housing needs, and (C) provided citizens an adequate opportunity to examine the content of and to submit comments on the proposed Statement of Community Development Objectives and Projected Use of Funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Livonia, Michigan, that the Final Statement of Community Development Objectives and Projected Use of Funds for the Fiscal Year 2023-2024 Community Development Block Grant Program is hereby approved and shall be submitted to the Department of Housing and Urban Development. Further, the Director of Housing, Mayor/Clerk shall have the authority to execute the sub-recipient contracts.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

2023-2024 CDBG Annual Action Plan

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$732,042

DETAILED WORK BEING PERFORMED

Rehabilitation, Acquisition of Tax- Reverted Properties, CDBG Scattered-Site Rental Homes, Neighborhood Revitalization, Public Facilities, Public Services, Planning and Administration

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

Accounts not yet created. Will be created upon approval.

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

N/A

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): N/A

ATTACHMENTS

1. 2023-24 Budget Council
2. Action Plan Narrative Final

APPROVED BY

Ermon Sims, CDBG Division Director

Date: May 11, 2023

Michael Slater, Finance Director

Date: May 11, 2023

Paul Bernier, City Attorney

Date: May 12, 2023

Maureen Miller Brosnan, Mayor

Date: May 12, 2023

ATTACHMENT B: CDBG PROPOSED 2023-2024 BUDGET ALLOCATION

ACTIVITIES	*CURRENT YR 2022-2023 (Includes Unprogrammed Funds)*	PROPOSED Entitlement FUNDING 2023-24 Program Year	+	Potential Unprogrammed Funds[1]	=	TOTAL FUNDING 2023-2024 PROGRAM YEAR
I. Rehabilitation						
A. Major Home Rehab	*$ 120,184.00*	$ 60,184.00		$ 100,000.00		$ 160,184.00
B. Minor Home Repair	*$ 60,000.00*	$ 40,000.00		$ 30,000.00		$ 70,000.00
C. Rehab Inspection	*$ 2,500.00*	$ 2,500.00				$ 2,500.00
SUBTOTAL	*$ 192,684.00*	***$ 102,684.00***		***$ 130,000.00***		**$ 232,684.00**
II. Acquisition of Tax-Reverted Properties						
A. Acquisition for Real Property	*$ 120,564.00*	$ 19,564.00		$ 46,000.00		$ 65,564.00
B. Acquistion for Rehab				$ 50,000.00		$ 50,000.00
C. Acquisition for Clearance and Demo				$ 25,000.00		$ 25,000.00
SUBTOTAL	*$ 120,564.00*	***$ 19,564.00***		***$ 121,000.00***		**$ 140,564.00**
III. CDBG Scattered-Site Rental Homes						
A. Maintenance of (10) Scattered-Site SF Homes i.e. mechanical, heating, plumbing, structural improvements (#832)	*$ 45,000.00*	$ 20,000.00		$ 15,000.00		$ 35,000.00
B. Management of (10) Rental Homes (#833)	*$ 35,000.00*	$ 10,000.00		$ 15,000.00		$ 25,000.00
SUBTOTAL	*$ 80,000.00*	***$ 30,000.00***		***$ 30,000.00***		**$ 60,000.00**
IV. Neighborhood Revitalization						$ -
A. Lighting, Parks, Landscaping, and Infrastructure Improvements, Commercial / Residential Blight Reduction, and Feasibility / Planning Studies	*$ 70,000.00*			$ 50,000.00		$ 50,000.00
SUBTOTAL	*$ 70,000.00*	***$ -***		***$ 50,000.00***		**$ 50,000.00**
V. Public Facilities						$ -
A. Improvements & Maintenance of Public Services Facilities	*$ 100,000.00*					$ -
SUBTOTAL	*$ 100,000.00*	***$ -***		***$ -***		$ -
VI. Public Services [2]						$ -
A. Senior Van Transportation	*$ 35,000.00*			$ 25,000.00		$ 25,000.00
B. Mental Health Counseling	*$ 4,000.00*	$ 4,000.00				$ 4,000.00
C. First Step	*$ 25,000.00*	$ 25,000.00				$ 25,000.00
D. Emergency Asst. Program	*$ 5,000.00*	$ 5,000.00				$ 5,000.00
E. Financial Planning		$ 16,794.00				$ 16,794.00
G. Economic Development	*$ 25,000.00*			$ 25,000.00		$ 25,000.00
SUBTOTAL	*$ 94,000.00*	***$ 50,794.00***		***$ 50,000.00***		**$ 100,794.00**
VII. Planning & Administration[3]						$ -
A. Planning & Admin.	*$ 65,000.00*	$ 65,000.00				$ 65,000.00
B. Accounting Services	*$ 18,000.00*	$ 18,000.00				$ 18,000.00
C. Fair Housing Initiative	*$ -*					$ -
D. Rehab Administration		$ 35,000.00		$ 30,000.00		$ 65,000.00
SUBTOTAL	*$ 83,000.00*	***$ 118,000.00***		***$ 30,000.00***		$ 148,000.00
GRAND TOTAL	*$ 740,248.00*	**$ 321,042.00**		**$ 411,000.00**		**$ 732,042.00**

ATTACHMENT A: CDBG Proposed 2023-24 Budget Narrative

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

The CDBG program was created by Title I of the Housing and Community Development Act of 1974, as amended. The primary objective of the program is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities principally for persons of low- and moderate-low income. Since the City of Livonia has a population of at least 50,000 persons, it is considered an "Entitlement Community". Therefore, Livonia is entitled to receive CDBG funds each year as determined by a formula set forth in the Act. The City of Livonia has participated in the CDBG Program continuously since 1982 and prior to that in 1974 and 1975. The CDBG fiscal year begins July 1 and ends June 30. The 2023-2024 anticipated allocation is $329,248 with a program income of $411,000.

Following is an explanation of the activities that are typically funded by the CDBG program in Livonia and administered by the Community Development Office of the Housing Commission:

I. REHABILITATION

Major Home Rehabilitation Loan Program: Provides deferred loans for low- and moderate-low-income owner occupants of single-family homes for the purpose of correcting code violations, weatherization, accessibility improvements and other permanent general improvements. Applications are accepted on a first come, first-serve basis and the loan amount cannot exceed $15,000. The loan limits may be waived to make emergency improvements or to address lead-based paint hazards. A lien, in the amount of each loan, is placed on each home undergoing improvement. Loans are offered at 0% or 3% interest, based on household income. The loan becomes due when there is a transfer of title and/or property. When liens are discharged, the proceeds come back to the city in the form of program income and are placed back into the CDBG account to be further utilized in the program. $60,184 plus $100,000 of potential unprogrammed funds is the proposed budget for this activity with the expectation of providing rehabilitation services to 3-5 homes during a program year.

Minor Home Repair Program: Provides grants for minor repairs, including barrier free improvements, insulation, hot water tank replacement, and minor electrical and plumbing repairs, to low- and moderate-low-income owner occupants of single-family homes. Repairs are limited to $5,000 per house, per 7-year period. The objective of this program is to prevent or correct sub-standard conditions, or to remove safety hazards. Priority is given to clients with incomes at or below 50% of MFI (median family income for Metro Detroit area). The homeowner applying for assistance must have lived in the home for one year before applying with Minor Home Repair. This program works closely with the Major Home Rehabilitation Loan Program for cross-referrals. $40,000 plus $30,000 of potential unprogrammed funds is the proposed budget for this activity with the expectation of providing rehabilitation services to 8-12 homes during a program year.

Rehab Inspection: Each home participating in the Major Home Rehabilitation Loan Program will be required to undergo a lead inspection/risk assessment. City Building Inspectors also perform an electrical, heating, plumbing and building inspection for each property. $2,500 is the proposed budget for this activity.

II. ACQUISITION AND REHABILITATION OF TAX REVERTED PROPERTIES

This activity permits the City of Livonia to acquire tax foreclosed properties from Wayne County. Upon notification by the County through the Treasurer's Office the City/Housing Commission has the right of first refusal to purchase single family homes and vacant parcels of land. Acquisition of the homes will enable the Commission to analyze the properties for acquisition and disposition in the following categories:

- Acquisition of home/property for rehabilitation and resale to low income family;
- Acquisition of home/property for rehabilitation and retention for affordable housing rental;
- Acquisition of home/property for demolition and sale of lot for housing development;
- Acquisition of home/property for demolition and construction of a new home by the LHC for eventual sale or affordable housing rental;
- Acquisition of vacant parcels of land that are non-compliant for development but may be sold or donated to adjacent neighbors;

The primary goal of this activity is to acquire substandard property/lots in primary target areas and return the properties to the City of Livonia tax rolls. A total of $140,564 is the proposed budget for this activity with the expectation of acquiring, rehabilitating, and/or demolishing 1-2 homes during a program year. All proceeds from the sale of FROR properties minus costs of maintenance and rehabilitation must be returned to the State of Michigan Treasury.

III. CDBG SCATTERED-SITE RENTAL HOMES

The City has twelve (12) single-family homes purchased with CDBG funds. The Housing Commission oversees these single-family units which are to be utilized as rental housing for low- and moderate-low-income families as well as other special projects. In order to administer and perform management and maintenance such as plumbing, heating, mechanical and structural improvements to the scattered site homes. $30,000 plus additional $30,000 of potential unprogrammed funds is the proposed budget for these activities.

IV. NEIGHBORHOOD REVITALIZATION INITIATIVE

This activity includes lighting, parks, landscaping, and infrastructure improvements, commercial and residential blight reduction and feasibility and planning studies. This year we will be installing sidewalks and an access pad for ADA compliance to the playground and accessibility for those with limited mobility in Country Homes Park. $50,000 of potential unprogrammed funds is the proposed budget for this activity.

V. PUBLIC SERVICES

The various activities eligible under this category are directed to a particular need involving services to low- and moderate-low-income persons and families. The CDBG regulations limit the amount of funds that can be allocated to this activity. Specifically, funding for public services may not exceed 15% ($11,037.20) of the total CDBG yearly allocation plus Program Income received during the prior year program. Typical Program Income includes (1) Discharged liens from the Major Home Rehabilitation Loan Program, (2) Rent receipts from City-owned homes purchased with CDBG funds, and (3) Minor Home Repair program co-pays. The proposed 2022-2023 budget year public service is $109,000. The public service activities consistently funded during the life of the CDBG program are listed below:

Senior Van Transportation: This program, administered by the Housing Department, provides transportation for senior citizens to various locations throughout the community. Senior citizens are considered a "Protected Class" and are, therefore, eligible to receive CDBG funded services regardless of income. Three buses operate daily routes within Livonia transporting seniors to nutrition programs, senior centers, banks, grocery shopping, and mall shopping. A fourth vehicle is used daily for medical

appointments and to transport the disabled within Livonia. The CDBG funds pay for the staffing $25,000 is the proposed budget for this activity with the expectation of providing services to approximately 600 citizens.

Mental Health Counseling: This program provides access to substance abuse and mental health services for income qualified Livonia residents. Income qualified households may receive $400 per year or $80 per counseling session. Each provider that enters into a contract with the City of Livonia may request reimbursement, at the aforementioned levels, for services provided to income eligible residents (provided funding is available). A client co-pay per-visit uses the following guidelines: 30% or less MFI (median family income) -0 co-pay; 31-50% MFI -$5 co-pay; 51-80% MFI -$10 co-pay. $4,000 is the proposed budget for this activity with the expectation of providing approximately 50 counseling sessions to approximately 10 households.

First Step, Western Wayne County Project on Domestic Violence and Sexual Assault: First Step is a non-profit organization that provides assistance to victims of domestic violence and sexual assault. The services provided by First Step, include; temporary residence, 24 hour crisis line, counseling, information, referral and advocacy in the areas of legal, financial and permanent housing assistance, child care and transportation as well as educational programs. CDBG funds can only be used to provide services to City residents who meet the low- and moderate-low-income criteria. $25,000 is the proposed budget for this activity with the expectation of providing services to approximately 156 citizens.

Wayne Metropolitan Community Action Agency: Wayne Metro is a non-profit organization that provides services to low- and moderate-low-income individuals and families. The Agency will participate in and conduct an expanded program of assistance to the City of Livonia that provides Emergency Utility Assistance services to low- and moderate- income Livonia residents in need of gas, electric, and/or heating fuel utility assistance based on demonstration of need in the form of a "Shut-off" notice received within the last 30 days. Eligible families may receive one time assistance of a maximum of $500 per family for utility payments. $5,000 is the proposed budget for this activity with the expectation of providing services to approximately 8-10 citizens.

Financial Planning: This program will provide financial training and planning services to low and moderate income residents. Residents will be income qualified prior to receiving coaching services. $16,794 is the proposed budget for this activity.

***Economic Development*:** This program will be administered by the Department of Planning and Economic Development. This money will be used for the Livonia Pure Potential Workforce Development Program (LPPWDP). Livonia companies that hire an apprentice registered through the LPPWDP and pay for their educational requirements will be eligible to apply for a grant for up to $5,000 to reimburse these costs. Companies can use this as a tool to help recruit potential employees and offset the costs associated with taking on an apprentice. The total budget for this activity is $25,000.

VI. PLANNING AND ADMINISTRATION

Overall program planning and administration is provided by the Housing Commission and financial administration is provided by the Finance Department. Various other planning projects fall under the category of Planning and Administration such as the Fair Housing Initiative. The Fair Housing Center of Metropolitan Detroit is contracted to provide services such as educational programs, fair housing training

for City staff, landlords and realtors, fair housing counseling and complaint reception to citizens and/or potential citizens of Livonia. To receive CDBG funds on an annual basis, the City has to submit an application on or before May 15 after conducting two (2) public hearings and submitting the program to the City Council for its approval. Each year, during January, the CDBG Committee prepares a suggested CDBG budget for the next program year based on requests made by various City departments and non-profit organizations. The budget is then discussed with the Mayor, revised if necessary, and presented at a public hearing for public comment. The budget is then submitted to the City Council for tentative approval. A second public hearing is held and if deemed necessary, revisions are made, with a final version of the budget submitted to City Council for approval. Required Environmental Assessments regarding the various planned activities are prepared, public notification is published and the necessary application materials are then sent to the Department of Housing and Urban Development no later than May 15. At the conclusion of the program year, a "Consolidated Annual Performance and Evaluation Report" is prepared and sent to HUD. The total proposed budget for Planning & Administration, Accounting Services and Fair Housing Initiatives is $148,000.

NATIONAL OBJECTIVES: Each CDBG program expenditure must be qualified according to one of three National Objectives: (1) benefit low- and moderate-low-income persons; (2) prevent or eliminate slums and blight; and, (3) meet an urgent community need. At least 70% of the expenditures must benefit low- and moderate-low-income persons.

CONSOLIDATED PLAN: To become an entitlement jurisdiction the City must submit a Consolidated Plan to HUD once every five years. The Consolidated Plan is a comprehensive document which functions as a planning tool for cities and other governmental units to meet community development goals and to serve as a consolidated way of applying for federal funds under several formula grant programs offered by the Department of Housing and Urban Development (HUD). The Consolidated Plan consists of a Housing Market Analysis, Housing and Homelessness Needs Assessment, the development of Strategies, Priority Needs and Objectives, an Annual Action Plan and, finally, a section that contains required certifications.

The Consolidated Plan has four basic functions: (1) to serve as a planning document utilizing a system of consultation with public and private agencies and groups, (2) to serve as an application for federal funds, (3) to serve as a strategy for achieving program objectives, and (4) to produce an Annual Action Plan to carry out the various planned activities and assess performance. The latest Consolidated Plan, which is prepared by the Housing Commission, covers the period of 2021-2026.

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

10. REQUEST TO PURCHASE DUO MULTIFACTOR AUTHENTICATION SECURITY WITH CONTRACT PRICING: Department of Information Systems, re: with People Driven Technology, from budgeted funds.

    Casey O'Neil, Information Systems Director, presented the request to Council.

    Councilmember McCullough offered an approving resolution for the Consent agenda.

    DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

10.

Information Systems
April 17, 2023

MEETING DATE	PREPARED BY
S052223R060523	Casey O'Neil, Information Systems Director,

AGENDA ITEM

REQUEST TO PURCHASE DUO MULTIFACTOR AUTHENTICATION SECURITY WITH CONTRACT PRICING: Department of Information Systems, re: with People Driven Technology, from budgeted funds.

BACKGROUND DETAILS

Multifactor Authentication (MFA) has become an increasingly critical step in ensuring computer security. This extra layer of protection, in addition to a strong password, makes it incredibly difficult for an account to be compromised. Most people have experience using MFA through their banking and other secure logins, and it has become a relatively common option for most secure accounts.

Duo provides this service with a lot of flexibility for use with our computer domain and Microsoft 365 system accounts, with ease of use through options including a mobile app notification, fob device number, or desktop phone number key. Duo will help keep our data safe while only being one quick extra step for city users to get into their systems. Because of the value of this extra security, we are also eligible through MMRMA for a RAP grant to cover up to $10,000 of the total cost of this project.

People Driven Technology is a trusted partner of the City and can provide Duo Security under the NCPA contract pricing, as well as engineering services to get it up and running fast and efficiently.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Approve the purchase of a Duo Security Subscription for the City in the amount of $32,380.00 for one year, with additional years 2 and 3 not to exceed a 5% cost increase, from People Driven Technology, 6300 Venture Hills Blvd.SW, Byron Center, MI 49315.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Duo Security Multifactor Authentication subscription with hardware tokens and setup/installation services.

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$32,380.00 for year 1, with years 2 and 3 at a cost not to exceed a 5% increase.

DETAILED WORK BEING PERFORMED

Technology Software and Service

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

$32,380.00 for the first year from budgeted funds in account 101-228-986-010, with $10,000 to be reimbursed via MMRMA RAP grant.

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

Contract Pricing via the National Cooperative Purchasing Alliance contract.

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): Cooperative Bid through NCPA.

ATTACHMENTS

1. Duo Quote - Year 1

APPROVED BY

Casey O'Neil, Information Systems Director

Date: May 05, 2023

Michael Slater, Finance Director

Date: May 05, 2023

Maureen Miller Brosnan, Mayor

Date: May 11, 2023

City of Livonia

Duo Security MFA

Quote # 004239 v1

April 06, 2023

People Driven Technology

6300 Venture Hills Blvd SW
Byron Center, MI 49315

616-264-6700

orders@peopledriven.com

Duo Security MFA

Prepared by:

East Michigan

Jeff Seelenbinder
616-264-6725
seelenbinderj@peopledriven.com
Tom Winkles
winklest@peopledriven.com

Prepared for:

City of Livonia

Casey O'Neil
coneil@livonia.gov

Quote Information:

Quote #: 004239

Version: 1
Delivery Date: 04/06/2023
Expiration Date: 04/14/2023

Duo Security MFA

Line	Qty	Part Number	Description	Price	Extended Price
1	1	DUO-SUB	Duo Security Subscription - 1 year	$0.00	$0.00
2	400	DUO-ACCESS	Duo Security MFA - Access level	$66.00	$26,400.00
$5.50 per user per month					
3	1	SVS-DUO-SUP-B	Duo Support - Basic	$0.00	$0.00
4	80	DUO-TOKEN	Duo Security FOB/Hardware Token	$26.00	$2,080.00

Subtotal: **$28,480.00**

Professional Services

Line	Qty	Part Number	Description	Price	Extended Price
5	20	PS-FF	People Driven Fixed Fee Services	$195.00	$3,900.00

Subtotal: **$3,900.00**

People Driven Technology

6300 Venture Hills Blvd SW
Byron Center, MI 49315

616-264-6700

orders@peopledriven.com

Duo Security MFA

Ship To:

City of Livonia

,
Casey O'Neil
(734) 466-2279
coneil@livonia.gov

Bill To:

City of Livonia

,
Casey O'Neil
(734) 466-2279
coneil@livonia.gov

Quote Information:

Quote #: 004239

Version: 1
Delivery Date: 04/06/2023
Expiration Date: 04/14/2023

Quote Summary

Description	Amount
Duo Security MFA	$28,480.00
Professional Services	$3,900.00
Total:	**$32,380.00**

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

People Driven Technology

Signature: _____

Name: Jeff Seelenbinder

Title: Account Executive

Date: 04/06/2023

City of Livonia

Signature: _____

Name: _____

Date: _____

People Driven Technology

6300 Venture Hills Blvd SW
Byron Center, MI 49315

616-264-6700

orders@peopledriven.com

ACCEPTANCE OF THE PRICE QUOTE IS MADE ONLY UPON THESE TERMS AND CONDITIONS

1. PRICING: Prices for any Products or Services are valid for 30 days therefrom unless otherwise stated.
Customer is responsible for (i) all applicable federal, state or local sales, use or other taxes (except taxes on People Driven Technology, Inc's net income), (ii) shipping or packing charges, (iii) insurance and (iv) any other expenses associated with the sale and transportation, or storage of the Products or tariffs and any similar charges imposed upon or in connection with the Products. The parties agree that all charges included in the price of the Products and Services set forth in the Price Quote are based upon detailed specifications supplied by Customer and any deviation requested by the Customer from such specifications may result in additional charges.
2. PAYMENT: Unless otherwise specified in the Price Quote, payment for Products and Services is due net 30 days from the date of invoice.
3. DELIVERY: Unless otherwise agreed in writing, the Products shall be shipped and delivered F.O.B. Customer's ship to location set forth in the Price Quote. Unless Customer instructs People Driven Technology, Inc to use a particular carrier on customer's order letter, the Products shall be shipped via a common carrier chosen by People Driven Technology, Inc.
4. SHORTAGE: CLAIMS AND INSPECTION: Customer shall have the right to inspect the Products within 48 hours of receipt. Any shortages or other claims in connection with an order must be made in writing and delivered to People Driven Technology, Inc within such 48-hour period or shall be waived.
5. RETURNS: Customer acknowledges that People Driven Technology, Inc shall have no obligation to accept returns of any Products ordered by and sold to Customer. People Driven Technology, Inc, at its sole discretion, may authorize the return of unused Products. Such returns cannot be made without a return authorization in writing issued by People Driven Technology, Inc.
6. TITLE AND RISK OF LOSS: Unless otherwise specified in the Price Quote, title and risk of loss shall pass to Customer at the time the Products are tendered by each carrier at Customer's facilities, and any loss or damage thereafter shall not relieve Customer from any obligation hereunder. People Driven Technology, Inc reserves, and Customer hereby grants to People Driven Technology, Inc, a purchase money security interest in the Products, and all proceeds from the sale thereof, until full payment is received for all amounts due and payable by Customer.
7. WARRANTIES AND REMEDIES: All Products, and the components and materials utilized in any assembled or customized Products, are covered by, and subject to, the terms, conditions, and limitations of the manufacturer's standard warranty, which warranty is expressly in lieu of any other warranty, express or implied, of or by People Driven Technology, Inc or the applicable Product manufacturer. People Driven Technology, Inc represents, warrants and covenants that (i) People Driven Technology, Inc shall perform all Services, if any, in accordance with the material specifications set forth in the Price Quote and (ii) the functions and features of the Services and related deliverables shall operate in the manner described in the applicable Price Quote for ninety (90) days from the completion thereof.
8. EXPORT RESTRICTIONS: Products may be subject to export or resale restriction or regulation, and Customer acknowledges that it will comply with such restrictions and regulations. Any statement as to product country of origin, Export Control Classification Number, or compliance with applicable law (including, without limitation, that products are lead-free or RoHS compliant) is as provided to People Driven Technology, Inc by its suppliers, and People Driven Technology, Inc does not warrant its accuracy and will not be liable for any error with regard to same.

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

11. REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.

    Casey Oneil, Information Systems Director, presented the request to Council.

    Councilmember Morgan offered an approving resolution for the Consent agenda.

    DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

11.

Information Systems
April 17, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Casey O'Neil, Information Systems Director,

AGENDA ITEM

REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.

BACKGROUND DETAILS

This is an annual renewal for the ArcGIS software from ESRI, Inc. used by Livonia's Geographic Information Systems (GIS). GIS allows the management of geographic maps, applications, and spatially referenced data within the city. Included are online map services, database maintenance, mapping support for City departments, and integration with Cityworks, the asset management software used by DPW.

The total cost for annual software maintenance is $23,045.97, providing the city with the following:

(1) One copy of "ArcGIS Desktop Advanced" license.
(2) Three copies of "ArcGIS Desktop Standard" licenses for GIS editing.
(3) Eight copies of concurrent "ArcGIS Desktop Basic licenses for GIS production work.
(4) One copy each of "ArcGIS Server Enterprise Standard" and "ArcGIS Enterprise Workgroup Standard" to support ArcSDE
(5) Five named users of ArcGIS Online Creator.
(6) "ArcGIS Spatial Analyst for Desktop" to support spatial analysis.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Approve the purchase of software maintenance for the period from July 17, 2023 to July 16, 2024, in the amount of $23,045.97, from ESRI, Inc., 380 New York Street, Redlands, CA 92373.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

The total annual maintenance cost is $23,045.97. This is a sole-source request, as this software can only be purchased through ESRI, Inc. No additional appropriation is necessary since funds are budgeted in the Computer Software Maintenance account number 101-228-851-020.

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

23,045.97, 1 Year

DETAILED WORK BEING PERFORMED

N/A

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

23,045.97 from budgeted funds in Account #101-228-851-020.

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

N/A

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): Sole Source

ATTACHMENTS

1. Esri Renewal Quote # 26142067

APPROVED BY

Casey O'Neil, Information Systems Director

Date: April 17, 2023

Michael Slater, Finance Director

Date: April 20, 2023

Maureen Miller Brosnan, Mayor

Date: April 28, 2023

Esri Inc
380 New York Street
Redlands CA 92373

Subject: Renewal Quotation

Date: 04/17/2023
To: Casey O'Neil
Organization: City of Livonia
Information Systems
Fax #: 734-466-2193 **Phone #:** 734-466-2279

From: Cameron Usher
Fax #: 909-307-3083 **Phone #:** + 19093695702 Ext. 5702
Email: cusher@esri.com

Number of pages transmitted (including this cover sheet): 6

Quotation #26142067
Document Date: 04/17/2023

Please find the attached quotation for your forthcoming term. Keeping your term current may entitle you to exclusive benefits, and if you choose to discontinue your coverage, you will become ineligible for these valuable benefits and services.

If your quote is regarding software maintenance renewal, visit the following website for details regarding the maintenance program benefits at your licensing level
http://www. esri.com/apps/products/maintenance/qualifying.cfm

All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your coverage at a later date.

Please note: Certain programs and license types may have varying benefits. Complimentary User Conference registrations, software support, and software and data updates are not included in all programs.

Customers who have multiple copies of certain Esri licenses may have the option of supporting some of their licenses with secondary maintenance.

For information about the terms of use for Esri products as well as purchase order terms and conditions, please visit
http://www. esri.com/legal/licensing/software-license.html

If you have any questions or need additional information, please contact Customer Service at 888-377-4575 option 5.

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2023 **Quotation Number:** 26142067 **Contract Number:** 318946

Send Purchase Orders To:
Environmental Systems Research Institute, Inc.
380 New York Street
Redlands, CA 92373-8100
Attn: Cameron Usher

Please include the following remittance address on your Purchase Order:
Environmental Systems Research Institute, Inc.
P.O. Box 741076
Los Angeles, CA 90074-1076

City of Livonia
Information Systems
33000 Civic Center Dr
Livonia MI 48154-3060
Attn: Casey O'Neil

Customer Number: 100402
For questions regarding this document, please contact Customer Service at 888-377-4575.

Item	Qty	Material#	Unit Price	Extended Price
10	1	52384 ArcGIS Desktop Advanced Concurrent Use Primary Maintenance Start Date: 07/17/2023 End Date: 07/16/2024 Subscription ID: 1712956125	3,300.00	3,300.00
1010	1	86497 ArcGIS Desktop Standard Concurrent Use Primary Maintenance Start Date: 07/17/2023 End Date: 07/16/2024 Subscription ID: 1712956125	1,650.00	1,650.00
2010	2	86500 ArcGIS Desktop Standard Concurrent Use Secondary Maintenance Start Date: 07/17/2023 End Date: 07/16/2024 Subscription ID: 1712956125	1,320.00	2,640.00
3010	1	87194 ArcGIS Desktop Basic Concurrent Use Primary Maintenance	770.00	770.00

Please note Esri has introduced a price change and this quote reflects current pricing for your organization. It is important to us that we are able to continue to deliver value through enhancements to products, solutions, and capabilities.

Your renewal provides access to all the benefits you are familiar with, which you can review at https://go.esri.com/maintenance
For questions related to the price change, please reach out to your assigned Esri Account Manager.

Quotation is valid for 90 days from document date.

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

To expedite your order, please reference your customer number and this quotation number on your purchase order.

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2023 **Quotation Number:** 26142067 **Contract Number:** 318946

Item	Qty	Material#	Unit Price	Extended Price
		Start Date: 07/17/2023 End Date: 07/16/2024 Subscription ID: 1712956125		
4010	7	87195 ArcGIS Desktop Basic Concurrent Use Secondary Maintenance Start Date: 07/17/2023 End Date: 07/16/2024 Subscription ID: 1712956125	550.00	3,850.00
5010	1	87232 ArcGIS Spatial Analyst for Desktop Concurrent Use Primary Maintenance Start Date: 07/17/2023 End Date: 07/16/2024	550.00	550.00
6010	1	87192 ArcGIS Desktop Basic Single Use Primary Maintenance Start Date: 07/17/2023 End Date: 07/16/2024 Subscription ID: 1712956125	440.00	440.00
7010	5	153148 ArcGIS Online Creator Annual Subscription Start Date: 07/17/2023 End Date: 07/16/2024 Subscription ID: 1712956125	550.00	2,750.00
8010	1	161322 ArcGIS Enterprise Workgroup Standard Up to Two Cores Maintenance (Enterprise Standard Migration) Start Date: 07/17/2023 End Date: 07/16/2024	1,250.00	1,250.00
9010	1	161328 ArcGIS Enterprise Standard Up to Four Cores Maintenance Start Date: 07/17/2023 End Date: 07/16/2024	5,500.00	5,500.00
10010	1	165533 ArcGIS Online Mobile Worker Annual Subscription Start Date: 08/23/2023 End Date: 07/16/2024 Subscription ID: 1712956125	345.97	345.97

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2023 **Quotation Number:** 26142067 **Contract Number:** 318946

Item	Qty	Material#	Unit Price	Extended Price

Item Subtotal		23,045.97
Estimated Tax		0.00
Total	**USD**	**23,045.97**

DUNS/CEC: 06-313-4175 CAGE: 0AMS3

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2023 **Quotation Number:** 26142067 **Contract Number:** 318946

Item	Qty	Material#	Unit Price	Extended Price

Renewal Options:

- Online: Renew through My Esri site at https://my.esri.com
  - Credit Card
  - Purchase Order
  - Email Authorization
- Email or Fax: Email Authorization, Purchase Order or signed quote to:
  - Fax: 909-307-3083
  - Email: service@esri.com

Requests via email or signed quote indicate that you are authorized to obligate funds for your organization and your organization does not require a purchase order.

If there are any changes required to your quotation please respond to this email and indicate any changes in your invoice authorization.

If you choose to discontinue your support, you will become ineligible for support benefits and services. All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your support coverage at a later date.

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at http://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at http://assets.esri.com/content/dam/esrisites/media/legal/ma-full/ma-full .pdf apply to your purchase of that item. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at http://www.esri.com/en-us/legal/terms/state-supplemental apply to some state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy GSA, BPA) on your ordering document.

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2023 **Quotation No:** 26142067 **Customer No:** 100402 **Contract No:** 318946

Item	Qty	Material#		Unit Price	Extended Price

US FEDERAL CUSTOMERS: If you are a federal customer or a contractor purchasing on behalf of a federal customer a purchase order is required to receive an invoice. Please email the purchase order to service@esri.com

By signing below, you are authorizing Esri to issue a software support invoice in the amount of USD_____ plus sales tax, if applicable.

Please check one of the following:

_____ I agree to pay any applicable sales tax.

_____ I am tax exempt. Please contact me if Esri does not have my current exempt information on file.

_____ _____
Signature of Authorized Representative Date

_____ _____
Name (Please Print) Title

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

12. REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2023.

    Connie Kumpula, Chief Accountant, presented the request to Council.

    Vice President Toy asked when the last time Livonia had no increase in water rates occurred and indicated she hopes to see a year without an increase while she is on Council. Connie said it's been a while, but we are in an environment of rising costs and inflation.

    President Jolly explained capital expenditures and that we are directly responsible for maintaining the water system as it lies here in the City of Livonia. This cost is not just for the water that we are physically receiving, but it's the whole system that transports the water as well. This includes the pipes and infrastructure and the cost to maintain it. He also verified with Connie that we are looking into building a water tower in Livonia.

    Jacob Rushlow, Assistant Director of Public Works, explained that we are exploring the option of constructing a water tower in the City of Livonia. It would be an asset to own and maintain it as a part of our public water distribution system. That process is currently going through two stages. One is preliminary design work and coordination with the Great Lakes Water Authority to assure they can provide the water needed to draw and fill the tank. The communities of Northville Plymouth, and Farmington Hills already have systems that would connect to the same line we'd be drawing from, and we need make sure we're not over taxing that system at the same time. We are in those design stages, and we should know more in the coming months.

    President Jolly said we pay different amounts for the water depending on when we receive it. A water tower is effective because it could be filled during off-peak hours where the water will cost less, and savings can be passed on to the Livonia residents.

    Jacob indicated the two factors determining our rate from Great Lakes Water Authority are the maximum day number and the peak hour number. The maximum

day number is the maximum amount of water drawn into Livonia on a chosen day of the year when it's hot and dry, typically in July. The second is the peak hour, which is usually about 6:00 p.m. in our community. A water tower would shave that peak hour demand by supplementing the draw of water from the tower, which would help reduce consumption from the delivery system and lower the cost.

Councilmember McCullough said he is part of the Owner's Rep Team in Northville and they have a $6,000,000 water tower. They estimate a return on investment in four to five years. He thinks this would be a great addition to Livonia and a lot of people in the city would support it.

Councilmember Donovic asked if Jacob could explain how the Western Wayne Counties are currently paying for Highland Park's share of water to Great Lakes Water Authority.

Jacob stated Great Lakes Water Authority has assured us we are not paying a dime toward any costs that are owed to the system by the Highland Park.

Councilmember Donovic asked about capital outlay projects and asked for an update on the Englewood project and if that is factoring into this year's increase. He also asked if they expect any more increases this year.

Jacob indicated the Edgewood Pump Station project is ongoing and has been on hold due to DTE's inability to service the site and finish the connections over the last year. The are additional costs associated with abandoning the old sewer and finishing all the restoration on Edgewood Street. We had a 20-year CIP approved in 2019. We're currently going into year five next year and are putting together a concrete plan for the most important projects. There are about $15,000,000 in water and sewer projects currently planned for next year.

Councilmember Donovic thanked DPW and Accounting for doing a good job in maintaining our water system.

President Jolly said the fact that we have been waiting on DTE for a year on a $5,000,000 project deserves more explanation.

Jacob indicated DTE has had challenges such as the ice storm on February 24, 2023 followed by a snowstorm. Our transformer has been installed but we are waiting for their meter team to do the service connection.

President Jolly verified that there is currently no scheduled date for connection. He said he hopes that we are using all avenues available to us to get this work done.

Councilmember McCullough offered an approving resolution for the Consent agenda.

DIRECTION: APPROVED CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

13.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST FOR AUTHORIZATION TO PURCHASE TWO (2) DUMP TRUCKS THROUGH THE ROCHESTER HILLS CO-OP AWARD AGREEMENT: Public Works Division, re: for use by the Roads Department, from budgeted funds

BACKGROUND DETAILS

Request to purchase and upfit two Freightliner Single Axle UTS Dump Trucks through the Rochester Hills Co-Op Awared Agreement (RFP-RH-20-023)

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The DPW respectfully requests approval to purchase from Wolverine Freightliner two 2025 Single Axle Dump Trucks (Vehicle #44 and #45) with upfitting byTruck & Trailer Specialities at a total cost of $529,168.08.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Two 2025 Freightliner Single Axle Conventional UTS dump trucks, Model 108SD (Vehicles #44 and #45)

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

Wolverine Freightliner = $219,380.00
8% cost contingency = $ 39,198.08 (for unforeseen cost escalations)
Truck & Trailer Upfit = $270,590.00
TOTAL FOR TWO: = $529,168.08

DETAILED WORK BEING PERFORMED

Purchase of two dump trucks with upfitting

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

Sufficient budget in the amount of $529,168.08 is available in account no. 401-000-985-010

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact

person, full address)

Rochester Hills Co-Op Award RFP-RH-20-023

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): 3.04.140.Bids or quotes—Required when—Procedures—Council authority.

E. Notwithstanding the foregoing provisions of this section, no bids shall be required prior to the making of a contract in the following instances:

4. When the city joins with other units of government in cooperative purchasing efforts that are deemed to be in the best interests of the city, such cooperative purchasing may include, but is not limited to, consortiums, joint or multi-party contracts between public procurement units, and open-ended county, state or federal public procurement contracts which are made available to the city.

ATTACHMENTS

1. Fleet Manager Recommendation #44 #45
2. Upfitting Quote 05-2023 #44 #45
3. Dump Truck Quote 05-2023 #44 #45

APPROVED BY

Date: May 10, 2023

Don Rohraff, Director of Public Works

Date: May 11, 2023

Michael Slater, Finance Director

Date: May 11, 2023

Maureen Miller Brosnan, Mayor

DEPARTMENT OF PUBLIC WORKS
PUBLIC SERVICE DIVISION
FLEET MAINTENANCE

GARY T. GARRISON
FLEET MANAGER

JAMES (BUZZ) KIRBY
FLEET SUPERVISOR

13405 SURREY STREET
LIVONIA, MICHIGAN 48150-1527
(734)-466-2704
FAX: (734)-466-2662

May 1, 2023

Purchase of Two 2025 Freightliner Single Axle Conventional UTS Dump Trucks Model 108SD. The City Identification numbers will be #44 and #45.

It is my recommendation that we purchase two single axle, conventional bodied UTS dump trucks to be used as frontline snow and ice plow trucks during snow events.
These trucks will be purchased from Wolverine Freightliner, 107 S. Groesbeck, Mt. Clemens, Michigan 48043.Through the Rochester Hills CO-OP Award Agreement reference number RFP-RH 20-023.

The use of this CO-OP meets our required bidding process and allows us to get the group buying discounts. The cost per cab and chassis will be $109,690.00 and the total for both units will be $219,380.00.

I also recommend that we use Truck & Trailer Specialties, 900 Grand Oaks Drive. Howell Michigan, 48843 as our upfitter to build these trucks. Their pricing is through the City of Rochester Hills CO-OP agreement RFP-RH-20-023 which meets our financial purchasing requirements. The cost for the upfitting per truck will be $135,295.00 and the total cost of upfitting for both units will be $270,590.00.

I am also requesting a contingency amount of eight percent per truck, which is $19,599.04 to cover any unforeseen cost escalations. The total contingency amount for both trucks will be $39,198.08.

The completed cost for these trucks will be $529,168.08. These funds will come from approved budgeted funds in account 401-000-985-010.

If this purchase is approved, it will not increase the size of our fleet. These trucks will be replacing trucks that have exceeded their reliable life expectancy. The replaced trucks will be disposed of through means of public auction.

If you have any questions or require additional information, you can reach me on ext. 2641.

Gary T. Garrison
Fleet Manager

TRUCK & TRAILER Specialties, Inc.
900 Grand Oaks Drive | Howell, MI 48843 | www.ttspec.com | ph: (517) 552-3855 | fx: (517) 552-3666

March 28, 2023

City of Livonia
13405 Surrey Street, Livonia, MI 48150
Gary Garrison, ph: (734) 564-6592 & Buzz Kirby, ph: (734) 564-6594
HQO002318

Equipment Quotation

The following pricing will be based on City of Rochester Hills RFP-RH-20-023 contract awarded September 2020

Chassis: Single Axle, Wolverine Freightliner/Steve Sexton
Truck: #44-#45 with Anti-Ice Trailer capability

Install **Crysteel 10' Select Dump Body including the following:**
120" body length, 96" outside width, 84" inside width
50" front height, 26" side height, 36" rear height
7-gauge 201 stainless steel front, sides and rear pillars
Single panel, pressed-in horizontal side braces
Construction of the sides include a boxed top rail
Full-depth rear pillar posts constructed of 7-gauge 201 stainless steel
6-panel tailgate design constructed of 7-gauge 201 stainless steel
Air-operated tailgate with Velvac air controller
8" I-beam type Western understructure, crossmemberless
¼" AR450 steel floor with 8" floor-to-side radius
10-gauge x 24" cabshield 201 stainless steel
Install body prop kit on each side of the frame
Install 10" hardwood side boards
Install 4-hole light wedge boxes on rear pillars for lighting
Install Cougar model 3200 DC box vibrator
Install two (2) weld-on grab handles at base of tailgate (10" wide, 2-3" standoff)
Install Livonia-style branch deflector on cabshield, passenger-side, constructed of stainless steel
Install turnbuckles in tailgate
Install license plate brackets in upper-left corner of tailgate
Install side-mounted step, front corner of body, driver-side and grab handle above on cabshield
Install two (2) shovel holders front of dump body, curbside
Install mudflaps in front of and behind drive tires

Install **Mailhot model G490-4.25-3 DA Telescopic Hoist including the following:**
Greaseable rear hinge and replaceable rear pin
Hoist is double-acting and trunnion-mounted
Install remote lube grease line kit for Mailhot hoists

Install **Roll-Rite Electric Tarp System including the following:**
Aluminum tarp and tension arms with offset elbows
TarpMaster aluminum tarp housing model 63000
Direct-drive motor
Mesh-type tarp cover

Install **Central Hydraulic System including the following:**
Rexroth A10VO85 front-mounted load-sensing piston pump
Spicer driveline

12-volt auto shutdown block
Low-oil shutdown valve and override circuit switch in-cab

Install **Monroe Combo Hydraulic Oil/Valve Enclosure including the following:**
7-gauge type 201 stainless steel construction (mos. 00141843 & 15570)
Valve enclosure will be installed on the driver's side of the combo tank with a lockable "T" handle latch (measuring 18" wide and behind cab)
38-gallon oil capacity, filled with 35-gallon AW32 hydraulic oil
5 psi pressurized tank cap on hydraulic tank
3" supply port on hydraulic tank with 3" x 2" suction strainer
2" ball valve shut-off for supply line to the hydraulic pump & ¾" case drain shut-off
Tank-mounted return line oil filter
Ball valve shut-offs on both fuel supply and return lines
Low-oil sensor mounted in the top of the tank
Install stainless steel step mounted on the end of the tank mounting bracket assembly

Install **Rexroth 7m4-12 closed-center air control hydraulic valve with the following sections:**
Dump Hoist with 500 PSI A port pressure limit
Scraper up/down with 500 PSI A port pressure limit
Scraper swing
Front plow up/down
12-volt EPC valve for auger
12-volt EPC valve for spinner
12-volt EPC valve 4-way asymmetrical section for pre-wet/anti-ice
Above valves within above frame-mounted stainless steel combo tank enclosure
Apsco air-type single axis levers for a total of 4 levers in position (L-R) from driver:
#1 Scraper up/down
#2 Scraper left/right
#3 Front Plow up/down
#4 Dump Hoist up/down with safety detent
Stainless steel piping to rear for spreader circuit
All necessary hoses and fittings
Stainless steel hydraulic couplers for spinner, anti-ice & front plow circuits with dust caps and plugs
Additional set of stainless steel couplers for backup (4 couplers per truck)

Install **Rexroth CS660 Electric Spreader Controller including the following:**
Touch screen
Closed-loop operation for spreader, spinner, pre-wet and anti-ice operations
Programmable blast and pause
Data download and programming is with a thumb drive and WiFi and GPS capable
Training is included

Install **Monroe 29" Husting Truck-Portion Hitch including the following:**
12" C-channel front bumper with tapered ends
3" DA lift cylinder with Socatri rod
Bumper cut-outs with installed front tow hooks on frame rails
Shall include hitch roller assembly plates
All necessary supports and braces

Install **Monroe 10' model MP36MR10-ISCT Front Plow including the following:**
36" height x 10' length
10-gauge roll-formed moldboard
Six, ½" x 4" tapered one-piece ribs
2" x 3" x 3/8" top moldboard angle, 4" x 4" x ¾" bottom moldboard angle
3-½" x 3-½" x ½" semi-circle

Manual-reversing (no cylinders)
29" Husting hitch plow-portion style pushframe with 6 attachment points
Roller kit
Rubber snow deflector
Pair of plastic 36" plow markers
Carbide curbguards, both ends of moldboard
Snow-Wheels System running gear with adjustable crank (part #6509)

Install **Monroe 10' model MS4510 Underbody Scraper including the following:**
1" thick x 20" high moldboard
½" thick hanger board with grease manifold brackets installed
2-1/2" O.D. hinge shaft
Two heavy-duty shock absorbers
Bolt-in trunnion caps for canisters; Outer arm remains bolt-on style
Two 3-½" x 10" actuating cylinders with Socatri 1000 rods
Cushion valve
1" solid circle with 5" centerpin
Centerpin is piloted into hanger board
Two 4" x 12" reversing cylinders with Socatri 1000 rods
Three hinge anchor points
Hydraulic pipes
20.5" x 7" poly hold-down blocks
Mounting hardware
Parts-installation manual
Hose kit and j-50 type relief valve
¾" solid hanger plates
Grease line kit with manifolds
Install protective stainless steel guards on grease manifolds, both sides
Install serrated grating step on driver-side of scraper, include spacers behind for stand-off aiding cleaning
Install two (2) Bucyrus (mo. GB52103) flame-hardened cutting edges
Install two (2) Kennametal (mo. KCWB-0307A) carbide curbguards, one on each end of the moldboard

Install **Monroe model MS966-OW-GB Undertailgate Spreader including the following:**
Type 201 stainless steel construction, unpainted
5:1 gear box with direct-mounted motor
6" auger with one-way flighting and 4" flight spacing for left-discharge
Trough-hung self-leveling spinner with 18" poly spinner disc
Spinner motor shall include a seal-saver kit with grease zerk
Extended integral side plates on spreader
Auger spraybar kit
Jumper hoses with stainless steel hydraulic couplers
Application-rate sensor built into auger motor

Install **Monroe Closed-Loop Pre-Wet System including the following:**
One (1) 120-gallon poly pre-wet tank behind cab (measuring 36" long x 60" high x 14" wide)
Secured on the passenger side with stainless steel mounting brackets
Hydraulic driven motor/pump motor with application rate sensor installed inside a poly enclosure, and mounted alongside the frame
Stainless steel piping to the rear for pre-wet liquid
Nozzle bar mounted inside the auger trough
One-way check in the pre-wet hose with a Y-type strainer
Ball valve shut-off on pre-wet tank
All weather pack connectors for electrical disconnects

Bulk fill and flusher kit included (1-1/2" Female bulk fill)

Install **Custom Lighting & Electrical including the following:**

Wired-Rite switch box with the following switches:

- Off/on switch labeled "front flashers"
- Off/on switch labeled "rear flashers" (this switch feeds power to the next switch)
- Off/on switch labeled "rear flashers 2" for green LED flashers
- Off/on switch labeled "air puffers"
- Off/on switch labeled "blade light"
- Off/on switch labeled "sander light"
- Off/on switch with guard labeled "tailgate open/close"
- Momentary on/off/momentary on labeled "tarp open/close"
- On/momentary off, labeled "low oil override" (includes low oil shutdown)
- Off/ momentary off switch labeled "box vibrator"

Standalone console toggle switch for Pause & Blast

Heads-up Indicator lights for the following:

- low-oil, pump shut down, body-up light & tailgate open

Maxxima LED heated truck lights (mo. MHLE-07HILO-MH)

LED Heated Plow Lights (mo. 9060) with aluminum brackets

One (1) SoundOff Pinnacle (mo. EPL7PDPC) amber/green mini lightbar with guard on cabshield front

Four (4) SoundOff mPower (mo. EMPC2SMS4) amber/green LED flashers flush-mounted:

- Two (2) mounted in chassis grille
- Two (2) cabshield-mounted side-facing at bottom of cabshield

4-hole stainless steel light wedge boxes including:

- Two (2) SoundOff LED amber warning lights in top of light boxes
- Two (2) Maxxima (mo. M63348R-MH) heated LED STT lights in 2nd hole of light boxes
- Two (2) SoundOff LED backup lights in 3rd hole of light boxes
- Two (2) SoundOff LED green warning lights in bottom of light boxes
  - Note: green warning lights powered only when amber warning lights are in-use

Two (2) LED scraper work lights mounted above scraper, one each side

One (1) LED spreader work light rear of dump, driverside

LED body marker lights

Ground wire for lights will be routed to firewall and connect to a protected independent ground point

Proximity switch for dump body-up light

Proximity switch for scraper-down 12v type switch for 12v input in city GPS unit

Install PWM slave switch on auger section to supply 12v signal for spreader "ON" input into city GPS unit

Label and supply scraper and spreader inputs in cab counsel

Betts junction box mounted at the rear of the dump body

ECCO EC-SA901 smart backup alarm with variable decibel control

Electric brake controller with 7-way round post plug

Install **Pro-Vision IA-TV-220 Camera Light System (without wash system) including the following:**

Infrared camera and 5" LCD screen

Install puffer lens cleaner for camera

Mounted in streetside rear pillar with cover above

Five (5) air puffers, two (2) each side rear on light wedges, one (1) on camera with switch in-cab

Install **Rear ¾" Steel Hitch Plate with side supports including the following:**

PH20 Pintle hook – 20-ton rated set at multiple heights from ground, 18" setting

D-rings for safety chains

Tow hooks mounted at the rear

Heated LED taillights recessed into hitch plate

Electronic brake controller

7-way round pin electrical connector
7-way RV plug mounted on curbside of hitch plate for Anti-Ice trailer
Install **Shrader Valve under driver-side door, with ball-cock at tank**
Install **TigerTough Seat Covers only: driver w/armrests, passenger seat stationary w/o armrests** (32605GRY & 34304GRY)
Install **Minimizer Floor Mats for Freightliner SD108** (mo. FKFRTL2B-MIN / 10002265)
Install **Livonia Truck # welded onto all removable components: Tailgate Spreader & Plow**
Install **3-step egress serrated grating under driverside door, top step allowing fuel tank access, painted Black**
Paint All body underfloor, frame attachments, hoist, front hitch and rear hitch assembly Black
All stainless steel material non-painted

Above installed, non-stainless painted pricing: $135,295.00 ea.

Chassis requirements to be confirmed at time of order:
CA: 106"
Highest ground clearance
Delete OEM front bumper
Front frame extension
Front of engine PTO
Stationary grille
Air tanks mounted between the frame rails
Horizontal DPF mounted under the curbside door with a vertical tailpipe
Under-cab exhaust
Plow light/Headlight switch and related OEM wiring
Electric disconnect switch
Trailer wiring to the rear for electric brake controller
Low-profile 50-gallon fuel tank mounted under the driver's door

Payment Terms: Net 30. Pricing effective for 30 days.
FOB: City of Livonia
Delivery: 360 days ARO, depending on chassis arrival

Thank you for the opportunity to quote.

Respectfully submitted by,
Jon Luea/Brian Bouwman

FREIGHTLINER
WOLVERINE
FREIGHTLINER - EASTSIDE, INC.
107 S. Groesbeck • Mt. Clemens, MI 48043 • (586) 783-2444 FAX (586) 469-8054

4/25/2023

City of Livonia
RE: RH Co-Op Chassis Pricing

Attn: Mr. Gary Garrison

The following is Freightliner chassis pricing information per your request. Pricing and conditions are per the Rochester Hills Co-op RFP-RH-20-023 agreement.

Single Axle 40,000 GVW Single Axle UTS #44 & #45
Chassis Model: 108SD **PLUS**

Base Chassis Price 2021 MY:	$84,993
2022 Model Year escalator.....	$ 900 add
2023 Model Year Increase	$ 1,000 Add
2023 Surcharges	$ 6,700 Add
2024 Pricing & Surcharges	$ 5,925
2025 Model & Surcharge not to exceed	$ 5500 Add
Freightliner 108SD Plus upgrade	**$ 2000 Add**
Air Cleaner Pre-cleaner.....	$ 323 add
Block Heater.....	No Charge
18k front axle & suspension, w/ dual steering gear..	$ 1,166 add
Traction Control.....	$ 59 add
Locking Differential.....	$ 530
Spare tires & wheels (315) front, 11R rear	$ 1,382 add
Driver's seat 3 chamber upgrade	$ 134 add
Fender extenders	No Charge
Power Windows/doors	$ 219 add
Complete Set Filters.....	$ 420 add
Manuals, Paper or USB.....	$ 390 add
DAVCO 245 Fuel/Water Separator	$ 206 Add
Cooling System- Ext Warranty 5/100	$ 305 Add
Delete Hood Hatches.....	$ 361 Deduct
30k Rear Spring suspension.....	$ 1,259 Deduct
Right, under step exhaust.....	$ 842 Deduct
TOTAL: (Not to Exceed)	**$ 109,690 each**

Steven Sexton
Municipal Sales Manager
Wolverine Truck Group

Prepared for:
Gary
Garrison
LIVONIA, CITY OF
33000 Civic Center Dr
Livonia, MI 48154
Phone: 734-466-2641

Prepared by:
Steven Sexton
WOLVERINE FREIGHTLINER
EASTSIDE INC
107 SOUTH GROESBECK
HIGHWAY
MOUNT CLEMENS, MI 48043
Phone:

SPECIFICATION PROPOSAL

Data Code	Description
Price Level	
PRL-27D	SD PRL-27D (EFF:MY24 ORDERS)
Data Version	
DRL-039	SPECPRO21 DATA RELEASE VER 039
Vehicle Configuration	
001-176	108SD PLUS CONVENTIONAL CHASSIS
004-224	2025 MODEL YEAR SPECIFIED
002-004	SET BACK AXLE - TRUCK
019-008	TRAILER TOWING PROVISION AT END OF FRAME WITH SAE J560, WITHOUT END OF FRAME AIR CONNECTIONS
003-001	LH PRIMARY STEERING LOCATION
General Service	
AA1-002	TRUCK CONFIGURATION
AA6-002	DOMICILED, USA (EXCLUDING CALIFORNIA AND CARB OPT-IN STATES)
A85-010	UTILITY/REPAIR/MAINTENANCE SERVICE
A84-1GM	GOVERNMENT BUSINESS SEGMENT
AA4-010	DIRT/SAND/ROCK COMMODITY
AA5-002	TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS
AB1-008	MAXIMUM 8% EXPECTED GRADE
AB5-001	SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE
995-1A0	FREIGHTLINER SD VOCATIONAL WARRANTY
A66-99D	EXPECTED FRONT AXLE(S) LOAD : 18000.0 lbs

Prepared for:
Gary
Garrison
LIVONIA, CITY OF
33000 Civic Center Dr
Livonia, MI 48154
Phone: 734-466-2641

Prepared by:
Steven Sexton
WOLVERINE FREIGHTLINER
EASTSIDE INC
107 SOUTH GROESBECK
HIGHWAY
MOUNT CLEMENS, MI 48043
Phone:

Data Code	Description
A68-99D	EXPECTED REAR DRIVE AXLE(S) LOAD : 22000.0 lbs
A63-99D	EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 40000.0 lbs
Truck Service	
AA3-073	BELLY PLOW BODY WITH HIGH GROUND CLEARANCE
AF3-2A8	TRUCK AND TRAILER SPECIALTIES INC.
Engine	
101-3BN	CUM L9 300 HP @ 2200 RPM; 2200 GOV RPM, 860 LB-FT @ 1200 RPM
Electronic Parameters	
79A-066	66 MPH ROAD SPEED LIMIT
79B-000	CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT
79K-007	PTO MODE ENGINE RPM LIMIT - 1100 RPM
79P-004	PTO RPM WITH CRUISE SET SWITCH - 900 RPM
79Q-003	PTO RPM WITH CRUISE RESUME SWITCH - 800 RPM
79U-007	PTO GOVERNOR RAMP RATE - 250 RPM PER SECOND
80G-003	PTO MINIMUM RPM - 750
80J-002	REGEN INHIBIT SPEED THRESHOLD - 5 MPH
80V-100	PTO MODE SPEED CONTROL ACTIVATION REQUEST FOR REMOTE ENGINE INTERFACE
Engine Equipment	
99C-021	2010 EPA/CARB/GHG21 CONFIGURATION
99D-010	NO 2008 CARB EMISSION CERTIFICATION
13E-001	STANDARD OIL PAN
105-001	ENGINE MOUNTED OIL CHECK AND FILL
014-109	SIDE OF HOOD AIR INTAKE WITH FIREWALL MOUNTED DONALDSON AIR CLEANER WITH SAFETY ELEMENT, PASSIVE PRECLEANER AND INSIDE/OUTSIDE AIR WITH SNOW DOOR
124-1D7	DR 12V 160 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE
292-235	(2) DTNA GENUINE, FLOODED STARTING, MIN 2000CCA, 370RC, THREADED STUD BATTERIES
290-017	BATTERY BOX FRAME MOUNTED
281-001	STANDARD BATTERY JUMPERS

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Data Code	Description
282-003	SINGLE BATTERY BOX FRAME MOUNTED LH SIDE BACK OF CAB
291-017	WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN
289-011	NON-POLISHED BATTERY BOX COVER WITH TETHER
293-058	POSITIVE LOAD DISCONNECT WITH CAB MOUNTED CONTROL SWITCH MOUNTED OUTBOARD DRIVER SEAT
295-029	POSITIVE AND NEGATIVE POSTS FOR JUMPSTART LOCATED ON FRAME NEXT TO STARTER
306-015	PROGRESSIVE LOW VOLTAGE DISCONNECT AT 12.3 VOLTS FOR DESIGNATED CIRCUITS
107-032	CUMMINS TURBOCHARGED 18.7 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE
152-041	ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM
128-076	CUMMINS ENGINE INTEGRAL BRAKE WITH VARIABLE GEOMETRY TURBO ON/OFF
016-1E2	RAISED RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE
28F-014	ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND VIRTUAL REGENERATION REQUEST SWITCH IN CLUSTER
239-026	10 FOOT 06 INCH (126 INCH+0/-5.9 INCH) EXHAUST SYSTEM HEIGHT
237-1F8	RH CURVED VERTICAL TAILPIPE B-PILLAR RAISED UNDER STEP MOUNTED AFTERTREATMENT SYSTEM
23U-001	6 GALLON DIESEL EXHAUST FLUID TANK
30N-003	100 PERCENT DIESEL EXHAUST FLUID FILL
23Y-002	DIESEL EXHAUST FLUID PUMP MOUNTED AFT OF DIESEL EXHAUST FLUID TANK
43X-003	LH FORWARD FACE OF DIESEL EXHAUST FLUID TANK 24 TO 28 INCHES BACK OF CAB
43Y-001	STANDARD DIESEL EXHAUST FLUID TANK CAP
242-001	STAINLESS STEEL AFTERTREATMENT DEVICE/MUFFLER/TAILPIPE SHIELD
273-058	AIR POWERED ON/OFF ENGINE FAN CLUTCH
276-001	AUTOMATIC FAN CONTROL WITHOUT DASH SWITCH, NON ENGINE MOUNTED

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110-003	CUMMINS SPIN ON FUEL FILTER
118-008	COMBINATION FULL FLOW/BYPASS OIL FILTER
120-009	FLEETGUARD PLAIN COOLANT FILTER
266-104	1115 SQUARE INCH ALUMINUM RADIATOR
103-039	ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT
171-007	GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT
172-001	CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES
270-016	RADIATOR DRAIN VALVE
360-016	1310 ADAPTER FLANGE FOR FRONT PTO PROVISION
138-011	PHILLIPS-TEMRO 1000 WATT/115 VOLT BLOCK HEATER
140-053	BLACK PLASTIC ENGINE HEATER RECEPTACLE MOUNTED UNDER LH DOOR
132-004	ELECTRIC GRID AIR INTAKE WARMER
155-055	DELCO 12V 39MT HD/OCP STARTER WITH THERMAL PROTECTION AND INTEGRATED MAGNETIC SWITCH
Transmission	
342-584	ALLISON 3500 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION
Transmission Equipment	
343-339	ALLISON VOCATIONAL PACKAGE 223 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODELS RDS, HS, MH AND TRV
84B-012	ALLISON VOCATIONAL RATING FOR ON/OFF HIGHWAY APPLICATIONS AVAILABLE WITH ALL PRODUCT FAMILIES
84C-023	PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY
84D-023	SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY
84E-000	PRIMARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84F-000	SECONDARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE

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84G-000	PRIMARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84H-000	SECONDARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84N-200	FUEL SENSE 2.0 DISABLED - PERFORMANCE - TABLE BASED
84U-000	DRIVER SWITCH INPUT - DEFAULT - NO SWITCHES
353-075	QUICKFIT BODY LIGHTING CONNECTOR AT END OF FRAME, WITH CAP
34C-011	ELECTRONIC TRANSMISSION WIRING TO CUSTOMER INTERFACE CONNECTOR
341-018	MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION DRAIN, AXLE(S) FILL AND DRAIN
345-003	PUSH BUTTON ELECTRONIC SHIFT CONTROL, DASH MOUNTED
97G-004	TRANSMISSION PROGNOSTICS - ENABLED 2013
370-015	WATER TO OIL TRANSMISSION COOLER, IN RADIATOR END TANK
346-003	TRANSMISSION OIL CHECK AND FILL WITH ELECTRONIC OIL LEVEL CHECK
35T-001	SYNTHETIC TRANSMISSION FLUID (TES-295 COMPLIANT)
Front Axle and Equipment	
400-1AB	MFS-18-133A 18,000# FL1 71.0 INCH KPI/3.74 INCH DROP SINGLE FRONT AXLE
402-030	MERITOR 16.5X6 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES
403-002	NON-ASBESTOS FRONT BRAKE LINING
419-023	CONMET CAST IRON FRONT BRAKE DRUMS
427-001	FRONT BRAKE DUST SHIELDS
409-006	FRONT OIL SEALS
408-001	VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL
416-022	STANDARD SPINDLE NUTS FOR ALL AXLES
405-002	MERITOR AUTOMATIC FRONT SLACK ADJUSTERS
406-001	STANDARD KING PIN BUSHINGS
536-055	TRW THP-60 POWER STEERING WITH RCH45 AUXILIARY GEAR

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539-003	POWER STEERING PUMP
534-003	4 QUART POWER STEERING RESERVOIR
533-001	OIL/AIR POWER STEERING COOLER
40T-002	CURRENT AVAILABLE SYNTHETIC 75W-90 FRONT AXLE LUBE
Front Suspension	
620-013	18,000# TAPERLEAF FRONT SUSPENSION
619-005	MAINTENANCE FREE RUBBER BUSHINGS - FRONT SUSPENSION
410-001	FRONT SHOCK ABSORBERS
Rear Axle and Equipment	
420-051	RS-23-160 23,000# R-SERIES SINGLE REAR AXLE
421-563	5.63 REAR AXLE RATIO
424-001	IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING
386-073	MXL 17T MERITOR EXTENDED LUBE MAIN DRIVELINE WITH HALF ROUND YOKES
452-001	DRIVER CONTROLLED TRACTION DIFFERENTIAL - SINGLE REAR AXLE
878-018	(1) DRIVER CONTROLLED DIFFERENTIAL LOCK REAR VALVE FOR SINGLE DRIVE AXLE
87B-024	INDICATOR LIGHT FOR EACH DIFFERENTIAL LOCKOUT SWITCH, ENGAGE AT SPEEDS 5 MPH OR LESS, DISENGAGE W/IGN OFF OR SPEEDS EXCEEDING 25 MPH
423-033	MERITOR 16.5X7 Q+ CAST SPIDER HEAVY DUTY CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES
433-002	NON-ASBESTOS REAR BRAKE LINING
434-011	BRAKE CAMS AND CHAMBERS ON FORWARD SIDE OF DRIVE AXLE(S)
451-023	CONMET CAST IRON REAR BRAKE DRUMS
425-002	REAR BRAKE DUST SHIELDS
440-006	REAR OIL SEALS
426-100	WABCO TRISTOP D LONGSTROKE 1-DRIVE AXLE SPRING PARKING CHAMBERS
428-002	MERITOR AUTOMATIC REAR SLACK ADJUSTERS
41T-002	CURRENT AVAILABLE SYNTHETIC 75W-90 REAR AXLE LUBE
42T-001	STANDARD REAR AXLE BREATHER(S)

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	Data Code	Description
Rear Suspension		
N	622-1DF	30,000# FLAT LEAF SPRING REAR SUSPENSION WITH HELPER AND RADIUS ROD
	621-001	SPRING SUSPENSION - NO AXLE SPACERS
	431-001	STANDARD AXLE SEATS IN AXLE CLAMP GROUP
	623-005	FORE/AFT CONTROL RODS
Brake System		
	490-1AU	WABCO 4S/4M ABS WITH TRACTION CONTROL WITH ATC SHUT OFF SWITCH
	871-001	REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES
	904-001	FIBER BRAID PARKING BRAKE HOSE
	412-001	STANDARD BRAKE SYSTEM VALVES
	46D-002	STANDARD AIR SYSTEM PRESSURE PROTECTION SYSTEM
	413-002	STD U.S. FRONT BRAKE VALVE
	432-003	RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE
	480-088	WABCO SYSTEM SAVER HP WITH INTEGRAL AIR GOVERNOR AND HEATER
	479-004	AIR DRYER MOUNTED OUTBOARD ON LH RAIL
	460-1AE	STEEL AIR TANKS MOUNTED FOR MAX GROUND CLEARANCE, (BELLY PLOW - AA3-073)
	477-004	PULL CABLES ON ALL AIR RESERVOIR(S)
Trailer Connections		
	296-027	PRIMARY CONNECTOR/RECEPTACLE WIRED FOR COMBINATION STOP/TURN, CENTER PIN POWERED THROUGH IGNITION WITH STOP SIGNAL PREWIRE PACKAGE
	303-025	SAE J560 7-WAY PRIMARY TRAILER CABLE RECEPTACLE MOUNTED END OF FRAME
Wheelbase & Frame		
	545-437	4375MM (172 INCH) WHEELBASE
	546-101	11/32X3-1/2X10-15/16 INCH STEEL FRAME (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI
	548-803	TEM TO EVALUATE AND INSTALL FRAME RAIL REINFORCEMENT AS NEEDED FOR FRONT FRAME MOUNTED EQUIPMENT
	552-030	1600MM (63 INCH) REAR FRAME OVERHANG
	55W-006	FRAME OVERHANG RANGE: 61 INCH TO 70 INCH

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Data Code	Description
549-002	24 INCH INTEGRAL FRONT FRAME EXTENSION
AC8-99D	CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 106.69 in
AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 103.69 in
AE4-99D	CALC'D FRAME LENGTH - OVERALL : 300.39 in
FSS-0LH	CALCULATED FRAME SPACE LH SIDE : 43.71 in
FSS-0RH	CALCULATED FRAME SPACE RH SIDE : 91.89 in
553-001	SQUARE END OF FRAME
550-001	FRONT CLOSING CROSSMEMBER
559-003	LIGHTWEIGHT HEAVY DUTY ALUMINUM ENGINE CROSSMEMBER
562-001	STANDARD MIDSHIP #1 CROSSMEMBER(S)
572-001	STANDARD REARMOST CROSSMEMBER
565-001	STANDARD SUSPENSION CROSSMEMBER
Chassis Equipment	
556-997	OMIT FRONT BUMPER, CUSTOMER INSTALLED SPECIAL BUMPER, DOES NOT COMPLY WITH FMCSR 393.203
558-001	FRONT TOW HOOKS - FRAME MOUNTED
551-002	HUCK-SPIN ROUND COLLAR CHASSIS FASTENERS
44Z-002	EXTERIOR HARNESSES WRAPPED IN ABRASION TAPE
Fuel Tanks	
204-215	50 GALLON/189 LITER SHORT RECTANGULAR ALUMINUM FUEL TANK - LH
218-005	RECTANGULAR FUEL TANK(S)
215-005	PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS
212-011	FUEL TANK(S) FORWARD - RAISED MOUNTING
664-001	PLAIN STEP FINISH
205-001	FUEL TANK CAP(S)
122-1H7	DAVCO 245 FUEL/WATER SEPARATOR WITH WATER IN FUEL SENSOR
216-020	EQUIFLO INBOARD FUEL SYSTEM
202-016	HIGH TEMPERATURE REINFORCED NYLON FUEL LINE
Tires	

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	Data Code	Description
	093-1RJ	MICHELIN X WORKS Z 315/80R22.5 20 PLY RADIAL FRONT TIRES
	094-1UY	MICHELIN X MULTI D 11R22.5 16 PLY RADIAL REAR TIRES
	510-1RJ	MICHELIN X WORKS Z 315/80R22.5 20 PLY RADIAL SPARE TIRE
Hubs		
	418-060	CONMET PRESET PLUS PREMIUM IRON FRONT HUBS
	450-060	CONMET PRESET PLUS PREMIUM IRON REAR HUBS
Wheels		
	502-579	MAXION WHEELS 10041 22.5X9.00 10-HUB PILOT 5.25 INSET 5-HAND STEEL DISC FRONT WHEELS
	505-545	MAXION WHEELS 90260 22.5X8.25 10-HUB PILOT 2-HAND HD STEEL DISC REAR WHEELS
*	511-579	MAXION WHEELS 10041 22.5X9.00 10-HUB PILOT 5-HAND STEEL DISC SPARE WHEEL
	496-011	FRONT WHEEL MOUNTING NUTS
	497-011	REAR WHEEL MOUNTING NUTS
Cab Exterior		
	829-1A5	108 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
	650-008	AIR CAB MOUNTING
	648-002	NONREMOVABLE BUGSCREEN MOUNTED BEHIND GRILLE
	667-037	SHORT FENDER WITH MUDFLAP
	754-017	BOLT-ON MOLDED FLEXIBLE FENDER EXTENSIONS
	678-001	LH AND RH GRAB HANDLES
	646-041	STATIONARY BLACK GRILLE
	65X-004	BLACK HOOD MOUNTED AIR INTAKE GRILLE
	644-004	FIBERGLASS HOOD
	727-066	DUAL 26 INCH RECTANGULAR POLISHED ALUMINUM AIR HORNS ROOF MOUNTED
	726-001	SINGLE ELECTRIC HORN
	728-002	DUAL HORN SHIELDS
	575-001	REAR LICENSE PLATE MOUNT END OF FRAME
	312-068	HALOGEN COMPOSITE HEADLAMPS WITH BLACK BEZELS

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*	302-055	SMALL AERODYNAMIC MARKER LIGHTS WITH OUTER (2) WIRED TO BATTERY DISCONNECT SWITCH
		NEED 302-074
	314-824	WIRING AND SWITCH FOR CUSTOMER FURNISHED SNOW PLOW LAMPS WITH DUAL CONNECTIONS AT BUMPER
	311-001	DAYTIME RUNNING LIGHTS
	294-1AY	INTEGRAL LED STOP/TAIL/BACKUP LIGHTS
	300-015	STANDARD FRONT TURN SIGNAL LAMPS
	744-1BC	DUAL WEST COAST BRIGHT FINISH HEATED MIRRORS WITH LH AND RH REMOTE
	797-001	DOOR MOUNTED MIRRORS
	796-001	102 INCH EQUIPMENT WIDTH
	743-204	LH AND RH 8 INCH BRIGHT FINISH CONVEX MIRRORS MOUNTED UNDER PRIMARY MIRRORS
	729-001	STANDARD SIDE/REAR REFLECTORS
	677-062	FIXED CAB MOUNTED STEPS LH AND RH FOR CAB ENTRY, BELLY PLOW BODY WITH HIGH GROUND CLEARANCE DOES NOT COMPLY FMCSR 399
	768-043	63X14 INCH TINTED REAR WINDOW
	661-004	TINTED DOOR GLASS LH AND RH WITH TINTED OPERATING WING WINDOWS
	654-011	RH AND LH ELECTRIC POWERED WINDOWS
N	663-029	1-PIECE BONDED HEATED WIPER PARK SOLAR GREEN GLASS WINDSHIELD
	659-019	2 GALLON WINDSHIELD WASHER RESERVOIR WITHOUT FLUID LEVEL INDICATOR, FRAME MOUNTED
Cab Interior		
	055-018	ELITE TRIM PACKAGE
	707-106	MIST CLOTH & CARBON VINYL INTERIOR "ELITE"
	70K-019	CARBON WITH PREMIUM WOOD ACCENT (ELITE)
	706-013	MOLDED PLASTIC DOOR PANEL
	708-013	MOLDED PLASTIC DOOR PANEL
	772-006	BLACK MATS WITH SINGLE INSULATION
	785-026	(1)DASH MOUNTED 12V POWER OUTLET (1)DASH MOUNTED DUAL 2.1 AMP USB-C CHARGER

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691-001	FORWARD ROOF MOUNTED CONSOLE
696-012	CENTER STORAGE CONSOLE MOUNTED ON BACKWALL
693-035	LH AND RH KICKPLATES
738-021	DIGITAL ALARM CLOCK IN DRIVER DISPLAY
742-007	(2) CUP HOLDERS LH AND RH DASH
680-029	M2/SD DASH
700-002	HEATER, DEFROSTER AND AIR CONDITIONER
701-001	STANDARD HVAC DUCTING
703-005	MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH
170-015	STANDARD HEATER PLUMBING
130-041	VALEO HEAVY DUTY A/C REFRIGERANT COMPRESSOR
702-002	BINARY CONTROL, R-134A
739-034	PREMIUM INSULATION
285-013	SOLID-STATE CIRCUIT PROTECTION AND FUSES
280-007	12V NEGATIVE GROUND ELECTRICAL SYSTEM
324-1B3	STANDARD LED CAB LIGHTING
657-001	DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME
78G-004	KEY QUANTITY OF 4
655-005	LH AND RH ELECTRIC DOOR LOCKS
722-002	TRIANGULAR REFLECTORS WITHOUT FLARES
756-339	PREMIUM ISRINGHAUSEN HIGH BACK AIR SUSPENSION DRIVERS SEAT WITH 2 AIR LUMBAR, INTEGRATED CUSHION EXTENSION, TILT AND ADJUSTABLE SHOCK
760-335	BASIC ISRI HIGH BACK NON SUSPENSION PASSENGER SEAT
759-007	DUAL DRIVER SEAT ARMRESTS, NO PASSENGER SEAT ARMRESTS
711-004	LH AND RH INTEGRAL DOOR PANEL ARMRESTS
758-014	BLACK CORDURA PLUS CLOTH DRIVER SEAT COVER
761-014	BLACK CORDURA PLUS CLOTH PASSENGER SEAT COVER
763-104	HIGH VISIBILITY ORANGE SEAT BELTS WITH DRIVER INDICATOR LIGHT AND AUDIBLE ALARM

	Data Code	Description
	532-002	ADJUSTABLE TILT AND TELESCOPING STEERING COLUMN
	540-070	4-SPOKE 18 INCH (450MM) LEATHER WRAPPED STEERING WHEEL WITH CHROME SWITCH BEZELS
	765-002	DRIVER AND PASSENGER INTERIOR SUN VISORS

Instruments & Controls

	81B-003	DIGITAL PANEL LAMP DIMMER SWITCH IN DRIVER DISPLAY
*	4CH-002	2 EXTRA PROGRAMMABLE SWITCHES/INDICATORS
		$C1F0213ZZ,C1G0230ZZ
	106-002	ELECTRONIC ACCELERATOR CONTROL
	732-998	NO INSTRUMENT PANEL-DRIVER
	734-022	FULLY CONFIGURABLE CENTER INSTRUMENT PANELS
	87L-001	ENGINE REMOTE INTERFACE WITH PARK BRAKE INTERLOCK
	870-002	BRIGHT ARGENT FINISH GAUGE BEZELS
	486-001	LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM
	840-001	DUAL NEEDLE PRIMARY AND SECONDARY AIR PRESSURE GAUGE
	198-003	DASH MOUNTED AIR RESTRICTION INDICATOR WITH GRADUATIONS
	149-015	ELECTRONIC CRUISE CONTROL WITH CONTROLS ON STEERING WHEEL SPOKES
	156-007	KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY
	811-044	PREMIUM INSTRUMENT CLUSTER WITH 5.0 INCH TFT COLOR DISPLAY
	160-038	HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH
	844-001	2 INCH ELECTRIC FUEL GAUGE
	148-074	ENGINE REMOTE INTERFACE NOT CONFIGURED
	48H-001	QUICKFIT POWERTRAIN INTERFACE CONNECTOR LOCATED BETWEEN SEATS WITH CAPS
*	4CG-004	4 EXTRA PROGRAMMABLE SWITCHES/INDICATORS

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	Data Code	Description
		$C1B0208ZZ,C1C0209ZZ,C1D0200ZZ,C1E0205ZZ
	48C-007	QUICKFIT PROGRAMMABLE INTERFACE CONNECTOR 1 UNDER CAB, CONNECTOR 2 BETWEEN SEATS, BOTH W/CAPS
	856-001	ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE
	864-001	2 INCH TRANSMISSION OIL TEMPERATURE GAUGE
	867-004	ELECTRONIC OUTSIDE TEMPERATURE SENSOR DISPLAY IN DRIVER MESSAGE CENTER
	830-017	ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY
	372-123	PTO CONTROLS FOR ENHANCED VEHICLE ELECTRIC/ELECTRONIC ARCHITECTURE
	852-002	ELECTRIC ENGINE OIL PRESSURE GAUGE
	679-023	CENTER OVERHEAD INSTRUMENT PANEL BLANK
	35M-012	QUICKFIT PROGRAMMABLE INTERFACE MODULE + (8) 20 AMP FUSED RELAYS
	746-137	AM/FM/WB WORLD TUNER RADIO WITH BLUETOOTH, USB AND AUXILIARY INPUTS, J1939
	747-001	DASH MOUNTED RADIO
	750-002	(2) RADIO SPEAKERS IN CAB
	753-001	AM/FM ANTENNA MOUNTED ON FORWARD LH ROOF
	748-006	POWER AND GROUND WIRING PROVISION OVERHEAD
N	749-001	ROOF/OVERHEAD CONSOLE CB RADIO PROVISION
	74D-006	STANDARD RADIO WIRING WITH STEERING WHEEL CONTROLS
	810-027	ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER
	817-001	STANDARD VEHICLE SPEED SENSOR
	812-001	ELECTRONIC 3000 RPM TACHOMETER
	813-1C8	DETROIT CONNECT PLATFORM HARDWARE
	8D1-303	3 YEARS DAIMLER CONNECTIVITY BASE PACKAGE (FEATURES VARY BY MODEL) POWERED BY DETROIT CONNECT
	6TS-005	TMC RP1226 ACCESSORY CONNECTOR LOCATED BEHIND PASSENGER SIDE REMOVEABLE DASH PANEL

Prepared for:
Gary
Garrison
LIVONIA, CITY OF
33000 Civic Center Dr
Livonia, MI 48154
Phone: 734-466-2641

Prepared by:
Steven Sexton
WOLVERINE FREIGHTLINER
EASTSIDE INC
107 SOUTH GROESBECK
HIGHWAY
MOUNT CLEMENS, MI 48043
Phone:

Data Code	Description
162-002	IGNITION SWITCH CONTROLLED ENGINE STOP
329-121	FOUR EXTRA HARDWIRED SWITCHES IN DASH, INPUT POWER, NO OUTPUT WIRING
4C1-026	HARDWIRE SWITCH #1, ON/OFF LATCHING, 10 AMPS BATTERY POWER
4C2-026	HARDWIRE SWITCH #2, ON/OFF LATCHING, 10 AMPS BATTERY POWER
4C3-017	HARDWIRE SWITCH #3,ON/OFF LATCHING, 10 AMPS BATTERY POWER
4C4-017	HARDWIRE SWITCH #4,ON/OFF LATCHING, 10 AMPS BATTERY POWER
4E1-001	4 SWITCH SLOTS, DRIVER OVERHEAD CONSOLE
81Y-005	PRE-TRIP INSPECTION FEATURE FOR EXTERIOR LAMPS ONLY
264-030	(1) OVERHEAD MOUNTED LANYARD CONTROL FOR DRIVER AIR HORN
836-015	DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY
660-008	SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY
304-030	ROTARY HEADLAMP SWITCH, MARKER LIGHTS/HEADLIGHTS SWITCH WITH PULL OUT FOR OPTIONAL FOG/ROAD LAMPS
882-009	ONE VALVE PARKING BRAKE SYSTEM WITH WARNING INDICATOR
299-020	SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, HEADLAMP FLASH, WASH/WIPE/INTERMITTENT
298-046	INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH 40 AMP (20 AMP PER SIDE) TRAILER LAMP CAPACITY
Design	
065-000	PAINT: ONE SOLID COLOR
Color	
980-5F6	CAB COLOR A: L0006EY WHITE ELITE EY
986-020	BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT
962-972	POWDER WHITE (N0006EA) FRONT WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)
966-972	POWDER WHITE (N0006EA) REAR WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)
96F-972	POWDER WHITE (N0006EA) SPARE WHEEL/RIM (PKWHT21, TKWHT21, W, TW)

Prepared for:
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EASTSIDE INC
107 SOUTH GROESBECK
HIGHWAY
MOUNT CLEMENS, MI 48043
Phone:

Data Code	Description
963-003	STANDARD E COAT/UNDERCOATING

Certification / Compliance

996-001	U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS

Secondary Factory Options

999-063	DEALER ADVISED/ACCEPTS ESC ON END OF FRAME TOWING FOR TRACTOR FOR YARD HAUL USE

Sales Programs

NO SALES PROGRAMS HAVE BEEN SELECTED

Extended Warranty

WAI-47H	CUM 2017 L9: HD1 MD DTY 5 YEARS / 100,000 MILES / 161,000 KM EXTENDED WARRANTY. FEX APPLIES
WAX-101	CUM 2017 L9: AT3 MD DTY 5 YEARS / 100,000 MILES / 161,000 KM AFTERTREATMENT. FEX APPLIES
WAD-079	COOLING: MD MODERATE 5 YEAR/100,000 MIL3ES/161,000 KM EXTENDED COVERAGE
WAK-252	ALLISON 3500 RDS SERIES TRANSMISSION EXTEND WARRANTY, 5 YEARS/UNLIMITED MILES FEX
WAG-075	TOWING: 2 YEARS/UNLIMITED MILES/KM EXTENDED TOWING COVERAGE $750 CAP FEX APPLIES

(***) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.

Prepared for:
Gary
Garrison
LIVONIA, CITY OF
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Livonia, MI 48154
Phone: 734-466-2641

Prepared by:
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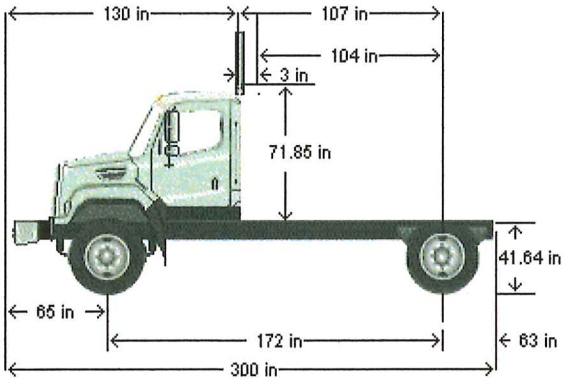
MOUNT CLEMENS, MI 48043
Phone:

DIMENSIONS



VEHICLE SPECIFICATIONS SUMMARY - DIMENSIONS

Wheelbase (545) ..... 4375MM (172 INCH) WHEELBASE
Rear Frame Overhang (552) ..... 1600MM (63 INCH) REAR FRAME OVERHANG
Fifth Wheel (578) ..... NO FIFTH WHEEL
- Mounting Location (577) ..... NO FIFTH WHEEL LOCATION
- Maximum Forward Position (in) 0
- Maximum Rearward Position (in) 0
- Amount of Slide Travel (in) 0
- Slide Increment (in) 0
- Desired Slide Position (in) 0.0

Cab Size (829) ..... 108 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
Sleeper (682) ..... NO SLEEPER BOX/SLEEPERCAB
Exhaust System (016) ..... RAISED RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE

Prepared for:
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Garrison
LIVONIA, CITY OF
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Livonia, MI 48154
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107 SOUTH GROESBECK
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MOUNT CLEMENS, MI 48043
Phone:

TABLE SUMMARY - DIMENSIONS

Dimensions	Inches
Bumper to Back of Cab (BBC)	130.1
Bumper to Centerline of Front Axle (BA)	64.6
Front Axle to Back of Cab (AC)	65.6
Min. Cab to Body Clearance (CB)	3.0
Back of Cab to Centerline of Rear Axle(s) (CA)	106.7
Effective Back of Cab to Centerline of Rear Axle(s) (Effective CA)	103.7
Back of Cab Protrusions (Exhaust/Intake) (CP)	2.0
Back of Cab Protrusions (Side Extenders/Trim Tab) (CP)	0.0
Back of Cab Protrusions (CNG Tank)	0.0
Back of Cab Clearance (CL)	3.0
Back of Cab to End of Frame	169.7
Cab Height (CH)	71.9
Wheelbase (WB)	172.2
Frame Overhang (OH)	63.0
Overall Frame Length	300.4
Overall Length (OAL)	299.8
Rear Axle Spacing	0.0
Unladen Frame Height at Centerline of Rear Axle	41.6

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.

LAW AND EDUCATION COMMITTEE MEETING
WEDNESDAY, MAY 17, 2023

A Law and Education Committee meeting was held on Wednesday, May 17, 2023, in the City □all Council Chambers.

Committee Members Present: Scott Morgan, Chair
Brandon McCullough, □ice Chair

Committee Members Absent: Laura Toy, Member

City Officials and Others Present: Kathleen E. McIntyre, Councilmember
Rob Donovic, Councilmember
Susan M. Nash, City Clerk
Lynda Scheel, City Treasurer □erome □anna, Inspection Director Leo Neville, Assistant City Attorney

Additional Attendees: See attached.

1. **CR 177-05** Subject matter to amend the Livonia Code of Ordinances to add a “dog leash law” to ensure that dogs are under the control of their owners and to prevent possible tragedies.

The meeting convened at 7:00PM and was led by Committee Chair, Scott Morgan.

A brief discussion was held regarding unleashed dogs.

Councilmember Morgan requested this item be removed from the Committee as the subject matter is already an established leash ordinance.

The Committee recommends:

A resolution to take No Further Action on this item to remove it from committee.

Note: This item will be removed from the Committee.

This item is to be placed on the **Regular Meeting Agenda of June 5, 2023**

2. CR 294-14 The subject of the regulation of veterinary hospitals, for its report and recommendations.

A statement was made by the Committee Chair, Scott Morgan, indicating this subject matter was never discussed in Committee and would like to permanently remove this item.

The Committee recommends:

A resolution to take No Further Action on this item to remove it from committee.

Note: This item will be removed from the Committee.

This item is to be placed on the **Regular Meeting Agenda of June 5, 2023**

3. CR 317-15 The subject of Sign Permit Application, Petition 2015-08-SN-04, submitted by Huron Sign Company, on behalf of the Livonia Family YMCA, requesting approval for a replacement ground sign with variable electronic message board at 14255 Stark Road.

A statement was made by the Committee Chair, Scott Morgan, that he would like to remove this item from the Committee.

The Committee recommends:

A resolution to take No Further Action on this item to remove it from committee.

Note: This item will be removed from the Committee.

This item is to be placed on the **Regular Meeting Agenda of June 5, 2023**

4. CR 110-23 Subject matter of the demolition of blighted residential and commercial properties.

A brief discussion was led regarding commercial blight by Councilmember Rob Donovic, giving examples of how blighted buildings are handled in other communities, providing their ordinance pertaining to this subject matter.

Questions were raised to the Law Department and Inspection on how the City is able to handle abandoned buildings and what can be done moving forward, along with any financial benefit to the City with the sale of vacant property once a building is removed.

Comments were made by residents regarding situations pertaining to various vacant properties in the City.

Inspection Director, Jerome Hanna, explained the City's various processes to handle buildings in need of repair or demolition.

City Treasurer, Lynda Scheel, explained Wayne County's processes regarding fees added to the blighted property taxes and the reason behind the length of time it takes to address those properties.

Councilmember Brandon McCullough asked about increased staffing for Inspection to more frequently address problematic properties for preventative measures and generate revenue for the City by issuing fees to those properties.

Councilmember Rob Donovic asked for this item to remain in Committee for further discussion.

The Committee recommends:

- The Inspection and Law Departments to discuss and prepare an ordinance to better handle vacant structures similar to the City of Westland.

- The Inspection Department to consider a request to increase staffing to allow more investigations of blighted properties.

The meeting adjourned at 8:03pm.

Note: This item will remain in the Committee.

This item is to be placed on the **Regular Meeting Agenda of June 5, 2023**

Respectfully submitted,

Scott Morgan, Chair

MEETING: LAW AND EDUCATION COMMITTEE

DATE: WEDNESDAY, MAY 17, 2023

TIME: 7:00 PM

NAME	DEPT OR CONTACT INFO FOR NOTIFICATIONS* *PERTAINING TO THE SUBJECT MATTER OF THIS MEETING
Lynda L. Schul	City Treasurer
Currie Budzenski	currie.mbudzinski@gmail.com
Jerome Hanna	City Inspection
Arlo Christiansen	charlieboy323@yahoo.com
Cindy Fleming	cindy.phleming@gmail.com
Susan Nord	Clerk
John Stimac	johnrstimac@yahoo.com
Susan Kanai	SusanKanai@yahoo.com

LETTER TO THE LIVONIA CITY COUNCIL

1.

Council Office
April 27, 2023

MEETING DATE	PREPARED BY
	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

Subject matter to amend the Livonia Code of Ordinances to add a “dog leash law” to ensure that dogs are under the control of their owners and to prevent possible tragedies. (CR 177-05)

BACKGROUND DETAILS

At the Regular Meeting of April 27, 2005:
CR 177-05 RESOLVED, that having considered a letter from Sarah T. Burns, 18288 Norwich, Livonia, Michigan 48152, dated April 8, 2005, requesting to amend the Livonia Code of Ordinances to add a “dog leash law” to insure that dogs are under the control of their owners and to prevent possible tragedies, the Council does hereby refer this item to the Legislative Committee for its report and recommendation. (Now called Law and Education Committee)

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss the subject matter as presented.

ATTACHMENTS

1. S041805 Dog Leash Law (Sarah Burns, Liv Code of Ords 6.04 and 12.20.110) CR 177-05

APPROVED BY

Kovalcheck, Annette

From: Szymula, Karen
Sent: Thursday, November 01, 2007 2:05 PM
To: Toni Kovalcheck (AKovalcheck@ci.livonia.mi.us)
Subject: FW: animal problems...

Please file in the dog leash packet.

Thanks

Karen A. Szymula
Director, Legislative Affairs
City Council Office
Livonia, MI 48154
734-466-2249
www.ci.livonia.mi.us

From: Cook, Karen **On Behalf Of** Mayor Jack Engebretson
Sent: Friday, October 26, 2007 10:52 AM
To: Engebretson, Jack
Cc: Mayor Staff; CityCouncil
Subject: FW: animal problems...

Forwarding - kc

From: Gene Scott [mailto:genocam@htdconnect.com]
Sent: Friday, October 26, 2007 10:36 AM
To: Mayor Jack Engebretson
Subject: animal problems...

Dear Mayor Jack,
We hope you plan to make good on your promise in July to have an educational article in the City News about animal control and pets, especially since the Council (for reasons yet unexplained) has again voted down a proposed addition to that ordinance. It is incredible that this Council does not see the logic or humanity involved in a better animal control law, despite the fact this was supported at least 8 to 1 by citizens at the hearing and the fact that the majority of metro area cities have a leash requirement as part of their ordinances. as we said at the hearing, we live in peril in our neighborhood every day because of this problem. it is uncivil and unjust.
Hope your neck has gotten better.
Eugene & Barbara Scott
Livonia residents, 16 years.

AUG 13 2007

DOGS and ORDS (Liv Code of)
In connection with a request from Sarah Burns, 18288 Norwich to amend the Liv. Code of Ords. so as to add a "dog leash law," **Council referred the subject of the feasibility of dog parks and/or dog runs to the Administration for its report and recommendation.**

A communication from SEMCOG, dated May 2, 2005, containing numerous ordinances from various cities and townships on the subject of updating Livonia's leash ordinance, was received and placed on file for the information of the Council. (CR 177-05)

A communication from Gordon Vanzo, 12066 Boston Post Road, dated August 2, 2007, re: request to add a "dog leash law" to the Livonia Code of Ordinances, was received and placed on file for the information of the Council. (CR 177-05)

A communication from Rosalie Giss, 33211 Fargo, dated July 26, 2007, re: request to add a "dog leash law" to the Livonia Code of Ordinances, was received and placed on file for the information of the Council. (CR 177-05)

A communication from Carol Chronicle, 30295 Seven Mile Road, dated July 18, 2007, re: request to add a "dog leash law" to the Livonia Code of Ordinances, was received and placed on file for the information of the Council. (CR 177-05)

On a motion by Taylor, seconded by Knapp it was:

RESOLVED, that having considered the report and recommendation of the Legislative Committee, dated July 17, 2007, submitted pursuant to Council Resolution 177-05, regarding amending the Livonia Code of Ordinances to add a "dog leash law" to insure that dogs are under the control of their owners and to prevent possible tragedies, the Council does hereby refer this matter to the Department of Law to prepare a proposed amendment to Chapter 6.04 of the Livonia Code of Ordinances for submission to Council which would add a provision that would mirror Section 9.45 of Ann Arbor's Ordinance and adding leash or electric collar as being under reasonable control.

A roll call vote was taken on the foregoing resolution with the following result:

AYES: Laura, Taylor, and Knapp.

NAYS: Robinson, Meakin, Godfroid-Marecki, and McCann.

The President declared the resolution failed due to lack of majority vote.

On a motion by Robinson, seconded by Meakin, and unanimously adopted, it was:

#373-07 RESOLVED, that having considered the report and recommendation of the Legislative Committee, dated July 17, 2007, submitted pursuant to Council Resolution 177-05, regarding amending the Livonia Code of Ordinances to add a "dog leash law" to insure that dogs are under the control of their owners and to prevent possible tragedies, the Council does hereby refer the subject of the feasibility of dog parks and/or dog runs to the Administration for its report and recommendation.

AUG 13 2007

UNFINISHED BUSINESS AGENDA ITEMS (Regular Meeting of August 13, 2007)

Motion by: ***Robinson***
Seconded by: ***Meakin***

ROLL CALL:
Ayes: ***Laura, Robinson, Taylor, Knapp, Meakin, Godfroid-Marecki, and McCann***

Nays: ***None***
Absent: ***None***

LEGISLATIVE COMMITTEE

TUESDAY, JULY 17, 2007

A Legislative Committee meeting was held on Tuesday, July 17, 2007, in the Second Floor Council Chambers of the Livonia City Hall, 33000 Civic Center Drive, Livonia, MI 48154-3097.

Committee Members Present:	Thomas Robinson, Chairman Don Knapp Gerald Taylor
Committee Members Absent:	None
City Officials and Others Present:	Mayor Engebretson Councilmember Godfroid-Marecki Councilmember Laura Councilmember Meakin Chief Ass't City Attorney White City Planner Taormina Community Resources Director McCann Administrative Assistant Goudreau D.P.W. Director Hogan Director of Inspection Bishop Chair CATV, Lowell Peterson See attached sign-in sheets

The meeting convened at 7:00 P.M.

Please note that Item 2 on the Public Notice/Agenda was taken first. However, the report is reflects the numbering on the Public Notice/Agenda.

1. CR 177-05 Sarah T. Burns, 18288 Norwich, Livonia, Michigan 48152, dated April 8, 2005, requesting to amend the Livonia Code of Ordinances to add a "dog leash law" to insure that dogs are under the control of their owners and to prevent possible tragedies.

Discussion was held relative to "under reasonable control", definitions of "reasonable" control; definition and who determines "vicious"; increasing fines, adding a dog park, etc.

The Committee recommends:

- Receive and file the report received from SEMCOG on the request of Councilmember Taylor which contains numerous ordinances from various cities and townships on the subject.

- Adoption of a resolution referring to the Law Department to prepare and ordinance amendment to mirror Ann Arbor's Ordinance – adding section 9.45 to the Livonia Code of Ordinances and adding leash or electric collar.

- Adoption of a resolution requesting a report and recommendation from the Administration relative to the feasibility of a dog park and/or a dog run.

- Adoption of a resolution requesting a report and recommendation from the Administration relative to increasing fines.

- Adoption of a resolution that would increase the minimum fine to $250 for the first violation and $500 for all after. (Ordinance amendment if necessary).

(Note: Item remains in Committee. No new resolution required.)

This item to be placed on the Regular Meeting Agenda of Monday, August 13, 2007.

2. CR 156-07 Subject of dollar stores, banks and drug stores referred for report and recommendation.

The Committee recommends:

- Adoption of a resolution referring to the Law Department for report and recommendation as to how drug stores, dollar stores, paycheck cashing and advance paycheck stores can be controlled.

And/or

- Adoption of a resolution that requests a report and recommendation from the Administration on how to license paycheck advance stores similar to pawn shops.

or

- Adoption of a resolution of "No Further Action."

~~(Note: Adoption of any of those resolutions the item is out of committee.~~)
Leave in committee for training purposes

This item to be placed on the Regular Meeting Agenda of Monday, August 13, 2007.

3. CR 340-06 Refers the subject matter of cable television competition. (Update of AT&T PEG Channels)

Update was provided by Evelyn Goudreau, Administrative Assistant. Met with AT&T in late May. Need to plan a second meeting to discuss and plan options with technology – possibly in September. A demonstration is needed.

(Note: Item remains in Committee. No new resolution required.

This item to be placed on the Regular Meeting Agenda of Monday, August 13, 2007.

The meeting adjourned at 9:22 P.M.

Respectfully submitted,

Thomas Robinson, Chairman Don Knapp Gerald Taylor

CC: Mayor
City Clerk
City Attorney
Attachments – Sign-in Sheets

PLEASE RECORD YOUR ATTENDANCE AT THIS MEETING

BY PRINTING YOUR NAME BELOW

MEETING: LEGISLATIVE COMMITTEE

DATE: TUESDAY, JULY 17, 2007

TIME: 7:00 P.M.

DENNIS WARD

Rosanne Martell

NEAL RIFKIN

PATRICK BOSSIO

IDA BOSSIO

Carol Chronicle

Marjorie Dibenedetto

~~Linda Riehl~~ LINDA RIEHL

Valerie Khoury

Sue Smith

PATRICIA WILLEMSEN

PATRICK WILLEMSEN

MAGDALENE HOLLAND

Eugene Scott

Alex Bishop

LINDA MCCANN

PLEASE RECORD YOUR ATTENDANCE AT THIS MEETING

BY **PRINTING** YOUR NAME BELOW

MEETING: LEGISLATIVE COMMITTEE

DATE: TUESDAY, JULY 17, 2007

TIME: 7:00 P.M.

MARK & DONNA JASIN

MIKE HAYES 18798 NORWICH

Jack Engebretson Mayor

PLEASE RECORD YOUR ATTENDANCE AT THIS MEETING

BY **PRINTING** YOUR NAME BELOW

MEETING: LEGISLATIVE COMMITTEE

DATE: TUESDAY, JULY 17, 2007

TIME: 7:00 P.M.

Rosalie Gus

Lowell Peterson

~~7:00~~ Evelyn Goudreau

Toni Kovalcheck

MIKE DIFAZIO

Cathryn White

Sally Thomas

Patrick Hegan

DOGS and ORDS (Liv Code of) (Sarah Burns) Req. to amend Livonia Code of Ordinances to add a "dog leash law". **(Refer to Legislative Committee for report and recommendation.)**

A communication from Dorothy Robbins, 33008 Grennada, received in the Office of the City Clerk on April 25, 2005, re: her support for the adoption of a "dog leash law" in the City of Livonia, was received and placed on file for the information of the Council.

APR 27 2005

A communication from the Inspection Department, received in the Office of the City Clerk on April 20, 2005, re: an Inspection letter previously sent to Council, dated February 21, 1996, relative to banning pets in City Parks, was received and placed on file for the information of the Council.

CR 177-05 RESOLVED, that having considered a letter from Sarah T. Burns, 18288 Norwich, Livonia, Michigan 48152, dated April 8, 2005, requesting to amend the Livonia Code of Ordinances to add a "dog leash law" to insure that dogs are under the control of their owners and to prevent possible tragedies, the Council does hereby refer this item to the Legislative Committee for its report and recommendation.

APR 27 2005

During the audience communication portion of the agenda at the end of the meeting, Theresa Mastela, 32361 Cambridge, inquired about the disposition of the proposed leash law, and was told that it was handled under the Consent Agenda and the matter is being sent to the Legislative Committee for a report and recommendation.

Beverly Whitbeck, 32028 Maine Street, Livonia, 48150, a dog trainer, spoke about the dog leash ordinance.

CONSENT AGENDA ITEMS (Regular Meeting of April 27, 2005)

Motion by: ***Kokenakes***
Seconded by: ***Knapp***

ROLL CALL:
Ayes: ***McCann, Robinson, Knapp, Meakin, Kokenakes and Taylor***

Nays: ***None***
Absent: ***Terry Godfroid-Marecki***

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2005

Meeting was called to order at 8:00 p.m. Present: Brian Meakin, Terry Godfroid-Marecki, James McCann, Don Knapp, Thomas Robinson, Frank Kokenakes and Gerald Taylor. Absent: None.

Elected and appointed officials present: Sean Kavanagh, City Attorney; Mark Taormina, City Planner; Robert Schron, City Engineer; Karen Tesner, Assistant City Clerk; Michael Slater, Director of Finance; Stan Dobis, Cable Commission; Ian Wilshaw, Traffic Commission; Robert Beckley, Director of Public Works; Karen Kapchonick, Superintendent of Parks and Recreation; Richard Cramb, Police Captain; Linda McCann, Director of Community Resources; Robert Biga, Human Resources Director; and Yvonne Lillibridge, Local 192 President.

5. REQUEST TO AMEND THE LIVONIA CODE OF ORDINANCES TO ADD A "DOG LEASH LAW": Sarah T. Burns, re: to insure that dogs are under the control of their owners and to prevent possible tragedies.

Sarah T. Burns, 18288 Norwich, was at the Council meeting to present a request to amend the Livonia Code of Ordinances to add a "Dog Leash Law" to insure that dogs are under the control of their owners. She is concerned that some dogs run loose without supervision and some threaten pedestrians or other pets.

Madge Holland, 31691 Bennett, was also present to express concern about uncontrolled dogs.

Sean Kavanagh, City Attorney, stated that the Ordinance has been reviewed several times over the years and, though residents are not required to have their pets on a leash, they must have them under control.

Kokenakes offered the resolution referring the issue to the Legislative Committee for its report and recommendation for the Consent Agenda.

DIRECTION:	REFERRING TO THE LEGISLATIVE COMMITTEE	CONSENT

Novi Code RECEIVED AT THE APR 18, 2005 STUDY MEETING RE: ITEM #5

xc: City Council, Dept. of Law, Inspection/Ord Enforcement, Animal Control 04/19/05 kat

Sec. 5-1. Definitions.

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

Cat means any feline.

Dangerous animal means any wild mammal, reptile or fowl which is not naturally tame or gentle but is of a wild nature or disposition and which, because of its size, vicious nature or other characteristics could constitute a danger to human life or property. The term "dangerous animal" also means and includes any domestic mammal, reptile or fowl which, because of its size or vicious propensity or other characteristics, could constitute a danger to human life or property.

Dog means any canine.

Lot means a parcel of land occupied or intended to be occupied as a dwelling, together with accessory buildings and yard.

Premises means an area of private property, including grounds, buildings and appurtenances. For purposes of interpretation and enforcement of this chapter, any common areas of condominium property shall not be considered the premises or private property of a person residing in or having an ownership interest in a condominium unit. Common areas include all portions of a condominium project other than the condominium units and those areas appurtenant to condominium units.

Run at large means the presence of a dog at any place except upon the premises of the owner or upon the premises of a person who has given permission. Provided, however, a dog shall not be considered to be running at large if it is on a leash and under the control of a person physically able to control it or in an enclosed vehicle.
(Ord. No. 84-108.02, § 2.01, 4-9-84)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 5-2. Injury to property by dogs or cats; waste products.

(a) No person owning or possessing a dog or cat shall permit such dog or cat to go upon any sidewalk, parkway or private lands or premises without the permission of the owner of such premises and bruise, break, tear up, crush, or injure any lawn, flower bed, plant, shrub, tree, or garden in any manner whatsoever or to defecate thereon.

(b) No person owning or possessing a dog or cat shall cause or permit such dog or cat to be on property, public or private, not owned or possessed by such person unless such person has in his immediate possession an appropriate device for scooping excrement and an appropriate depository for the transmission of excrement to a receptacle located on property owned or possessed by such person. This subsection shall not apply to a person who is visually or physically handicapped.
(Ord. No. 84-108.02, § 3.01, 4-9-84)

Cross reference—Offenses against property generally, § 22-66 et seq.

State law reference—Malicious mischief, MCL 750.377 et seq.

Sec. 5-3. Dogs running at large.

No person owning or possessing a dog shall cause or permit such dog to run at large within the city.
(Ord. No. 84-108.02, § 4.01, 4-9-84)

Sec. 5-4. Noisy dogs and cats.

No person shall knowingly own or possess any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls, in such a manner as to disturb the reasonable peace and quiet of the neighborhood. Such dogs and cats are hereby declared to be a public nuisance.
(Ord. No. 84-108.02, § 5.01, 4-9-84)

Sec. 5-5. Dangerous animals.

(a) No person shall own or posses a dangerous animal within the city.

(b) Subsection (a) of this section shall not apply to:

(1) Animals under the control of a law enforcement or military agency;

(2) Animals which are kept for the protection of property, provided that such animals are restrained by a leash or chain, cage, fence or other adequate means, from con-

tact with the public, or with persons who enter the premises with the actual or implied permission of the owner or occupant;

(3) Animals under display or exhibition to the public, provided that:

a. Such animals are restrained by a leash or chain, cage, fence or other adequate means, from contact with the public;

b. The display or exhibition is for a period of not exceeding ten (10) days; and

c. The display or exhibition is conducted in full compliance with the City of Novi Zoning Ordinance.

(c) Any dangerous animal which is found off the premises of his owner may be seized by any police officer and immediately turned over to the county department of animal control.
(Ord. No. 84-108.02, § 6.01, 4-9-84; Ord. No. 95-108.03, Pt. I, 5-15-95)

Sec. 5-6. Cruelty to animals.

(a) No person shall willfully or maliciously inflict unnecessary or needless cruelty, torture, abuse, or cruelly beat, strike or abuse any animal, or by an act, omission or neglect, cause or inflict any unnecessary or unjustifiable pain, suffering, injury or death to any animal whether such animal belongs to such person or to another, except that reasonable force may be employed to drive away vicious or trespassing animals. Any unwanted animal should be delivered to the Oakland County Humane Society for proper disposal.

(b) No person owning or possessing any animal shall fail, refuse or neglect to provide such animal with food, potable water, shade, or shelter, or cruelly or unnecessarily expose such animal in hot, stormy, cold, or inclement weather, or carry such animal in or upon any vehicle in a cruel or inhumane manner.
(Ord. No. 84-108.02, § 7.01, 4-9-84)

State law reference—Cruelty, MCL 752.21 et seq.

Sec. 5-7. Animal bites.

Anyone having knowledge or reason to believe that any animal in the city has bitten a person shall report within twenty-four (24) hours, so far as is known, the name and address of the owner and circumstances of the animal. Such report concerning bites shall be made to the police department.
(Ord. No. 84-108.02, § 9.01, 4-9-84)

State law references—Dogs attacking or biting persons, MCL 287.286a, 287.288, 287.351; rules for control of rabies and the disposition of nonhuman agents carrying disease, including rabid animals, MCL 333.5111.

Sec. 5-8. Parental liability.

The parent or guardian of any minor claiming ownership of any dog, cat or other animal subject to this chapter, shall be deemed to be the owner of such animal and shall be charged for all penalties and fees imposed under this chapter.
(Ord. No. 84-108.02, § 10.01, 4-9-84)

Sec. 5-9. Reserved.

Editor's note—Ord. No. 03-108.4, Pt. I, adopted March 3, 2003, repealed § 5-9, which pertained to limit on number of dogs and derived from Ord. No. 84-108.02, § 8.01, adopted April 9, 1984.

xc: City Council, Mayor, Dept. of Law, Animal Control - DPS 04/07/05 kat

April 8, 2005

RECEIVED
OFFICE OF THE CITY CLERK
05 APR -8 AM 8:56

Dear Members of Council,

On Friday, April 1, 2005 I walked with my two Granddaughters on my block. The girls are 3 and 4 and I was walking between them holding each by the hand.

Coming towards us was a woman chasing a large dog - as the dog came upon us he grabbed a Teddy Bear out of my Granddaughters hand and ran away with it shaking it. The woman was trying to catch up with the dog but did not succeed meanwhile the dog continued to shake the bear.

Needless to say I was quite upset because she could not control the dog and we could have had a Tragedy - how could I have stopped a bite? I said the dog should be on a leash and she said it didn't like the leash but the dog certainly was not under her control.

I called the Dog Warden and she informed me that Livonia does not have a "Leash Law". I can't believe our City wouldn't have a Leash Law as I see dogs running loose in the area because of the Future Center Woods near Curtis and Norwich behind Stevenson High.

Some people are not taking the responsibility they take on when they decide to have an animal we need a Law. I want to be able to walk in my neighborhood without fear of a loose dog.

I'm writing this letter so that the Council would consider a Law because I feel we have more consideration for dog rights than the safety of children.

Sincerely,

Sarah J. Burns
18288 Norwich
Livonia, Mich. 48152
Tel. 248-474-7342

cc: to Mayor Engelbrecht

Sarah Burns
18288 Norwich
Livonia, MI 48152

THE FOLLOWING SEVERAL PAGES CONTAIN DOG AND ANIMAL ORDINANCES RECEIVED FROM SEMCOG FOR SURROUNDING COMMUNITIES.

5/5/05 CC: COUNCIL, CLERK, MAYOR, LAW, DPW.
REF: CR 177-05 LEGIS. COM. REFERRAL. FROM Council President Taylor/ks

SEMCOG . . . *Local Governments Advancing Southeast Michigan*

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RECEIVED
CITY COUNCIL OFFICE
05 MAY -5 AM 9:59

May 2, 2005

NEW DATA ATTACHED

Mr. Gerald Taylor
Livonia City Council President
36734 Sunnydale
Livonia, MI 48154

Dear Mr. Taylor,

It has recently come to our attention that the city of Livonia was looking into updating their leash ordinance. We hope you find useful the sample ordinances we have enclosed from other communities in Southeast Michigan.

LOGIN (the Local Government Information Network) is a nationwide database of thousands of experiences of local governments. It contains practical, solution-oriented programs and innovations on a variety of topics of interest to local government professionals. It's the best mutual aid possible for a time when local governments need to pool their ideas and innovations as never before. Enclosed please find the LOGIN listing of information entries on your topic. Please note that each entry includes the name, address, and phone number of a person you may contact directly for further details.

The SEMCOG Lazar Ordinance Database* was searched for relevant information on your topics. The results of that search are enclosed.

FIRST SEARCH, a new database that the Library has recently received, was also searched for information on your topic. It gives us access to abstracts from newspapers and journals. Enclosed are printouts on your topic. If you desire the full newspaper or journal articles, your local public library should be able to assist you. The Internet was searched as well, and we have enclosed the results of that search.

Again, I hope this information package is useful to you in addressing the needs of the city of Livonia. If we can be of further assistance in the future, please do not hesitate to call upon us.

Sincerely,

Amanda G. Polanco

Amanda G. Polanco, Librarian
Information Services

* The SEMCOG Ordinance Database was dedicated on September 20, 2002 in memory of Pamela L. Lazar, Librarian and Coordinator of Information Services from 1978-2002.

Joan Flynn Chairperson *Commissioner, Macomb County*
Gregory Pitoniak First Vice Chairperson *Mayor, City of Taylor*
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DOG/ANIMAL ORDINANCES

Ann Arbor
Beverly Hills, Village of
Bloomfield Township
Dearborn
Detroit
Dexter Township
Marysville
Sterling Heights
Troy
Warren

Provided to you Compliments of SEMCOG

ANN ARBOR, MI

Chapter 107 ANIMALS*

***Editor's note:** Ord. No. 4-76, adopted March 29, 1976, amended Ch. 107 in its entirety to read as herein set out.

9:35. Cruelty to animals.
No person shall torture, torment, cruelly beat, cruelly kill or otherwise inflict cruelty upon any animal or bird.
(Ord. No. 63-79, 12-17-79)

9:36. Poisoning animals.
No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird, except rats or mice.

9:37. Birds and birds' nests.
No person shall molest, injure, kill or capture any wild bird, or molest or disturb any occupied wild bird's nest or the contents thereof.

9:38. Domestic animals and fowl.
(1) No person shall keep or house any animals or domestic fowl within the city except dogs, cats, rabbits, canaries or small animals commonly classified as pets which are customarily kept or housed inside dwellings as household pets.
(2) Subsection (1) shall not apply to animals or fowl that are kept or housed at city park facilities for exhibition.
(Ord. No. 29-85, 8-5-85; Ord. No. 16-88, § 1, 4-18-88)

9:39. Bees.
No person shall keep or possess an apiary containing more than 2 stands or hives of bees within the City of Ann Arbor.

9:40. Traps.
No person shall use a leghold trap within the city.

9:41. Injured animals.
No person who has injured or killed a dog or cat with a motor vehicle shall fail to, as soon as possible, stop said vehicle and notify either the police or the owner of the animal.
9:42--9:44. Reserved.

9:45. Definitions.

For the purpose of this chapter, the following terms shall have the following meanings respectively designated for each:

(1) *Animal control officer.* Any city police officer or such other persons as the administrator may designate provided that such persons meet the qualifications specified by Act 339, Public Acts of 1919, as amended.

(2) *Dangerous animal.* An animal which has bitten a person so as to draw blood or caused a person broken bones or which has repeatedly attacked, chased or menaced any person or damaged the property (including animals) of persons other than the owner. An animal shall not be considered dangerous solely because it has bitten or attacked a person or any animal attacking its owner or its owner's family nor shall an animal be considered dangerous if it bites or injures a person who has, without justification, provoked it by attacking it or its young.

(3) *Noise nuisance.* Barking, howling, meowing, squawking or making other sounds, frequently or for a continued duration, which annoys, endangers, injures or disturbs a person of normal sensitivities on premises other than that occupied by the owner of the animal.

(4) *Sanitation nuisance.* Unsanitary conditions resulting from animal droppings, food waste, debris, or any other thing to cause vermin infestation, odors, or disease hazards.

(5) *Own.* To have possession or a right of property in an animal or to permit a dog or cat to remain on or about one's premises 5 days or more.

(6) *Under reasonable control.* A dog which is:

(a) Secured by a leash held by the owner or the owner's agent;

(b) Secured by a leash which is attached to a stationary object and attended by the owner or the owner's agent; or

(c) On the premises of the owner or confined in a vehicle.

(7) *Vicious animal.* An animal which:

(a) Has killed a person or caused a person serious bodily injury, including, but not limited to, injuries resulting in hospital confinement or reconstructive surgery.

(b) Is owned, possessed, harbored or trained for the purpose of animal fighting.

(c) Repeatedly bites or in any way injures people.

(Ord. No. 59-88, § 1, 12-19-88; Ord. No. 25-93, § 1, 8-16-93)

9:46. Dog licenses.

(1) The city clerk shall issue dog licenses and tags to city residents who:

(a) Make application for such licenses on forms provided by the clerk;

(b) Pay the city a license fee of $12.50 for 2 years; and

(c) Present valid certification of rabies vaccination of the dog to be licensed.

(2) All dog licenses shall expire on June 30 of the second year following issuance of the license.

(3) The city clerk is authorized to establish procedures for issuing licenses through a humane society, veterinarians and by mail and for issuing licenses tags containing the name and address of the dog owner.

(Ord. No. 59-88, § 1, 12-19-88; Ord. No. 25-93, § 1, 8-16-93; Ord. No. 16-03, § 5, 5-19-03; Ord. No. 20-04, § 3, 6-21-04)

9:47. Violations.

The owner of any dog or other animal shall be guilty of a violation of the chapter if:

(1) The dog is at any time not under reasonable control;

(2) The animal causes a noise nuisance;

(3) The animal causes a sanitation nuisance;

(4) The dog is over 6 months old and is not currently licensed or is not wearing a license tag issued pursuant to this chapter;

(5) The dog (except leader dogs for the blind) discharges its feces on property other than that of its owner and the owner does not immediately remove such feces;

(6) The animal is vicious;

(7) The dog is at a location other than as specified in a confinement order issued pursuant to this chapter;

(8) The animal has symptoms of rabies or has bitten or been bitten by another animal showing symptoms of rabies and the owner fails to notify an animal control officer of that fact;

(9) The owner fails to comply with all the terms of a confinement order;

(10) The dog has been impounded and disposed of or sold pursuant to section 9:49(4) and the owner acquires another dog within 1 year of said impoundment;

(11) The owner of a cat older than 6 months fails to have it at all times immunized against rabies;

(12) The owner fails to provide the animal with proper food, drink or shelter from the weather;

(13) The owner fails to provide the animal with medical attention necessary to prevent the animal from suffering;

(14) The owner confines or leaves the animal in a vehicle or other enclosure without adequate ventilation to prevent the animal from suffering;

(15) A dangerous dog, when kept out of doors, is not in a pen or kennel sufficient to restrain the dog and surrounded by a perimeter fence not sharing common fencing with the pen or kennel;

(16) The animal, other than a dog, is dangerous and is not kept indoors;

(17) The person is convicted of owning a vicious dog and then acquires another dog within 2 years of the date of the conviction.

(Ord. No. 63-79, 12-17-79; Ord. No. 59-88, § 2, 12-19-88; Ord. No. 25-93, § 2, 8-16-93)

9:48. Authority of animal control officer.

An animal control officer shall have authority to:

(1) Impound any dog not under reasonable control;

(2) Impound any dog which has bitten a person;

(3) Impound any dangerous animal;

(4) Humanely kill any domestic or wild animal when such action is needed to protect persons or property or to prevent suffering by the animal;

(5) Impound any unlicensed dog;

(6) Impound any animal causing a noise nuisance;

(7) Impound any animal causing a sanitation nuisance;

(8) Impound any animal showing symptoms of rabies or which has bitten or been bitten by another animal showing symptoms of rabies.
(Ord. No. 25-93, § 3, 8-16-93)

9:49. Impounding and release procedures.
(1) Animals impounded pursuant to this chapter shall be confined at a city pound or at such animal shelter or veterinary hospitals which arrange with the city to perform confinement and release procedures established by this chapter.
Council by resolution shall designate an agency which shall provide impounded animals with a safe and sanitary environment and also which shall provide adequate water and wholesome food during the period of impoundment.
(2) Animals impounded for biting a person or because they are suspected of having rabies shall be confined for 10 days to determine whether or not they have rabies.
(3) Animals impounded pursuant to this chapter may be released to the owners, after any required confinement period, upon the following conditions:
(a) Payment to the city of a fee of $65.00 or as established by Council resolution.
(b) Payment of a boarding fee of $4.00 on the first day or fractional day and $3.00 for each subsequent day or fractional day or such other fees as council may establish by resolution;
(c) Presentation of proof that the animal has been inoculated and licensed if such is required by this chapter.
(4) If the owner of an animal does not obtain its release within 4 days of the time it was impounded or of the end of a rabies confinement, it may be disposed of or sold. If such animal has a license or other indication of the name and address of the owner, the disposal or sale may occur only after 7 days from the time the owner is notified of the impoundment.
(Ord. No. 70-80, 11-3-80; Ord. No. 17-02, § 1, 5-20-02)
Editor's note: It should be noted that the provisions of Ord. No. 17-02 become effective July 1, 2002.

9:50. Alternative confinement.
(1) Where this chapter provides that an animal be impounded and confined for rabies examination, an animal control officer may issue a confinement order on the following terms:
(a) The owner shall securely confine the animal for 10 days at the owner's premises or at a veterinary hospital as specified in the order;
(b) If confined at the owner's premises, the animal shall be kept within the dwelling, or, when outside, be securely chained of a length to keep the animal at least 5 feet away from any street, sidewalk or property line;
(c) The owner shall pay the city a $30.00 inspection fee or an amount as established by Council resolution;
(d) If the animal dies, its remains shall be examined by a veterinarian and the report of said examination presented to the animal control officer.
(2) Such an order for alternative confinement may be issued on the sole discretion of the animal control officer upon finding that:
(a) The owner is willing to comply with the terms of the order;

(b) The owner has the means to comply with the order;
(c) The public will not be endangered by such alternative confinement;
(d) The animal is not vicious;
(e) The animal has not previously been the subject of an order for alternative confinement.
(Ord. No. 59-88, § 3, 12-19-88; Ord. No. 18-02, § 1, 5-20-02)
Editor's note: It should be noted that the provisions of Ord. No. 18-02 become effective July 1, 2002.

9:51. Interference with animal control officer.
No person shall willfully interfere with an animal control officer who is attempting to perform the functions specified by this chapter.

9:52. Penalty.
Violation of this chapter shall be punished by a fine of not less than $25.00 nor more than $500.00. For the second and subsequent violations of this chapter within a 2-year period, the fine shall not be less than $50.00 nor more than $500.00. In addition, violation of section 9:35 and subsection 9:47(6) may be punished by imprisonment for up to 90 days. However, violation of 9:47(1), (2), (3), (4) and (5) shall be punishable by only a civil fine of not less than $25.00 nor more than $500.00 for a first offense and for a second offense not less than $50.00 nor more than $500.00.
(Ord. No. 70-80, 11-3-80; Ord. No. 59-88, § 4, 12-19-88; Ord. No. 60-92, § 1, 9-8-92; Ord. No. 25-93, § 4, 8-16-93)

9:53. Permit.
Sections 9:36 and 9:37 shall not apply to actions taken pursuant to a permit issued by the city administrator for the control or eradication of animals or birds that are causing property damage or are creating a nuisance or health hazard. No such permit shall be issued unless a permit for the actions has been issued by the Michigan Department of Natural Resources under the authority of 1929 PA 286, being MCLA 311.1 et seq.
(Ord. No. 5-81, 2-2-81)
9:54--9:60. Reserved.

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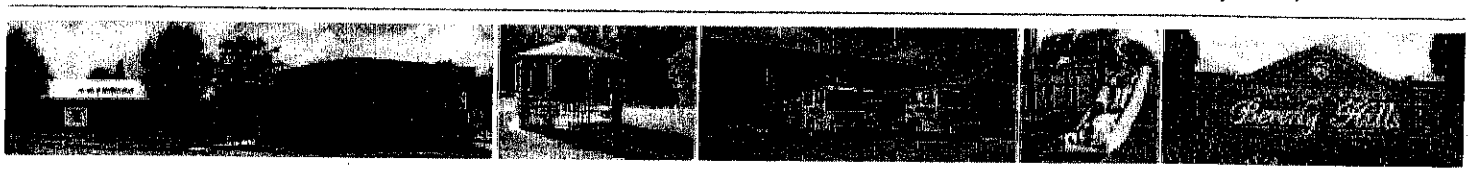

Phone Numbers

Village Office	646-6404
Fire	540-3400
Police	540-3400
Emergency	911

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Chapter 14 - Dogs and Other Animals

14.01 DEFINITIONS
14.02 DUTY TO KEEP DOG UNDER REASONABLE CONTROL
14.03 BARKING DOG
14.04 VICIOUS DOG
14.05 LOCATION AND HOUSING
14.06 FECAL MATTER
14.07 TREATMENT OF ANIMALS
14.08 CRUELTY
14.09 DEAD ANIMALS
14.10 LICENSE REQUIRED
14.11 LICENSING PROCEDURE
14.12 VIOLATION TICKET
14.13 FEES
14.14 TERM OF LICENSE
14.15 APPLICATION FOR KENNEL LICENSE
14.16 RESPONSIBILITY FOR DAMAGES
14.17 DOG POUND
14.18 IMPOUNDING OF DOGS
14.19 RELEASE OF DOGS
14.20 UNCLAIMED DOGS
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14.22 DOG BITTEN BY ANOTHER DOG
14.23 QUARANTINE
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14.25 CATS
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14.28 VIOLATION NOTICES
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14.30 PENALTIES
14.31 SEVERANCE CLAUSE

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14.01. DEFINITIONS

The following terms when used in this Ordinance shall have the meanings set forth in this Section:

(A) "Dog" shall mean any dog, whether male, female, or unsexed.

(B) The word "owner" shall include every person having a right or property in a dog, and every person who keeps or harbors a dog or cares for it, and every person who permits a dog to remain in or about their premises occupied or owned by such person, for a period of five days or more.

(C) For the purposes of this Ordinance, a dog shall be deemed to be under "reasonable control" when said dog is held securely by a leash of suitable strength and length, by the owner, possessor, harborer hereof or any other responsible person of suitable age and strength, in an enclosed vehicle or container or on the owner's occupied property.

(D) The words "Animal Control Officer" when used herein shall include the person or persons employed by the Township of Southfield for the purpose of enforcement and administration of the provisions of this Ordinance.

(E) For purposes of this Ordinance "Township of Southfield" includes the unincorporated areas of Southfield Township and the incorporated areas of Villages of Beverly Hills, Franklin, and Bingham Farms.

(F) "Adequate Care" means the provision of sufficient food, water, shelter, sanitary conditions, exercise and veterinary medical attention in order to maintain an animal in a state of good health.

(G) "Sanitary Conditions" means space free from health hazards including excessive animal waste, overcrowding of animals, or other conditions that endanger the animal's health.

(H) "Shelter" means adequate protection from the elements and weather conditions suitable for the age and physical condition of the animal so as to maintain the animal in a state of good health. Shelter for a dog shall include one or more of the following:

(I) The residence of the dog's owner or other individual;

(ii) A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog. The doghouse shall have dry bedding when the outdoor temperature is or is predicted to drop below freezing;

(iii) A structure, including, but not limited to, a garage, barn, or shed that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently insulated and ventilated, contains a doghouse as provided under subparagraph (ii) that is accessible to the dog.

(I) "State of Good Health" means freedom from disease and illness, and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.

(J) "Tethering" means the restraint and confinement of a dog by use of a chain, rope or similar device.

14.02. DUTY TO KEEP DOG UNDER REASONABLE CONTROL

No person owning a dog shall permit or allow the same to leave said person's premises, except when such dog is under reasonable control as defined in this Ordinance. No dog shall be permitted or allowed to run at large.

14.03. BARKING DOG

No persons shall own any dog which by loud or frequent or habitual barking or yelping or howling becomes a nuisance to occupiers of neighboring property.

14.04. VICIOUS DOG

No person shall own a fierce or vicious dog, or a dog that has been bitten by any animal known to have been afflicted with rabies. A dog may be deemed fierce or vicious if the Village of Beverly Hills and the Township of Southfield have received more than one bite report involving the same dog. Any dog found to be vicious or afflicted with rabies shall be destroyed unless otherwise disposed as provided herein.

14.05. LOCATION AND HOUSING

All dog houses shall be in a strategically located place so as to provide adequate shade in the summer months and shall be maintained in a clean and sanitary condition, devoid of rodents, vermin, debris, excrement, and free from objectionable odors. Yards and/or exercise of dog runs shall be kept free of dog droppings, uneaten food and maintained in a sanitary manner so as not to be a nuisance because of odor, or attraction for flies and vermin.

14.06. FECAL MATTER

It shall be unlawful for any person to permit a dog owned, harbored or possessed by that person to deposit fecal matter in any place other than the premises where the dog is harbored and kept, unless such fecal matter is immediately collected and removed to the premises where the dog is harbored or kept.

14.07. TREATMENT OF ANIMALS

An owner, possessor or person having charge or custody of an animal shall not do any of the following:

(A) Fail to provide the animal with adequate care.

(B) Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked or beaten.

(C) Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together, other than an animal being transported for medical care, or a horse whose feet are hobbled to protect the horse during transport or in any other cruel and inhumane manner.

(D) Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage in which livestock may stand and in which all other animals may stand, turn around and lie down during transportation.

(E) Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless premises are temporarily vacated for the protection of human life during a disaster. An animal that is lost by an owner or custodian while traveling, or walking, shall not be regarded as abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal.

(F) Willfully or negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or non-ambulatory to suffer unnecessary neglect, torture or pain.

(G) Tether a dog unless the tether is at least three times the length of the dog as measured from the tip of its nose to the base of its tail and is attached to a harness or non-choke collar designed for tethering.

14.08. CRUELTY

(A) No person shall by use of any pit, pitfall, deadfall, snare, trap, net, baited hook or any similar device, or of any drug, poison, chemical or explosive, injure or kill any bird or fur bearing animal; nor shall any person or persons at any time or in any manner whatever molest, harass, or annoy any bird or fur bearing animal within the limits of the Village of Beverly Hills and Southfield Township.

(B) No person shall willfully, maliciously and without just cause or excuse kill, torture, mutilate, maim, or disfigure an animal or who willfully and maliciously and without just cause or excuse administer poison to an animal, or expose an animal to any poisonous substance, other than a substance that is used for therapeutic veterinary medical purposes, with the intent that the substance be taken or swallowed by the animal.

(C) No person shall intentionally or negligently cause or permit an animal to suffer unnecessary pain.

(D) No person shall molest, injure, kill or capture any wild bird, or disturb the nest of any wild bird, unless otherwise permitted by law.

(E) Every person lawfully keeping any animal shall maintain the premises in which it is kept in a sanitary condition and free of insects, vermin or obnoxious odors and to that end shall in any structure housing a horse:

(1) Construct a 10 inch clay floor.

(2) Keep manure in a container or trailer not less than 175 feet from any dwelling, except that of the owner, and dispose thereof at least once each week.

(3) Treat both the floor and manure accumulation daily with hydrated lime or such other chemical as will prevent odor.

14.09. DEAD ANIMALS

The owner of any dead dog or other animal shall promptly dispose of the remains in such manner as not to cause a nuisance.

14.10. LICENSE REQUIRED

It shall be unlawful for any person to own, possess or harbor any dog four months of age or older in the Village of Beverly Hills and Township of Southfield, unless such dog is licensed as hereinafter provided, or to own, possess, or harbor any dog four months of age or over that does not at all times wear a collar or harness with current Township of Southfield, Michigan, metal license tag attached, as hereinafter provided. Such license tag shall be nontransferable to any other dog.

14.11. LICENSING PROCEDURE

Licenses to own dog shall be issued by the Township Clerk or authorized agent upon application made therefore, together with payment of the license fee provided in this Ordinance.

It shall be the duty of any person owning a dog, on the 1st day of January of any subsequent year thereafter, or on or after any dog becoming four months of age, or forthwith upon becoming a resident of the Village of Beverly Hills and Township of Southfield, or becoming an owner of such dog, to make application to the Township

Clerk, giving the full name and residence of the applicant and presentation of a current certificate of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. The certificate shall state the month and year of expiration for the rabies vaccination, in the veterinarian's opinion. A license shall not be issued if the dog's current rabies vaccination will expire more than 30 days before the date on which the requested license would expire. Such application shall state the breed, sex, age, color and markings of such dog, the owner's name and address, and the name and address of the last previous owner. Upon payment of the license fee, and if all other requirements have been satisfied, the Township Clerk or authorized agent shall issue to each applicant a license to own or harbor a dog for the term commencing at the date of such license and terminating the 31st day of December following. For each license the Township Clerk shall at the time and before issuing the same and for each renewal thereof, collect from each applicant a license fee set by the Village Council and Township Board by resolution, from time to time, for each dog four months of age or over.

14.12. VIOLATION TICKET

When a violation ticket is issued for "failure to obtain a dog license", the owner, possessor or harborer must purchase a current license from the Township Office and show proof of same to the Court Office before violation payment will be accepted.

14.13. FEES

License fees shall be set by resolution of the Village Council and Township Board of Trustees. There shall be a fee for each dog, in case of a dog which has been duly licensed in another county, township, city or village in the State of Michigan, if application is made by the owner of such dog within 30 days after taking up residence in the Village of Beverly Hills and Township of Southfield, and at least 60 days prior to the expiration of his foreign license, the Township Clerk shall collect a fee for each dog. The Township Clerk shall retain and file such foreign license, but shall return it to the owner on demand if at any time the owner returns to his former jurisdiction or for any other cause desires the return of his license and deposits with the Township Clerk his Township of Southfield license in exchange therefor. Any person becoming the owner of any dog after the 1st day of April of any year, shall forthwith apply for and secure a license for such dog, which license shall be issued without penalty, in the event such application be made within 30 days after applicant has acquired such dog or after such dog has reached the age of four months. Any owner of a dog failing to obtain a license as provided herein prior to March 31st shall pay a double fee for such license. In situations where a dog is acquired or becomes four months of age, or a dog owner begins residing in the Village and Township after July 1st, the owner shall only be required to pay one-half of the annual fee.

Duplicates of license shall be issued upon payment of the required fee. All monies received by the Township Clerk shall be turned over to the Township Treasurer. No person shall keep more than two dogs of the age of four months or over on any property in the Village of Beverly Hills and Township of Southfield.

14.14. TERM OF LICENSE

All licenses issued under the provisions of this Ordinance shall be valid and operative for a term beginning the date of such license in the calendar year for which such license is issued and terminating on the 1st day of December of said year.

14.15. APPLICATION FOR KENNEL LICENSE

No person shall own or operate any dog kennel in the Township of Southfield or

Village of Beverly Hills in a residential zone. For the purpose of this Ordinance, a kennel shall be construed as an establishment wherein or whereon any person keeps three or more dogs, six months old or older, regardless of whether any remuneration is received therefor. A kennel may be operated in a non-residential district within the Village of Beverly Hills if an authorized use in that zone district.

14.16. RESPONSIBILITY FOR DAMAGES

Every owner, possessor or harborer of an animal shall be liable for damages, any and all injuries to person or property caused by such animal, to be determined and collected in appropriate civil proceedings, and nothing in this Ordinance shall be construed to impose any liability upon the Village of Beverly Hills and the Township of Southfield, its officers, agents or employees for any damages to persons or property caused by such animal.

14.17. DOG POUND

The Village of Beverly Hills and the Township of Southfield will not establish a dog pound, but will use the facilities of area veterinarians when and where approved and available.

14.18. IMPOUNDING OF DOGS

It shall be the duty of the Animal Control Officer to take up, seize and place in the dog pound all dogs that may be found running at large or being kept or harbored in any place within the Village of Beverly Hills and Township of Southfield contrary to the provisions of this Ordinance.

14.19. RELEASE OF DOGS

No dog shall be released from the pound unless the owner, possessor or harborer or authorized agent shall pay a fee as set forth in the following schedule:

(A) For release of a licensed dog, properly immunized against rabies, the sum of $15.00.

(B) Payment of the cost of boarding such dog, at the rate of $3.00 for each day including the first day.

(C) The owner, possessor or harborer of any unlicensed dog must present proof of immunizations within 72 hours of release of said dog, or be subject to the issuance of an ordinance violation for owning, possessing or harboring an unlicensed dog. The cost of immunization and licensing shall be paid by the owner, possessor or harborer, in addition to the fees herein provided.

(D) The Animal Control Officer shall keep a careful record of all dogs received with a description thereof and the disposition of the same, which record will be filed with the Township Clerk monthly or oftener should the Township Clerk require such.

14.20. UNCLAIMED DOGS

All dogs not claimed and released to the owner within four days, not including the first day of impoundment, shall be destroyed, or if the animal is deemed valuable by the Animal Warden, the same may be sold for the total amount of fees for boarding, provided that said dog be properly immunized and licensed at the cost of the purchaser.

14.21. CONFINING DOG FOR OBSERVATION

Any person who shall own a dog which has contracted rabies, or which has been subjected to same, or which is suspected of having rabies, or which has bitten any person, shall upon demand of the Animal Control Officer produce and surrender up such dog to the Animal Control Officer to be held at a licensed veterinarian or at the owner's home for treatment and observation for whatever period is necessary to ascertain the extent of the rabies; such confinement shall be the sole expense of the owner of said dog, and without expense or risk on the part of the Village of Beverly Hills and the Township of Southfield. In lieu of such delivering up of such dog as aforesaid, such person shall have the option of delivering such dog to an approved veterinarian for treatment and observation for rabies, and shall furnish to the Animal Control Officer, written evidence that such dog has been so delivered, such confinement shall be at the sole expense of the owner of said dog.

14.22. DOG BITTEN BY ANOTHER DOG

It shall be the duty of any person owning a dog which has been attacked or bitten by another dog or another animal showing symptoms of rabies, to immediately notify the Animal Control Officer that such person has possession of such a dog and such persons shall comply with all lawful orders and requirements of the Animal Control Officer regarding treatment of such dog for rabies.

14.23. QUARANTINE

The Animal Control Officer is hereby authorized to require that any dog be quarantined or that a quarantine be established by the Village of Beverly Hills and the Township of Southfield for a defined period, whenever in his opinion such measures are necessary in order to protect the health, safety and welfare of the people of the Village of Beverly Hills and the Township of Southfield.

14.24. HORSES

All horses shall be confined unless being led or ridden on public lands.

14.25. CATS

(A) Cat Control. It shall be unlawful for any person, in the Village of Beverly Hills, to have possession or custody of any cat, without having it under control and/or confined to his premises at all times; provided that the provisions of this Section shall not apply to possession or custody of any cat less than six months of age, when proof of age can be, and on request, is submitted to either the Public Safety Officer or Animal Control Officer.

(B) Cat License. It shall be unlawful for any person, in the Village of Beverly Hills, to possess, harbor, shelter or keep any cat over six months of age, without having said cat licensed pursuant to any and all regulations set forth by the Township of Southfield. Further, it shall be unlawful for any person to have possession or custody of any such cat without having it inoculated against rabies and/or any other diseases, as designated by the Township of Southfield and/or the Animal Control Officer of Southfield Township.

(C) Cat Possession. It shall be unlawful for any person, in the Village of Beverly Hills, to possess, harbor, shelter, or keep adult cats in a greater number than can be cared for in a sanitary and proper manner in compliance with the public health code. For the purpose of this Ordinance, an adult cat shall be deemed to be any cat six months of age or older. It shall also be unlawful to maintain any cat or cats so as to

create a nuisance by way of noise, odor or otherwise.

(D) Cat Enforcement. Any Public Safety Officer, Animal Control Officer, Health Inspector, or any other person designated by the Village, is authorized to impound any cat found running at large within the Village of Beverly Hills. The impounding of any cat and the enforcement of this Ordinance shall be on a complaint basis only.

(E) Cat Impoundment. Diligent efforts shall be made to contact by certified mail and telephone the owner of each licensed and/or otherwise identified cat which is impounded. Any impounded cat without identification or license, not redeemed within 96 hours, and any impounded cat which is licensed and/or otherwise has identification not redeemed within 168 hours shall be disposed of in such a manner as previously agreed upon between the Village of Beverly Hills, the Township of Southfield and the owner and/or manager of an Animal Hospital or shelter. The owner and/or manager of the hospital or shelter is made an agent of the Village of Beverly Hills for this purpose, and his actions in this regard are declared to be for a governmental purpose. A minimum daily charge shall be assessed against the cat owner for the feeding and shelter of each cat so impounded as promulgated by Council resolution.

(F) Cat Impoundment Agreements. The Village Manager is instructed to enter into necessary agreements with Animal Hospital owners and/or managers to carry out the terms of this Ordinance.

14.26. ENFORCEMENT

The Township of Southfield may employ Animal Control Officers to enforce and administer the provisions of this Ordinance. The Animal Control Officer shall be invested with such powers of a special police officer by the Township Clerk as are necessary for the limited purpose of enforcing the provisions of this Ordinance and its amendments. The provisions of this Ordinance may be enforced by members of the public safety officers of Village of Beverly Hills within their respective boundaries.

14.27. AUTHORITY TO INQUIRE

It shall be the duty of the Animal Control Officer to make diligent inquiry as to the dogs owned, harbored or kept within the Village of Beverly Hills and the Township of Southfield and whether such dogs are licensed, and whether such owner, possessor or harborer is in violation of any other provisions of this Ordinance. Any dog found unlicensed may be seized and impounded by the Animal Control Officer. If the owner, possessor or harborer of such dog be known, the Animal Control Officer may issue a notice of violation to appear at the Township Clerk's office, or his agent, within 72 hours, not including Saturdays, Sundays, or holidays, to procure a license for such dog. Failure of owner, possessor or harborer to appear and procure such license may result in the issuance of an ordinance violation by the said Animal Control Officer for violation of the licensing section of this Ordinance, Section 8.01.

14.28. VIOLATION NOTICES

All violation tickets to be handled by the 46th District Court at the City of Southfield.

14.29. ORDINANCE VIOLATIONS

The Animal Control Officer is hereby authorized, upon witnessing of violation of this Ordinance, in addition to seizing and impounding such dog, to issue to the owner, possessor or harborer of such dog, an ordinance violation which shall include the date, time and location of the offense, and shall include the applicable section

number of the ordinance of which the owner, possessor or harborer of such dog is in violation, wherein the Animal Control Officer has determined that the owner, possessor or harborer of such dog has been in violation of the same offense one or more times within the previous one year period. All further proceedings shall be had in accordance with the rules and practices of the District Court of Michigan.

14.30. PENALTIES

Any person or persons violating any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine not exceeding $500.00 or imprisonment not exceeding 90 days in the Oakland County Jail, or both such fine and imprisonment in the discretion of the Court together with the cost of the prosecution.

14.31. SEVERANCE CLAUSE

If any section, clause or provision of this Ordinance shall be declared to be inconsistent with the constitution and laws of the State of Michigan and voided by any court of competent jurisdiction, said section, clause or provision declared to be unconstitutional and void shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force. {Ord. 293, 5-17-99}

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Bloomfield Township Ordinance No. 423

Provided to you Compliments of SEMCOG

BLOOMFIELD TOWNSHIP DOG ORDINANCE

AN ORDINANCE REGULATING DOGS AND PROVIDING FOR THE LICENSING AND KEEPING OF DOGS AND AUTHORIZING THEIR IMPOUNDMENT, REMOVAL AND DESTRUCTION IN CERTAIN CASES AND IMPOSING POWERS AND DUTIES ON CERTAIN TOWNSHIP OFFICERS AND EMPLOYEES.

THE TOWNSHIP OF BLOOMFIELD ORDAINS:

Ordinance No.423, the Bloomfield Township Dog Ordinance; is adopted to read as follows:

Section 1 Definitions

The following terms when used in this Ordinance shall have the meanings set forth in this section:

"Dog" shall mean any dog, whether male, female or unsexed.

"Owner" shall include every person having a right or property interest in a dog, and every person who keeps or harbors a dog or has it in his care, and every person who permits a dog to remain in or about any premises occupied or owned by such person.

For the purposes of this Ordinance, a dog shall be under "reasonable control" when said dog is held securely by a leash of adequate strength and length, by the owner, possessor or harborer thereof, or any other responsible person of suitable age and strength in relationship to the size and strength of the dog or when said dog is in an enclosed vehicle or container.

"Animal Control Officer" when used herein shall include all members of the Bloomfield Township Police Department or that person or persons employed by the Township for the purpose of enforcement and administration of this Ordinance.

Section 2 Duty to Keep Dog Under Reasonable Control

No person owning, possessing or harboring a dog shall permit or allow the dog to leave said person's property and premises except when such dog is under reasonable control as defined in this Ordinance. No dog shall be permitted or allowed to run at large (off of the owner's, possessor's or harborer's property and premises and not under reasonable control) within Bloomfield Township.

Section 3 Sanitation

It shall be unlawful for any person to permit any dog owned, possessed or harbored by him to deposit fecal matter any place other than the premises where the dog is harbored or kept, unless such fecal matter is immediately collected and removed to the premises where the dog is harbored or kept.

Section 4 Barking Dog

No person shall own, possess or harbor any dog which by loud, frequent or habitual barking, yelping or howling becomes a nuisance to occupiers of other property.

SECTION 5 Dangerous Dog

A. No person shall own, possess or harbor a dangerous dog in Bloomfield Township.

B. Any dog found to be dangerous in Bloomfield Township shall be destroyed unless otherwise disposed of by the owner.

C. A "dangerous dog" is defined as any dog which is afflicted with rabies, or any dog which is capable of inflicting death or serious injury on a person or domesticated animal and which:

1) Has, without provocation, attacked or bitten a person engaged in lawful activities;

2) Has left the property of its owner and without provocation killed or seriously injured another animal;

3) Has without provocation, chased, confronted or approached a person on the street, sidewalk or other public property in a menacing fashion such as would put a reasonable prudent person in fear of attack;

4) Has exhibited a propensity, tendency or disposition to attack, cause injury or threaten the safety of persons or other domesticated animals without provocation; or

5) Has acted in a manner that causes or should cause its owner to know that it is potentially vicious and/or dangerous.

D. If the Animal Control Officer believes that a person owns or harbors a dangerous dog, the Animal Control Officer shall forward and/or deliver to the dog owner's premises a written notice informing said owner that the Animal Control Officer has determined the dog to be dangerous and further advising said owner that the dog must be removed from the Township or destroyed within 72 hours from the delivery to the owner's premises of the written determination excluding Saturdays, Sundays, and holidays.

E. In the event that the owner of a dangerous dog fails to remove the dog from the Township or destroy said dog within 72 hours from the delivery to the owner's premises of the Animal Control Officer's written determination that the dog is dangerous, the animal control Officer may issue an Ordinance Violation Citation to the owner of the dangerous dog and may also impound the dangerous dog and cause the dog to be destroyed or otherwise disposed of at the owner's expense.

Section 6 Location and Housing

All outdoor housing, including, but not limited to, dog houses, shelters, enclosures and fenced dog run areas, are pursuant to the Zoning Ordinance considered accessory structures and are subject to the provisions of the Bloomfield Township Zoning Ordinance, including review and approval by the Bloomfield Township Zoning Board of Appeals. All dog housing shall provide adequate protection from the elements and from weather conditions and shall be maintained in a clean and sanitary condition, devoid of rodents, vermin, debris, excrement and free from objectionable odors. Any person owning, possessing or harboring a dog or dogs shall not permit the dog or dogs to be confined or restrained in any manner or anywhere on a lot or parcel except within the rear yard in an area set back at least 16 feet from the side lot line and 25 feet from the rear lot line. For the purpose of this section, the terms "lot" and "parcel" shall be deemed to include contiguous lots or parcels owned or possessed by such person.

Section 7 Treatment of Dogs

No person shall treat a dog in a cruel or inhumane manner or willfully or negligently cause or permit a dog to suffer unnecessary torture or pain.

Section 8 Impounding Of Dogs

It shall be the duty of the Animal Control Officer to take up, seize and place in the Bloomfield Township Animal Shelter, dog pound and/or any other facility deemed appropriate by said Animal Control Officer any and all dogs that may be running at large or being kept or harbored in any place within Bloomfield Township contrary to any provisions of this Ordinance. In the event that the Animal Control Officer impounds any dog at the Bloomfield Township Animal Shelter, dog pound and/or any other place or facility deemed appropriate by the Animal Control Officer, said impoundment shall be at the cost of the owner of said dog. The Animal Control Officer shall have the discretion to allow the owner of an impounded dog to have the impounded dog kept at or moved to a registered kennel at the owner's cost.

Section 9 License Required

It shall be unlawful for any person to own, possess or harbor any dog six months of age or older in Bloomfield Township unless such dog is licensed as hereinafter provided or to own, possess or harbor any dog six months of age or over that does not at all times wear a collar or harness with current Bloomfield Township, Michigan, metal license tag attached as hereinafter provided. Such license tags shall be non-transferable to any other dog.

Section 10 Licensing Procedure

Licenses to own a dog shall be issued by the Township Clerk or his or her authorized agent upon application made therefore, together with payment of the license fee as provided in this Ordinance. It shall be the duty of any person owning a dog, on or

before 1990 or the first day of January of any subsequent year thereafter or on or after any dog becoming six months of age, forthwith upon becoming a resident of Bloomfield Township or becoming an owner of such dog to make application to the Bloomfield Township Clerk giving the full name and residence of the applicant and presentation of a valid certificate of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. The certificate of vaccination shall be valid prior to the issuance of a license and shall remain valid and in full force and effect during the entire duration of the license. Upon payment of the license fee, the Township clerk or authorized agent shall issue to each applicant a license to own or harbor a dog for the term commencing at the date of such license and terminating the 31st day of December following. Such application shall state the breed, sex, age, color and markings of such dog. For each license, the Township Clerk shall at the time and before issuing the same and for each renewal thereof, collect from each applicant a license fee set by the Township Board by resolution from time to time, for each dog six months of age or over.

Section 11 Fees

The license fee shall be as follows: $5.00 for each dog; in the case of a dog which has been duly licensed in another County, Township, City or Village in the State of Michigan, if application is made by the owner of such dog within 30 days after taking up residence in Bloomfield Township, and at least 60 days prior to the expiration of its foreign license, the Township Clerk shall collect $5.00 for each dog. The Township Clerk shall retain and file such foreign license but shall return it to the owner on demand if at any time the owner returns to his former jurisdiction or for any other cause desires the return of his license and deposits with the Clerk his Bloomfield Township license in exchange therefore. Any person becoming the owner of any dog after the first day of April of any year which dog has not already been licensed or any person owning a dog which becomes six months old after the first day of April of any year, shall forthwith apply for and secure a license for such dog which license shall be issued without penalty, in the event such application be made within 30 days after the applicant has acquired such dog or after such dog has reached the age of six months or any owner of a dog failing to obtain a license as provided herein prior to April 1 shall pay an additional charge of $2.50 or a total of $7.50 for each license. After June 1 of each year, for any dog acquired or who becomes six months of age, or whose owner becomes a resident of the Township shall pay a, fee of one-half the respective fees for a regular dog license.

Any person submitting proof that such dog to be licensed has been unsexed, the fee for such unsexed dog shall be half the respective fees for a regular dog license.

Duplicates of licenses shall be issued upon request. No person shall keep more than two dogs of the age of six months or over on any property in Bloomfield Township. Any person who has obtained a state kennel license who keeps dogs for sale, boarding, breeding or training purposes for re-numeration shall be exempt from the license requirements of this Ordinance.

Section 12 Term of license

All licenses issued under the provisions of this Ordinance shall be valid and operative for a term beginning the first day of January in the calendar year for which such license is issued and terminating on the last day of December of said year.

Section13 Application for Kennel License

Any person who shall keep or operate a kennel, shall, in lieu of the individual license required under this Ordinance, make application to the Township Clerk or his authorized agent for a kennel license, entitling the applicant to keep or operate a kennel. Such application shall set forth the name and address of the name of the applicant and shall set forth the number of dogs sought to be kept there- under. The application shall also state the purpose for which the kennel is to be maintained and such other information as may be requested by the Township Clerk or his or her authorized agents.

No kennel shall be licensed or maintained on any lot or parcel of land except those zoned B-3 General Business District as is set forth in Section 801 (5) of the Bloomfield Township Zoning Ordinance.

The owning, keeping, boarding, either permanently or temporarily of three or more dogs by a person shall be deemed the operation of a kennel for which a license hereunder is required.

Section 14 License Fees for Kennel License

License fees for kennel licenses shall be established by resolution of the Bloomfield Township Board.

Section 15 Issuance of a Kennel License

Upon receipt of such application and the license fees herein provided, the Township Clerk shall issue a kennel license setting forth the maximum number of dogs which may be kept thereunder, and at the same time shall issue to the applicant a number of

suitable tags equal to the number of dogs authorized for such license, such tags to be the same as those herein otherwise provided. Any dog in the kennel shall at all times wear a collar or a harness to which such official Township of Bloomfield tags shall be affixed, and such tags shall be used for no dogs other than those in said kennel.

Section 16 Regulation of Kennels

Dogs in kennels shall not be taken therefrom for any purpose unless the same shall have been properly immunized as provided in this Ordinance. Where dogs in kennels have been properly immunized and have a kennel license attached to their collar or harness, the same may be taken outside the limits of the kennel provided that they are under reasonable control as defined in this Ordinance for purposes of breeding, trial, show or sale.

Section 17 Responsibility for Damages

Every owner, possessor or harborer of a dog shall be liable for damages for any and all injuries to persons or property caused by such dog, to be determined and collected in appropriate civil proceedings and nothing in this Ordinance shall be construed to impose any liability upon Bloomfield Township, its officers, agents or employees for any damages to persons or property caused by any dog or its owners, possessor or harborer.

Section 18 Animal Shelter/Dog Pound

Bloomfield Township may establish an animal shelter and/or dog pound, such shelter or pound to be located at such a place and location as shall be selected by the Bloomfield Township Board.

Section 19 Release of Dogs

No dog shall be released from the animal shelter/dog pound unless the owner, possessor or harborer or authorized agent shall pay a fee as set forth in the following schedule:

For release of a licensed dog, properly immunized against rabies, the sum of $25.00.

Payment of the costs of boarding and/or housing such dog, at the rate of $10.00 for each day from the first day.

The owner, possessor or harborer of any unlicensed dog must present proof of, immunization within 72 hours of release of said dog or be subject to the issuance of an Ordinance Violation for owning, possessing or harboring an unlicensed dog. The cost of immunizing and licensing shall be paid for by the owner, possessor or harborer in addition to the fees herein provided.

The Animal Control Officer shall keep a careful record of all dogs received by him with the description thereof and the disposition of the same, which record shall be filed with the Township Clerk monthly or often as should the Township Clerk require such. The Animal Control Officer shall also no later than the next working day after receipt, pay to the Township Clerk all monies received by him whereupon the Township Clerk shall turn such monies over to the Township Treasurer.

Section 20 Unclaimed Dogs

All dogs not claimed and released within four days, not including the first day of impoundment, shall be destroyed or if the animal is deemed valuable in the opinion of the Animal Control Officer, the same may be sold for the amount of boarding fees for four days, provided the said dog be properly immunized and licensed at the cost of the purchaser.

Section 21 Confining Dog for Observation

Any person who shall own a dog which has contracted rabies or which has been subjected to the same or which is suspected of having rabies or which has bitten any person, shall upon demand of the Animal Control Officer produce and surrender such dog to the Animal Control Officer to be held at a licensed veterinarian's office for treatment and observation for whatever period is necessary to ascertain the extent of the rabies; such confinement shall be at the sole expense of the owner of said dog and without expense or risk on the part of Bloomfield Township. In lieu of delivering such dog to the Animal Control Officer, the owner shall have the option of delivering the dog to an approved veterinarian for treatment and observation for rabies and shall furnish to the Animal Control Officer, written evidence that such dog has been so delivered and such confinement shall be at the sole expense of the owner of said dog.

Section 22 Dog Bitten By Another Dog

It shall be the duty of any person owning a dog which has been attacked or bitten by another dog or another animal showing symptoms of rabies to immediately notify the Animal Control Officer that such person has such dog in his possession and such person shall comply with all lawful orders and requirements of the Animal Control Officer regarding treatment of such dog for rabies.

Section 23 Quarantine

The Animal Control Officer and/or Health Officer is hereby authorized to require that any dog be quarantined or that a quarantine be established in Bloomfield Township for a defined period, whenever in his opinion such measures are necessary in order to protect the health, safety and welfare of the people of Bloomfield Township.

Section 24 Enforcement

Bloomfield Township may employ Animal Control Officers and/or use the Bloomfield Township Police Department to enforce and administer the provisions of this Ordinance. The Animal Control Officer shall be vested with such powers of a special police officer by the Bloomfield Township Clerk as are necessary for the limited purpose of enforcing the provisions of this Ordinance and amendments.

Section 25 Authority to Inquire

It shall be the duty of the Animal Control Officer to make diligent inquiry as to whether a dog is owned, harbored or kept within the Township of Bloomfield and whether such dogs are licensed and whether such owner, possessor or harborer of a dog and/or dogs is in violation of any provision of this Ordinance. Any dog found unlicensed may be seized and impounded by the Animal Control Officer. If the owner, possessor or harborer of such dog be known, the Animal Control Officer may issue a Notice of Violation to appear at the Township Clerk's office or his or her agent within 72 hours not including Saturdays, Sundays or holidays to procure a license for such dog. Failure of the owner, possessor or harborer of a dog to procure such a license may result in the issuance of an Ordinance Violation by the Animal Control Officer for violation of the licensing section of this Ordinance, Section 9.

Section 26 Violation Notice

The Animal Control Officer is hereby authorized upon the witnessing of any violation of this Ordinance, in addition to seizing and impounding of such dog and/or any other remedy provided to the Township pursuant to this Ordinance, to issue to the owner, possessor or harborer of such dog an Ordinance Violation Citation which shall include the date, time and location of the offense and shall include the applicable section number of this Ordinance of which the owner, possessor or harborer of such dog is in violation.

Section 27 Penalties

Any person or persons violating any of the provisions of this Ordinance shall upon conviction thereof, be subject to a fine not exceeding $500.00 plus costs, or imprisonment not exceeding 90 days in the Oakland County Jail, and/or both such fine, costs and imprisonment in the discretion of the Court.

Section 28 Short Title

This Ordinance shall be known and may be cited as the "Bloomfield Township Dog Ordinance."

Section 29 Repealer

Ordinance No.283 and Ordinance 362 of the Bloomfield Township Ordinances are hereby repealed. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 30 Severability

Should any section, subdivision, clause or phrase of this Ordinance be declared by the courts to be invalid, the same shall not effect the validity of the Ordinance as a whole or any part thereof, other than the part so invalidated.

Section 31 Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they are commenced.

Section 32 Effective Date

The provisions of this Ordinance are hereby ordered to take effect 30 days after publication in the **Birmingham Eccentric**, a newspaper circulated within said Township.

WILMA S. COTTON
City Clerk

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DEARBORN, MI

ARTICLE II. DOGS*

***State law references:** Dog law, MCL 287.261 et seq., MSA 12.511 et seq.

Sec. 4-21. Prima facie evidence of ownership.
In all prosecutions for violation of this article, the records in the clerk's office showing the name of the owner and the license number to whom any license was issued, and the license tag affixed to the collar or harness of the dog showing a corresponding number shall be prima facie evidence of the ownership of any dog.
(Ord. No. 81-64, § 11, 11-4-81)

Sec. 4-22. Leash, immunization required; liability of owner; evidence of negligence.
(a) No dog shall be permitted at any time to be on a public highway or street, in a public park, public building or any other public place, or any place to which the public generally is invited:
(1) Except when held securely by a leash of suitable strength and length by the owner thereof or other responsible person or when confined in a shipping receptacle or automobile.
(2) Unless such dog shall have been immunized against rabies in the manner prescribed by the health officer of the city.
(b) Every owner of a dog shall be liable for damages for any and all injuries to persons or property that may be caused by such dog on any such public highway or other public place which damages shall be determined and collected in appropriate legal proceedings therefor.
(c) Any failure or refusal by such owner to comply with the provisions of this section shall constitute prima facie evidence of negligence on the part of such owner.
(Ord. No. 81-64, § 2, 11-4-81)

Sec. 4-23. License required.
It shall be unlawful for any person to own, possess, keep or harbor a dog six months old and over within the limits of the city without first having obtained a license therefor from the city clerk, and without first fully complying with all the provisions of this article and any and all rules and regulations promulgated and established by the health officer of the city relative to the keeping or harboring of dogs; provided, however, that all persons moving into, with the intention of permanently establishing their residence within, the corporate limits of the city and owning, keeping, harboring or possessing any dog or dogs six months old and over shall apply forthwith to the city clerk for a dog license if the

animal has not been licensed for the current year elsewhere in the state. If such animal has been thus licensed, such owner shall register such animal with the city clerk.
(Ord. No. 81-64, § 1, 11-4-81)

Sec. 4-24. Term of license.
The term of the license required by this article, manner of application, type of license tag issued and the fee therefor shall be governed by the provisions of the general licensing ordinance for the city.
(Ord. No. 81-64, § 3, 11-4-81)

Sec. 4-25. Collar and license tag.
Each person owning, possessing or harboring any dog shall provide the same with a substantial collar or harness of durable material to which shall be securely attached the license tag required in section 4-23. Duplicate license tags in case of loss may be issued by the city clerk at the expense of the applicant upon the filing of an affidavit of loss by the applicant. No license tag shall be used on the collar of any dog other than the one to which the tag was first issued. No person shall remove the collar or tag from any dog without the consent of the owner or of the party to whom the license was issued.
(Ord. No. 81-64, § 4, 11-4-81)

Sec. 4-26. Running at large.
It shall be unlawful for any person to suffer or permit any dog or dogs owned, possessed, harbored or kept by him to run at large, which shall mean to wander unrestrained on any streets, alleys, parks or public places within the city, or upon any private property other than that of the owner of such dog.
(Ord. No. 81-64, § 6, 11-4-81)

Sec. 4-27. Vicious dogs generally.
(a) *Definitions.* The following terms, when used in this section shall have the meanings ascribed to them in this subsection:
Owner means a person, firm, or corporation keeping, possessing, harboring or having the care or custody of a dog.
Vicious dog means:
(1) Any dog with a known propensity, tendency or disposition to attack without provocation, to cause injury, or to otherwise threaten the safety of human beings or domestic animals; or
(2) Any dog which, without provocation, has attacked or bitten a human being or domestic animal; or
(3) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting; or
(4) Any dog which, without provocation, chases or approaches a person upon the streets, sidewalks, or any public or private property in a menacing fashion or apparent attitude of attack; this subsection does not apply to any dog on the property of its owner or to a dog that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in a lawful activity or is the subject of an assault.

(b) *Determination of a vicious dog.* The animal control officer or any public safety officer shall investigate all complaints of a vicious dog. If the animal control officer or any public safety officer has reasonable cause to believe that a dog is vicious, he or she shall institute proceedings in the 19th District Court requesting the court to conduct a hearing on whether or not the dog should be declared vicious under this section. The issue of whether the dog is a vicious dog within the meaning of this section shall be decided based upon the preponderance of the evidence. If the court rules the dog to be vicious, it may order that the dog be confined to the owner's premises or euthanized. The court may establish a time schedule to insure compliance with this section, but in no case shall such time exceed 30 days after the date of the court's determination. Court costs for such action shall be taxed against the owner of the dog. The court may decide all issues for or against the owner of the dog regardless of the fact that the owner fails to appear at the hearing, and the determination of the court shall be final and conclusive upon all parties thereto. If the animal control officer or any public safety officer has probable cause to believe that the dog in question is vicious and may pose a threat of serious harm to human beings or other domestic animals, the animal control officer or public safety officer may seize and impound the dog pending the hearing. The owner of the dog shall be liable to the city for the costs and expenses of keeping such dog.

(c) *Requirements for registration.* Upon a finding by the court that a dog is vicious, its owner shall comply with the following requirements for licensing:

(1) *License application.* The owner shall apply to the city clerk for a vicious dog license which shall be valid for one year from the date of its approval provided all conditions of this section and applicable court orders have been met. The license shall be renewable for successive one year periods provided that the dog is to be kept on the same premises under the same conditions and its owner has not violated any conditions of this section or any court order during the previous 12-month period. No such license shall be transferable to a new owner of the dog or to a new location or address where the dog will be kept.

(2) *Insurance.* Prior to the receipt of a license, the owner shall present to the city clerk proof that the owner has procured liability insurance in the amount of at least $100,000.00 covering any damage or injury which may be caused by such vicious dog during the 12-month period for which licensing is sought, which policy shall contain a provision naming the city as an additional insured and shall provide that the city shall be notified by the insurance company of any cancellation, termination or expiration of the liability insurance policy. In addition, the owner shall sign a statement attesting that the owner shall maintain and not voluntarily cancel the liability insurance during the 12-month period for which licensing is sought, unless the owner shall cease to keep or harbor the vicious dog prior to expiration of such licenses.

(3) *Signs.* Prior to the receipt of a license, the owner shall display a sign in a prominent place on his or her premises warning of a vicious dog on the premises. Said sign shall be visible and capable of being read from any adjacent public right-of-way.

(4) *Confinement of vicious dog.* Prior to the receipt of a license, the owner shall provide for the confinement of the vicious dog. If the vicious dog is to be confined outdoors, the dog shall be confined to a pen or structure with secure sides and top attached to the sides. The structure shall have a secure bottom or floor attached to the sides of the pen or the structure shall be embedded in the ground no less than two feet.

The structure shall be constructed in accordance with standards set forth in chapter 5 and shall be constructed of materials and be designed so as to prevent any escape of the animal or entry of young children. In addition, the size and location of the structure shall comply with the provisions of the zoning ordinance of the city including lot coverage and setback requirements, applicable to accessory structures. The owner shall keep the structure locked with a padlock or keylock at all times that the vicious dog is kept inside the structure, and shall keep the structure adequately lit and in a clean and sanitary condition. If the vicious dog is to be confined indoors, the vicious dog shall not be kept on a porch or patio or in any other part of a house or structure that would allow the dog to exit of its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting.

(5) *Proximity to schools.* If the court rules a dog to be vicious, and the owner of the dog lives within 500 feet of a school, the court may impose additional regulations to safeguard the public, up to and including ordering the dog permanently removed from the area.

(d) *Control of vicious dogs.* All vicious dogs shall be confined as previously described in this section. It shall be unlawful for any owner to maintain a vicious dog upon any premises which does not have a locked enclosure, unless such vicious dog is at all times maintained in the owner's dwelling. It shall be unlawful for any owner to allow any vicious dog to be outside of the dwelling of the owner or outside of the enclosure unless it is necessary for the owner to obtain veterinary care for the vicious dog or to sell or give away the vicious dog or to comply with commands or directions of the court, the animal control office or any public safety officer with respect to the vicious dog, or to comply with licensing provisions of this section. In such event, the vicious dog shall be securely muzzled and restrained with a choker chain and leash having a minimum tensile strength of 300 pounds and not exceeding three feet in length. The muzzle shall be made and fitted in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal. The animal shall be under the direct control and supervision of the owner of a vicious dog or his agent, either of whom shall be, in any event, a person of 18 years of age and physically capable of restraining the animal.

(e) *Reporting requirements.* An owner shall notify the city police department immediately upon discovery that a vicious dog is on the loose, is unconfined, has attacked another animal or human being, or has been stolen. An owner shall notify the city clerk in writing within one day if the vicious dog has been sold or given away or has died, and, if the vicious dog has been sold or given away to a new owner residing within the city, the owner shall also provide the city clerk with the name, address and telephone number of the new owner of the vicious dog.

(f) *Penalties for violation.*

(1) *Failure to comply/show cause hearing.* Upon an owner's failure to comply with any condition in the court order finding a dog to be vicious, the animal control officer or any public safety officer shall confiscate the dog and impound same pending a hearing requiring the owner of the dog to show cause why the dog should not be immediately destroyed. The owner of the dog shall be liable to the city for the costs and expenses of keeping such dog. Failure to comply shall, among other things, include:

a. The failure to obtain a vicious dog license in accordance with this section;
b. The failure to secure liability insurance in accordance with this section;
c. The failure to confine the vicious dog to the premises with appropriate signage in accordance with this section;
d. The dog's presence outside of the owner's dwelling or the enclosure except as provided in this section;
e. The failure to comply with the reporting requirements of this section.
(2) *Vicious conduct/show cause hearing.* If any vicious dog shall, when unprovoked, kill, wound or assist in killing any domestic animal belonging to or in the possession of any person, or if any vicious dog shall, when unprovoked, attack, assault, wound, bite or otherwise injure a human being, the animal control officer or any public safety officer shall confiscate and impound the vicious dog pending a hearing within seven days requiring the owner of the dog to show cause why the dog should not be destroyed. The owner of the dog shall be liable to the city for the costs and expenses of keeping such dog.
(Ord. No. 90-488, 5-15-90)
State law references: Rules for control of rabies and the disposition of nonhuman agents carrying disease, including rabid animals, MCL 333.511, MSA 14.15(5111); regulation of dangerous animals, MCL 287.321 et seq., MSA 12.545(21) et seq.

Sec. 4-28. Biting dogs.
(a) No person shall own or harbor a dog that has been bitten by any animal known to have been afflicted with rabies, or which shall have bitten any person or animal.
(b) Any person who shall have in his possession a dog or other animal which has contracted rabies, which has been subjected to the same, which is suspected of having rabies or which shall have bitten any person or other animal shall, upon demand of the animal shelter supervisor or of the health officer produce and surrender such dog to the animal shelter supervisor or health officer to be held for observation and treatment for a period of ten days at the animal shelter; provided, however, that with the approval of the health officer or animal shelter supervisor any such dog or other animal may be surrendered to a registered veterinary or to any nonprofit corporation organized for the purpose of sheltering dogs or other animals, for observation and treatment for a period of at least ten days immediately following the biting of such person or animal.
(Ord. No. 81-64, § 6, 11-4-81)

Sec. 4-29. Prevention of nuisance.
A person who owns, possesses or controls a dog shall not permit the dog to commit a nuisance on a sidewalk of any public place, in a public park or on private property not under control or ownership of such person.
(Ord. No. 81-64, § 6a, 11-4-81)

Sec. 4-30. Illegal possession.
It shall be unlawful for any person to harbor or hold for reward or for any person, other than the legal owner, to procure a license for any dog which has strayed upon the premises of such person, has been picked up on a public highway or other public place unaccompanied by its owner or other responsible person or which has been stolen from

the owner; provided, however, that the provisions of this section against harboring and licensing a dog shall not apply to any nonprofit corporation organized for the purpose of sheltering dogs or to a legal purchaser of a dog from such organization, or at an authorized auction sale.
(Ord. No. 81-64, § 7, 11-4-81)
Secs. 4-31--4-33. Reserved.
Editor's note: Ord. No. 96-663, adopted Apr. 2, 1996, repealed §§ 4-31--4-33, which pertained to the animal shelter, redemption or destruction of impounded dogs, and disposition of bodies of dogs.

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ARTICLE II. DOGS*

***Cross references:** Presence of seeing eye dogs in public places, § 38-1-8; dogs to be on leashes in parks, § 40-1-18.
State law references: Dog law, MCL 287.261 et seq., MSA 12.511 et seq.

DIVISION 1. GENERALLY

Sec. 6-2-1. Dog control; owners of pit bull terriers must be eighteen (18) years of age or older.
(a) It shall be the duty and the responsibility of the owner of any dog to keep the dog on the owner's property. It shall be unlawful for any dog to be on any street, highway or in any public place unless the owner or a responsible person has the dog on a leash. The owner of a dog shall be in violation of this section if his dog is found on any street, highway or public place unless the dog is on a leash and under the control of the owner or a responsible person. For the purpose of this article an owner shall include but not be limited to any person who keeps, maintains or harbors a dog.
(b) The owner(s) of pit bull terriers, either American Staffordshire terrier, Staffordshire bull terrier or an American pit bull terrier, registered or nonregistered; or any dog of mixed or crossbreed with any of the aforementioned breeds in this subsection shall not cause or permit a person less than eighteen (18) years of age to walk, run, exercise, transport or dogfight (MCLA section 750.49, Controlling) the aforementioned dogs on any street, highway or public place.
(Code 1964, § 7-2-5; Ord. No. 24-87, § 1, 9-23-87)
Cross references: Pit bull terriers, generally, § 6-2-4.

Sec. 6-2-2. Treatment of strays.
It shall be unlawful for any person to harbor or hold for reward or for any person other than the legal owner to procure a license for any dog which has strayed upon the premises of such person or has been picked up on a public highway or other public place unaccompanied by its owner or other responsible person or which has been stolen from the owner; provided, that the provisions of this section against harboring and licensing a dog shall not apply to any nonprofit corporation organized for the purpose of sheltering dogs or to a legal purchaser of a dog from such organization. It shall be the duty of all persons to immediately notify or turn over to the city animal control center all such stray dogs, where such dogs shall be impounded and registered and their respective owners, if any, promptly notified at their registered or other known addresses.
(Code 1964, § 7-2-5)

Sec. 6-2-3. Rabies vaccinations generally.

(a) Any dog in the city kept, sheltered, owned or harbored within the meaning of this article, and over five (5) months of age, shall at all times be vaccinated against rabies, unless a written statement, renewable each year by a veterinarian is produced by such owner showing that such dog should not be vaccinated. It shall be the duty of any owner or person harboring a dog to produce proof of such vaccination upon demand by the department of health. Such proof of vaccination against rabies shall consist of a written statement or certificated signed by a registered veterinarian, and state the owner's name and address, and giving the dog's description, date of vaccination, and type of vaccine used, and the date revaccination is due. One copy of such certificate or statement shall be forwarded by the veterinarian signing such document to the department of health, animal control division, in such manner as prescribed by the department of health.

(b) It shall be the duty of the public health director to provide adequate facilities for the vaccination of dogs owned by indigent persons judged unable to pay therefor, to the limit of one dog per household. Eligibility is defined as those citizens of the city who can show proof of receiving public assistance or whose income is limited to social security benefits, railroad retirement act benefits, or veteran's pensions.

(Code 1964, § 7-2-4)

Cross references: Health and sanitation, Ch. 24.

Sec. 6-2-4. Pit bull terriers.

It shall be unlawful to harbor or keep a pit bull terrier and/or mix breed of such, as defined herein, in the city unless it is licensed, registered and tattooed with the animal control division (Detroit Health Department), a veterinarian or State of Michigan within ten (10) days of the enactment of this section.

"Pit bull terrier" as used herein is defined as any American Staffordshire terrier, Staffordshire bull terrier, or American pit bull terrier breed of dog, or any mixed breed of dog which contains as an element of its breeding an American Staffordshire terrier, a Staffordshire bull terrier or an American pit bull terrier so as to be identifiable as partially of the aforementioned breeds.

Any such dog shall be immediately impounded by an animal control officer and if found not to be licensed, registered and tattooed according to this section, shall be destroyed by the animal control department of the city within five (5) days of capture.

(Ord. No. 44-88, § 1, 11-30-88)

Cross references: Owners of pit bull terriers must be eighteen (18) years of age or older, § 6-2-1(b).

Secs. 6-2-5--6-2-15. Reserved.

DIVISION 2. LICENSE

Sec. 6-2-16. Required.

It shall be unlawful for any person to own, possess or harbor a dog over five (5) months of age in the city without purchasing a license therefor from the mayor in compliance with the provisions of this division.

(Code 1964, § 7-2-3(a); Ord. No. 377-H, § 1, 2-20-80; Ord. No. 24-87, § 1, 9-23-87; Ord. No. 44-88, § 1, 11-30-88)

Sec. 6-2-17. Exemption.
The license requirements of this division shall not apply to any dog belonging to a nonresident of the city and kept within the city for not longer than thirty (30) consecutive days; provided, any such dog shall at all times while in the city be kept within a building, enclosure or vehicle, or be under restraint by the owner or a responsible person as required by this article. Such owner or responsible person shall show proof of vaccination against rabies for such dog upon demand of the department of health or the police department of the city.
(Code 1964, § 7-2-3(h); Ord. No. 377-H, § 1, 2-20-80)

Sec. 6-2-18. Application, issuance.
Upon application filed with the department of health or other designated agency for the issuance of such licenses, giving the full name and residence of the applicant, the mayor shall cause to be issued by such agency, to each applicant a license to own, possess or harbor a dog for the term commencing at the date of such license and terminating the first day of February following, except as otherwise provided in this division. Such dog license application shall contain on the back thereof a printed copy of certain appropriate portions of this article.
(Code 1964, § 7-2-3(b); Ord. No. 377-H, § 1, 2-20-80)

Sec. 6-2-19. Vaccination certificate.
Any dog licensing agency shall require that each applicant produce a valid vaccination certificate showing that vaccination against rabies has been obtained for the dog being licensed, as prescribed in this article. A license may be issued without such certificate only as provided for in this article.
(Code 1964, § 7-2-3(c); Ord. No. 377-H, § 1, 2-20-80)

Sec. 6-2-20. Fees.
For each dog license, the license clerk shall, at the time of and before issuing the same, and for each renewal thereof, collect of each applicant and pay into the city treasury, a license fee as established and published by the department of health for each neutered or spayed dog with a surcharge to be established for each dog not neutered or spayed. When the license is issued from the Michigan Humane Society or the Anti-Cruelty Association, Inc., they are hereby authorized to deduct the sum of fifty cents ($0.50) for each license so issued, to pay the Michigan Humane Society and the Anti-Cruelty Association, Inc., for the administrative costs incurred, before depositing the balance with the animal control center. License fee schedules shall be posted at all licensing stations. Dog licenses required under this division shall be issued for the life of the animal without any charge to the owners or users of leader dogs made use of by blind persons.
(Code 1964, § 7-2-3(d), (e); Ord. No. 377-H, § 1, 2-20-80)

Sec. 6-2-21. Tags.

(a) The dog license issued shall consist of a check or disc of metal or other durable material which shall have stamped or engraved thereon the year issued; together with the words "Licensed, Detroit." All such checks or discs delivered according to the provisions of this division shall be, before delivery, approved by the public health director. The shape and style of such checks or discs shall be changed on the first day of February of each year. License checks or discs will be attached to a substantial collar harness of durable material. No official checks or discs shall be used on the collar of any dog other than those provided for in this division; except, this does not preclude the use of private identification tags or discs. No person shall remove the collar or harness, with check or disc attached, from any dog without consent of the owner or the party to whom the license is issued. Such collar or harness, with check or disc attached, will be worn at all times by any dog, when such dog is on any highway, street or public place.
(b) Upon satisfactory proof that the check or disc, as required in this section, has been lost, the animal control center is hereby authorized to issue a duplicate check or disc upon the payment of the fees of fifty cents ($0.50) to the animal control center.
(Code 1964, § 7-2-3(f), (g); Ord. No. 377-H, § 1, 2-20-80)

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DEXTER TOWNSHIP ORDINANCE NUMBER 16

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HURON-CLINTON METROPOLITAN AUTHORITY PARKS

ADOPTED: JULY 1, 1986

EFFECTIVE: AUGUST 8, 1986

AN ORDINANCE TO REGULATE THE USE OF THE HURON-CLINTON METROPOLITAN AUTHORITY PARKS WITHIN DEXTER TOWNSHIP BY ESTABLISHING RULES TO CONTROL WATERCRAFT, SWIMMING AND WADING, DANGEROUS OR OBNOXIOUS MATERIALS OR EQUIPMENT, UNLAWFUL FIRES, THE CLOSING OF THE PARK, HORSES, DOGS, AND PETS, ALCOHOLIC BEVERAGES, CONTROLLED SUBSTANCES, COMMERCIAL ACTIVITIES, SIGNS AND HANDBILLS, THE PRESERVATION OF PROPERTY AND NATURAL RESOURCES, MUSICAL INSTRUMENTS, RADIOS, RECORDS OR TAPE PLAYERS AND SOUND AMPLIFYING DEVICES, SERVICE, PRIVILEGE OR LICENSE FEES, DISORDERLY CONDUCT, LARGE GROUP EVENTS, OFF THE ROAD VEHICLES; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE TOWNSHIP OF DEXTER ORDAINS:

SECTION I

1. DEFINITIONS. As used in this Ordinance:

   A. "Authority" means the Huron-Clinton Metropolitan Authority and its agents, offices, employees, ranger and ranger aids.

   B. "Beach Area" means an area set aside for the purpose of swimming, including the marked water area, land adjacent to the water area, including any buildings or parking area directly serving persons swimming.

   C. "Facility" means any building, room, area, or equipment that has been built or purchased by the Authority.

   D. "Foot Path" shall mean a path provided for foot travel only.

   E. "Launch" means the act of putting into or taking out of the water any water craft.

   F. "Nature Trail" means footpaths provided and developed for use in nature interpretive programs.

   G. "Swim" means moving the body through the water by movement of the arms, legs, or attached equipment.

   H. "Wade" means to walk in or through the water.

   I. "Water Craft" means any boat, raft, canoe, or sailing vessel.

SECTION II

1. CONTROL OF WATER CRAFT. The launching and operation of water craft from Authority lands shall be restricted as follows:

A. No motor boat shall be launched or operated unless such motor boat is registered and marked in accordance with the laws of the State of Michigan.

B. No person shall launch a water craft without a permit issued by the Authority.

C. No person shall launch any water craft except as designated launching sites.

D. No person shall have or allow a water craft on Authority lands between the hours of 11:00 P.M. and sunrise, except by written permission of the Authority.

SECTION III

1. CONTROL OF SWIMMING AND WADING.

A. Swimming or bathing is prohibited within the boundaries of the Authority lands, except in specially constructed swimming pool facilities or in areas marked as swimming areas. No person shall use any swimming pool facility or marked swimming area except in accordance with posted rules, and regulations, governing such use, and when the Authority life guards are on duty.

B. Wading is prohibited in any water under the control of the Authority, except by fishermen actually engaged in fishing.

SECTION IV

1. DANGEROUS OR OBNOXIOUS MATERIAL OR EQUIPMENT.

A. No person shall deposit or abandon any garbage, sewage, bottles, cans, refuse, trash, waste or other obnoxious material in or upon any lands or water areas under the control of the Authority, except in receptacles or pits provided for such purpose.

B. No person shall have in his possession or control any glass bottle or container in or on any pool area, beach area, or baseball diamond in Authority lands, where possession of glass bottles or containers is prohibited by posted notices.

C. No person shall have in his possession or control any rifle, shotgun, pistol or other firearm, slingshot, bow, arrow, crossbow, pellet gun, air rifle, noxious gas ejecting devices, fireworks, explosives or other dangerous devices or materials within the boundaries of Authority lands; provided, that a law enforcement officer duly appointed by the United States, the State of Michigan or by a political subdivision thereof may carry a firearm as required for the performance of his or her official duties, and may have such possession of other dangerous devices and materials referred to herein as is necessary for confiscation or removal; and provided, further, that bows and arrows may be used as specifically permitted by the Authority.

SECTION V

1. UNLAWFUL FIRES.

A. No person shall start or maintain a fire on Authority lands except in picnic stoves, fireplaces, or spaces approved for such purpose.

B. No person shall dump any burning material or hot ashes into any trash containers or elsewhere within the boundaries of Authority lands unless such container or locality shall be marked as a receptacle for such material.

SECTION VI

1. CLOSING OF PARK.

A. No person shall use the facilities of the Authority between the posted closed hours, except by written permission of the Authority.

B. No person shall use or occupy any area or facility in Authority lands when such area or facility is closed to the use of the public by order of the Authority and such order has been announced to occupants of such area or facility orally or by posted notice, or by the closing of an entire area or park by the closing of entrances.

SECTION VII

1. CONTROL OF HORSES, DOGS AND PETS.

A. No person shall bring into, or have in his possession or control within the boundaries of Authority lands any dog or pet unless such dog or pet shall be kept on a leash not over six (6) feet in length and under the immediate control of a responsible person.

B. Dogs (except for seeing eye dogs) and pets are prohibited on Authority Lands, in any building, on the sand portion of beach areas, in any wildlife sanctuary, nature trail, or wildlife feeding area.

C. No person shall ride or lead any horse on any Nature Trail, Foot Path, Walkway, Picnic Area, Camp Grounds, or Beach Area on Authority land.

D. No person shall herd or drive, or permit or allow the running at large or grazing of any livestock of any kind on Authority land.

SECTION VIII

1. ALCOHOLIC BEVERAGES; CONTROLLED SUBSTANCES.

A. It shall be unlawful for anyone under the age of 21 years to purchase, or knowingly possess, transport or have under his control any beer, wine, or other alcoholic beverages on Authority lands.

B. It shall be unlawful to sell or furnish beer, wine, or alcoholic beverages to a person under the age of 21 years on Authority lands.

C. No person shall have in his possession on Authority lands any alcoholic beverage stronger than 16% alcohol proof by volume.

D. No person shall have in his possession within the boundaries of the Metropark any alcoholic beverage during times when the same is prohibited by posted notices.

E. No person shall consume any alcoholic beverage on Authority lands except in picnic areas.

F. No person shall have in his possession on Authority lands any marijuana or other controlled substance as defined by applicable state law.

SECTION IX

1. COMMERCIAL ACTIVITIES. No person or organization, other than the Authority, its hirees and licensees shall, advertise, offer for hire, vend or sell any service, food, beverage, merchandise or other personal property or advertise, carry on or conduct any other business or commercial activity, nor shall any person or organization beg or solicit contributions of donations thereon.

SECTION X

1. SIGNS AND HANDBILLS.

   A. Handbills, newspapers or other circulars not precluded by Section 9 may be offered or distributed on Authority lands only by passing them hand-to-hand; such distribution will be allowed only in automobile parking lots, unless other areas for such distribution are designated by the Authority.

   B. No person shall post, fasten, paint or affix any placard, bill, notice or sign upon any structure, tree or automobile on Authority lands, except that temporary directional signs for group picnics or events may be placed on sign posts designated for such purposes by the Authority and must be removed at the conclusion of the event.

SECTION XI

1. PRESERVATION OF PROPERTY AND NATURAL RESOURCES.

   A. No person shall injure, deface, disturb, befoul or in any manner destroy or cause to be destroyed any facility, building, sign, structure, equipment, utility or other property found on Authority lands.

   B. No person shall dig for, remove, injure or destroy any tree, flower, shrub, plant or growing thing or any wildlife, except as otherwise provided by law, or any rock, mineral, artifact or other material on Authority lands without written permission from the Authority.

SECTION XII

1. MUSICAL INSTRUMENTS, RADIOS, RECORDS OR TAPE PLAYERS AND SOUND AMPLIFYING DEVICES. No person shall without written permit issued by the Authority operate or play any musical instrument, radio, mechanical record, or tape player, loudspeaker, public address system or sound amplifying equipment of any kindon Authority lands in such a manner as to cause the sound emanating therefrom to exceed a loudness or 75 decibels when measured on the 70 dB scale at a distance of 15 feet from the sound source.

SECTION XIII

1. RECEIPT OF SERVICE, PRIVILEGE OR LICENSE WITHOUT PAYMENT OF FEE. Where a fee or charge is requested for any service, privilege or license offered by the Authority or its licensees on Authority lands including vehicle entry, no person

shall obtain, or attempt to obtain such service, privilege or license without payment of such fee or charge and compliance with all requirements of any permit pertaining to such service, privilege or license; provided that requirements of vehicle entry permits shall include permanent affixation to the vehicle in accordance with instructions.

SECTION XIV

1. DISORDERLY CONDUCT.

   A. No person or group of persons shall engage in any drunken loud, boisterous, disorderly or indecent conduct, nor shall any person or group or persons commit or engage in any assault or other activity which shall endanger or annoy other persons or disturb the peace or good order on Authority lands.

   B. No person shall on Authority lands:

      1) Intentionally expose the male or female buttocks or genital areas or female breasts; or

      2) Observe or attempt to observe persons of the opposite sex while occupying a bathhouse or restroom facility

   C. No person shall on Authority lands:

      1) Obstruct, resist, hinder, assault or oppose any ranger, ranger aide, ordinance officer, township officer or sheriff's deputy in the performance of his or her official duties; or

      2) Provide or furnish false identification concerning himself or herself to any ranger, ranger aide, ordinance officer, township officer or sheriff's deputy engaged in the performance of his or her official duties; or

      3) Remain on Authority lands after being requested by a ranger, ranger aide, ordinance officer, township officer or sheriff deputy in the performance of his or her official duties to leave said lands for violation of a rule or regulation of the Authority.

SECTION XV

1. LARGE GROUP EVENTS. No person or group of persons shall hold or conduct any organized picnic or activity, field day, carnival, concert, address, rally, dramatic presentation or the like at which more than 50 persons are in attendance on Authority lands unless a permit for such event has first been granted by the Authority and the event is conducted in compliance with the conditions of such permit.

SECTION XVI

1. OFF-THE-ROAD VEHICLES. No person shall operate, or have in his possession on Authority lands any bicycle or off-the-road motor-driven vehicle, including, by way of example but not by way of limitation, any minibike, moped, motorcycle, dunemobile, snowmobile, converted snowmobile, all-terrain vehicle, amphibious vehicle or similar motorized device; provided, that bicycles, motorcycles and other motor-driven vehicles lawful for operation under the Uniform Traffic Code may be used to provide transportation if promptly parked in a designated parking lot upon

arrival or if operated on the surfaced area of a roadway excluding any roadway posted for use of authorized vehicles only; and provided, further, that bicycles may be used on designated bicycle paths.

SECTION XVII

1. PENALTY. Each and every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than ONE HUNDRED ($100) DOLLARS, by imprisonment for not more than ninety (90) days, or by both, or any portion of such fine and imprisonment, together with the costs of prosecution.

SECTION XVIII

1. SEVERABILITY. If any portion of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of the ordinance.

SECTION XIX

1. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION XX

1. EFFECTIVE DATE. This Ordinance shall take effect and be in full force thirty (30) days after adoption.

_____

Township Clerk

MARYSVILLE, MI

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Section 9.69 Dogs - Offensive Conduct as amended by Ordinance No. 389

No dog owner shall permit his or her dog to be at large in the city and no person who is either an owner or in possession of a dog shall violate any of the following:

1). No person shall permit any vicious dog to be unconfined unless securely muzzled and led by a leash. Any dog shall be deemed vicious, which has bitten a person or domestic animal without provocation.

2). No person shall permit or allow a female dog to go beyond the premises of the owner when said dog is in heat..

3). No person shall permit a dog to be unconfined unless such dog is led by a leash.

4). No person shall permit a dog to be unconfined at any time unless licensed as required by law and unless wearing its license tag and evidence of rabies immunization.

5). No person shall permit a dog, which by loud or frequent or habitual barking, yelping or howling, shall cause annoyance to the people in the neighborhood.

6). No person shall keep a dog which destroys property or trespasses on the property of others, to the extent such dog becomes a nuisance in the vicinity where kept.

7). No person shall permit a dog to defecate on land owned by another or on public land unless such person immediately removes the feces and either places it in a refuse disposal container or otherwise disposes of it at his or her own place of abode.

8) No person shall walk or otherwise accompany a dog on land owned by another or on public land unless such dog is secured by a leash and such person is in possession of

a bag or other container or other visible means for removing dog feces from such land.

Ordinance No. 388 - Amend the Parks Ordinance relating to Dogs and Domestic Animals

No person shall bring any dog or domestic animal owned by him or in his custody into any public park unless such dog is secured by a leash and such person is in possession of a bag or other container or other visible means for removing feces which may be produced by such dog or domestic animal.

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CHAPTER 8: ANIMALS

ARTICLE I. IN GENERAL

8-1. TITLE.

This ordinance shall be known and referred to as the "Animal Regulatory Ordinance." (1978 Code, § 6-1; Ord. No. 215A, § 1, 12-19-89; Ord. No. 368, § 1, 3-18-03)

8-2. PURPOSE AND APPLICATION.

The purpose of this chapter is to prevent animals from running at large and to prohibit and regulate the keeping of certain animals within residential areas to promote the health, safety, and welfare of the people.
(Ord. No. 368, § 1, 3-18-03)

8-3. DEFINITIONS.

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

ABANDONMENT. Leaving an animal unattended for more than 24 hours, releasing the animal upon public highways or public or private lands, or failure to provide proper or adequate food, water, exercise, shelter, or medical care.

ADEQUATE CARE. The provision of sufficient food, water, shelter, sanitary conditions, exercise, and veterinary medical attention in order to maintain an animal in a state of good health.

ANIMAL. Any living organism typically capable of moving about, but not of making its own food by photosynthesis, including any mammal, bird, fish, reptile, ferret, snake, turtle, mollusk, crustacean, or any other vertebrate other than a human being.

ANIMAL CONTROL OFFICER. Any person designated by the State of Michigan or other unit of government as a law enforcement officer who is qualified to perform animal control duties under the laws of this state. The minimum employment standards relative to the recruitment, selection, and appointment of animal control officers in this city shall at least equal the minimum standards set forth in M.C.L. § 287.289c.

ANIMAL SHELTER. Any facility operated by a humane society, governmental agency or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

AT LARGE. Except when lawfully hunting, an animal which is not on the premises of the owner and not under the control of a person by leash or lead of suitable strength, or an animal which is not confined within a motor vehicle.

CAT. Any member of the species "Felis Catus."

DANGEROUS ANIMAL.

A dog or other animal:

(1) That bites or attacks a person, or a dog that bites or attacks and causes serious injury or death to another dog while the other dog is on the property or under the control of its owner;

(2) Having a propensity, tendency, or disposition to attack, cause injury or otherwise endanger the safety of persons or domestic animals;

(3) Which behaves or behaved in such a manner that the owner knows or should have known that the animal had tendencies to bite or attack persons or other domestic animals;

(4) Which has been bitten by any animal known to have been afflicted with rabies; or

(5) Which has bitten any person.

DANGEROUS ANIMAL and ***VICIOUS ANIMAL*** shall have the same meaning for purposes of this chapter.

DANGEROUS ANIMAL does not include the following:

(1) An animal that bites or attacks a person who is knowingly trespassing on the property of the animal's owner;

(2) An animal that bites or attacks a person who provokes or torments an animal;

(3) An animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in lawful activity or is the subject of an assault or battery, or to protect itself or another animal; or

(4) An exotic animal, as defined in § 8-23.

DOG. Any member of the species "Canis Familiaries."

DOMESTIC ANIMAL. An animal that has traditionally, through a long association with humans, lived in a state of dependence upon humans or under the dominion and control of humans and has been kept as a tame household pet, including but not limited to: dogs, cats, hamsters, gerbils, ferrets, mice, rabbits, cockatiels, cockatoos, canaries, finches, parakeets, parrots, and tropical fish.

FERRET. An animal of any age of the species "Mustela Furo."

HARBORING or ***KEEPING.*** The act of any person allowing an animal to remain and be lodged within his or her house, store, building, enclosure, or premises.

KENNEL. An establishment on which three or more dogs are kept, for sale, boarding, breeding, or training purposes, for remuneration.

LAW ENFORCEMENT OFFICER or ***POLICE OFFICER.*** Includes animal control officers duly authorized by the city or other governmental agency.

LEASH or ***LEAD***. A thong, cord, rope, chain, or similar tether which holds an animal in restraint and which is not more than six feet in length.

LIVESTOCK. Those species of animals used for human food and fiber or those species used for service to humans. ***LIVESTOCK*** includes, but is not limited to cattle, sheep, new world camelids, goats, bison, privately owned cervids, ratites, swine, equine, poultry, aquaculture, and rabbits. ***LIVESTOCK*** does not include dogs and cats.

NEGLECT. To fail to sufficiently and properly care for an animal to the extent that the animal's health is jeopardized.

OWNER. Every person having a right of property in an animal; an authorized agent of the person having a right of property in an animal; every person who keeps or harbors an animal or has it in his or her care, custody or control; every person who permits an animal to remain on or about the premises occupied by him or her; every person who has the apparent authority to have a right of property in an animal; any person having control or purporting to have control over an animal; the person named in the licensing records of any animal as the owner; the occupant of the premises where the animal is usually kept if such premises are other than the premises of the owner as shown on the licensing records; any person who feeds, shelters, or otherwise entices any animal to the owner's premises, where such animal is otherwise wild or a stray; or any person in possession of, harboring, or allowing any animal to remain about their premises for a period of three consecutive days or more. The parent or guardian of an owner under 18 years of age shall be deemed the owner as defined in this section. If an animal has more than one owner, all such persons are jointly and severally liable for the acts or omissions of an owner, even if the animal was in the possession of or under the control of a keeper at the time of the offense. ***OWNER*** shall include every person who resides at the same address or permits an animal to remain on the premises in which that person resides, if such person is of legal age and capacity and has knowledge that the animal is a dangerous animal.

PERSON. An individual, partnership, corporation, cooperative association, joint venture, or other legal or business entity, including but not limited to, contractual relationships.

PREMISES. An area of private property, including grounds, buildings, and appurtenances.

PROVOKE. To perform an act or omission that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack by an animal, including, but not limited to, threatening, teasing, or striking an animal, or threatening or striking the animal's owner, either on or off the animal owner's property.

SANITARY CONDITIONS. Space free from health hazards including excessive animal waste, overcrowding of animals, or other conditions that endanger the animal's health.

SHELTER. Adequate protection from the elements and weather conditions suitable for the ages, species, and physical conditions of the animal so as to maintain the animal in a state of good health. ***SHELTER*** for a dog shall include one or more of the following:

(1) The residence of a dog's owner or other individual.

(2) A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog, with an elevation of no less than four inches. The doghouse shall have dry bedding when the outdoor temperature is or is predicted to drop below freezing. The doghouse shall have an entrance which is either

covered by a loose covering designed to insulate the interior from harmful weather conditions, or which is designed in such a way so as to otherwise shield the interior from harmful weather conditions.

(3) A structure, including, but not limited to, a garage, barn, or shed that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently insulated and ventilated, contains a doghouse as provided under (2) above that is accessible to the dog.

TETHERING. The restraint and confinement of a dog by the use of a chain, rope, or similar device.

TORMENT. An act or omission, including abandonment or neglect, that causes unjustifiable pain, suffering, or distress to an animal, including mental or emotional distress as evidenced by the animal's altered behavior, for a purpose such as sadistic pleasure, coercion, or punishment that an ordinary and reasonable person would conclude is likely to precipitate a bite or attack.

WATER. Potable water that is suitable for the age and species of animal, made regularly available unless otherwise directed by a veterinarian licensed to practice veterinary medicine.

WILD ANIMAL. Any nondomesticated animal, any cross of a nondomesticated animal, and any animal that has never been harbored, kept, or otherwise possessed by a person.

(1978 Code, § 6-2; Ord. No. 215-A, § 1, 12-19-89; Ord. No. 368, § 1, 3-18-03)

Statutory reference:

Animal Industry Act; definitions, see M.C.L. §§ 287.705, 287.706

Animals running at large; definitions, see M.C.L. § 433.11

Charge or custody of animal; definitions, see M.C.L. § 750.50(1)

Dangerous animals, see M.C.L. § 287.321

Kennels, see M.C.L. § 287.270

Municipal animal control officer; employment standards, see M.C.L. § 287.289c

8-9. CONTROL OF ANIMALS; RUNNING AT LARGE; CLEANUP.

(A) All animals shall be kept under restraint. It shall be unlawful for any person to cause or permit any animal owned, kept, possessed, or harbored by such person, or under his or her control, to run at large or unattended, upon the public streets, walks, alleys, parks, public places within the city, or upon the premises of another, without express permission of the owner or occupant of the private premises. All female dogs in heat shall be kept inside a building or within a fence or other enclosure which limits the dog to a particular confined area so that the dog cannot come into contact with a male dog except for planned breeding. When allowed outdoors to relieve itself, a dog in heat shall be under restraint and under the observation of its owner.

(B) If an animal trained or used for fighting or an animal that is the first or second generation offspring of a dog trained or used for fighting goes beyond the property limits

of its owner without being securely restrained, or is not securely enclosed or restrained on the owner's property, the owner is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not less than $50 nor more than $500, or both.

(C) Subsection (B) does not apply to the following:

(1) A dog trained or used for fighting, or the first or second generation offspring of a dog trained or used for fighting, that is used by a law enforcement agency of the state or county, city, village, or township;

(2) A certified leader dog recognized and trained by a national guide dog association for the blind or for persons with disabilities; or

(3) A corporation licensed under the Private Security Guard Act of 1968, being M.C.L. §§ 338.1051 to 338.1085, when a dog trained or used for fighting, or the first or second generation offspring of a dog trained or used for fighting, is used in accordance with the Private Security Guard Act of 1968.

(D) An animal that is involved in a violation of subsection (B) shall be confiscated as contraband by a law enforcement officer and shall not be returned to the owner, trainer, or possessor of the animal. The animal shall be taken to a local humane society or other animal welfare agency. If an animal owner, trainer, or possessor is convicted under subsection (B), the court shall award the animal involved in the violation to the local humane society or other animal welfare agency at the expense of the animal's owner, trainer, or possessor.

(E) This section does not apply to conduct that is permitted by and is in compliance with any of the following:

(1) Part 401 of the Natural Resources and Environmental Protection Act being, M.C.L.
§§ 324.40101 to 324.40119;

(2) Part 435 of the Natural Resources and Environmental Protection Act, being M.C.L.
§§ 324.43501 to 324.44106;

(3) Part 427 of the Natural Resources and Environmental Protection Act, being M.C.L.
§§ 324.42701 to 324.42714;

(4) Part 417 of the Natural Resources and Environmental Protection Act, being M.C.L.
§§ 324.41701 to 324.4712.

(F) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law that is committed by that person while violating this section.

(G) A person who sustains any loss of, or damage to, property by an animal running at large may demand reasonable compensation from the owner of the animal as reparation for the loss or damage as ordered by the court. The demand for compensation shall be in writing and include:

(1) A statement of when, where, what, and how much damage was done.

(2) The identity or description of the animal and, if known, the identity of the owner of the animal.

(3) The demand for compensation shall be verified by the claimant and submitted to the law enforcement agency which has the animal in its custody or possession.

(H) If the owner of an animal that is previously adjudicated to be a dangerous animal allows the animal to run at large, the owner is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, a fine of not less than $250 nor more than $500, or community service work for not less than 240 hours, or any combination of these penalties. The court may order a person convicted under this subsection to pay the costs of the prosecution.

(I) Any person who owns, keeps, possesses, or harbors an animal shall be responsible to ensure that the animal does not defecate on property other than that person's property, or, if the animal does so, to promptly clean up any fecal matter deposited by the animal.

(J) Animals found trespassing on school grounds, whether under restraint or otherwise, shall constitute a nuisance per se, punishable as provided in this chapter.

(K) This section may be construed to permit the use of technological restraints, which include, but are not limited to, invisible fences which emit signals or sounds to discourage an animal from exiting the property; provided, that such technological restraints must be properly installed, set up, operational, and advertised by signage as required by this chapter, and provided the technological restraint keeps the restrained animals at least three feet away from any public ways or property lines. The permission granted by this section to utilize technological restraints for a particular animal shall be automatically revoked upon a second violation by that animal of the restraint requirements of this chapter. In no event shall the use of technological restraints immunize an owner from the criminal and civil responsibilities set forth in this chapter for failure to keep an animal under restraint.

(1978 Code, §§ 6-4, 6-24; Ord. No. 215-A, §§ 1, 2, 12-19-89; Ord. No. 368, § 1, 3-18-03)

Penalty, see § 1-9

Statutory reference:

Animals running at large, see M.C.L. §§ 433,12, 433.13

Animals used for baiting or fighting, see M.C.L. § 750.49

Dangerous animals, see M.C.L. §§ 287.322, 287.323

8-10. IMPOUNDMENT.

(A) A police or animal control officer may seize and take into custody or possession any animal running at large in violation of this chapter, or any animal which is suspected of having rabies or which has bitten a human. A person may seize and take into custody or possession any animal found running at large or trespassing upon the premises owned or occupied by that person. A person who takes an animal into custody or possession pursuant to this section, or who has been bitten by an animal, or who owns an animal and knows that a person has been bitten by the animal, shall immediately notify the Police Department or other law enforcement agency. The Police Department or law enforcement agency shall promptly take custody or possession of the animal.

(B) If the Police Department takes custody or possession of an animal under this section, and if the owner of the animal is known, the Police Department shall return the animal to its owner, unless the owner refuses to make reparation as provided in § 8-9(G). If the owner is not known, the Police Department shall turn the animal over to the county for disposition as appropriate.

(C) The owner of an animal in the custody or possession of the Police Department pursuant to this chapter, at any time prior to the sale or other disposition thereof, may claim and be entitled to the possession of the animal. Upon payment of reasonable compensation to the entity or agency in possession of the animal for care and keeping of the animal, upon satisfactory proof of ownership of the animal, and upon making reparation as provided in § 8-9(G), the animal shall be returned to its owner.

(D) In addition to, or in lieu of impounding an animal found at large, a police or animal control officer or any person appointed by the Council for that purpose may issue to the known owner of such animal a notice of code violation. Such notice shall impose upon the owner a penalty in a dollar amount to be assessed as determined by resolution of City Council, which may, at the discretion of the animal owner, be paid within 72 hours in full satisfaction of the assessed penalty.

(E) If such penalty is not paid within the time period prescribed, a criminal warrant shall be initiated before a magistrate; and upon conviction of a violation of this article, the owner shall be punished as provided in § 1-9.

(F) The owner of any animal impounded under the provisions of this chapter shall be liable to the city for the expense of impoundment. Failure to make payment in full to the City Treasurer within ten days of receipt of an invoice shall constitute a civil infraction. The city may commence a civil action against a person who is liable for the payment of impoundment expenses to recover the expenses, statutory interest, court costs, and reasonable attorney fees, where the person has failed to make payment in full within ten days of receipt of an invoice from the City Treasurer.

(G) In the event that an owner desires to surrender an animal to the city, whether for purposes of euthanizing the animal or otherwise, the owner shall be required to compensate the city for costs incurred for transport and proper disposal of the animal.

(1978 Code, §§ 6-12, 6-48, 6-49, 6-51, 6-52; Ord. No. 215-A, §§ 1, 4, 12-19-89; Ord. No. 368, § 1, 3-18-03) Penalty, see § 1-9

Statutory reference:

Animals running at large, see M.C.L. §§ 433.14 through 433.18

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CHAPTER 90 - ANIMALS
GENERAL REGULATIONS

1. Definitions. The following terms when used in this Chapter shall have the meanings set forth in
this Section:

(1) Owner - Any person, group of persons, or a corporation who owns, harbors, keeps, or has
a right of property in any animal.

(2) Person - Any individual, employee, corporation, co-partnership or association.

(3) At Large - Any animal shall be deemed at large when it is off the property of its owner and
not under the reasonable control of a competent person.

(4) Reasonable Control - An animal is under restraint or reasonable control within the meaning of this Ordinance if it is controlled by a lead, if it is on or within a vehicle being driven or parked on the streets, or if is within the property limits of its owner or keeper, provided only that all of the above controls shall be exercised in a manner sufficient to restrain and prevent any danger to any person or property.

(5) Exposed to Rabies - An animal has been exposed to rabies within the meaning of this
Ordinance if it has been bitten by, or exposed to, any animal known to be infected with rabies.

(6) Animal Control Officer (herein ACO) - The person or persons employed by the City of Troy
as its enforcement officer(s).

(7) Animal Control Appeal Board (herein ACAB) - The ACAB shall consist of five (5) members
appointed by the City Council for three (3) year overlapping terms.

(8) Animal - Any living creature, domestic or wild, excluding for the purpose of licensing, small
caged household pets such as, but not limited to, parakeets and parrots, fish, household cats, insects, common store sold rodents and reptiles, or similar animals of a passive, undangerous nature.
(Rev. 11-19-73)

(9) Dangerous Animal - Any wild or exotic mammal, reptile or fowl which is not naturally tame
or gentle but is of a wild nature or disposition and which, because of its size, vicious nature
or other characteristics would constitute a danger to persons or property.

(10) Domestic Animal - Any animal not ferae nature, including, but not limited to horses, cows,
steers, ponies, mules, donkeys, sheep, swine and goats. This category shall not include dogs which will be otherwise provided for in this Chapter.
(Rev. 11-19-73)

2. Cruelty to Animals. A person commits the offense of cruelty to animals if without justification he

knowingly or negligently subjects an animal to mistreatment or neglect by overworking, beating,
tormenting, injuring, or killing any animal; carrying an animal in a cruel manner or failing to provide
an animal in his custody with proper drink, food or shelter or abandoning a helpless animal or
abandoning an animal on any public street, railroad or in any other place where it may suffer
injury, hunger or exposure or become a public charge or promoting, baiting, sponsoring or
conducting training for participation in any fight between any animals.
(Rev. 05-23-88)
3. Poisoning Animals. No person shall throw or deposit any poisonous substance on any exposed
public or private place where it endangers, or is likely to endanger, any animal except rodents and
insects.
(Rev. 06-07-76)
4. Birds and Birds' Nests. No person, except a police officer or an Animal Control Officer acting in
their official capacity, shall molest, injure, kill or capture any wild bird, or molest or disturb any wild
bird's nest or the contents thereof.
(Rev. 07-10-95)
5. Noises. It shall be unlawful to keep or harbor any animal which disturbs the peace by loud or
obnoxious noises at any time of the day or night.
6. Housing. Animals must be maintained in quarters so constructed as to prevent their escape. The
owner or keeper assumes full responsibility for the recovery of any animal that escapes from his
premises; he shall take all reasonable precautions to protect the public from the animals and the
animals from the public.
7. Diseased Animals. Any animal with a contagious or infectious disease shall be isolated from all
healthy animals at all times, and shall be so segregated that the illness or disease shall not be
transmitted to another animal.
8. Quarantine. Any animal which bites a person shall be quarantined for a period of ten (10) days.
During such period the animal shall be securely confined and kept from contact with any other
animal.
(Rev. 08-13-84)
8A. Feeding Waterfowl Prohibited. No person shall feed waterfowl. As used in this section, waterfowl
shall mean Giant Race of Canada Goose, Mallard Duck and sea gulls; and feed shall mean to
provide food other than that which is growing naturally on the site.
(Rev. 11-21-94)

9. Permit Fees. The fee for any permit shall be in accordance with Chapter 60, Fees and Bonds of
the City of Troy Code of Ordinances.
(Rev. 03-17-03)
Chapter 90 - Animals

10. Permit Period. A permit, if not revoked, shall be valid for the life of the owner, provided only that a
new permit shall be required at such time as the ownership of the animal is transferred by sale,
gift or other type of conveyance within the City. Subtractions may be logged on the present permit
at no charge. The permittee must notify the City within one week of any change of address for
himself or the animals.
(Rev. 08-13-84)
11. Revocation of Permit. The Animal Control Officer may revoke any permit if the person holding the
permit refuses or fails to comply with this Ordinance, the regulations promulgated by the Animal
Control Board, or any State or local law governing cruelty to animals or the keeping of animals.
Any person whose permit is revoked shall, within ten (10) days thereafter remove from his
premises or other premises in Troy, all animals being owned, kept, or harbored by such person
and no part of the permit fee shall be refunded. The effective date of the revocation shall be
postponed pending the outcome of any appeal to the Animal Control Appeal Board, which appeal
must be filed within seven (7) days of the date of revocation.
12. Impounding. Unrestrained animals as described in this Chapter may be taken by the Animal
Control Officer, Police Officer, or an Agency delegated by the Animal Control Officer and
impounded at the Oakland County Animal Care Center, in a humane manner. Animals
impounded shall be kept for not less than five (5) days unless reclaimed by their owners. Animals
not claimed within five (5) days shall be humanely disposed of or made available for adoption by
the Animal Control Officer or by an Agency delegated by him to exercise that Authority.
(Rev. 07-10-95)
13. Redemption from Pound: An owner reclaiming an impounded animal shall pay a fee in
accordance with Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances. The owner
may also be proceeded against for violation of this chapter and his permit may be revoked.
(Rev. 03-17-03)
14. Enforcement. The provisions of this Ordinance shall be enforced by the Animal Control Officer of

the City of Troy who shall have the right of inspection of an applicant's facilities both prior to and
after the granting of a permit. All decisions of the Animal Control Officer with regard to the
issuance or denial of a permit may be appealed to the Animal Control Appeal Board of the City of
Troy.
15. Animal Control Appeal Board. There is hereby created an Animal Control Appeal Board. Said
Board shall consist of five (5) members appointed by the City Council for three (3) year
overlapping terms. The Animal Control Appeal Board shall annually elect from among its
members a Chairman, a Vice Chairman and a Secretary. The Chairman shall preside over
meetings of the Board and shall have voting privileges. The Vice Chairman shall have voting
privileges and preside over meetings of the Board in the absence of the Chairman. The Secretary
shall record and file with the City Clerk accurate and complete resolutions, rules and
interpretations rendered by the Board. The jurisdiction of said Board shall be limited to
interpretation and application of regulations contained in this Ordinance.
(Rev. 09-08-03)
Appeals from the decisions of the Animal Control Officer to the Animal Control Appeal Board shall
be filed at the office of the City Clerk on blank forms provided by the Clerk. Rulings and
interpretations of the Animal Control Appeal Board shall be final. The Animal Control Officer shall

enforce all rulings of said Board.
DOGS
16. Dog Licenses Required. It shall be unlawful for any person to own, keep, or harbor any dog six
(6) months of age or over in the City of Troy, unless said dog is licensed as hereinafter provided;
or to own, harbor, or keep any dog six (6) months of age or over that does not at all times wear a
collar or harness with a metal tag attached as hereinafter provided.
17. License Required. It shall be the duty of any person owning or harboring a dog in the City of Troy
to license said dog with the City of Troy in accordance with the chapter. Individual dog licenses
shall be issued by the City Clerk upon application and payment of the license fees provided in
Chapter 60. The application for a dog license shall be accompanied by a certificate of vaccination
for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an
accredited veterinarian stating that said dog has been property immunized against rabies.
a) It shall be unlawful for any person to own, possess, keep, or harbor any dog six (6) months

of age or over without first having obtained a dog license.
b) Any person becoming the owner of any dog six (6) months or older, shall apply for and
secure a license for such dog within thirty (30) days of ownership.
c) The owner of a dog, which has been duly licensed in another jurisdiction, shall make application for a City of Troy dog license within thirty (30) days after such dog has been brought into the City of Troy.
d) Any person becoming the owner of a dog, which has previously been duly licensed in the
City of Troy, shall make application for a transfer of the dog license within thirty (30) days
of ownership.
e) No person shall keep more than three (3) dogs. This three (3) dog limit shall not apply to
puppies, under the age of six (6) months.
f) Any person who runs a dog kennel that is properly licensed need not apply for individual
dog licenses under this Chapter.
17.A Application; Certificate of Vaccination Prerequisite To Issuance of Dog License
A dog license is not valid in the City if the current rabies vaccination for the dog expires more than
one month before the dog license expires. In order to insure a valid rabies vaccination for each
licensed dog during the license period, the license expiration date for each dog will be converted
to the last day of the month in which the rabies vaccination expires. This change shall be in effect
commencing with the 2004 license year or for any new dogs licensed in the City of Troy. The City
Clerk can issue monthly licenses to accommodate the conversion to rabies expiration date. The
City Clerk may also issue up to a three-year license for each dog, depending upon the expiration
date for the rabies vaccination.
(Rev. 09-08-03)
18. License Fees.
The license fees shall be in accordance with Chapter 60, Fees and Bonds of the City of Troy

19. License Tags and Collars: Upon payment of the license fee the City Clerk shall issue to the
owner a license tag of metal or other suitable material, not less than one (1) inch in length or
diameter, containing the number of the license, the year of issuance, and words "Licensed, Troy,
Michigan" and also bearing the word "Immunized". Every owner shall be required to provide each

dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are
constantly worn. Absence of the collar and license tag from any dog shall be prima facie evidence
that said dog is not licensed, and any person finding such dog on his premises or running at large
may seize and deliver such dog to the dog pound.
No person shall remove any license tag from any dog without the consent of the person owning or
harboring said dog, and no tag shall be used on the collar or harness of any dog other than the
dog for which the tag was issued. In case a dog tag is lost or destroyed, a duplicate will be issued
by the City Clerk upon presentation of a receipt showing the payment of the license fee for the
current license, and the payment of a duplicate tag fee. No refund shall be made on any dog
license fee.
(Rev. 09-08-03)
Chapter 90 - Animals
6
20. Running at Large Prohibited. No owner or keeper of any dog shall permit such dog to run at large
within the City of Troy at any time.
(Rev. 08-06-73)
21. Impounding. It shall be the duty of every Police Officer or Animal Control Officer of the City of
Troy to apprehend any dog found running at large contrary to the provisions of this Chapter, and
also to apprehend and impound any dog which has bitten or attacked any person thereby causing
injury.
22. Pound Fees. Any dog seized or impounded shall be released to the owner upon satisfaction of
the following conditions:
(1) Payment of a fee shall be in accordance with Chapter 60, Fees and Bonds of the City of Troy
Code of Ordinances. for the release of a dog which has been immunized against rabies and
has a current dog license, plus payment for the cost of boarding such dog, as established by
the County.
(Rev. 03-17-03)
23. Harboring a Barking Dog. No person shall keep or harbor a dog which by loud or frequent or
habitual barking, yelping, or howling shall cause a serious annoyance to the neighborhood or to
people passing upon the streets of the City.
24. Vicious Dogs.
(1) No person shall own, keep or possess a vicious dog. A vicious dog is defined as one of

the following:
(a) One that has committed an unprovoked attack on a person or animal, or
(b) One that approaches a person in an apparent attitude of attack when unprovoked, or
(c) One that has bitten a person or animal, or
(d) One that has contracted or is suspected of having contracted rabies.
(2) Any violation of this section shall be subject to the following conditions:
(a) The owner or keeper shall immediately surrender the dog to a police officer or animal control officer for impoundment.
(b) If the dog is suspected of having rabies, the impoundment period shall not exceed ten (10) days for purposes of quarantine and observation for rabies.
(c) At the discretion of the animal control officer, and if the owner has proof of rabies vaccination, the dog may be quarantined on the premises of the owner. If the animal control officer requires other confinement, the owner shall surrender the animal for the quarantine period of ten (10) days to an animal shelter or shall, at his own expense, place it in a licensed veterinary hospital. Whenever a dog has been apprehended for having bitten a person, the animal control officer or police

officers, or other duly authorized person, may, if deemed necessary and advisable, and after holding such dog a sufficient length of time to meet the requirements for investigation, cause such dog to be destroyed as a vicious dog.
(d) If the impoundment was caused because the dog was vicious, the impoundment period shall not extend beyond the date of arraignment or until civil action has been heard in a court of competent jurisdiction, at which time the dog may be released or further impounded at the discretion of the court.
(Rev. 05-23-88)
25. Destruction of Unclaimed Dogs. It shall be the duty of the dog warden or other person in charge
of the dog pound to destroy in a humane manner all impounded dogs which are not claimed and
released within one hundred twenty (120) hours after being impounded; provided, however, if in
his judgment said dog is valuable or otherwise desirable, the dog warden may dispose of said dog
to any reasonable person who will undertake to remove said dog from the City or keep and harbor
said dog within the City in accordance with the provisions of this Chapter. The bodies of all dogs
destroyed at the pound or elsewhere in the City shall be disposed of by the dog warden in a
manner approved by the Oakland County Health Department.
(Rev. 05-23-88)
DOMESTIC ANIMALS
26. Running at Large Prohibited. No owner or keeper of any domestic animal shall permit such
animal to run at large within the City of Troy, any such animal running at large in any public place
in the City shall be impounded in the manner provided in Section 12 of this Chapter.
27. Use of Domestic Animals on Public or Private Land Without Consent. No person shall drive, ride,

lead or back any domestic animal or team on or along any public park wherein such is not
permitted, the municipal golf course, cemetery, public sidewalks, all real property located in the
City of Troy owned by any school district, land used as an airport, or on a public or private parking
lot not specifically designed for the use of such animals or on private property without the
expressed consent of the owner or his duly authorized agent.
(Rev. 01-16-78)
28. Permit Required. Except as hereinafter provided, and effective with the adoption of this
Ordinance, no person shall own, keep, maintain or have in his possession or under his control,
within the City of Troy, any domestic animal without first applying to and receiving a permit from
the City Clerk of the City of Troy to do so. Both the owner and the boarder/keeper must obtain
permits if they do not share the same premises.
(Rev. 08-06-73)
28.5. It is hereby declared to be a public nuisance and no permit shall be issued to any person, farm or
corporation to keep or maintain any domestic animals within the corporate limits of the City of
Troy, on any lot or acreage parcel smaller than three-quarters (3/4) of one (1) acre. No person,
farm, or corporation shall keep or maintain any of the aforesaid animals on any lot or acreage
parcel in such numbers as shall be detrimental to the public health, safety or welfare or the
humane treatment of such animals.
(Rev. 11-19-73)

29. Issuance of Permit. Upon a showing by any applicant for a permit that he is prepared to comply
with the regulations promulgated by the ACAB of the City of Troy, a permit shall be issued
following payment of the applicable fee.
The following rules and regulations will be applied by the ACO when considering applications for permits
for domestic animals:
(1) The applicant, when applying for a permit, shall furnish the Animal Control Officer with a
list of the kinds of animals to be kept, handled, or exhibited, with the estimated maximum
number at any one time. The Animal Control Officer must be notified within one week if
other animals are acquired or the maximum number increased.
(Rev. 11-19-73)
(2) No owner shall fail to provide his animals with sufficient food and water, proper shelter and
protection from the weather, veterinary care when needed to prevent suffering, and with

humane care and treatment. No person shall beat, cruelly treat, torment, overload, overwork, or otherwise abuse any animal, or cause or permit any dog fight, cock fight, bull
fight or other combat between animals or between animals and humans. No owner of an animal shall abandon such animal.
(3) Animals must be maintained in quarters so constructed as to prevent their escape. Permittee assumes full responsibility for the recovery of any animal that escapes from the
premises. Permittee shall take all reasonable precautions to protect the public from the animals and the animals from the public.
(4) Permittee shall conform to all present or future laws, and ordinances of the City and rules
and regulations of the Animal Control Officer.
(5) Permittee shall be liable for any personal injury or property damage caused by the animal
for which the permit is issued as a result of the negligence of the permittee or any other person placed in control of the animal by the permittee.
DANGEROUS ANIMALS
30. Running at Large Prohibited. No owner or keeper of any dangerous animal shall permit such
animal to run at large within the City of Troy.
31. Permit Required. No person shall own, keep, maintain, or have in his possession or under his
control, within the City of Troy, any dangerous animal unless he has first applied to and received a
permit from the City Clerk of the City of Troy to do so. Both the owner and the boarder/keeper
must obtain permits if they do not share the same premises.
(Rev. 11-19-73)
32. Issuance of Permit. Upon a showing by any applicant for a dangerous animal permit that he is
prepared to comply with the regulations promulgated by the ACAB of the City of Troy, a permit
shall be issued following payment of the applicable fee. The following rules and regulations will be
applied by the ACO when considering applications for permits for dangerous animals:
(Rev. 08-06-73)

(1) The applicant shall furnish the Animal Control Officer with a list of the kinds of animals to
be kept, handled or exhibited, with the estimated maximum at any one time. The Animal Control Officer must be notified within one week if other animals are acquired or if the maximum number is increased.
(Rev. 11-19-73)
(2) Permittee assumes full responsibility for safekeeping and fee recapturing any animal that
escapes from his premises.
(3) Permittee shall make adequate provisions and safeguards for the protection of the animals
from abuse, teasing, etc., by the public.

(4) Permittee shall make adequate provisions for the protection of the public.
(5) Permittee shall conform to all present or future laws of the State of Michigan and all present or future Ordinances of the City of Troy regulating the keeping of or cruelty to animals, and all rules and regulations of the ACO.
(6) Permittee shall be liable for any personal injury or property damage caused by the animal
for which the permit is issued as a result of the negligence of the permittee or any other person placed in control of the animal by the permittee.
33. Possession of Excrement Removal Device
No person owning or possessing a dog or cat shall cause or permit such dog or cat to be on
public or private property, not owned or possessed by such person unless such person has in his
immediate possession an appropriate device for the scooping of excrement and an appropriate
depository for the transmission of excrement to a receptacle located on property owned or
possessed by such person.
(Rev. 07-13-92)
34. Removal of Animal Excrement
(1) Any person who, while walking or escorting a dog or cat allows said animal to deposit excrement on public or private property, other than the property of the animal's owner or the property of the person walking or escorting the animal shall immediately remove such
excrement.
(2) Any person owning a dog or cat which deposits excrement on public or private property,
other than the property of the animal's owner, shall, upon being made aware of such fact,
immediately remove such excrement.
(Rev. 07-13-92)

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ARTICLE III. DOGS*

***State law references:** Dog law, MCL 287.261 et seq.; rules for control of rabies and the disposition of nonhuman agents carrying disease, including rabid animals, MCL 333.5111.

DIVISION 1. GENERALLY

Sec. 7-26. Running at large prohibited.
It shall be unlawful for the owner, or any other person having the possession, care, custody or control thereof, to permit any dog to run at large:
(1) Upon the public streets, walks, parks or other public places within the city, unless the dog shall be attached to a leash of sufficient strength to restrain the dog in such manner as to be kept under the control of the person accompanying it;
(2) Upon private, property, with or without a leash, unless permission has been granted by the owner or occupant of the private property.
(Code 1967, § 4-916)
Cross references: Streets, sidewalks and other public places, Ch. 34.

Sec. 7-27. Female dogs in heat restricted.
It shall be unlawful for the owner or custodian of any female dog to permit the dog off the premises of the owner or custodian when in heat, unless the dog is under control and attached to a leash.
(Code 1967, § 4-913)

Sec. 7-28. Annoying dogs prohibited.
It shall be unlawful for any person to own, harbor or keep any dog which shall cause annoyance or disturbance to persons by frequent and habitual barking, howling or yelping.
(Code 1967, § 4-917)

Sec. 7-29. Vicious dogs prohibited.
It shall be unlawful for any person to suffer or permit a vicious, fierce or dangerous dog to go unconfined and unrestrained on such person's premises, or to run at large. "vicious" is defined in Article V, section 7-123, herein.
(Code 1967, § 4-918; Ord. No. 80-585, § 2, 4-23-03)

Sec. 7-30. Report of dog bites; quarantine.

(a) If any person is bitten by a dog, it shall be the duty of that person, or the owner or custodians of the dog having knowledge of same, to report same to the police department within twelve (12) hours thereafter. If the owner or custodian of any dog has any reason to believe or suspect that such dog has become infected with rabies, it shall be the duty of that person to report the same to the police department within twelve (12) hours thereafter.

(b) If there is any report to it as set forth in subsection (a), the police department shall take such dog into its possession and deliver it to the health officer. The health officer shall hold such dog in quarantine until a laboratory analysis by a licensed veterinarian is made to determine whether the dog is infected. The health officer shall promulgate and adopt such rules as he deems necessary for the procedure in all such cases and for the disposition of any dog delivered into his or her custody. The owner of such dog shall pay the costs involved in such quarantine.

(Code 1967, §§ 4-914, 4-915)

State law references: Rules for control of rabies and the disposition of nonhuman agents carrying disease, including rabid animals, MCL 333.5111.

Sec. 7-31. Interference with enforcement.

It shall be unlawful for any person to interfere with any dog warden or his or her agent in the enforcement of this article.

(Code 1967, § 4-911)

Cross references: Offenses against public administration, § 22-21 et seq.

Sec. 7-32. Number of dogs harbored restricted; nuisance.

It shall be unlawful for any owner or tenant to possess, harbor, shelter or keep more than three (3) adult dogs, at any residential dwelling unit or commercial or industrial premises, excepting kennels, veterinary hospitals and pet shops. For the purpose of this section, an adult dog shall be deemed to be any dog six (6) months or older. It shall be unlawful to maintain any dog so as to create a nuisance by way of noise, odor or otherwise.

(Code 1967, § 4-922(2); Ord. No. 80-340, § 10, 6-9-87; Ord. No. 80-585, § 2, 4-23-02)

Sec. 7-33. Rabies vaccination required.

It shall be unlawful to own, maintain, keep, or harbor any dog four (4) months old or older that has not been vaccinated against rabies.

(Ord. No. 80-567, § 1, 3-27-01)

Secs. 7-34--7-45. Reserved.

DIVISION 2. LICENSES*

***State law references:** Dog license, MCL 287.266 et seq.; authority for city to license dogs, MCL 287.290.

Sec. 7-46. Required.
It shall be unlawful for any person to own, maintain, keep or harbor any dog four (4) months old or older within the corporate limits of the city without first obtaining a license as provided in this division.
(Code 1967, § 4-909; Ord. No. 80-567, § 2, 3-27-01)

Sec. 7-47. Application.
Application for a license under this division shall be made to the city clerk and shall state the breed, sex, age, color and markings of the dog, and the name and address of the applicant and the last known previous owner. The application shall be accompanied by a certificate of a licensed veterinarian showing that the dog has been vaccinated against rabies.
(Code 1967, § 4-909; Ord. No. 80-585, § 3, 4-23-02)

Sec. 7-48. Fee.
The fee for a dog license as required under this division, shall be prescribed in chapter 18, section 18-18, regulating licensing fees.
(Code 1967, § 4-910; Ord. No. 7-48, § 1, 10-14-97)

Sec. 7-49. Tag; collar.
Upon the issuance of a license under this division, the city clerk shall issue a tag made of metal or some other suitable durable material with the number of the license, the expiration date, and the words "Dog License, Warren, Michigan" stamped upon it. The owner of each dog licensed shall provide it with a substantial collar to which the tag shall be affixed and which at all times shall be kept on the dog. No person except the owner or custodian shall remove any collar or tag from any dog wearing same. It shall be unlawful for any person to whom a license tag has been issued to fail or refuse to produce the license tag for such dog upon demand of any police officer or agent of the police department.
(Code 1967, § 4-910)

Sec. 7-50. Expiration.
Each one-year license shall expire on the thirtieth day of April. Each three-year license shall expire on the thirtieth day of April, three (3) years from date of issuance. The application for a three-year license shall be accompanied by a certificate of a licensed veterinarian showing that the dog has been vaccinated against rabies for a period of three (3) years.
(Code 1967, § 4-910)
Secs. 7-51--7-65. Reserved.

DIVISION 3. KENNELS*

***State law references:** Kennel license, MCL 287.270 et seq.; authority for city to license kennels, MCL 287.270b.

Sec. 7-66. Compliance with division.
No person shall own or operate a kennel in the city except in conformity with the provisions of this division.
(Code 1967, § 4-919(1))

Sec. 7-67. Defined.
For purposes of this division, a kennel shall be construed as an establishment wherein or whereon three (3) or more dogs are confined and kept for sale, or for boarding or breeding purposes for remuneration.
(Code 1967, § 4-919(2))
Cross references: Definitions and rules of construction generally, § 1-2.
State law references: Similar definition, MCL 287.270.

Sec. 7-68. Construction.
A kennel facility shall be so constructed as to prevent stray dogs or the public from obtaining entrance thereto and gaining contact with dogs lodged in the kennel.
(Code 1967, § 4-919(3))
State law references: Similar provisions, MCL 287.270.

Sec. 7-69. License--Required; application.
Any person who keeps or operates a kennel may, in lieu of individual licenses required under section 7-46, apply to the city dog warden for a kennel license entitling the person to keep or operate the kennel. The application shall be made in writing on forms supplied for that purpose by the police commissioner. Proof of vaccination of dogs against rabies shall not be required with the application. The license shall be issued by the dog warden on the form prepared for such purpose and supplied by the commissioner of agriculture of the State of Michigan, and such license shall entitle the licensee to keep any number of dogs six (6) months old or over not at any time exceeding a certain number which shall be specified in the license.
(Code 1967, § 4-919(4))
State law references: Similar provisions, MCL 287.270.

Sec. 7-70. Same--Fees.
Fees shall be paid for each kennel license in the amount of ten dollars ($10.00) for ten (10) dogs or less, and in the amount of twenty-five dollars ($25.00) for more than ten (10) dogs. A fee of double the original license fee shall be charged for each previously licensed kennel, whose kennel license is applied for after June first.
(Code 1967, § 4-919(5))
State law references: Similar provisions, MCL 287.270.

Sec. 7-71. Same--Metal tags.

With each kennel license the dog warden shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel. All such tags shall bear the words "City of Warren, Macomb County, Michigan" and the number of the kennel license. Such metal tags shall be fabricated in such a way as to be readily distinguishable from individual dog license tags for the same year.
(Code 1967, § 4-919(6))
State law references: Similar provisions, MCL 287.270.

Sec. 7-72. Same--Inspection certificate.
(a) The dog warden shall not issue a kennel license under the provisions of this division unless the applicant therefor shall furnish the warden with an inspection certificate signed by the state commissioner of agriculture, or the authorized representative of the commission, which inspection certificate shall state that the kennel to be covered by the license complies with the reasonable sanitary requirements established by the state commission of agriculture, and that the dogs therein are properly fed and protected from exposure commensurate with the breed of the dog.
(b) The foregoing inspection by the state commission of agriculture or its authorized representative shall have been made not more than thirty (30) days prior to the filing of the application for license with the dog warden.
(Code 1967, § 4-919(7), (8))
State law references: Similar provisions, MCL 287.270.
Secs. 7-73--7-85. Reserved.

DIVISION 4. IMPOUNDMENT

Sec. 7-86. Duty of police department.
It shall be the duty of the police department to seize and impound any dog found anywhere in the city contrary to the provisions of this article. Additional duties are set forth in Article V, herein.
(Code 1967, § 4-911; Ord. No. 80-585, § 3, 4-23-03)

Sec. 7-87. Release to owner.
No dog impounded under this division shall be released to its owner or other authorized person without payment and such sums determined by the police department for its care and maintenance and without procuring a license as provided in section 7-46. Additional requirements set forth in Article V may also be implicated for violations under that article.
(Code 1967, § 4-911; Ord. No. 80-585, § 4, 4-23-03)

Sec. 7-88. Disposition.
(a) The police department shall hold for four (4) days after impounding any unlicensed dog before destroying such animal, or if it is deemed valuable, selling it to the highest bidder at public auction to be held at noon of the fifth day.
(b) If the dog has a collar, license or other evidence of ownership, the police department shall notify the owner in writing and disposition of the animal shall not be made within seven (7) days from the date of mailing the notice.

(c) The police department shall maintain a record on each identifiable dog acquired, indicating a basic description of the animal, the date it was acquired and under what circumstances. The record shall also indicate the date of notice sent to the owner of an animal and subsequent disposition.
(d) This section does not apply to animals which are sick or injured to the extent that the holding period would cause undue suffering, or to animals whose owners request immediate disposal.
(e) If after such notice, the dog has not been claimed, the dog warden shall dispose of such dog by sale or by destruction in some humane manner.
(f) No dog so caught and detained shall be sold for the purpose of vivisection.
(g) All moneys derived from the sale of such dog, after deducting the expense of its detention, shall be paid to the city.
(Code 1967, § 4-911)

Sec. 7-89. Records required.
The police department shall maintain a complete record of all dogs impounded under the provisions of this division and the disposition of same.
(Code 1967, § 4-912)
Secs. 7-90--7-100. Reserved.

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REFERENCE MATERIAL

CHAPTER 6.04. DOGS

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6.04.010 Title for citation.

This chapter shall be known and cited as the "dog ordinance." (Prior code § 3-403)

6.04.020 Purpose of provisions.

The purpose of this chapter is to promote the public health, safety, morals, convenience, comfort and general welfare of the community through the proper control and care of dogs by their owners and others. (Prior code § 3-404)

6.04.030 Enabling authority.

This chapter is adopted pursuant to the provisions of Section 1 of Chapter II and Sections 11 and 12 of Chapter IV of the City Charter. (Prior code § 3-405)

6.04.040 Definitions.

The words and phrases defined in this section, when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them, except in those cases where the context clearly indicates a different meaning.

A. "Department" means and includes the police department, the chief of police, and his duly authorized representatives.

B. "Individual dog license" means the licenses of one (1) or several dogs, as required by this chapter, but does not include the licensing of dogs under a kennel license as provided in this chapter.

C. "Kennel" means a building, pen or enclosure wherein or whereon three (3) or more dogs are confined and kept, sheltered, maintained, boarded, or kept for sale, breeding or training purposes, for remuneration. The term "kennel" shall not include the keeping or maintaining of puppies less than three (3) months old when borne by dogs which are legal accessory house pets.

D. "Owner." When applied to the proprietorship of a dog, the word "owner" and "owning" means, includes and pertains to every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him.

E. "Police officer" means any person employed or elected by the state, the city or the county, whose duty it is to preserve peace or to make arrests or to enforce the law, and includes a dog warden of the city.

F. "Reasonable control." A dog shall be deemed to be under "reasonable control" when the dog is with the owner or some member of the owner's family, or some other person with permission of the owner. A dog shall be deemed not to be under "reasonable control" when it commits damage to the person or property of anyone other than the owner, except in the defense of the owner, his family or his property; or, in the case of a female dog while in heat, off the premises of the owner, unless confined in the process of being transported to or from such premises.

G. "Running at large" means and shall constitute the status of any dog off the premises of the owner thereof; provided, however, that a dog under reasonable control shall not be considered to be running at large.

H. "Vicious dog" means:

1. Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals; or

2. Any dog which because of its size, physical nature, or vicious propensity is capable of inflicting serious physical harm or death to humans and which would constitute a danger to human life or property if it were not kept in the manner required by this chapter; or

3. Any dog which, without provocation, attacks or bites, or has attacked or bitten, a human being or domestic animal; or

4. Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting. (Ord. 1944 § 1, 1988; Ord. 1081 § 2, 1973; prior code § 3-406)

6.04.050 Dog warden—Appointment—Powers and duties.

The chief of the department shall appoint a dog warden, subject to civil service procedure, who shall have such powers and duties as are provided in this chapter and who shall perform such other duties as may be assigned to him, from time to time, by such chief. It shall be the duty of the dog warden or other person designated by the chief of the department to make diligent inquiry as to the dogs owned, harbored or kept, or kennels operated, in the city and whether such dogs and kennels are licensed. Any dog found unlicensed after December 1st of each year may be seized and impounded by the dog warden or other authorized person. If the owner or person harboring such dog is known, the dog warden or other officer shall file a complaint against such owner or person in the municipal court. (Prior code § 3-421)

6.04.060 Administration and enforcement.

The provisions of this chapter, and the rules and regulations adopted pursuant to this chapter, shall be administered and enforced by the department, including the dog warden. (Prior code § 3-437)

6.04.070 Contracts with other municipal corporations authorized when.

The chief of the department is authorized to negotiate contracts with other municipal corporations, including cities, villages and townships, for the care, maintenance, destruction and disposal of all dogs seized and impounded by such municipal corporations; provided however, that no such contract shall become valid and binding on the city until it has been approved by the city council. (Prior code § 3-422)

6.04.080 Rules and regulations.

The department is authorized to make rules and regulations governing the administration and enforcement of this chapter, which rules and regulations shall not be effective until approved by the city council, and copies of which rules and regulations shall be made available for distribution to all interested persons. (Prior code § 3-438)

6.04.090 Compliance with chapter provisions required.

No dog shall be kept or harbored within the city, nor shall any kennel be maintained or operated within the city, except in compliance with the provisions of this chapter. No person shall keep or harbor any dog within the city, or maintain or operate a kennel within the city, except in compliance with this chapter. (Prior code § 3-440)

6.04.100 Revenue and expenses.

All expenses incurred in the construction, repair, maintenance and operation of the dog pound, and in the administration and enforcement of this chapter, shall be paid from the general fund of the city. All fees, charges, penalties, fines, receipts and revenues, created or provided by this chapter, shall be paid into such general fund. (Prior code § 3-439)

6.04.110 License—Required—Number of dogs permitted.

It is unlawful for any person to own, possess or harbor a dog four (4) months of age or over for a period of thirty (30) days or more in the city without first having obtained a license therefor, provided further, that no more than three (3) dogs are permitted to be harbored, owned or possessed at any residence within the city. (Ord. 2461 § 1 (part), 1999: Ord. 1493 § 1, 1979: prior code § 3-407)

6.04.120 License—Application—Rabies vaccination certificate—Expiration date.

All applications for dog licenses shall be filed with the department on such forms as may be provided by such department. It shall be the duty of any person owning or harboring a dog, on or before the first day of March of each year, or within thirty (30) days after the dog becomes four (4) months of age, or within thirty (30) days after such person becomes a resident of the city, or within thirty (30) days after he becomes the owner of a dog four (4) months of age or more, to apply for a license or to apply for a kennel license as set forth below; provided, however, that the effective period of an outstanding license issued

on the basis of a December 1st—November 30th effective period shall be extended to the last day of February in the year following the November 30th expiration date of said license. The application shall state the breed, sex, age, color and markings of the dog, the name and address of the dog's current owner, and the name and address of the last previous owner. If the applicant has become a resident of the city, or the owner of a dog within thirty (30) days, the applicant shall give the date of becoming a resident or acquiring the dog, as the case may be. The applicant shall furnish a valid certificate of a current vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. The certificate of vaccination for rabies shall state the month and year of expiration for the rabies vaccination, in the veterinarian's opinion. A license shall not be issued if the dog's current rabies vaccination will expire more than one (1) month before the date on which that license would expire. The owner of a dog that is required to be licensed under this chapter shall keep the dog currently vaccinated against rabies by an accredited veterinarian with a vaccine licensed by the United States Department of Agriculture. All dog licenses hereafter issued shall expire on the last day of February in the year following their issuance. (Ord. 2461 § 1 (part), 1999: prior code § 3-408)

6.04.130 License—Fees.

A. Fees for dog licenses shall be determined as follows:

1. Regular Fee. The regular annual license fee charged for each dog shall be set by resolution of the city council.

2. Reduced Fees.

a. In the case of any individual dog license issued after September 1st, provided the owner proves to the satisfaction of the city clerk that the dog was not acquired by the owner prior to August 1st or did not become four (4) months of age prior to August 1st, or that the owner was not a resident of the city and owner of the dog prior to August 1st, the fee shall be discounted by fifty percent (50%).

b. If the owner provides evidence that the dog has been surgically rendered to be unable to produce offspring, the fee shall be discounted by three dollars ($3.00).

3. Late Applications. When an application is made for an individual dog license after June 1st, or after a dog is four (4) months of age, or more than thirty (30) days after the dog has been acquired or its owner has moved into the city, an additional charge shall be made by way of penalty amounting to eleven dollars ($11.00) per dog; provided, however, in the case of anyone moving into the city after June 1st, or owning or acquiring a dog becoming four (4) months of age after June 1st, or acquiring a dog after June 1st, and furnishing satisfactory proof to the city clerk of such fact, the license fee shall be the same as for licenses issued prior to June 1st.

4. Service Dogs. This section shall not apply to those dogs utilized by individuals as seeing-eye (leader) dogs, service dogs and other special needs assistance dogs, and the fee relative to licensing is hereby expressly waived.

B. All license fees shall be paid to the city clerk; provided, however, that the city clerk may designate and authorize certain officers or employees of the department, including the animal control officer(s), to accept such fees in the name of the city clerk and to issue proper receipts therefor. (Ord. 2621, § 1, 2003: Ord. 2461 § 1 (part), 1999: Ord. 2266 § 1, 1994: Ord. 2109 § 1, 1992; Ord. 1493 § 2, 1979; prior code § 3-409)

6.04.140 License—Issuance—Contents.

A. Dog licenses shall be issued by the department on filing and approval of proper applications, on payment of the required fees and on full compliance with the provisions of this chapter; provided, however, that the city clerk may designate and authorize certain officers or employees of the department to issue and sign such licenses.

B. Each license issued shall display all of the following:

1. Its expiration date;

2. A serial number corresponding to the number on the metal tag furnished to the owner;

3. A full description of the dog licensed. (Ord. 2461 § 1 (part), 1999: prior code § 3-410)

6.04.150 Foreign or out-of-city licenses.

In the case of a dog which has been duly licensed in another county, city or village in the state, or by lawful authority of any state in the United States, if application is made by the owner or person harboring such a dog within thirty (30) days after taking up his residence in the city, and at least sixty (60) days prior to the expiration of his foreign license, and such person furnishes proper evidence that the dog has been immunized against rabies subsequent to the previous December 1st, the fee shall be one dollar ($1.00) for each dog. The department shall retain and file such foreign license and return it to the owner thereof on demand if the owner at any time desires the return of such license and deposits with the department his city license in exchange thereof. (Prior code § 3-411)

6.04.160 License—Transfer conditions.

Whenever the ownership or possession of any dog is permanently transferred from one (1) person to another within the city, the license of such dog may be likewise transferred upon notice given to the department; provided, however, that such transfer shall be entered in the department's records. (Prior code § 3-412)

6.04.170 License—Denial or revocation—Conditions—Notice required.

A. Any license issued under this chapter may be revoked by the chief of the department, and any application for a license under this chapter may be denied by said chief, for any one (1) or more of the following reasons:

1. Fraud or misrepresentation in the application for such license;

2. Fraud or misrepresentation in the use or exercise of such license, or in the operation of a kennel;

3. Any violation of this chapter, or of the rules and regulations authorized by this chapter or of any ordinance of the city;

4. Any violation of any of the laws of the United States or this state;

5. The use or exercise of such license, or the operation of a kennel, in an unlawful manner or in such manner as to constitute a breach of the peace or a menace to the health, safety or welfare of the public; or

6. Any failure or inability on the part of the applicant or licensee to meet and satisfy the requirements and provisions of this chapter and said rules and regulations.

B. Written notice of such revocation or denial, stating the reason or reasons therefor, shall be delivered to the applicant or licensee personally at the time of such revocation or denial, or shall be mailed to his address stated in his application within five (5) days following such revocation or denial. (Prior code § 3-436(1))

6.04.180 License—Denial or revocation—Request for hearing.

Whenever any license issued under this chapter has been revoked, or whenever any application for a license under this chapter has been denied, any person directly aggrieved by such revocation or denial may have a hearing before the city council, provided he shall file with the city clerk, within fifteen (15) days following such revocation or denial, a written request for such hearing. Following a hearing, the city council shall either affirm such revocation or denial, or shall order such license to be issued or reinstated on such terms and conditions as shall seem reasonable and just. (Prior code § 3-436(2))

6.04.190 License tags—Issuance—Contents.

Upon issuance of a dog license there shall be delivered to the licensee by the department a license tag of metal or other suitable material, and not less than one (1) inch in length or diameter, containing the number of the license duly stamped or engraved thereon, the year of issuance, the words, "Licensed, Livonia, Michigan," and also bearing the word "immunized" in the case of individual dog licenses. (Prior code § 3-416(a))

6.04.200 License tags—Attachment to dog's collar.

Every person owning or harboring a dog shall provide the same with a substantial collar of durable material and shall be responsible for attaching the license tag securely thereto, to be worn by said dog. Absence of the collar and license tag from any dog shall be prima facie evidence that the dog is not licensed. (Prior code § 3-416(b))

6.04.210 License tags—Removal or transfer prohibited.

No person shall remove any license tag from any dog without the consent of the person owning or harboring said dog, nor shall any person attach a tag on the collar or harness of any dog other than the dog for which the tag was issued. (Prior code § 3-416(c))

6.04.220 License tags—Duplicates.

In case of the loss of a tag, the owner may secure a duplicate from the department upon payment of one dollar ($1.00). (Ord. 2325 § 1, 1996: prior code § 3-416(d))

6.04.230 Kennel license—Required.

No person shall maintain or operate a kennel without first obtaining a license in the manner prescribed by state law, particularly Act 339, Public Acts of 1919, as amended. (Prior code § 3-413)

6.04.240 Kennel location—Zoning provisions applicable.

No person shall maintain or operate a kennel in violation of any applicable provision of the zoning ordinance of the city. The words "accessory uses," as used in the zoning ordinance, shall include kennels, together with all shelters, buildings, yards, pens and runways incidental thereto, all of which shall be subject to the same provisions of the zoning ordinance as are applicable to accessory uses in districts in which kennels are permitted. Provided, however, that this section shall not be deemed to prevent the continuation of a kennel which was in existence prior to the enactment of the zoning ordinance even though it now constitutes a nonconforming use, where the owner of such kennel complies, or has complied, with the other applicable provisions of the zoning ordinance. (Prior code § 3-414)

6.04.250 Kennel license—Posting on premises.

Each kennel license shall be posted in a conspicuous place on the premises where the kennel is maintained. (Prior code § 3-415)

6.04.260 Kennel operation conditions.

All dogs in a kennel shall be provided with sufficient housing to protect them from the elements, commensurate with the breed of dog. No dog shall be so penned, caged, boxed, housed or kept that reasonable, adequate outside runs, pens or yards are not individually available to such dog for his exercise, health and well-being, commensurate with the breed of dog. There shall be a dwelling situated on the premises on which any kennel is located, in which dwelling there shall reside such person or persons as is or are responsible for the care, upkeep and control of dogs contained in such kennel. (Prior code § 3-428)

6.04.261 Kennel inspections.

In order to assure that a kennel is in compliance with the provisions of this chapter, all kennels shall be subject to an annual inspection which shall be conducted by the animal control officer, or his designated representative, which inspection shall be made not more than thirty (30) days before filing the application for license. (Ord. 1800 § 1, 1985)

6.04.270 Running at large prohibited.

No dog shall be permitted upon the public streets, public thoroughfares, public parks or public places, or off the premises of the owner thereof, unless such dog is under reasonable control. No dog shall be permitted to run at large if such dog is unlicensed and is required to be licensed under this chapter, and any such dog is hereby declared to be a public nuisance; provided, however, that the chief of the department may, from time to time, order that no dogs, licensed or unlicensed, shall run at large for a specified period not in

excess of six (6) months, if conditions and circumstances warrant, for the purpose of protecting the health, safety and welfare of the people or property within the city; provided further, that notice of such order shall be published in the official newspaper at least five (5) days prior to the commencement of any period specified in such order. (Prior code § 3-427)

6.04.280 City dog pound maintained—Seizure and impoundment of dogs required when.

The city shall provide and maintain a pound, and it shall be the duty of the dog warden, or any other person employed by the department for that purpose, and of any police officer of the city, to promptly seize, take up and place in said pound all dogs that may be found running at large contrary to the provisions of this chapter, all dogs within the city which are not under reasonable control, and all dogs which are being kept or harbored any place within the city contrary to the provisions of this chapter. (Prior code § 3-417)

6.04.290 Impoundment—Release conditions—Fees.

Any dog seized or impounded by the animal control officer shall be released upon the following conditions:

A. The payment of a fee of sixteen dollars ($16.00) for a dog the first time such dog is seized or impounded, and a fee of forty-five dollars ($45.00) for the second time the dog is seized or impounded; and forty-five dollars ($45.00) for a dog for each subsequent time it is seized or impounded;

B. Payment of the cost of boarding said dog, at the rate of sixteen dollars ($16.00) per day, or part thereof, if the same is impounded for more than twenty-four (24) hours;

C. The showing of a city license, or, if the dog has no license, the making of an application for same. (Ord. 2520 § 1, 2001: Ord. 2225 § 1, 1994: Ord. 1081 § 1, 1973: prior code § 3-418)

6.04.300 Impoundment—Records required.

The dog warden, upon receiving any dog, shall make a complete registry, entering the breed, color and sex of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag. (Prior code § 3-419)

6.04.310 Impoundment—Notice required—Disposition of unclaimed dogs.

The dog warden shall perform the following duties:

A. He shall impound unlicensed dogs for a period of three (3) days following seizure thereof, and, unless such dogs are claimed and released within said period or are disposed of as hereinafter provided in this section, he shall destroy the same in a humane manner;

B. He shall impound licensed dogs for a period of seven (7) days following seizure thereof, he shall give notice of such impounding by mail to the address appearing on the license application within a period of forty-eight (48) hours from the time of seizure and, unless such dogs are not claimed and released within said seven-day period or are disposed of as hereinafter provided in this section, he shall destroy the same in a humane manner.

C. If in his judgment any impounded dog is valuable or otherwise desirable of keeping, the dog warden may dispose of such dog to any person who will undertake to remove the dog from the city or keep and harbor the dog within the city in accordance with the provisions of this chapter, and who shall satisfy the dog warden that he is capable of fulfilling such undertaking. Where two (2) or more persons desire a particular dog, such dog shall be sold to the highest bidder of such persons; provided, however, that no bid shall be less than the cost to the city for keeping said dog. (Prior code § 3-420)

6.04.320 Sanitary requirements.

No dog shall be kept or harbored, nor shall any kennel be maintained or operated, in any unclean, unsanitary or unsightly manner, or in such manner as to cause unpleasant or obnoxious

odors, or in such manner as to constitute a menace to the public health, safety and welfare. (Prior code § 3-429)

6.04.330 Rabies precautions.

If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, such dog shall be confined by a leash or chain on the owner's premises, and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two (2) weeks. The owner shall notify the dog warden of the fact that his dog has been exposed to rabies and at his discretion the dog warden is empowered to have such dog removed from the owner's premises to a veterinary hospital and there placed under observation for a period of two (2) weeks at the expense of the owner. It is unlawful for any person knowing or suspecting a dog has rabies to allow such dog to be taken off his premises or beyond the limits of the city without the written permission of the dog warden. Every owner or other person, upon ascertaining a dog is rabid, shall immediately notify the dog warden or a policeman who shall either remove the dog to the pound or summarily destroy it. (Prior code § 3-434)

6.04.340 Noise restrictions.

No person shall keep or harbor any dog, in a kennel or otherwise, which by loud frequent or habitual barking, howling, growling, yelping, baying, whining, or other noise, causes a serious annoyance to the neighborhood or to people passing to and fro upon the streets, or disturbs the public peace, or constitutes a menace to the public health, safety and welfare. (Prior code § 3-430)

6.04.350 Cruelty prohibited.

No person shall treat any dog in a cruel or inhuman manner. No person owning, keeping or harboring any dog, in a kennel or otherwise, shall willfully or negligently cause or permit such dog to suffer unnecessary torture or pain. (Prior code § 3-433)

6.04.360 Trespass or destruction of property prohibited.

No person shall own, keep or harbor any dog, whether such dog is licensed or unlicensed, which has destroyed or damaged property of any other person, or which habitually trespasses on such property. (Prior code § 3-431)

6.04.370 Vicious dogs—Requirements.

A vicious dog is "unconfined" if the dog is not securely confined indoors or confined in a securely enclosed and locked pen or structure upon the premises of the owner of the dog. The pen or structure must have secure sides and a secure top attached to the sides. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one (1) foot. All such pens or structures must be adequately lighted and kept in a clean and sanitary condition.

A. Confinement. The owner of a vicious dog shall not suffer or permit the dog to go unconfined.

B. Leash and Muzzle. The owner of a vicious dog shall not suffer or permit the dog to go beyond the premises of the owner unless the dog is securely muzzled and restrained by a chain or leash, and under the physical restraint of a person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

C. Signs. The owner of a vicious dog shall display in a prominent place on his or her premises or clearly visible warning sign indicating that there is a vicious dog on the premises. A similar sign is required to be posted on the pen or kennel of the animal.

D. Dog Fighting. No person, firm, corporation, organization or department shall possess or harbor or maintain care or custody of any dog for the purpose of dog fighting, or train, torment, badger, bait or use any dog for the purpose of causing or encouraging the dog to attack human beings or domestic animals. (Ord. 1944 § 2, 1988: prior code § 3-432)

6.04.380 Damages and injuries—Owner liability.

All persons shall be liable for damages for any and all injuries to persons or property that may be

caused by any dog owned by them, which damages may be determined and collected in appropriate civil proceedings therefor, in which proceedings the proof of the failure or refusal by such owner to comply with the provisions of this chapter shall constitute prima facie evidence of negligence on the part of such owners. (Prior code § 3-435)

6.04.390 Violation—Deemed nuisance when.

Any keeping or harboring of any dog contrary to the provisions of this chapter, or any maintenance or operation of a kennel contrary to such provisions, is declared to be a nuisance per se. (Prior code § 3-441).

6.04.400 Interfering with officers and other violations deemed misdemeanors.

Any person who violates or fails to comply with any of the provisions of this chapter, or any of the rules and regulations adopted in pursuance hereof, or who hampers, impedes or interferes with the performance of the duties of the dog warden or any other officer of the department under the provisions of this chapter, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as in this code provided. (Prior code § 3-442(a))

6.04.410 Violation—Penalty—Other remedies.

In addition to all other remedies, including the penalties provided in this code, whenever there has been more than one (1) violation of Sections 6.04.360 and 6.04.370, involving any dog, the court may order that such dog be destroyed by the dog warden in a humane manner. In addition to all remedies heretofore mentioned, the city may commence and prosecute appropriate actions or proceedings in the circuit court for the county, or any other court having jurisdiction, to restrain or prevent any noncompliance with or violation of any of the provisions of this chapter or to correct, remedy or abate such noncompliance or violation. (Prior code 3-442(b))

CHAPTER 12.20. PUBLIC LANDS

Sections:

12.20.010	Title for citation.
12.20.020	Purpose of provisions.
12.20.030	Construction of chapter provisions.
12.20.040	Enabling authority.
12.20.050	Definitions.
12.20.060	Beautification of adjacent public land by adjacent owners—Conditions.
12.20.070	Disturbance of natural resources prohibited—Exception.
12.20.080	Erection of structures prohibited.
12.20.090	Storage of materials on public lands prohibited.
12.20.100	Protection of wild animals.
12.20.110	Pets running at large prohibited; pets prohibited at certain times.
12.20.120	Dumping refuse and trash prohibited.
12.20.130	Pollution of waters prohibited.
12.20.140	Fires prohibited—Exceptions.
12.20.150	Enforcement authority.

12.20.010 Title for citation.

The ordinance codified in this chapter shall be known and cited as the "public land ordinance." (Ord. 1604 § 1 (part), 1981; prior code § 5-170)

12.20.020 Purpose of provisions.

This chapter is designated to protect, preserve and beautify the parks and public lands throughout the city, thereby promoting the public health, safety and welfare. Furthermore, as these public lands are intended for the equal use and enjoyment of all Livonia residents, this chapter is intended to eliminate and prevent any infringement and/or personal use of public land by any individual, organization, business or adjacent property owner which could result in a hazard, nuisance or diminution of general public enjoyment or use of such public land. (Ord. 1604 § 1 (part), 1981: prior code § 5-1702)

12.20.030 Construction of chapter provisions.

This chapter shall be liberally construed so as to best effectuate its purposes. Adoption of this chapter shall in no way constitute, provide or grant to any person any right or privilege regarding the use of such public land which could in any manner be construed as being superior to the rights of all citizens in general. (Ord. 1604 § 1 (part), 1981: prior code § 5-1703)

12.20.040 Enabling authority.

This chapter is adopted pursuant to Section 3 of Act 279, Public Acts 1909, as amended; Section 1 of Chapter 11, Sections 11 and 16 of Chapter IV, and Sections 12 and 15 of Chapter V of the City Charter. (Ord. 1604 § 1 (part), 1981: prior code § 5-1704)

12.20.050 Definitions.

The following words, terms and phrases, when used in this chapter, have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

A. "Park" means a park, reservation, playground, beach, recreation center or any other public area in the city, owned or used by the city, and devoted to active or passive recreation.

B. "Parkway" means that part of the street lying between the property lines and that portion of the street right-of-way ordinarily used for vehicular traffic.

C. "Person" means any person, adjacent property owner, organization, firm, partnership, association, corporation, company or organization of any kind.

D. "Public land" means any municipally owned property within the city, and shall include all parks, parkways, land and all parts of any public right-of-way devoted to planting, forest or park-like use.

E. "Weeds" means those plants growing in public lands which are recognized as such by the parks and recreation department as being unsightly, noxious and/or undesirable. (Ord. 1604 § 1 (part), 1981: prior code § 5-1705)

12.20.060 Beautification of adjacent public land by adjacent owners—Conditions.

Homeowners, after first receiving written approval of the parks and recreation department, may cut and clear weeds, remove debris, and beautify a public land area adjacent to their properties. Nothing in this section shall be construed to prohibit or prevent adjacent homeowners from trimming and maintaining adjoining public right-of-way areas. (Ord. 1604 § 1 (part), 1981: prior code § 5-1706)

12.20.070 Disturbance of natural resources prohibited—Exception.

Unless written approval is received from the department of public works, no person shall:

A. Damage, cut, carve, transplant or remove any tree, plant or shrub in any public land, except as otherwise provided in Section 12.20.060; nor shall any person dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area;

B. Dig or remove from public land any soil, rock, stones, downtimber, or other wood or materials, or to make any excavation on public land by tool, equipment, blasting or other means or agency. (Ord. 1604 § 1 (part), 1981: prior code § 5-1707)

12.20.080 Erection of structures prohibited.

No person shall construct or erect any building, structure, fence, dog run or corral, of whatever kind, whether permanent or temporary in character, any tent or fly or windbreak; nor run or string any rope, cord, or wire into, upon or across any public land, except by permission of the city council. (Ord. 1604 § 1 (part), 1981: prior code § 5-1708)

12.20.090 Storage of materials on public lands prohibited.

Storage of bricks, firewood, building materials, or other property on public lands is prohibited. (Ord. 1604 § 1 (part), 1981: prior code § 5-1709)

12.20.100 Protection of wild animals.

No person shall on any public land feed, frighten, capture, attempt to capture, hunt, injure, trap or administer or set out any trap or harmful substance for any wild or domestic animal, reptile, bird or fish; nor remove or have in his/her possession the young, eggs or nest of same. (Ord. 2161 § 1, 1993: Ord. 1604 § 1 (part), 1981: prior code § 5-1710)

12.20.110 Pets running at large prohibited; pets prohibited at certain times.

No dog, cat or other pets shall be permitted in any public park or land unless such pet is restricted or kept on a leash; provided, however, that the chief of police or his/her designee may, with reasonable cause, prohibit dogs, cats and all pets (with the exception of service animals) in public parks and on public lands during special events for the purpose of protecting the health, safety and welfare of the people and property within the city; provided further, that notice of such prohibition shall be published in the official newspaper of the city at least five (5) days prior to the commencement of such special event. No person shall intentionally allow any animal to deposit its waste on any public land unless the person in control of the animal immediately removes and disposes of such waste in the proper sanitary manner. (Ord. 2593, 2003; Ord. 1604 § 1 (part), 1981: prior code § 5-1711)

12.20.120 Dumping refuse and trash prohibited.

It is strictly forbidden for any person to dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, grass clippings, rubbish, waste, refuse or garbage on any public lands.

From The Desk Of…

BONNIE JOHNSON
Council Office

REFERENCE MATERIAL

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT

RECEIVED
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96 FEB 26 AM 9:46

NEW DATA ATTACHED

JACK E. KIRKSEY
MAYOR
JOHN J. FEGAN
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(313) 421-2000
FAX: 421-1807

RECEIVED
CITY COUNCIL OFFICE
05 APR 20 PM 12:31

February 21, 1996

Honorable Members of the City Council
City of Livonia

Subject: CR 667-95 Jim Kogut, 15415 Susanna Circle, Livonia, MI

Dear Members of Council:

Pursuant to a request of the Council, the Inspection Department is submitting a report and recommendation regarding the banning of pets in City parks.

Mr. Kogut has experienced a problem with irresponsible pet owners in ***Greenwood Park***, which abuts his home. His concern relates to the attendant health hazards when these pet owners allow their pets "to defecate and urinate" on park property.

Livonia has a *pooper scooper* ordinance which requires the pet owner to pick up and remove the "excrement" or "waste" deposited by the animal. Generally, the definition of excrement and waste means solid or fecal material and does not include urine. The danger of transmission of zoonosis[1] through contact with fecal material, primarily by children, is well known to health professionals and little known to the general public. With the possible exception of leptospirosis[2], exposure to animal urine is no more hazardous than contact with human urine, which is also very prevalent in active park sites.

[1] A disease of animals that can be transmitted to humans.
[2] An infectious disease of domestic animals, especially cattle, swine, and dogs, caused by spirochetes of the genus *Leptospira* and characterized by jaundice and fever. Also called *swamp fever*.

From an enforcement standpoint, there is no difference between our current "pooper scooper" ordinance or an outright ban on pets in City Parks. A scofflaw would disobey either ordinance with equal impunity. The resources of the City do not permit a Police Officer or an Animal Control Officer to be posted at a park site to patrol for poop or to police a ban on pets. An aggrieved citizen can always file a complaint against a dog owner if they have witnessed the act and can positively identify the dog or dog owner.

Pet owners in Livonia have a notorious disregard for the laws governing their pets. Nationwide, 28% of all households have at least one dog[3] and 21% of all households have at least one cat[4] as pets. By extrapolation, there should be 10,056 dogs and 7,542 cats in the City of Livonia[5]. In 1995, the City Clerk's Office issued licenses for 3,348 dogs and 385 cats. This is an abysmal rate of compliance.

In the belief that existing ordinance requirements do not have wide public exposure, we are proposing an experiment. With the approval of Ron Reinke, Parks and Recreation Superintendent, and the efforts of the Department of Public Service, some new signs have been designed and erected at the three public access points of Greenwood Park. The severe wording of these signs will increase public awareness and may result in greater compliance with existing ordinances by pet owners.

Warning!

1. **No dogs** permitted in the park unless on a leash and under the control of the owner\keeper.

2. **Dog & Cat owners** are required to immediately pick up their pet's waste and dispose of it in a sanitary manner.

Violators are subject to a
$500.00 maximum fine
Ord. No. 1688
Sec. 12.20.110

[3] Census Bureau's 1993 Current Population Survey.
[4] Ibid.
[5] Based upon 35,916 households according to 1990 Census data.

An outright ban on pets in parks is a policy matter that should be referred to the Parks & Recreation Commission and the Parks & Recreation Superintendent for study and a recommendation.

We trust this will provide the Council with the information requested.

Respectfully submitted by:

William J. MacDonald, Supervisor
Ordinance Enforcement Division

APPROVED BY:

John J. Fegan,
Director of Inspection

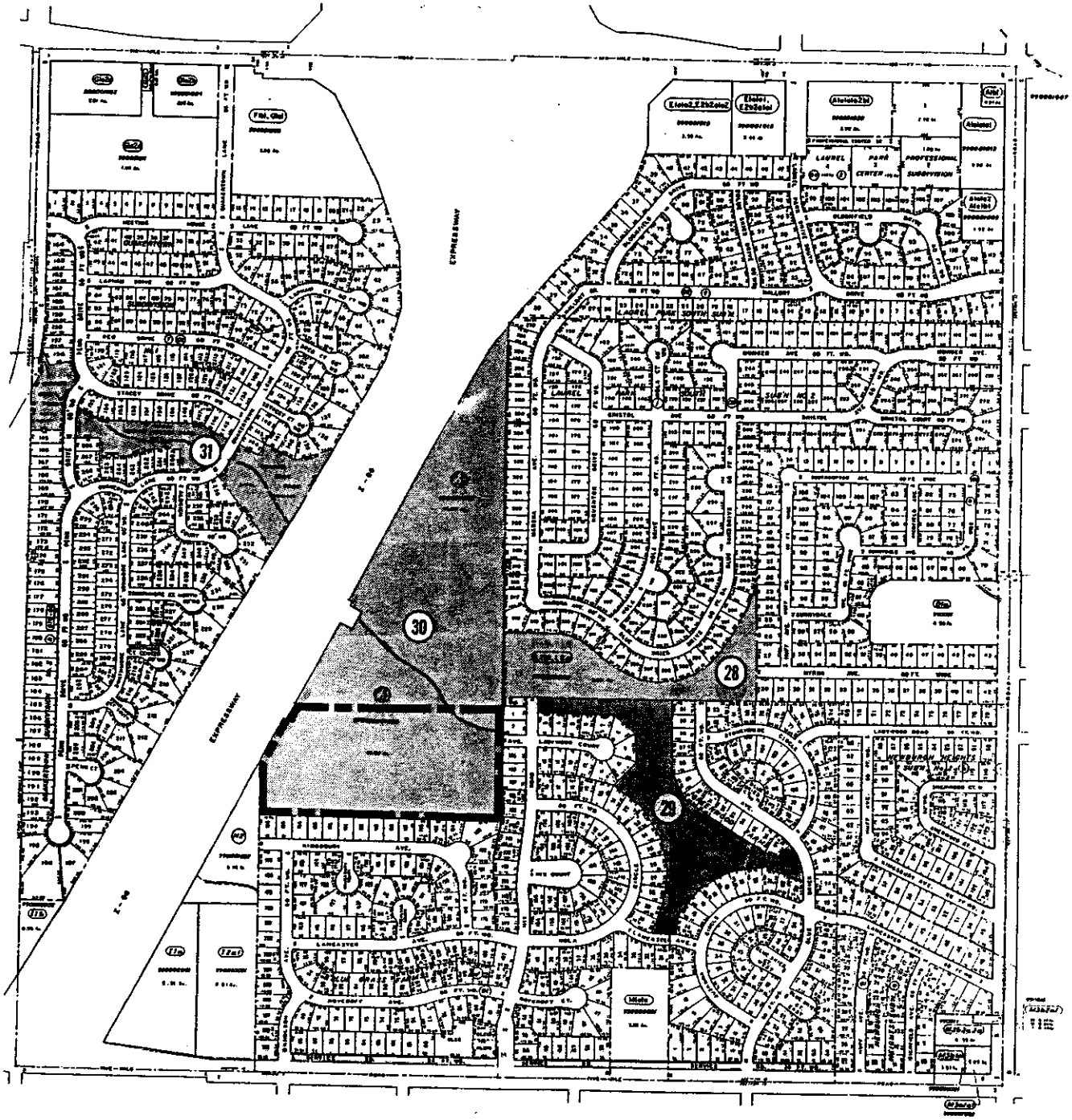
WJM:rfb

APPROVED FOR SUBMISSION:

Jack E. Kirksey, Mayor

cc: City Council
Mayor Kirksey
City Attorney
City Clerk

SECTION 18



31. QUAKERTOWN PARK 9.15 A

30. BLUE GRASS PARK & NATURE PRES
Nature Preserve area outlined

28. LAUREL SOUTH PARK 7.12 /

29. GREENWOOD PARK 8.82 Ac

• Sign locations

Worms: *Toxocara canis & cati*: General Information

This disease entity was not reported in humans until 1950. It is caused by ascarid worms of animals getting into an abnormal host and, because the larva does not know the anatomy of Homo sapiens, essentially gets lost and dies. Man is a dead end for the larva.

The disease is known as also known as larval granulomatosis, a term that aptly describes the pathology induced by the migrating larva.

The dog ascarid - Toxocara canis and the cat ascarid - Toxocara cati will be discussed. Another ascarid- Baylisascaris procyonis from the raccoon has been recently described as causing the death of two children due to meningoencephalitis. The prevalence of this organism is unknown but it may represent a more virulent organism than that of the dog or cat.

Worms: *Toxocara canis & cati*: Life Cycle

In their normal host the life cycle is like that of **Ascaris lumbricoides**. When a person ingests the embryonated eggs, the larvae hatch and penetrate the mucosa. They wander aimlessly, sensitizing the individual. When trapped by the inflammatory reaction, granulomas develop. During the process the larva die. It is known, however, that larvae may survive up to a year in infected individuals.

Worms: *Toxocara canis & cati*: Clinical Picture

This is a disease seen mainly in children. It should be suspected if fever and eosinophilia are present, organomegaly is found and there is a history of eating dirt.

Lesions may be found in many organs. Those in the eye resemble retinoblastoma. The liver may have numerous granulomas and be enlarged. A Loeffler type of pneumonitis may be present.

Symptoms include intermittent fever, nausea, pallor, anorexia and cough. A skin rash may be present. Hematologic studies can show a mild anemia, eosinophilia and hypergammaglobulinemia of both IgM and IgG classes.

Worms: *Toxocara canis & cati*: Epidemiology

This is one of the results of the close association of humans and pets. The extent of infection in these animals is such that the deworming is recommended monthly. If informal egg counts of the animal ascarids in public parks indicate anything it is that there are more eggs per gram of soil in the more affluent neighborhoods than in poorer ones. It will be interesting to see if the ordinances regarding, as the British put it "Fouling of the footpath" have any effect on egg counts.

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Parent Menu

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Maintained by Anthony J. Frisby, PH.D. (frisby@jeflin.tju.edu)
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Internal Parasites

Roundworm Alert

Whipworm

Roundworm Alert

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Roundworms (Toxocara canis) are found in the intestine of dogs and are a major hygienic concern because they are transmissible to people. Because people get infected by ingestion of dirt contaminated with the feces of infected dogs, roundworm elimination should be the concern on every responsible pet owner.

The article abstracted presented some interesting if not alarming information about roundworms. An average-sized dog passes 136 g of feces daily and it is known that a dog with a "light" roundworm infection may pass 10,000 eggs in every gram of stool. If 12% of the 80 million dogs in America have "light" infections, 1,300 metric tons of dog feces containing 13 trillion roundworm eggs are discharged in the streets and lands of America every day!! In different surveys, 0.3-15% of soil samples and 7-31% of house yards or children's sandboxes contained roundworm eggs.

Our plan of attack to eradicate roundworm infection should be: to eliminate roundworm infection from dogs; to prevent dog defecation in areas frequented by people, and; to educate the public about the risks and appropriate control measures.

Concerned pet owners should collect their pets' feces every day and burn them or place them in the garbage. Flushing the feces down the toilet is inappropriate because many eggs survive sewage treatment.

Because pups may start passing eggs as early as day 21 of life, the first treatment must be administered before this age. Since reinfection is common from the environment as well as in the mother's milk, treatment must often be repeated every two weeks until the pups are 49 days old. In practical terms, this means treated pups at 2, 4, 6, and 8 weeks of age. Bitches should be treated at the same time as the pups since they are most often the source of the pups infection. All bitches should be presumed to be carriers of roundworms even they have had negative fecals prior to whelping since the worms often persist in her system in a resting stage.

It is hoped that at some point in the future a vaccine will become available for roundworm control since current control measures seem to be only marginally effective. For the present however, routine treatment of pups and bitch, as well as environmental control are necessary and essential.

[Some material abstracted from: Barriga, OO: Rational control of canine toxocariasis by the veterinary practitioner. Journal of the American Veterinary Medical Association, 1991; 198(2): 216-221]

Whipworms

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Surveys consistently identify whipworms (Trichuris vulpis) as one of the most common parasitic worms of dogs in North America, while only infrequently being reported in cats or humans. They live in the lower aspects of the

intestines (the cecum and colon) where they latch on to feed. Sometimes they cause no problems at all but they may cause abdominal upset (colic) or diarrhea, often tainted by blood and mucus.

When eggs are laid in the intestines, they pass into the feces and become infective within 9-10 days. When consumed by dogs the infective eggs hatch in the intestines and the larvae parasitize the intestines and matures further.

Many people do not realize that dogs do not begin to shed whipworm eggs in their stool until about 3 months after being infected. At that time each female whipworm may pass from 1000 to 4000 eggs per day into the stool. Complicating matters further are that female whipworms are long-lived, surviving for months or years in the intestines. The life cycle therefore includes a larval stage in the small intestine, an adult stage in the large intestine, and infective eggs that pass into the feces.

Diagnosis is not always easy since it depends on finding whipworm eggs in the feces. Remember that animals are infected for 3 months before they begin to shed eggs and you can appreciate the problem. Once females begin shedding eggs, they are usually recoverable by direct smears and centrifugal flotation. They are not as easily found with standard fecal evaluations. In some instances, the adult worms are actually seen attached to the lower bowel during endoscopic procedures.

Treatment is also not straightforward because of the peculiar life cycle of this parasite. Although many medicines are effective in removing adult worms, the larvae are less reliably cleared. Therefore treatment must often be repeated in 3 weeks and often, in 3 months as well, when the larvae have evolved into egg-producing adults. The biggest hindrance to effective treatment is that animals are often re-exposed to environments in which whipworm eggs are plentiful, and are thereby re-infected.

It can be difficult to control exposure to whipworm eggs on lawns or soil but concrete can be effectively disinfected. Proper disposal of egg-containing dog feces is critical.

Ackerman, L: Owner's Guide to Dog Health. T.F.H. Publications, Neptune City, New Jersey, 1995. ISBN 0-7938-0183-4 **Click here to order**

How To Prevent Transmission of Intestinal Roundworms from Pets to People

Recommendations for Veterinarians

These guidelines address transmission of intestinal ascarids and hookworms from dogs and cats to people and recommend counseling of dog and cat owners and well-timed preventive anthelmintic treatments for pets.

Ascarids and Hookworms

Ascarids (Toxocara spp.) and hookworms (Ancylostoma spp. and Uncinaria stenocephala), the common intestinal roundworms of dogs and cats, can cause larva migrans syndromes in persons who accidentally ingest eggs or larvae or have direct skin contact with hookworm larvae in soil contaminated with the feces of infected animals.

Pups and kittens are often infected by transfer of larvae from their dams in utero (T. canis) or via milk (A. caninum, T. cati, and to a lesser extent, T. canis),1,2 and the tissue-migrating and early intestinal stages of these worms may cause severe, sometimes life-threatening, disease in the first few weeks of the animal's life. Furthermore, pups and kittens may have patent intestinal infections as early as the first 2 (hookworms) to 3 (ascarids) weeks of life, and may contaminate their environment with huge numbers of infective eggs and larvae.

The prevalence of these infections varies with climatic conditions; however, they are present in all parts of the contiguous United States and must be viewed as a potential public health hazard.3-6

Zoonotic Transmission and Human Disease

When zoonotic ascarids and hookworms infect humans, the parasites rarely mature in the intestine; rather, the larval worms migrate in the host's tissues (larva migrans). The characteristics of the particular tissues and organs in which the larvae migrate determine the signs and symptoms humans have.

The common ascarid of dogs, T. canis, has long been recognized as a cause of larva migrans syndromes in children. The ascarid of cats, T. cati, can also cause disease in humans, although for reasons partly related to the "toilet behavior" of cats, it does so less frequently than T. canis. When the eggs are accidentally ingested, they hatch, and infective-stage larvae migrate through human liver, lungs, and other organs and tissues where they produce damage and induce allergic responses. Infection may leave children with permanent visual or neurologic damage.

In the United States, the popularity of pets together with high ascarid and hookworm infection rates in dogs and cats, especially pups and kittens, result in widespread contamination of soil with infective-stage larvae. Epidemiologic studies have implicated the presence of dogs, particularly pups, in the household and pica (dirt eating) as the principal risk factors for human toxocaral disease. Children's play habits and attraction to pets put them at high risk for ascarid and hookworm infection.

Hookworms of dogs and cats, A. caninum, A. braziliense, A.tubaeforme, and U. stenocephala, can also infect people when larvae in soil are ingested or directly penetrate the skin on contact.4 Cutaneous larva migrans syndromes, characterized by progressive, intensely pruritic, linear eruptive lesions caused by prolonged migration of the larvae in the skin, are the most common manifestation of zoonotic hookworm infection. A. caninum larvae may penetrate into deeper tissues, however, and induce symptoms of visceral larva migrans or migrate to and partially mature in the intestine, inducing eosinophilic enteritis.7,8

The Public Health Problem

Larva migrans syndromes are not reportable in the United States, so the number of clinical cases of zoonotic ascarid and hookworm infection in humans is unknown; however, many human cases continue to be diagnosed. Every year, at least 3,000-4,000 serum specimens from patients with presumptive diagnoses of toxocariasis are sent to the Centers for Disease Control and Prevention (CDC), state public health laboratories, or private laboratories for serodiagnostic confirmation.9 Zoonotic hookworm infection is more geographically restricted than zoonotic toxocariasis; however, cutaneous larva migrans and other syndromes caused by hookworms are diagnosed commonly in southeastern and Gulf states. Electricians, plumbers, and other workers who crawl beneath raised buildings, sunbathers who recline on wet sand contaminated with hookworm larvae, and children typically become infected.

Veterinarians Can Help Prevent Human Disease

Most cases of human toxocariasis and zoonotic ancylostomiasis can be prevented by simple measures, such as practicing good personal hygiene, eliminating intestinal parasites from pets, and making potentially contaminated environments off limits to children.3,6,9

Most pet owners do not know that intestinal worms of pets may infect people; therefore, they may have neither the knowledge nor the incentive to take precautionary measures. By recommending well-timed anthelmintic treatments and by counseling clients on the potential public health hazards, the practicing veterinarian can provide an important public service. Veterinarians are in an optimal position to provide pet owners with this service because of their unique training, frequent contact with the high proportion of pet owners who use veterinary services, and their rapport with clients.10-11

Prevent the transmission of intestinal ascarids and hookworms from pets to people. Avoid environmental contamination by emphasizing good hygiene and sanitation and providing well-timed preventive treatments, especially for pups and kittens.

Preventive Anthelmintic Treatments

Deworming is most effective in preventing environmental

contamination and human illness when it is aimed at pups and kittens and their dams because they harbor the most worms and thus produce the most infective-stage larvae.11,12

For optimal prevention of environmental contamination and illness in pups and kittens, initiate anthelmintic treatment of pups and kittens soon after birth. Where both ascarids and hookworms are commonly transmitted, anthelmintic drugs should be given to pups at ages 2, 4, 6, and 8 weeks of age. If only ascarids are present, preventive anthelmintic treatments may begin at 3 weeks of age. In kittens, because prenatal infection does not occur, egg excretion begins later than in pups, and in most areas, rates of acquisition of ascarids and hookworms by cats are comparatively lower; therefore, preventive treatment for kittens can be started effectively at 6 weeks of age and be repeated at 8 and 10 weeks. Treat nursing dams concurrently because they often develop patent infections about the same time as their offspring.

For the earliest treatments provide clients with medication to administer to their pets at home. Thereafter, in areas where heartworm (Dirofilaria immitis) infection is enzootic, ascarid and hookworm prevention can be maintained in dogs by using one of the heartworm prevention medications that are also effective against intestinal nematodes. Control in older dogs and cats can be achieved by periodic treatments with drugs whose efficacy is limited to intestinal nematodes, or by treatments based on the results of periodic diagnostic stool examinations.

Choose from a great variety of anthelmintic drugs that are safe and effective against ascarids, hookworms, and other intestinal helminths of dogs and cats (Table 1).13 The drugs are available in tablet, granule, liquid, and other formulations whose manufacturers recommend single or multiple daily doses and periodic or continuous administration. Select on the basis of the compound's effectiveness against the range of helminth species prevalent in the area. For preventive treatment of very young pups, give an anthelmintic approved for nursing pups (2-3 weeks of age). The drug should be effective against both ascarids and hookworms (unless one or the other of these species is not present in a particular area).

Severe illness and even death may occur before prenatal or lactogenically acquired ascarids and hookworms become gravid and can be diagnosed by stool examinations.

Table 1. Drugs* for the treatment of ascarid and hookworm infections in dogs and cats

Approved for Use In:				FDA
Name	Minimum Age/Weight	Route of Administration	Range of Efficacy+	Species
butamisole				

hydrochloride1 >=8 weeks	parenteral	H,W	dogs
dichlorophene/ toluene >=2.5 lbs	oral	A,H,T,D	dogs,cats
dichlorvos2,3 none	oral	A,H,W	dogs,cats
diethylcarbam-azine citrate3 none	oral	A	dogs,cats
disophenol4 >=2 weeks	parenteral	H	dogs,cats
febantel4,5,6 >=1.5 lbs	oral	A,H,W	dogs,cats
febantel/ praziquantel4,5,6 >=2 lbs	oral	A,H,W,T,D	dogs,cats
febantel/ praziquantel/ pyrantel pamoate#4,5,6 >=3 weeks	oral	A,H,W,T,D	dogs
or 2 lbs			
fenbendazole none	oral	A,H,W,T	dogs
ivermectin/ pyrantel pamoate >=6 weeks	oral	A,H	dogs
mebendazole6 none	oral	A,H,W,T	dogs
milbemycin oxime7 >=8 weeks	oral	A,H,W	dogs
n-butyl chloride >=4 weeks	oral	A,H	dogs,cats
oxibendazole/ diethylcarba-mazine3,6 >=8 weeks	oral	A,H,W	dogs
and >=1 lb			
piperazine salts8 >=6 weeks	oral	A	dogs,cats
pyrantel pamoate >=2 weeks	oral	A,H	dogs

*Marketed in the United States
+Efficacy for intestinal helminths: A=ascarids (Toxocara and Toxascaris spp.);
H=hookworms (Ancylostoma and Uncinaria spp); W=whipworms (Trichuris vulpis);
T=Taeniid tapeworms; D=Flea tapeworms (Dipylidium caninum); E=Echinoc
#FDA-approval pending as of October 1, 1993
Special considerations or contraindications: 1Do not use in pregnant animals prior to 3rd week of pregnancy. 2Do not use in conjunction with other cholinesterase-inhibiting drugs. 3Do not use in heartworm-infected animals. 4Do not use in dogs with

reduced renal function. 5Do not use in pregnant animals. 6Do not use in dogs with hepatic dysfunction. 7Not effective against Uncinaria. 8Some salts not for use in unweaned pups.

The prophylactic approach to treatment is justified by the frequency with which pups and kittens acquire ascarids and hookworms from their dams and the difficulties in diagnosing these infections in their early stages. Severe illness and even death may occur before prenatal or lactogenically acquired ascarids and hookworms become gravid and can be diagnosed by stool examinations. Because many pups and kittens are not brought to a veterinarian before 6-8 weeks of age, delaying treatment until that time allows infections to become patent and contaminate the environment with eggs or larvae. Because young animals acquire new infections continuously from dam's milk and from the environment and many worms are not yet fully mature, fecal examinations are often falsely negative in pups and kittens.

Educating and Counseling Pet Owners

Pet owners should be informed about intestinal parasites and their effects on the health of pets and people. Pet owner education should provide the following information:

Types of intestinal helminths that infect dogs and cats, and the illnesses they cause in these pets.How intestinal helminths are transmitted to dogs and cats, with special emphasis on helminths acquired through prenatal (T. canis) and transmammary (A. caninum, T. cati and, to a limited degree, T. canis) routes. How ascarids and hookworms can cause problems in humans, especially children, whose play habits and attraction to pets put them at increased risk. How infection in both pets and people can be prevented by well-timed prophylactic anthelmintic treatment of pups and kittens and routine diagnostic examinations or periodic preventive treatment of older pets.How to collect and dispose of pets' feces, especially in areas where children play.How to keep children away from areas that may be contaminated by dogs or cats infected with helminths.

References

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3. Glickman LT, Schantz PM. Epidemiology and pathogenesis of zoonotic toxocariasis. Epidemiol Rev 1981;3:230-250.

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11. Barriga OO. Rational control of canine toxocariasis by the veterinary practitioner. J Am Vet Med Assoc 1991;198:216-221.

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13. Courtney CH, Sundlof SF. Veterinary Antiparasitic Drugs. Gainesville: Am Assoc Vet Parasitol; 1991. Institute of Food and Agricultural Sciences, Univ. of Florida, Publication SP96.

Prepared by the Division of Parasitic Diseases, MS F22
National Center for Infectious Diseases
Centers for Disease Control and Prevention
Atlanta, Georgia 30341-3724
and the American Association of Veterinary Parasitologists

Endorsed by the National Association of State Public Health Veterinarians and the Conference of Public Health Veterinarians

LETTERS, E-MAILS, PHONE CALLS FROM RESIDENTS

xc: City Council, Law llm (8/06/07)

NEW DATA ATTACHED

Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
Attn: Mr. James McCann, President

2 Aug 2007

Referred to 08/13/07

Other

Copies to NEW DATA

Sir,

I am writing this letter for your consideration of the upcoming "Leash Law" ordinance.

I live on a corner lot and across both streets live families with young children. Both families have dogs which are constantly with their kids. In the summer, moms have a lot to do and cannot watch young kids constantly. But their family pets do. I have seen unfamiliar cars pass by and the dogs looking most concerned at them until long out of range. To put these dogs on a leash would take their protective custody away from mom. Putting any dog on a leash turns even the most docile pet into a mean dog. What to do?

The reason this is even up for consideration are the one or two bad apples spoiling the entire barrel. Maybe not. I propose to make any attack by a dog on a human or another dog a simple assault felony. Charge the dog with assault. A review panel would be formed (from the jury pool) to review the case. Maybe the person deserved it. Maybe the dog is truly a nasty animal. The panel would have subpoena powers and would act not unlike a grand jury. Lets face it: This panel would be conveniened, maybe, once or twice a year. Probably less. Its findings would be forwarded to the local Court for disposition. The key is that the judge would have latitude in sentencing in accordance with this new ordinance up to and including putting the dog to sleep. The freedom of valuable watch dogs would not be put in jeopardy yet truly antisocial dogs could be dealt with. Walking a dog around the block for exercise always requires a leash, no one will argue. Restraining a real watch dog could put a youngster in jeopardy.

Thank you for your consideration.

Respectfully,

Gordon F. Vanzo
12066 Boston Post Rd
Sixty five year resident (with time out for the Army, etc)

RECEIVED
OFFICE OF THE CITY CLERK
07 AUG -6 PM 3:55

RECEIVED
CITY COUNCIL OFFICE
07 AUG -7 AM 8:11

xc: City Council, Dept. of Law, Public Service-Animal Control 07/30/07 kat
NEW DATA FOR AUG 13, 2007 REGULAR MEETING (JULY 17, 2007 LEGISLATIVE COMMITTEE)

RECEIVED
OFFICE OF THE CITY CLERK
07 JUL 30 PM 4:20

DATE: JULY 26, 2007

TO: LIVONIA CITY COUNCIL

RE: CR 177-05 DOG LEASH LAW

FROM: ROSALIE GISS
33211 FARGO
LIVONIA, MI 48152

NEW DATA ATTACHED

8/13/07
New Data

I WISH TO EXPRESS MY REQUEST FOR A "DOG LEASH" LAW IN LIVONIA EFFECTIVE AS SOON AS POSSIBLE.

I WISH TO ADDRESS THE ISSUE OF "DOGS" WITHOUT LEASHES ~~NOT TO BE~~ ALLOWED TO WANDER THE FRONT YARD OF THE HOME OWNER JUST BECAUSE THE HOMEOWNER IS WORKING IN THE FRONT YARD.

I DOUBT FRONT YARDS HAVE "INVISIBLE FENCES" AND I DO ~~NOT FEEL~~ SAFE THAT THE INVISIBLE FENCE REALLY IS WORKING.

I DO NOT TRUST A LOOSE DOG JUST BECAUSE THE PROPERTY HAS A SIGN STATING THAT IT HAS THE INVISIBLE FENCE.

I ALSO DO NOT THINK LIVONIA NEEDS OR EVEN WANTS A "DOG PARK." WOULD YOU VOLUNTEER TO HAVE THE DOG PARK BEHIND OR BESIDE OR ACROSS FROM YOUR HOUSE? THEY ARE DIRTY AND NOISY!

THE DOGS FIGHT AND BARK AND MESS AND THE OWNERS CONTRARY TO WHAT THEY SAY - DO NOT PICK UP AFTER THEIR DOGS. THEY CARRY A PLASTIC BAG BUT DO NOT PICK UP.

THE BIRMINGHAM DOG PARK IS BEING CLOSED BECAUSE THE NEIGHBORING RESIDENTS PROTESTED AND COMPLAINED.

RECEIVED
CITY COUNCIL OFFICE
07 JUL 30 PM 4:43

PLEASE DO NOT CONNECT THE DOG LEASH LAW WITH THE DOG PARK ISSUE.

THERE IS A WAYNE COUNTY DOG PARK ON EDWARD HINES DRIVE.

THAT SHOULD BE SUFFICIENT.

THANK YOU FOR YOUR CONSIDERATION.

xc: City Council, Dept. of Law, Public Service-Animal Control 07/23/07 kat
RE: NEW DATA FOR AUG 13, 2007 REGULAR MEETING (JULY 17, 2007 LEGISLATIVE COMM.)

July 18th, 2007

The Honorable Members of City Council
c/o City Clerk
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

NEW DATA ATTACHED

Regular Meeting 8/13/07
New Data

RECEIVED
OFFICE OF THE CITY CLERK
07 JUL 20 PM 1:31

Re: Public Meeting Regarding "Dog Leash Law" July 17th

I was at the meeting last night and would like to thank you for listening to me and the residents of Livonia regarding the leash law. I was the one who spoke about my son being bitten by a German shepherd while jogging and also about not being able to take my walks without carrying pepper spray and a heavy large stick. It was touching and sad to hear the stories from other residents sharing their pain with this ongoing problem of unleashed dogs. It was obvious that there were more people for the law and few against it.

It was interesting to hear from the one gentleman that showed us the electronic collar that his dog wears. I am sure that the average dog owner would not be willing to spend the $199.00 if this was made law. Also would they be responsible enough to follow their dog around holding onto this gadget at all times. A leash is much cheaper and simpler.

I am proud to say that I have lived in Livonia for 29 years and have no complaints about its laws except for this one. It is hard to believe that we are one of the very FEW cities that do not have a leash law for a city of this size. Why would anyone think that this is a bad idea?

This was my first time hearing Mayor Engebretson speak and I found him to be a very compassionate man. I hope his desires to enact this law find a place in all of your hearts to make this happen. The public has spoken (and not for the first time) and we hope you choose to keep the citizens, old and young, safe from unruly dogs.

Thank you for your time

Carol Chronicle
30295 Seven Mile Rd.
Livonia, MI 48152
248-478-2237

RECEIVED
CITY COUNCIL OFFICE
07 JUL 23 PM 1:32

CC: Mayor Engebretson

7/17/07 CC: Council, Mayor, Clerk, DPW Director, Law, Director of Inspection.--K. Szymula
Item #1 - CR 177-05 Legis. Com. 7/7/07

July 17, 2007

Livonia City Council
33000 Civic Center Dr.
Livonia, MI 48154

NEW DATA ATTACHED

RECEIVED
CITY COUNCIL OFFICE
07 JUL 17 PM 1:5

re: Leash Law enforcement

Sir:

Long overdue action is needed.

re: Country Homes park (a Block-sized park) Arthur, Yale, ORANGELAWN

A Baseball Diamond, Kids play equipment, Basket Ball Net, Tennis ct. Roller Blade ct., are neatly packaged at one end of park.

A school and grounds are at far other end of park.

In between is a beautiful park we can view from our windows, walk in, with children, relax.

Increasingly last few years, very large dogs, Rotweiller, Doberman Wolf-mixture, German Shepherds are brought to the park in vans, trucks and allowed to run full length of park.

Dogs brought on leash, walking, are huge dogs, lunging and jerking on their heavy chains, and unleashed in park.

Dogs have lunged at passing cars, run to attack cars starting to park. They defecate in park or near trees.

Small children, nor adults are safe going to our park, day nor evening when these dogs are let loose.

These same dogs are loose in their yards, barking 15-20 minute intervals, day and night, lunging at fences where neighbors' yards are, or visitors, or children, stalking neighbors, movements while gardening or in our yards.

Dog footprints in winter snow in our yards (Backyards) and fresh feces in our Backyards, shows that the dogs jump fences into and out of our Backyards, and into other neighbors Backyards at night.

Thank you for addressing this great problem.

Mrs. M. DiBonaventura
35462 Orangelawn
Livonia, MI 48150

Mailing Address:
P.O. Box 510075
Livonia, MI 48151-6075

7/17/07 CC: Council, Mayor, Clerk, DPW Director, Law, Director Inspection . --K. Szymula/Council Ofc.
Item #1 - CR 177-05 Legis. Com. 7/17/07

7/17 TK 1

Legislative Committee Meeting
July 17, 2007 - 7:00 p.m.
Citizen Comments

NEW DATA ATTACHED

1. Judy Morrone
29622 Lemar
Livonia, MI 48152
July 6, 2007

Expressed interested in having the law changed so that any dog at large would have to be on a leash. She said she walks her small Maltese and when she does, she carries a stick in case she needs to protect her dog. A large dog in her neighborhood, who is allowed to run loose, has deterred her from walking her dog. She went to the Rec Center to walk her dog on the track, but the sign said "no pets".

7/18/07 CC: Received at Legislative Committee Meeting 7/17/07 - Item #1 CR 177-05. Council, Mayor, Clerk, Law, D.P.W. Director, Director Bldg. Inspection.--K. Szymula

Statement to Livonia City Council
Legislative Committee Hearing
July 17, 2007

Good evening Council members. Thank you for informing us of this hearing. I am here on behalf of Duncan and thousands of other loving pets in Livonia who are at the mercy of loose and often vicious dogs. More importantly, I am here on behalf of the many unsuspecting and unprotected children and elderly folks who live in fear within this city.

Our dog Duncan and our previous basset Barney have been attacked or bitten by loose dogs, unleashed and uncontrolled by their owners, seven times since we moved here 15 years ago. Since March, 2006, Duncan has been attacked four times and severely bitten twice. We also know of incidents near our home in which loose dogs have attacked and bitten children. For over a year now, we have walked our dog only on the perimeter streets of the States neighborhood and along Hines Drive.

Even so, there have been several incidents, the most severe of which have been reported to the Animal Control office. We have also reported loose, unleashed animals in the neighborhood, park, and parkway many times. We have also heeded the advice of Officer Polowitz to carry a stick and an approved deterring spray. We shouldn't have to live in fear in a city that proclaims "Families Still First." It is unsafe to walk the streets of Livonia.

One of our favorite walks used to be to Grant School. Our dog has been bitten severly on that route, the same route used by the school children. Three of our elderly neighbors gave up walking in the neighborhood years ago and are forced to drive to one of the shopping malls instead.

According to the Michigan Municipal League, Livonia is one of the few cities in Michigan that does not have a leash law, although a lease is required in city parks... yet we have seen many violations. Of course, a leash law without severe penalties and a good educational campaign will be ineffective. Many communities are very aggressive about this. The previous Mayor promised me that an educational effort would be made through the local newspapers. That didn't happen. Officer Polowitz says Livonia will never have a leash law. Yet, you must know that dozens of trial lawyers are waiting to pounce on this vunerable situation.

Livonia is dancing with disaster, especially for pets and people. It is naively delaying the kind of ordinance and animal control education that could save the city millions in litigations. Good God, don't wait til the pipes burst before you try to fix the problem. Thank you.

Eugene L. Scott
8861 Utah
Livonia, MI 48150
734-523-7844

Szymula, Karen

From: Szymula, Karen
Sent: Monday, July 09, 2007 3:21 PM
To: 'joe'
Subject: RE: Leash Law
Attachments: Legis4 071707 MS.DOC; Issue of Dog Leash Ordinance.pdf

Joe:

Please note that the Legislative Committee will meet to discuss the matter of a "dog leash law" at it's meeting of Tuesday, July 17, 2007, 7:00 pm (See Attached Agenda). This issue was brought to the City Council by a resident of Livonia in April of 2005 and it was referred to Committee per CR 177-06 for report and recommendation. I have attached for your reference CR 177-06, the Study Mtg. Mins. of April 18, 2005, and a copy of the initial request.

This matter has been reviewed by the City Council on a number of occasions over the past several years.

As noted above, this matter is being reviewed per the request of a resident and you are welcome to attend the Legislative Committee meeting to express your concerns. You may also submit your concerns in writing or via e-mail. The City Councilmembers, other City personnel and concerned residents will be in attendance at this meeting.

Please do not hesitate to contact the City Council Office at (734) 466-2250 should you have further questions.

Bonnie Johnson
Technical Specialist
Office of the City Council
(734) 466-2250

From: joe [mailto:jlizbins@peoplepc.com]
Sent: Friday, July 06, 2007 7:32 PM
To: CityCouncil
Subject: Leash Law

Does the new leash law under study require us to have a leash on our dogs on our own property? Can I receive a copy of the proposed changes?

xc: City Council, Dept. of Law, Public Service - Animal Control 07/05/07
RE: NEW DATA FOR LEGISLATIVE COMM. MEETING OF JULY 17, 2007 - CR 177-05

NEW DATA ATTACHED

RECEIVED
CITY COUNCIL OFFICE
07 JUL -5 PM 3:40

I think they should have animals Control on duty 24/7. They should make bigger signs. They should have more police officers. They should ~~have~~ control their pets. I think it's good idea. If they break the law they should get a found. People should enjoy the park. People don't want to get bit. They should have an emergency phone booth only. Thanks for hearing clearly.

From-
Gina Gonzales.

Ms. Gina Gonzales
Apt. 101
19486 Mayfield Ave.
Livonia, MI 48152-1390

RECEIVED
CITY COUNCIL OFFICE
07 JUL -5 AM 11:37

RECEIVED
OFFICE OF THE CITY CLERK
07 JUL -5 AM 10:25

City Meeting _____

Regular Meeting _____

Other Legis Comm

Replies to 7/17/07

New Data

#1

Szymula, Karen

To: Council 2006 - 2007; Mayor (mayor@ci.livonia.mi.us); Law Department Staff (law@ci.livonia.mi.us); Hogan, Patrick; Ass't City Clerk (ktesner@ci.livonia.mi.us); Alex Bishop (ABishop@ci.livonia.mi.us)

Subject: FW: Re: Dog Leash Law

FYI - Please place with your file for the Legislative Committee Meeting of 7/17/07 #1 CR 177-05.

Thank you.

NEW DATA ATTACHED

Karen A. Szymula
Director, Legislative Affairs
City Council Office
Livonia, MI 48154
734-466-2249
www.ci.livonia.mi.us

From: Kovalcheck, Annette
Sent: Thursday, July 05, 2007 11:19 AM
To: Szymula, Karen
Subject: Re: Dog Leash Law

Karen,
I spoke to a person today who wanted a "$100.00 fine for cats" added onto the dog leash discussion that will take place at the Legislative Committee meeting on July 17, 2007. I suggested he call Ordinance Enforcement to discuss whether we had any current ordinance on the books regarding cats. He did talk to them and called the council back, stating again that he wanted a fine for roaming cats. He also mentioned a neighbor who let their dogs "bark all day in the garage" and who let their "cats out at 5:00pm as soon as Ordinance Enforcement went home for the day".

His name:

Wayne Otto
19720 Flamingo
Livonia, MI 48152
(h) 248-476-6595
(c) 412-849-0024

Toni K.

Karen,

I received a call this afternoon from a Ms. Gonzales regarding the Legislative Committee Meeting which is going to be held on July 17, 2007. She was particularly interested in Item #1 on the agenda regarding "dog leash law".

She is unable to attend the meeting because she takes the Livonia Transit bus and it does not make runs in the evening. However, she is concerned with dogs running wild in the city parks and mentioned that in the past week or so, while in a city park, a dog ran over to her and she felt very afraid that she would be bit.

She is planning on sending her concerns, in writing, to the Legislative Committee and would very much like her opinion to be heard.

Toni

NEW DATA ATTACHED

Gina Gonzales
19486 Mayfield
#101
Livonia, MI 48152

June 27, 2007

Szymula, Karen

To: Rusty McIntyre
Cc: Council 2006 - 2007
Subject: RE: Animal nuisance

Rusty -

Thank you for your reply. Regular and Study Meetings are posted on the web (www.ci.livonia.mi.us). Click on (left side of screen) City Council under Government and you will see Meeting Schedule - click on that and you will see the schedule for the year.

If you are interested in receiving various agendas and news items - look under Short Cuts on the right hand side of the screen and click on e-News Sign-Ups. You can subscribe to any or all of those. The Council Agenda and Council Commitee Agenda are the agendas you have indicated an interest in.

Also beginning today, again under Short Cuts - Video Communications Center - you can view video streaming items. Today they are to begin placing Council Meetings on that site. The first one would be from last night's meeting but is not there as yet. Also, a link is going to be placed somewhere on the City Council's web page for the meetings.

As far as community service, you may want to check with our Community Resources Department (734-466-2540) or go to their web page as well. The Mayor appoints members to all boards and commissions other than the Zoning Board of Appeals which the City Council appoints. If you are interested in serving on a board or commission please contact the Mayor's Office (734-466-2201).

I hope this information is helpful to you and I will add your name to the mailing list for the Legislative Committee meeting when the issue of "dogs" is placed on an agenda.

Karen A. Szymula
Director, Legislative Affairs
City Council Office
Livonia, MI 48154
734-466-2249
www.ci.livonia.mi.us

From: Rusty McIntyre [mailto:ba8267@wayne.edu]
Sent: Thursday, May 10, 2007 10:45 AM
To: Szymula, Karen
Subject: Re: Animal nuisance

Thanks Karen,

Unfortunately, I was not able to make the meeting last night. You do have my correct address. Also, is there a set date or a posted (on the web) calendar of the regular city meetings. Also, is there a way to get relatively advanced notice of non-scheduled, yet public, meetings?

I also have a related question that I hope you can answer or direct me to someone who can. How does a Livonia resident get involved in helping the city?

Sincerely,

Rusty McIntyre

----- Original Message -----
From: Szymula, Karen
To: Rusty McIntyre
Cc: law@ci.livonia.mi.us ; Brian Meakin (Meakin, Brian) ; dknapp@FTBlaw.com ; Gerald Taylor (Taylor, Gerald) ; James C. McCann (McCann, James) ; Joseph M Laura (Joseph M Laura) ; tgodfroid-marecki@ci.livonia.mi.us ; Thomas.robinson@ncogroup.com
Sent: Wednesday, May 09, 2007 3:50 PM
Subject: RE: Animal nuisance

Mr. McIntyre:

I have discussed your e-mail with the City Council President and he has asked me to forward the following information on to you. The City Council has in its Legislative Committee the issue of amending the Livonia Code of Ordinances to add a "dog leash law" to insure that dogs are under the control of their owners and to prevent possible tragedies. When a Committee meeting is called with this subject on the agenda the staff will send you a notification of that meeting. The Committee meeting is an open meeting and is held on the 2nd Floor of City Hall in the City Council Chambers. I have located shat I believe is your address 32491 Wisconsin, Livonia, 48150. I would appreciate you verifying the address so that a notification can be sent to you.

For your information, the Council did review the Dog Ordinance approximately a year ago and no changes were recommended at that time.

The Council does have a Regular Meeting this evening beginning at 8:00 P.M. in the Auditorium of City Hall. There is an Audience Communication section near the beginning and anyone may speak on any item that is not on the agenda for three minutes.

On behalf of the City Council, thank you for your concern and please verify your address for a future Legislative Committee Meeting.

Karen A. Szymula
Director, Legislative Affairs
City Council Office
Livonia, MI 48154
734-466-2249
www.ci.livonia.mi.us

From: Rusty McIntyre [mailto:ba8267@wayne.edu]
Sent: Tuesday, May 01, 2007 12:24 PM
To: CityCouncil
Subject: Animal nuisance

Dear Livonia city council,

I recently moved into Livonia after relocating to Michigan for a tenure-track position with Wayne State University. Based upon school and safety information from my realtor, I purchased a home in the Rosedale Gardens subdivision. To date I have been pleased with the safety and conditions of the city of Livonia. Recently, however, I discovered my neighborhood was less safe than I would have liked. Last week my daughter and I were returning from Miles park and walked down the 9000 block of California street when we charged by a rather large dog (it may have been a Weimaraner). My daughter, who is only three, became scared and ran toward the street. The dog stopped its charge due to some sort of electric underground fence in the front yard of the home. I quickly grabbed my daughter and walked down the block, yelling to keep the dog at bay (to which the owner of the dog did not hear or chose not to do anything about). I checked with the city ordinance division and they had indicated that the use of the fencing in the front yard is acceptable in the city of Livonia.

My concern then, is threefold. First, I am concerned the having an aggressive sporting dog in one's front yard could lead to similar instances of children on foot or on bikes being terrorized by such an occurrence and

running into the street into unsuspecting traffic. Personally, I see this as a recipe for harm to the neighborhood children. I am also concerned that the dog is somewhat of a nuisance to others who might not be frightened but wish not to have a barking and growling dog who appears unrestrained to charge them when they are walking down the sidewalk. Finally, I am concerned that the city allows for front-yard fencing of any type to be used in neighborhoods. In fact, according to the city ordinance I could erect a full electric fence in my front yard if I so desired. To be sure, doing so would be an eyesore and would encourage those who can to move away from the neighborhood and or city.

After hearing from the city ordinance commission I checked the city charter of ordinances and believe this is an issue. Though the fence does not violate any ordinances according the person I spoke with (on the phone), the dog (and how it is being restrained) does seem to be in violation. According to ordinance 6.04.340 Noise restrictions- the dog/owner is in violation. The dog should not be allowed (and by being in the front yard encouraged) to "bark, growl, or cause a serious annoyance to the neighborhood or to people passing to and fro upon the streets . . . ". It is my belief that having a dog three feet from the sidewalk in a visibly unrestrained fashion would be perceived as a nuisance and is a noise problem. Also, and depending on the demeanor of the dog, the dog/owner are potentially in violation of the ordinance 6.04.370 vicious dogs. According to that ordinance, a vicious dog is "unconfined" if the dog is not "securely" confined indoors or confined in a securely enclosed and locked pen or structure . . ." I take issue with the premise that an underground fence is adequately secure. In what way can we be sure that the buried electric fence is secure? Is it that the charge from the fence is sufficiently painful enough to deter the animal? If so, then that premise too is in violation of other codes due to animal cruelty ordinances. Even if not cruel, what security does an underground electric fence provide against the reliability of the apparatus, against power loss, or to keep unaware children secure from roaming into the dog's pen? Thus, it seems that the use of an underground electric fence permits many inconsistencies within city ordinances and thus should not be allowed as the issue raises many contradictions in established ordinances.

I would like this issue brought to the city's attention and would also like to know if anything can be done to consider the safety of children and taxpayer's over the freedom of a dog. Additionally, could you please advise me as to the next open city council meeting so I may bring this issue to light?

Sincerely,

Rusty McIntyre

OFFICE OF THE COUNCIL

JAMES C. McCANN
City Council President

RESIDENCE
18435 Mayfield
Livonia, MI 48152
(248) 471-4747
Bus: (734) 421-7333
e-mail: jmccann@ci.livonia.mi.us

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2254
FAX: (734) 421-4388

January 29, 2007

Eugene and Barbara Scott
8861 Utah
Livonia, MI 48150

Dear Eugene and Barbara Scott:

I received your letter dated January 22, 2007 relative to animal control and noise abatement.

The Council revisited the noise ordinance just over a year ago and found upon recommendations of the Administration the ordinance was not in need of further amendments.

However, the Council did refer to the Council Legislative Committee the request to amend the ordinance to add a "dog leash law" to insure that dogs are under the control of their owners and to prevent possible tragedies.

By copy of this letter, I am forwarding your request to the Chairman of the Legislative Committee, Councilman Thomas Robinson, for the subject in Committee to be placed on an up-coming Legislative Committee agenda.

When the meeting is scheduled, you will be notified of the time and place of the meeting.

Thank you for your letter of concern.

Sincerely,

James C. McCann
President

CC: Councilmember Thomas Robinson(w/att.)

(Council/Dog Issue – Scott)

Eugene & Barbara Scott

8861 Utah . Livonia, Michigan 48150
734-523-7844
email: genocam@htdconnect.com

January 22, 2007

James McCann, President
City Council
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

Dear Councilman McCann:

Over three months ago, we wrote to you for consideration of Council action on what currently are weak and unenforceable ordinances regarding animal control and noise abatement -- quality of life issues that seriously impact the residents of our city. **We have heard nothing from your office.**

As we stated in our October letter, we continue to live in fear in our neighborhood, principally because of residents who allow their animals (dogs) to run loose beyond their property. After several attacks and worrisome threats over the past several years, we have had to walk our always leashed beyond the back yard pet on the perimeter streets of the neighborhood only. This restriction, caused by thoughtless residents, a weak ordinance, and lack of resident animal control education, is unfair. We hope that this clear and present danger does not require legal action at some point in the future.

The same is true for lack of noise abatement ordinance enforcement. We have given up calling the police department about loud noisy cars with roaring radios late at night some time ago. Nothing comes of it. Like thousands of other citizens in Livonia, we have had to just suck it up.

Other communities in the metro area have stronger ordinances and enforcement activities, but Livonia lags behind. Perhaps community education wouldn't provide a solution to these problems, but it would at least be a start. We really hope to hear from you of some action on the part of City Council **before spring arrives** and the thoughtless, uncaring lower grade residents of this community take control again.

Thank you.

Sincerely,

Eugene and Barbara Scott

Bonnie Johnson

From: Bonnie Johnson [bjohnson@ci.livonia.mi.us]
Sent: Wednesday, October 19, 2005 12:51 PM
To: Don Knapp (City)
Subject: Call from Arthur Solis--Dog Leash Law

Don:

I just received a call for you from Arthur Solis who said that he had left a message on both your home phone and your City phone within the last two weeks and has not as yet received a call back. His comment to you is "How do you expect your constituents to vote for you in the upcoming election if you do not return their telephone calls."

He is very concerned with the City's dog leash law and would like to talk with you in this regard. He walks in Devon-Aire Park and his dog was attached by an unleashed German shepherd. He had to bring his dog to the vet and have him cared for, which was very expensive. Another woman had her begal attached by two unleashed dogs. Many people let there dogs out of the house and just let them roam. He feels that a leash is the only way a dog owner can insure control of his dog. Mr. Solis is a senior citizen and is very concerned about the lack of a leash law in Livonia.

I have added Mr. Solis to our Legislative Committee notification list for this matter.

In the interim, he asks that you please call him at (734) 458-4961.

For you information, his address is 9820 Denne, Livonia 48150.

Bonnie Johnson
Technical Specialist
Office of the City Council
City of Livonia
(734) 466-2250

xc: City Council, Mayor, Dept. of Law, Animal Control - DPS 04/07/05 kat

April 8, 2005

RECEIVED
OFFICE OF THE CITY CLERK
05 APR -8 AM 8:56

Dear Members of Council,

On Friday, April 1, 2005 I walked with my two Granddaughters on my block. The girls are 3 and 4 and I was walking between them holding each by the hand.

Coming towards us was a woman chasing a large dog - as the dog came upon us he grabbed a Teddy Bear out of my Granddaughters hand and ran away with it shaking it. The woman was trying to catch up with the dog but did not succeed meanwhile the dog continued to shake the bear.

Needless to say I was quite upset because she could not control the dog and we could have had a Tragedy - how could I have stopped a bite? I said the dog should be on a leash and she said it didn't like the leash but the dog certainly was not under her control.

I called the Dog Warden and she informed me that Livonia does not have a "Leash Law". I can't believe our City wouldn't have a Leash Law as I see dogs running loose in the area because of the Future Center Woods near Curtis and Norwich behind Stevenson High.

Some people are not taking the responsibility they take on when they decide to have an animal we need a Law. I want to be able to walk in my neighborhood without fear of a loose dog.

I'm writing this letter so that the Council would consider a Law because I feel we have more consideration for dog rights than the safety of children.

Sincerely,

Sarah J. Burns
18288 Norwich
Livonia, Mich. 48152
Tel. 248-474-7342

cc: to Mayor Engelbrecht

Sarah Burns
18288 Norwich
Livonia, MI 48152

Szymula, Karen

To: Denise Lukacs
Cc: Council 2004-5
Subject: RE: Leash law

Denise: The City Council did on April 27, 2005 refer the request of Sarah Burns to amend the Livonia Code of Ordinances to add a "dog leash law" to insure that dogs are under the control of their owners and to prevent possible tragedies to the Legislative Committee for report and recommendation. (Council Resolution 177-05)

At this time, the item remains in Committee. When a Legislative Committee meeting is scheduled and this item is placed on the agenda, you will be notified of the meeting date and time. The meeting will, of course, be open to the public.

Karen A. Szymula
Director, Legislative Affairs
Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
734-466-2249
http://www.ci.livonia.mi.us

-----Original Message-----
From: Denise Lukacs [mailto:thepetteacher@netzero.com]
Sent: Monday, July 25, 2005 8:43 AM
To: Szymula, Karen
Subject: Re: Leash law

Hello Karen:

Whatever happened with this leash law discussion for Livonia?

Thanks much,
Denise Lukacs

> ----- Original Message -----
> **From:** Szymula, Karen
> **To:** Denise Lukacs
> **Cc:** Mayor Jack Engebretson ; Law ; Tesner, Karen ; Beckley, Robert ; Brian Meakin (E-mail) ; Don Knapp (E-mail) ; Frank J. Kokenakes (E-mail) ; Gerald Taylor (E-mail) ; James C. McCann (E-mail) ; Terry A. Godfroid-Marecki (E-mail) ; Thomas Robinson (E-mail)
> **Sent:** Tuesday, April 26, 2005 12:35 PM
> **Subject:** RE: Leash law
>
> Mr. Lukacs: Thank you for taking the time to send the City Councilmembers your thoughts and concerns regarding the possible amendment to the ordinance that covers

dogs to include a "leash law."

This e-mail is being forwarded to those departments concerned with the issue and a copy of your e-mail will be placed in the packets of information for the Councilmembers for their meeting on April 27, 2005 at 8:00 P.M. in the City Hall Auditorium. It is anticipated that Council will adopt a resolution referring this item to their Legislative Committee for further review.

Karen A. Szymula
Director, Legislative Affairs
Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
734-466-2249
http://www.ci.livonia.mi.us

-----Original Message-----
From: Denise Lukacs [mailto:thepetteacher@netzero.com]
Sent: Monday, April 25, 2005 8:00 PM
To: CityCouncil
Subject: Leash law

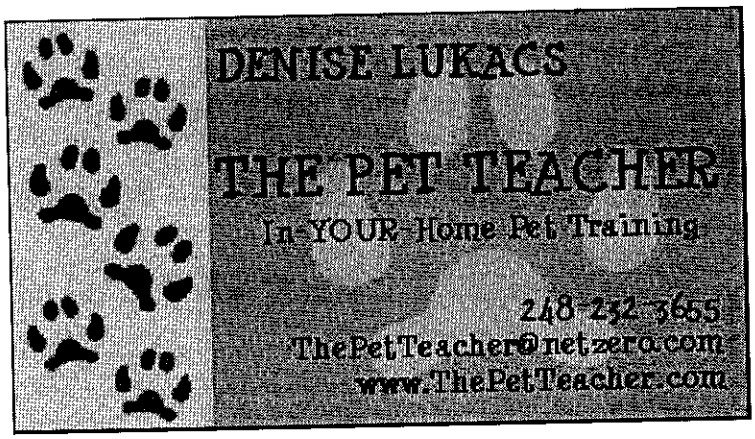
Hello:

I was just reading the article in today's Detroit News that Livonia may adopt stricter leash laws. I want to recommend that you have a very strict leash law that all dogs must be on a 6' leash in public areas. I am a dog trainer and I work with many clients in the Livonia area. Often we take the dogs for walks in public areas, and the number of dogs that are off-leash in Livonia is amazing. These people don't have control of their dogs -- the dogs may walk close by, but if another dog comes along they do not have a reliable response to the owners' recall commands.

Unless you plan on administering testing to the dog owners who claim their dogs are reliable when they call them ... unless you can see that in the midst of other distractions like kids and dogs these off-leash dogs really respond ... then make it simple and enforce a leash law.

And if the city would like to offer dog training group classes, I will be happy to teach them

Thank you,
Denise Lukacs



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Bonnie Johnson

From: Pelletier, Kim [KPelletier@ci.livonia.mi.us]
Sent: Monday, July 25, 2005 12:20 PM
To: Engebretson, Jack; CouncilMembers; Kavanagh, Sean
Cc: Mayor Staff; Johnson, Bonnie; Szymula, Karen; Law
Subject: Visit from Valerie Khoury - 18645 Golfview

Ms. Khoury stopped in to express her concerns regarding the lack of a leash law in our City. She wrote a letter to Council back in April supporting a revision to our current ordinance. There is a Pit Bull that runs "off leash" in her neighborhood and she feels that it is a big threat to the children living there. She has 5 month old twins and a 21 month old. Ms. Khoury stopped by our office after being at the 16th District Court for a pretrial on a case where the Pit Bull killed her Cat on her front porch. She is very upset by this situation and intends to write another letter to Council giving them an update.

Mayor, she was wondering what your position on this issue is?

Valerie Khoury
18645 Golfview
(btwn Levan and Wayne Rd. btwn Six & Seven Mile)
(248) 477-3507
E-mail: vakhoury@yahoo.com

Szymula, Karen

To: Council 2004-5; Law Department Staff (E-mail); Robert Beckley (E-mail); Ass't City Clerk (E-mail)
Subject: FW: PC from Resident regarding support for Leash Law

Please add to your file on the possible amendment to the Dog Ord.
(CR 177-05)

Thank you.

-----Original Message-----
From: Pelletier, Kim
Sent: Tuesday, May 10, 2005 4:32 PM
To: Szymula, Karen
Cc: Engebretson, Jack; Mayor Staff
Subject: PC from Resident regarding support for Leash Law

Karen,

I received a phone call from a resident that wanted to give her support for Livonia adopting a Leash Law. She was in Rotary Park and dogs were running around off leash, even though there was a sign indicating dogs should be on a leash. She felt very threatened by a dog that charged at her. She would like to be added to your list so that she will get notice when this issue will be addressed by Council. She would like to attend the meeting and give her opinion.

Please see her name and address below:

Gina Gonzales
19486 Mayfield, Apt. 101
Livonia, MI 48152
(248) 471-2458 (Home)
(248) 982-4407 (Cell)

Thanks, Kim

NEW DATA ATTACHED

xc: City Council, Law Dept.Public Service, Mayor
For Legislative Committee Meeting

6/1/05
jvr

FROM THE DESK OF

SUZANNE G. TOWNLEY

May 31, 2005

Dear Councilmembers:

I am writing in favor of requiring dogs in Livonia to be kept on a leash while out walking. I have two small children, and I fear for their safety when we encounter unleashed dogs on sidewalks or at playgrounds.

In exchange for instituting a leash law, perhaps it would be possible to designate a couple of city parks where, at certain peak dog-walking times of day, dogs would be permitted to run without a leash.

Thank you for your attention to this matter.

Sincerely,

Suzanne G. Townley

(1)

15

RECEIVED
CITY COUNCIL OFFICE
05 JUN -1 PM 12:09

RECEIVED
OFFICE OF THE CITY CLERK
05 MAY 32 AM 11:07

This item has been scheduled as follows:

Study Meeting _____

Regular Meeting _____

Other Leg. Comm.

Copies to _____

Szymula, Karen

To: SLSuzieQ32@aol.com
Cc: Council 2004-5; Mayor (E-mail); Law Dept. Staff (E-mail); Ass't City Clerk (E-mail); Robert Beckley (E-mail)
Subject: RE: Leash Law

Susan:

Thank you for taking the time to send the City Councilmembers your thoughts and concerns regarding the possible amendment to the ordinance that covers dogs to include a "leash law."

This e-mail is being forwarded to those departments concerned with the issue and a copy of your e-mail will be placed in the packets of information for the Councilmembers. The item was referred to the City Council Legislative Committee for further review. That meeting has not yet been scheduled.

We will send you a notice of the meeting when it is scheduled.

-----Original Message-----
From: SLSuzieQ32@aol.com [mailto:SLSuzieQ32@aol.com]
Sent: Thursday, May 05, 2005 5:26 PM
To: CityCouncil
Subject: Leash Law

To Whom it May Concern,
I am a 29 year resident of Livonia and I fully support having a leash law for
dogs. I cant count the endless times I have seen residents with large dogs
walking them with no leash and that makes me frightened for my safety as well
as the safety of small children who may be outside playing and a dog running
loose comes up behind them and who knows what the reaction of the dog will be.
Just because an owner thinks their dog is well behaved with others doesn't
mean that they shouldn't have them on a leash when they are walking them in the
neighborhood.
I believe this leash law is a safety issue for residents and would surely
like to see all residents walking their dogs on leashes.

Sincerely,
Susan Shearer
29631 Grandon
Livonia, MI 48150

Szymula, Karen

To: Dennis Ward

Subject: Amendment to Dog Ordinance

Dennis:

Thank you for taking the time to send the City Councilmembers your thoughts and concerns regarding the possible amendment to the ordinance that covers dogs to include a "leash law."

This e-mail is being forwarded to those departments concerned with the issue and a copy of your e-mail will be placed in the packets of information for the Councilmembers for their Legislative Committee meeting when it is scheduled.

We will add your name to this list of individuals who would like to be notified of that Legislative Committee meeting.

Karen A. Szymula
Director, Legislative Affairs
Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
734-466-2249
http://www.ci.livonia.mi.us

-----Original Message-----
From: Dennis Ward [mailto:dward2@twmi.rr.com]
Sent: Monday, May 02, 2005 11:58 AM
To: CityCouncil
Subject:

I am a dog owner as are most of the people in my neighborhood. I have always liked the Livonia ordinance that allows me to remove my dogs leash when I feel it is appropriate and safe. Many dog owners get together at city parks to let their dogs play. I have never seen a dog go after a person or even another dog. The people that bring their dogs are mostly over fifty years old and as a group, they see to it that the droppings are cleaned up. This activity may go on for an hour, and then most of us go home. I have never read about safety problems in the wooded part of Rotary Park and I believe the reason is a constant stream of dog owners, walking their dogs. I would be very disappointed if you change the ordinance and I would feel it necessary to support only the people who will not make that change.

Dennis Ward
16406 Edgewood
Livonia MI 48154
(734)464-0582
29 year resident of Livonia

NEW DATA
04/27/05

FROM THE DESK OF BONNIE JOHNSON

Council:

Ted Kalinowski, 28727 Dover, Livonia, MI 48150 called to let you know that he is in favor of a leash law in the City.

Mr. Kalinowski had an operation a few years ago and shortly thereafter a big dog that was running loose nearly knocked him down.

He said his son has three dogs and they are always leashed.

His wife was almost attacked by a dog while out in her garden. Small children were walking the dog and they had no control over the dog even though it was on a leash due the dog's size. He also suggested that something be adopted with respect to the age of children walking dogs.

Bonnie
4-27-05

NEW DATA
ATTACHED

From The Desk Of . . .

Karen A. Szymula
Director, Legislative Affairs

NEW DATA – ITEM #5 REGULAR MEETING OF APRIL 27, 2005

Councilmembers:

I received a call today from Ida Bossio, 38925 Stacy Drive, who lives in the Quakertown Subdivision. She has indicated that **SHE IS IN FAVOR OF A LEASH LAW.**

The park located in the subdivision is full of dogs. The individuals who use the park never clean up after their dogs – it is a mess. If you take you children there to play the dogs chase after the children and you have to take the children home. It is not a safe or clean park for the children to play in.

Karen
April 25, 2005

CC: City Clerk
Law
D.P.W.

NEW DATA ATTACHED

5

Szymula, Karen

To: Scott T Hart

Cc: Council 2004-5; Mayor (E-mail); Law Department Staff (E-mail); Ass't City Clerk (E-mail); Robert Beckley (E-mail)

Subject: RE: livonia leash law

Julie:

Thank you for taking the time to send the City Councilmembers your thoughts and concerns regarding the possible amendment to the ordinance that covers dogs to include a "leash" requirement.

This e-mail is being forwarded to those departments concerned with the issue and a copy of your e-mail will be placed in the packets of information for the Councilmembers for their meeting on April 27, 2005 at 8:00 P.M. in the City Hall Auditorium. It is anticipated that Council will adopt a resolution referring this item to their Legislative Committee for further review.

Karen A. Szymula
Director, Legislative Affairs
Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
734-466-2249
http://www.ci.livonia.mi.us

-----Original Message-----
From: Scott T Hart [mailto:flyingharts@sbcglobal.net]
Sent: Tuesday, April 26, 2005 1:51 PM
To: Szymula, Karen
Subject: livonia leash law

TO: The Livonia City Council

I have lived in Livonia for 3 1/2 years and was very surprised to learn that the city of Livonia does not have a leash law. On my street and on our block alone, there are currently 8 children 3 years of age or younger. There is also a pit bull who is never on a leash. We have been informed that Livonia does not require a dog owner to leash their dog as long as the dog is reasonably supervised. The owners of this dog "walk" their dog by allowing the animal to run free as they follow along on their bicycle. The dog is typically 4 to 5 houses in front of the owner. The dog has been seen in the neighborhood on several occasions with the owner nowhere in sight. As the mother of a 2 year old I find this disturbing. The message that the city is sending to me, is that the rights of animals is more important than the safety of our children.

As a mother, I realize that it is my responiblity to keep my child safe and that she is much to young for me to ever concider leaving her in our yard without supervision. I know that young children do not always understand the correct way to approach (or stay away from) an animal.

My concern is with the dog on our street who puts her at risk by not being leashed. On our street it is a pit bull, maybe on another street it is a dog of another breed. Whatever the case may be, it is time for the city to let it's residents know that we value the safety of our children over the rights of animals.

Thank you for your time,
Julie Hart

NEW DATA ATTACHED

5

Szymula, Karen

To: Valerie Agolli Khoury
Cc: Council 2004-5; Mayor (E-mail); Law Department Staff (E-mail); Ass't City Clerk (E-mail); Robert Beckley (E-mail)
Subject: RE: Support of Proposed Dog Leash Requirement

Valerie: Thank you for taking the time to send the City Councilmembers your thoughts and concerns regarding the possible amendment to the ordinance that covers dogs to include a "leash" requirement.

This e-mail is being forwarded to those departments concerned with the issue and a copy of your e-mail will be placed in the packets of information for the Councilmembers for their meeting on April 27, 2005 at 8:00 P.M. in the City Hall Auditorium. It is anticipated that Council will adopt a resolution referring this item to their Legislative Committee for further review.

Karen A. Szymula
Director, Legislative Affairs
Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
734-466-2249
http://www.ci.livonia.mi.us

-----Original Message-----
From: Valerie Agolli Khoury [mailto:vakhoury@yahoo.com]
Sent: Tuesday, April 26, 2005 11:53 AM
To: Szymula, Karen
Subject: Support of Proposed Dog Leash Requirement

Dear City Council Members,

We are writing this letter in support of the City Council establishing a dog leash requirement in Livonia. The reason we support this idea is that we believe it will make our neighborhood safer for children.

A pit bull lives on the other side of our block. The owners often let the pit bull sit in their front yard without a leash and we have also seen the dog being walked without a leash (the dog does not stay by the owner's side).

Because we have seen the dog on the sidewalk without a leash, we have stopped taking our children for walks around our block in their strollers. We also try to be very careful when we sit in our front yard in case the dog is being walked. I know pit bulls can be dangerous from what I read in the media and from personal experience. In high school I was bit in the face by a pit bull. Fortunately, because of the angle at which the dog lunged at me, it was not able to clamp down on my face and I only required stitches on my mouth and cheek. It definitely could have been worse.

We have many dog owners in our neighborhood and almost all of them already keep their dogs on leashes out of consideration for others and to keep their dogs safe. Therefore, we believe amending the ordinance to require leashes will not impact most dog owners, as many already use leashes, and will still respect the rights of dog owners to enjoy their pets.

In conclusion, we believe the current ordinance that requires waiting until a dog poses a threat or actually attacks before any action can be taken is insufficient. We encourage the City Council to enact a leash ordinance.

Thank you for your consideration.

Sincerely,

Valerie and Mike Khoury
18645 Golfview

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Szymula, Karen

From: Szymula, Karen

Sent: Tuesday, April 26, 2005 8:36 AM

To: 'Denise Lukacs'

Cc: Mayor Jack Engebretson; Law; Tesner, Karen; Beckley, Robert; Brian Meakin (E-mail); Don Knapp (E-mail); Frank J. Kokenakes (E-mail); Gerald Taylor (E-mail); James C. McCann (E-mail); Terry A. Godfroid-Marecki (E-mail); Thomas Robinson (E-mail)

Subject: RE: Leash law

Mr. Lukacs: Thank you for taking the time to send the City Councilmembers your thoughts and concerns regarding the possible amendment to the ordinance that covers dogs to include a "leash law."

This e-mail is being forwarded to those departments concerned with the issue and a copy of your e-mail will be placed in the packets of information for the Councilmembers for their meeting on April 27, 2005 at 8:00 P.M. in the City Hall Auditorium. It is anticipated that Council will adopt a resolution referring this item to their Legislative Committee for further review.

Karen A. Szymula
Director, Legislative Affairs
Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
734-466-2249
http://www.ci.livonia.mi.us

-----Original Message-----
From: Denise Lukacs [mailto:thepetteacher@netzero.com]
Sent: Monday, April 25, 2005 8:00 PM
To: CityCouncil
Subject: Leash law

Hello:

I was just reading the article in today's Detroit News that Livonia may adopt stricter leash laws. I want to recommend that you have a very strict leash law that all dogs must be on a 6' leash in public areas. I am a dog trainer and I work with many clients in the Livonia area. Often we take the dogs for walks in public areas, and the number of dogs that are off-leash in Livonia is amazing. These people don't have control of their dogs -- the dogs may walk close by, but if another dog comes along they do not have a reliable response to the owners' recall commands.

Unless you plan on administering testing to the dog owners who claim their dogs are reliable when they call them ... unless you can see that in the midst of other distractions like kids and dogs these off-leash dogs really respond ... then make it simple and enforce a leash law.

And if the city would like to offer dog training group classes, I will be happy to teach them

Thank you,
Denise Lukacs

DAVID LUCAS
THE PET TEACHER
In YOUR Home Pet Training
248 722 3655
ThePetTeacher@netzero.com
www.ThePetTeacher.com

xc: City Council, Dept of Law, Inspection/Ord Enforcement, Animal Control
NEW DATA FOR ITEM #5 - APR 27, 2005 REGULAR MEETING 04/25/05 kat

NEW DATA ATTACHED

RECEIVED
OFFICE OF THE CITY CLERK
05 APR 25 AM 9:02

RECEIVED
CITY MANAGER'S OFFICE
05 APR 25 AM 9:21

Livonia City Council!

Please, Please pass the dog leash law for the following reasons:

1. People are letting their dogs out of their van's back door & letting them run in the park by Jackson & then whistling them back in van. Never cleaning up or even getting out of van, I have witnessed this many times.

2. They take their dogs to Kennedy school then unleash them & let them go (no clean up) I hollered at a man to clean up & leash his dog, boy did he get mad at me!

3. An unleashed dog attacked my daughter's dog & cut him, she made them pay for Vets bill but the damage was done.

4. Walkers with dogs let them "pee" all over our lawn then call

them.

I have been a Livonia resident for 50 years & I cannot believe the younger people who think this is their right.

Please pass the law.

Thank you

Dorothy Robbins
33008 Grenada
Livonia

Szymula, Karen

To: Dennis Tap
Subject: RE: Leash Laws

NEW DATA ATTACHED

Mr. Tap - Thank you for relaying your concerns and ideas to the City Councilmembers. Your e-mail has been forwarded to the departments that are involved with this issue.

I will place a copy of your e-mail with the Council's packet on this item.

The Council will be discussing this item brought by Sarah Burns on Monday evening, April 18th in the City Hall Auditorium. The meeting begins at 8P and the item is #5 on the agenda and the meeting is open to the public. Please feel to attend the meeting.

On the behalf of the City Council, thank you again for your views on this item.

Karen A. Szymula
Director, Legislative Affairs
Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
734-466-2249
http://www.ci.livonia.mi.us

-----Original Message-----
From: Dennis Tap [mailto:dmtap@msn.com]
Sent: Friday, April 15, 2005 6:51 AM
To: Szymula, Karen
Subject: Leash Laws

4/15

Dear Ms. Szymula,
I read with interest the fact Livonia is considering a leash law. Good idea. Let's carry it a step further. Included with the leash should be a provision to REDUCE the number of dogs that can be kept by an individual. We are no longer a farming community that needs several "Lassies" to pull Timmy from the well or save him from Mountain Lions(maybe coyotes!)
I live across the street from 2 idiots who house 3 one hundred plus pound Akitas (JApanese fighting dogs, as deadly as Pit Bulls). They have attacked myself and my dog on several occassions. They a 1000 square foot house reside 3 Akitas,3 cats, 3 semi human beings and the illegal puppy breeding operation that ensues due to carelessness(stupidity) on the part of the owners. This situation is more dangerous that a leash law is going to resovle.
I would strongly be in favor of reducing the dog numbers from the current 3 to maybe 1 if over 100 pounds, or a maxium of 2 dogs . I would like to hear from you and council in this matter. Maybe we can obtain a solution that would be more helpful than just a leash. I doubt the idiots across the street could figure out how to place a leash on their dogs.

Dennis M. Tap

NEW DATA ATTACHED

5

Szymula, Karen

To: joe

Subject: RE: question

Joe - There is not a "new leash law" - Council will discuss the request from Sarah Burns at the Study Meeting of April 18, 2005 at 8PM in the City Hall Auditorium. This is an open meeting and you are welcome to attend and give your comments - up to two minutes per City Ordinance when the item is called. The item is #5 on the agenda.

Karen A. Szymula
Director, Legislative Affairs
Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154
734-466-2249
http://www.ci.livonia.mi.us

-----Original Message-----
From: joe [mailto:jlizbins@peoplepc.com]
Sent: Wednesday, April 13, 2005 5:48 PM
To: CityCouncil
Subject: question

What is the wording for the new "Leash Law"?

N E W S P A P E R
A R T I C L E S

OBSERVER
Thursday, May 26, 2005

Letters to the Editor

Forget leash extremists

There seem to be many definitions of reasonable control of one's pet dog being bandied about lately. As a responsible dog owner of a sporting breed, which needs the opportunity to run off of her lead to exercise adequately, I would like to add mine. When exercising my dog off it's lead, and come in visual contact of people and other dogs, I bring my dog to my side and return the dog to its lead. I also use a electronic correction collar as a backup which is 100 percent effective in returning my dog to my side in even the most challenging situations.

I also find that responsible dog owners who want to work their dogs off their leads, do it early in the morning on the weekends before 99 percent of the Livonia residents are even up and moving, let alone children being up.

Novi has been brought up as the example of the model that Livonia should follow in regards to leash laws. That being said, Novi offers it's dog-owning residents a dog park. This option should also be part of any Leash Law conversation. With Livonia's population being much larger than Novi, I would offer that Livonia would need at least three or four dog parks to service its dog owner population. Let's not have a few leash extremists drive Livonia into another ZERO Tolerance situation.

Mike Hayes

Livonia

Thursday, May 19, 2005

Letters to the Editor

Pets need a leash law

Why does Livonia need a leash law? What is reasonable control? The existing ordinance defines it as the dog merely being with an owner with no specification of proximity, which means a dog can be a hundred yards from its owner and still be considered in "reasonable control." In fact the ordinance defines "not in reasonable control" to require a dog to do damage to humans or property. This is a tragedy waiting to happen.

We are responsible pet owners, my 12-year-old daughter and I used to love walking our two dogs in Rotary Park. We always leash our dogs and pick up after them which is not so for many people walking their dogs in the park. On more than one occasion we have been charged by dogs with the owners either nowhere to be seen or unable to call the dogs back into control.

On our last visit to the park, as we were leaving the walking trails, a loose dog aggressively charged our dog growling at and slobbering on our dog, this frightened my daughter, myself, and our dogs. I called for the owner of the dog and continued to guide our leashed pets out of the trails.

When the owner finally appeared I told her that her dog has been aggressive with mine, she responded telling me that is was not possible because her dog is a "sweetie," even though she could plainly see that her dog was invading our space and attempting to start a fight with my leashed dog. When I asked her to please control her animal and to call it off of us she made no attempt to be cooperative, I was only able to get my daughter and our dogs to safety by putting them into our car.

For the safety of all, a leash law needs to be put into effect. Although there are a small number of dog owners who are able to keep their pets under control, it is the vast majority who don't, or won't, that endanger us all. Dogs are animals and will behave as such, when people forget this and think of their animals as "sweeties" then a tragedy is bound to happen.

Theresa Mastela

Livonia

OBSERVER
Thursday, May 12, 2005

Don't spoil it for all dogs

I began to growl when I read your front-page article on Livonia's leash law. We don't need a leash law in Livonia. What we need is for the existing rules to be followed and enforced.

Untrained dogs can still bite, grab toys from kids, and jump on people they pass on walks, while on a 6-foot leash. Rude and inconsiderate dog owners can still ignore their dog messes whether their dog is leashed or not. Don't spoil the fun and exercise for all of the well-trained and totally controlled dogs, in Livonia, by legislating for the bad dog owners who don't take their dog ownership responsibly.

If someone is walking their dog, without a leash and it isn't under their full control, then call the police and report that owner. The existing rules are sufficient. My dog and I love living in Livonia. Don't spoil it.

Robert Meloche
Livonia

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EMAIL STORY PRINTER FRIENDLY

Leash law pulls support

(734) 953-2109

By Dan West

Staff Writer

Some Livonia residents believe more dogs are being allowed to roam uncontrolled and they're putting pressure on city officials to mandate leashes for pets.

In letters and comments to the Livonia City Council in recent days, residents want leashes required to better control dogs. The council referred the matter to its Legislative Committee on Wednesday. The committee meeting, which has not been scheduled yet, will be open to the public.

Council President Joe Taylor acknowledged it will be a challenging matter for city leaders to sort out.

"It's an emotional issue," Taylor said. "As far as a leash law goes, some like it and some don't like it. Some like the law the way it is now, but it may not work anymore."

For four decades, city laws have required owners to keep control of their pets as they walk about town, but a leash is not required. Since Sarah Burns, a Livonia resident whose granddaughter had a stuffed animal ripped from her hand by a loose dog, asked council for

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a leash law April 18, other residents have shared similar stories. Burns encouraged Livonia to mimic a leash law used in Novi.

In letters, phone calls and public comments to the council, residents said they are seeing numerous incidents of dogs running at other pets, biting people and leaving excrement that is not picked up by their owners, especially in city parks.

Denise Lukacs, a professional dog trainer who wrote and talked to the council, recounted seeing out-of-control dogs in Livonia. She recommends the city mandate 6-foot-long leashes for all those walking dogs.

"Often, we take the dogs for walks in public areas, and the number of dogs that are off-leash in Livonia is amazing," Lukacs wrote. "These people don't have control of their dogs. The dogs may walk close by, but if another dog comes along, they do not have a reliable response to the owners' recall commands."

dwest@oe.homecomm.net

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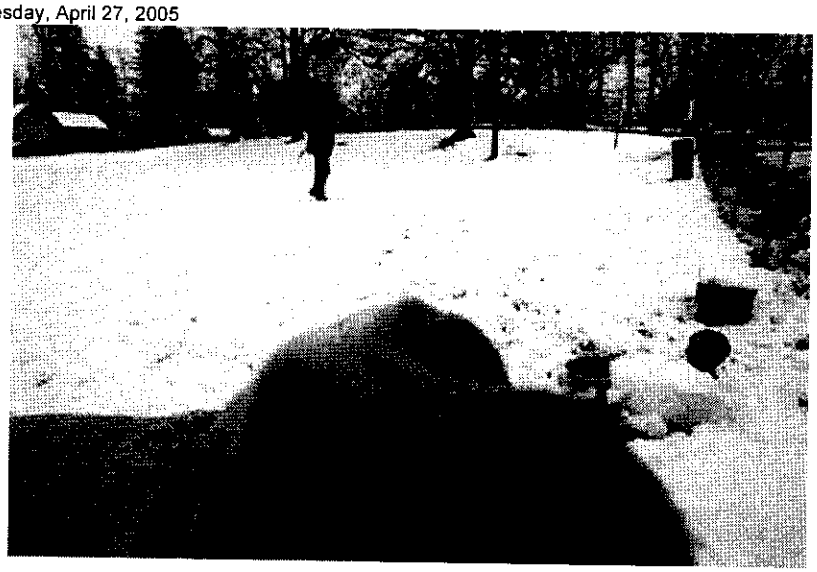
Wednesday, April 27, 2005



Elizabeth Conley / The Detroit News

"A tired lab is a happy lab and she always needs exercise. It's just so much easier to train Chloe on the leash in a fenced-in area," says Northville resident Rodney Tabacyznski of his dog, Chloe.

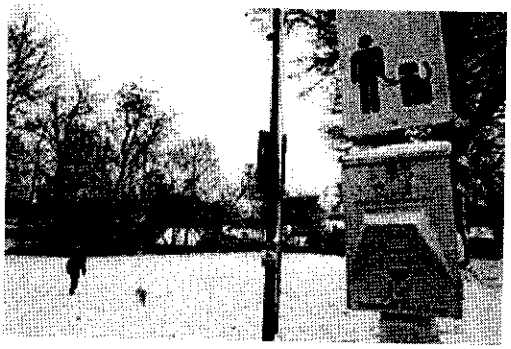
Livonia studies stricter pet law

City Council could revamp dog ordinance tonight to require leashes in all cases.

By Eric Lacy / The Detroit News

LIVONIA -- As 78-year-old Sarah Burns walked with her two granddaughters near a wooded area this month, a sandy-colored dog bolted toward them, ripped a teddy bear from the hands of one of the children and escaped into a patch of trees.

For a half hour, the three walkers and the dog's owner pursued the Labrador retriever. They recovered a tattered and dirty stuffed animal. The confused 4-year-old wanted a new toy.



Elizabeth Conley / The Detroit News

The Livonia City Council could begin revamping its dog ordinance to require leashes when it meets tonight.

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While no one was hurt, Burns doesn't want to experience another close encounter with a canine.

"The whole thing could have been a nightmare," Burns said. "I don't care how big dogs are."

Burns now is lobbying the Livonia City Council to change its dog ordinance to require leashes; the process could begin tonight.

The current city law requires all dogs to be "under control" by their owners. That means dogs must have a leash, or be trained to obey their handlers' verbal commands. Dog owners violating the ordinance can be fined or even charged criminally -- depending on the severity of the case.

Livonia isn't the only community in which citizens are demanding stricter pet laws.

Members of Inkster's Southwest Block Club Association, for example, want their community to adopt a leash law, too.

Resident Larry Motley, 60, expects to lobby Inkster officials this week to require leashes and ban breeds such as pit bulls and Rottweilers that he believes may be dangerous.

"These dogs are the greatest danger we have in our area right now," said Motley, the block club's executive director. "I see these dogs roaming the streets every day."

The recent death of a 6-year-old Hamtramck girl prompted some calls for a ban on pit bulls.

Cassidy Jeter was killed April 4 in an alley by two pit bulls that belonged to her family. Police called to the scene shot and killed the animals because the girl's mother could not call them off.

The Michigan Humane Society supports leash laws, but it helped defeat a state bill in the mid-1980s to ban pit bulls. In Wayne County, Ecorse has banned pit bulls. They are legal in Livonia, however.

Several western Wayne County communities -- including Northville, Northville Township, Plymouth, Plymouth Township, Canton Township, Westland and Dearborn -- already have leash laws.

The Livonia City Council could begin revamping its dog ordinance when it meets at 8 p.m. tonight at City Hall, 33000 Civic Center Drive. Council members are expected to send the existing ordinance to their three-member Legislative Committee, which could revise it to make owners more responsible for their pets. The full council must agree to any changes.

Passage of a tougher dog ordinance could be a challenge, especially if it involves a leash law. Enforcement would need to be strict for such a policy to work, said City Clerk Val Vandersloot, who was on the council for eight years.

That's easier said than done, since the city has a population of more than 100,000, limited resources in the animal control department and a hiring freeze prompted by the city budget crunch.

"You can make laws, but laws not readily enforceable become useless," Vandersloot said.

In 2004, Livonia issued pet licenses for 3,304 animals. Most were for dogs, but some cats and ferrets were licensed, too.

Dan Morris, owner of Dan Morris Dog Training, suggests an alternative to the creation of a leash law: requiring pet owners to get their

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dogs trained once they are four months old.

Morris, 59, is a former K-9 trainer with the U.S. Air Force. He trained at least 50 dogs a week at his Livonia business.

"If you had such a policy, you would really be educating the people and eliminating the problem," said Morris, whose business stands to gain from such a requirement.

"The biggest problem out there now is that you have a lot of dogs that aren't properly socialized. I bet if such an initiative passed, it would eliminate about 90 percent of dog bite cases."

Northville and Westland have fenced parks designated dogs can run off their leashes and play with their owners. Livonia has no plans for a dog park, Vandersloot said.

Northville's dog park, off Cady Street, attracted about 280 dogs last year. More than 250 households registered up to three dogs each, and purchased key cards to get into the park.

A three acre dog park opened in Westland last October at the Hawthorne Ridge area of Hines Park. About 50 residents registered their dogs for the park.

Northville resident Rodney Tabacyznski, 60, advocates leash laws. But he also wants more dog parks to reward responsible owners who properly train and care for their dogs.

Tabacyznski takes Chloe, a yellow lab, nearly every day to the Northville dog park and rarely sees problems involving other dogs. Chloe is always on a leash, whether in or outside the park.

"In these kinds of communities, you really should have a dog on the leash for safety reasons," Tabacyznski said. "There are a lot of people that are scared of dogs, so it's better to keep them on a leash instead of taking risks."

You can reach Eric Lacy at (734) 462-2674 or elacy@detnews.com.

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FROM VAL VANDERSLOOT - CITY HAS NO BAN ON PITBULLS - NEWPAPER WILL BE PUBLISHING A RETRACTION. -- KS 4/25/05

5

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Monday, April 25, 2005

Local agenda

Livonia might make dog rules tougher

By Eric Lacy / The Detroit News

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LIVONIA -- The City Council on Wednesday is expected to begin revamping Livonia's dog ordinance.

The current rule requires all dogs to be "under control" by their owners. That means dogs must have a leash, or be trained to obey their handlers' verbal commands, said City Council President Gerald "Joe" Taylor.

If the full council votes Wednesday to send the existing ordinance to the city's legislative committee, members could change its wording to make owners more responsible for their pets.

A leash requirement is one of several ideas that could be discussed.

"This new council could determine that we need a stronger law," Taylor said. "It's possible that a leash requirement could be part of that."

Any recommendations made by the legislative committee about the ordinance would be sent to the City Council for final approval.

The city ordinance currently states that if a pet attacks a person, the pet owner gets a warning -- if it's the first offense. Multiple violations can result in fines and possible criminal charges.

The City Council meets at 8 p.m. Wednesday in the City Hall auditorium, 33000 Civic Center Drive.

Some communities are taking a fresh look at their animal control practices after the April 4 mauling death of a 6-year-old Hamtramck girl by her family's two pit bulls.

Cassidy Jeter was attacked by the dogs; police called to the scene shot and killed the animals because the girl's mother could not call them off.

Cassidy's death prompted some calls for a ban on pit bulls.

Northville and a handful of other municipalities have designated dog parks, where dog owners can walk their pets in a secure, fenced area or the dogs can run off leash.

Other communities, such as Ecorse, are considering stiffer penalties for pet owners who don't control their animals. Livonia has banned pit bulls, and a pit bull ban is scheduled to take effect this year in Ontario.

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From The Desk Of…

BONNIE JOHNSON
Council Office

REFERENCE MATERIAL

Karen Szymula

From: Karen Szymula [kszymula@ci.livonia.mi.us]
Sent: Friday, May 10, 2002 12:34 PM
To: jg
Cc: Mayor Jack Kirksey
Subject: RE: Dog leash law

Mr. Gleason:

Thank you for your e-mail relative to the status of dog leash law changes.

At the Council meeting of December 3, 2001, Council did adopt a resolution referring the subject of the establishment of "dog parks" in the City to the Administration for report and recommendation (CR-760-01).

A resolution was offered but was not adopted by Council at that meeting for the preparation of an ordinance amendment that would require dogs to be on a leash when off the premises of the owner (again, this was not adopted).

Mr. Gleason, I have forwarded a copy of your e-mail and our reply to the Administration for their information.

When Council has received the report and recommendation on the establishment of "dog parks" and it is placed on a Council meeting we will notify you of that meeting.

Should you have additional questions or concerns please feel free to contact us.

Thank you again for your continued interest.

Karen A. Szymula
Director, Legislative Affairs
City of Livonia
734-466-2249
Visit Livonia's Website:
ci.livonia.mi.us

-----Original Message-----
From: jg [mailto:jgleason@twmi.rr.com]
Sent: Thursday, May 09, 2002 5:27 AM
To: citycouncil@ci.livonia.mi.us
Subject: Dog leash law

Honorable Council Members:

I am writing to respectfully request an update on the status of Livonia's dog leash law changes. The Council was considering a re-write to make it a requirement that all dogs be on a leash, and I've heard no further updates over the last few months.

Thank you very much.

Sincerely,

John D. Gleason

File: Dogs

33333

DOGS and ORD.
Dog Parks
(Ref.:
CR 760-01)

During the audience communication portion of the agenda, Bill Craig, 20050 Milburn, Livonia, 48152, addressed the subject of "dog parks", and stated that he is opposed to having the park he frequents, Hillcrest Park, being turned into a "dog park".

DEC 19 2001

File: Dogs

DOGS and ORD.
Matter of establishment of dog parks.
(Refer to Admin. for report and recommendation).

A communication from the Department of Law, dated November 19, 2001 re: comparing the wording of State law relative to the leashing of dogs with the City of Livonia Ordinance, was received and placed on file for the information of the Council. (CR 625-01)

DEC - 3 2001

The following persons were present at the meeting and spoke in favor of amending the present City Ordinance so that a leash law would be mandatory:

Carl Quist, 16942 Yorkshire, 48154 – also would like a dog park established
Peggy Fisher-Kmieciak, 36122 Allen Avenue, 48154
Ralph Williams, 18630 Foch, 48152

The following persons were present at the meeting and spoke in opposition to amending the present City Ordinance:

Gina Fournier, 9928 Sunset, 48150
Gary Swain, 8930 Frederick, 48150
Bernard Moshel, 32674 Myrna, 48154
Terry Stevens, 18525 Parklane, 48152
Joyce Kubrak, 14224 Melvin, 48154
Bob McNall, 31640 Bobrich, 48152
Thomas Mausolf, 18005 Ventura Ct., 48152

The following persons spoke in favor of establishing a dog park:

Nora Creighton, 30918 Bobrich, 48152
Bruce Bacon, 29461 Linda, 48154

On a motion by Walsh, seconded by Laura, it was:

RESOLVED, that having considered the report and recommendation of the Legislative Committee, dated November 20, 2001, submitted pursuant to Council Resolution 626-01 and a request from John D. Gleason, dated September 10, 2001, the Council does hereby request that the Department of Law prepare an appropriate Ordinance Amendment to Chapter 6.04 of the Livonia Code of Ordinances (Dogs) for submission to Council which would require dogs to be on a leash when off the premises of the owner.

A roll call vote was taken on the foregoing resolution with the following result:

AYES: Laura, Engebretson and Brosnan

NAYS: Pastor, Duggan, Vandersloot and Walsh

The President declared the resolution failed.

A communication from Gina Fournier, 9928 Sunset, Livonia, 48150, dated November 21, 2001, re: her opposition to a change in a City ordinance relative to dogs being under "reasonable control", was received and placed on file for the information of the Council. (CR 626-01)

DEC - 3 2001

On a motion by Walsh, seconded by Pastor, it was:

CR 760-01 RESOLVED, that having considered the report and recommendation of the Legislative Committee, dated November 20, 2001, submitted pursuant to Council Resolution 626-01, the Council does hereby refer the subject of the establishment of "dog parks" in the City to the Administration for its report and recommendation.

A roll call vote was taken on the foregoing resolution with the following result:

AYES: Pastor, Duggan, Laura, Vandersloot and Walsh

NAYS: Engebretson and Brosnan

The President declared the resolution passed.

A communication from Gordon St. John, dated November 30, 2001, re: stating his opposition to changing the City's dog ordinance to a leash law, was received and placed on file for the information of the Council. (CR 626-01)

A memorandum received on December 3, 2001 re: phone call from Marie Plester, 29580 Hathaway, Livonia, 48150 wherein she stated that she in favor of Livonia adopting a leash law for dogs, was received and placed on file for the information of the Council. (CR 626-01)

On a motion by Walsh, seconded by Pastor, it was:

RESOLVED, that having considered the report and recommendation of the Legislative Committee, dated November 20, 2001, submitted pursuant to Council Resolution 626-01, and a request from John D. Gleason, dated September 10, 2001, to modify the City's dog leash ordinance to require dogs to be on a leash when off the premises of the owner, the Council does hereby determine to take no further action with regard to this matter.

DEC - 3 2001

Upon clarification that the above resolution would not be necessary to have this matter taken out of the Legislative Committee, Councilmember Walsh withdrew his motion and Councilmember Pastor withdrew his support of the motion.

Donna Mulcahy, 30850 Robert Drive, Livonia, 48150, asked the Council to provide a clearer definition of "reasonable control" as it relates to the City's Ordinance regarding dogs, and stated that she felt parks were for people only. Ms. Mulcahy was reminded that this matter had already been addressed at an earlier portion of the Council meeting.

LEGISLATIVE COMMITTEE

TUESDAY, NOVEMBER 20, 2001

A Legislative Committee meeting was held on Tuesday, November 20, 2001, in the Second Floor Council Chambers of the Livonia City Hall, 33000 Civic Center Drive, Livonia, MI 48154-3097.

Committee Members Present:	John J. Walsh, Chairman Brian Duggan Joe Laura
Committee Members Absent:	None
City Officials and Others Present:	Mayor Jack Kirksey Councilmember Engebretson Chief Ass't City Attorney White Human Resources Director Rutan Animal Control Officer Vickey Steier See attached sign-in sheet

The meeting convened at 7:10 P.M.

1. CR 403-01 **RESOLVED, that in the matter of adopting a resolution in support of H.R. 432 and 433 to restore state and local control over the time periods that trains may block roadways at grade crossings, the Council does hereby determine to refer this subject matter to the Legislative Committee who shall submit a report and recommendation for the Council's consideration.**

The Committee recommends:

- Adoption of an approving resolution.

(Note: with this action item is out of Committee)

This item to be placed on the Regular Meeting Agenda of Monday, December 3, 2001.

2. CR 626-01 RESOLVED, that having considered a letter from John D. Gleason, dated September 10, 2001, requesting to modify the City's dog leash ordinance to bring it in line with State law and to require dogs to be on a leash, the Council does hereby refer this matter to the Law Department for its report and recommendation.

After a thorough discussion of the existing and proposed leash law, the following resolutions were offered:

Receive and file Law Department memorandum dated November 19, 2001, Sub: Dogs, REF: Council Resolution 625-01.

- Approve the recommendation made in the Law Department's memorandum of November 19, 2001.

Or

- Adoption of a resolution of "No Further Action";

And

- Refer the subject matter of a "dog park" to the Administration for a report and recommendation.

(Note: with these actions item is out of Committee)

This item to be placed on the Regular Meeting Agenda of Monday, December 3, 2001.

3. CR 621-01 RESOLVED, that upon the recommendation of Councilmember Laura, regarding compensation for City employees when they are activated for military duty, the Council does hereby determine to refer this subject matter to the Legislative Committee for a report and recommendation.

After a thorough discussion of the recommendations received from the Administration and the expression of various opinions and alternatives, the following resolutions were offered:

1. Receive and file the memorandum from the Mayor dated November 19, 2001;

And

2. Approve the recommendation of the Mayor as set forth in the November 19, 2001 memorandum.

(Note: with these actions item is out of Committee)

This item to be placed on the Regular Meeting Agenda of Monday, December 3, 2001.

The meeting adjourned at 8:20 P.M.

Respectfully submitted,

John J. Walsh, Chairman

Brian Duggan

Joe Laura

CC: Mayor
City Clerk
City Attorney

Attachments -- Sign-in Sheet

ComDisk35/Legis#5 11-20-01 R01

PLEASE RECORD YOUR ATTENDANCE AT THIS MEETING

BY **PRINTING** YOUR NAME BELOW

MEETING: LEGISLATIVE COMMITTEE

DATE: TUESDAY, NOVEMBER 20, 2001

TIME: 7:00 P. M.

Cathryn K. White, Law Dept

Mary L. Rutan, Human Resources Director

Jackey L. Steier Animal Control - DPW

b

DEPARTMENT OF LAW

CITY ATTORNEY
Sean P. Kavanagh

CHIEF ASSISTANT CITY ATTORNEY
Cathryn K. White

ASSISTANT CITY ATTORNEY
Michael E. Fisher

ASSISTANT CITY ATTORNEY
Barbara J. Scherr

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2520
FAX: (734) 421-4870

Jack E. Kirksey
MAYOR

This item has been scheduled as follows:

Study Meeting _____

Regular Meeting _____

Other Leg. Comm. 11/20/01

Copies to _____

01 NOV 19 PM 1:55

NEW DATA ATTACHED

November 19, 2001

TO: HONORABLE MEMBERS OF THE CITY COUNCIL

FROM: DEPARTMENT OF LAW

SUBJECT: Dogs

REF: Council Resolution 625-01; **Item #2 - Legislative Committee 11/20/01**

Dear Council Members:

Council has referred to the Law Department the question of whether the applicable ordinance should be amended to require dogs to be leashed in the City. Relative to this issue, State law provides:

> Sec. 2. It shall be unlawful for any person to own any dog 6 months old or over, unless the dog is licensed as hereinafter provided, or to own any dog 6 months old or over that does not at all times wear a collar with a tag approved by the director of agriculture, attached as hereinafter provided, except when engaged in lawful hunting accompanied by its owner or custodian; or for any owner of any female dog to permit the female dog to go beyond the premises of such owner when she is in heat, unless the female dog is held properly in leash; or for any person except the owner or authorized agent, to remove any license tag from a dog; or for any owner to allow any dog, except working dogs such as leader dogs, guard dogs, farm dogs, hunting dogs, and other such dogs, when accompanied by their owner or his authorized agent, while actively engaged in activities for which such dogs are trained, to stray unless held properly in leash.

It is the opinion of the undersigned that State law does not require dogs to be on leashes at all times. The plain language of MCLA 287.262 clearly states that an owner shall not allow any dog to stray unless held properly in leash. The more restrictive portion of the statute, concerning female dogs in heat, provides that such dogs shall not go beyond the premises of the owner unless the female dog is held properly in leash.

Livonia Code of Ordinances Section 6.04.270 Running at large prohibited, provides in relevant portion:

> No dog shall be permitted upon the public streets, public thoroughfares, public parks or public places, or off the premises of the owner thereof, unless such dog is under reasonable control . . .

The term "reasonable control" is defined at Section 6.04.040(F) as follows:

> F. "Reasonable control." A dog shall be deemed to be under "reasonable control" when the dog is with the owner or some member of the owner's family, or some other person with permission of the owner. A dog shall be deemed not to be under "reasonable control" when it commits damage to the person or property of anyone other than the owner, except in the defense of the owner, his family or property; or, in the case of a female dog while in heat, off the premises of the owner, unless confined in the process of being transported to or from such premises.

The term "running at large" is defined at Section 6.04.040(G) as follows:

> G. "Running at large" means and shall constitute the status of any dog off the premises of the owner thereof; provided, however, that a dog under reasonable control shall not be considered to be running at large.

It is the opinion of Animal Control Officer Vickey Steier that the term "reasonable control" should be modified to require all dogs, when off the premises of the owner, to be leashed. We note, however, that the word "stray" as used in the State law, is defined in the Webster's Third International Dictionary as (1) a domestic animal that has left an enclosure or its proper place and company and wanders at large . . . (3) an unidentified domestic animal wandering at large . . . to wander from company, confinement or restraint, or from the proper limits.

Under the above definitions of "stray," we believe that our City ordinances mirror State law. If the City Council modifies the ordinance to require all dogs to be leashed when off the premises of the owner, the new ordinance would be more restrictive than State law.

If Council desires to enact a modification, the matter should be referred back to the Law Department for preparation of an ordinance amendment.

Approved for submission:

Jack E. Kirksey, Mayor

Very truly yours,

Sean P. Kavanagh, City Attorney

Barbara J. Scherr, Asst. City Attorney

BJS:mv

cc: Mayor, Clerk, Council, DPW

P:\Council\2001\admin responses\dogs 625-01

CR 625-01 RESOLVED, that having considered a letter from John D. Gleason, dated September 10, 2001, requesting to modify the City's dog leash ordinance to bring it in line with State law and to require dogs to be on a leash, the Council does hereby refer this matter to the Law Department for its report and recommendation.

DOGS and ORD
(See CR 625-01 and CR 626-01)

A communication from Lorna Schaffer, 11905 Merriman Road, Livonia, 48150, dated October 9, 2001, re: her support of modifying the City's dog leash ordinance to be as restrictive as the State law, was received and placed on file for the information of the Council. (Agenda Item #3)

DOGS and ORD
(See CR 625-01 and CR 626-01)

A communication from Joan Mueller, 11415 Arden Street, Livonia, 48150, dated October 9, 2001, re: her desire to have the City's dog leash ordinance remain as it is, was received and placed on file for the information of the Council. (Agenda item #3)

DOGS and ORD
(See CR 625-01 and CR 626-01)

An e-mail communication from Gini Krenz, dated October 8, 2001, re: her request to make the public aware of the ordinance pertaining to cats being under control, was received and placed on file for the information of the Council. (Agenda Item #3)

DOGS and ORD
(John Gleason)
Req. to modify dog leash ord.
(Refer to Law Dept. for report and recommendation.)

CR 625-01 RESOLVED, that having considered a letter from John D. Gleason, dated September 10, 2001, requesting to modify the City's dog leash ordinance to bring it in line with State law and to require dogs to be on a leash, the Council does hereby refer this matter to the Law Department for its report and recommendation.

DOGS and ORD
(John Gleason)
Req. to modify dog leash ord.
(Refer to Legislative Comm. for report and recommenation.)

CR 626-01 RESOLVED, that having considered a letter from John D. Gleason, dated September 10, 2001, requesting to modify the City's dog leash ordinance to bring it in line with State law and to require dogs to be on a leash, the Council does hereby refer this matter to the Legislative Committee for its report and recommendation.

CONSENT AGENDA ITEMS (Regular Meeting of October 10, 2001)

Motion by: ***Duggan***
Seconded by: ***Pastor***

ROLL CALL:
Ayes: ***Laura, Engebretson, Vandersloot, Walsh, Pastor, Duggan and Brosnan***

Nays: ***None***
Absent: ***None***

CITY OF LIVONIA CITY COUNCIL
MINUTES OF THE STUDY MEETING HELD OCTOBER 1, 2001

Meeting was called to order at 8:00 p.m. Present: Val Vandersloot, John Walsh, John Pastor, Brian Duggan, Joe Laura, Jack Engebretson and Maureen Miller Brosnan. Absent: None.

Elected and appointed officials present: Mayor Jack Kirksey; Sean Kavanagh, City Attorney; Karen A. Tesner, Assistant City Clerk; Robert Schron, City Engineer; Mark Taormina, City Planner; Michael Slater, Director of Finance; Jim Inglis, Executive Director of Housing Commission; Daniel Putman, Information Systems Manager; and Ian Wilshaw, Traffic Commission.

4. REQUEST TO MODIFY THE CITY'S DOG LEASH ORDINANCE: John D. Gleason, re: to bring it in line with State law and to require dogs to be on a leash, as opposed to being under "voice control."

Carol Craw, 20230 Fremont. She stated that the Petitioner (Gleason) is not a resident of Livonia, and she is opposed to this request.

Brosnan said that he did not have to be a resident – as long as there is ownership of property in Livonia, this is a proper venue.

Teresa Gleason, 34628 Navin Court, was present as a representative of John Gleason. She is his ex-wife and said that he is disabled and unable to appear. She stated that John has a small dog, and his upstairs neighbor has a large dog that is not leashed. John has called the City of Livonia in the past and was told that he was not in violation if there is "voice control" over the dog.

Vandersloot inquired of Kavanagh: "what exactly is the Ordinance"?

Kavanagh read the Ordinance: "no dog shall . . . . under reasonable control . . . public nuisance . . . " etc. He said this Ordinance was written over 40 years ago, and it does need to be updated. He felt language was needed that was more succinct.

Vandersloot asked about condominium complexes.

Kavanagh said that a leash law can only be enforced by the condominium complex themselves – per the individual Master Deed – either with a monetary fine or a lien could be placed upon the property. Originally, the Ordinance was designed for a rural town – when it was adopted, Livonia had large open areas and did not have the population that we have today. Communities can now hash out the details of any changes in language, depending on their individual needs.

Laura inquired: "are we allowed to be more lenient than the State might be?"

Barbara Iovan, 14956 Auburndale. She was in support of modifying the Ordinance and said she was surprised to learn that there was no specific

language for a leash as she has twice been charged by dogs who were loose. She felt it was irresponsible to have dogs loose out in front of a home. Iovan does not own a dog, yet she has cleaned up dog feces in her yard which proves that dogs are wandering in the neighborhood, and she is afraid of loose dogs.

Rebecca Franks, 30690 Hathaway. She said it was up to the person who owns a dog to be responsible. She said that the most aggressive animal is the small leashed dog and their owners. There is more of a problem with Devonaire Park and the rollerbladers. She mentioned a large amount of trash in that area, which comes from others besides dogs.

Mark Kreitzfeld, 18608 Farmington Road. He is opposed to modification of the Ordinance. He said that dogs were bred many years ago to run and respond to voice control. They have a need to run off-leash.

Nina Alberani, 16830 Pollyanna Drive. She does not have a dog, but she cleans up feces from dogs in the area and felt it is the responsibility of the owners.

Gordon St. John, 31729 Curtis. He has lived in Livonia for 16 years. He said this is a large community in terms of miles and the City has accommodated dogs in many ways. He is a member of the Traffic Council and is in favor of modification of the Ordinance. He said that canines can be trained – owners are the ones who are the problem.

Laura offered two resolutions: one for a referral to the Law Department to include a possible revision of the Ordinance; and a referral to the Legislative Committee for further discussion of this matter.

Brosnan confirmed the two resolutions and announced the vote would be taken on October 10th.

DIRECTION:	1.	REFERRING TO LAW DEPT. for R/R (to include possible revision of Ordinance)	CONSENT
	2.	REFERRING TO LEGISLATIVE COMMITTEE	

xc: City Council, Dept. of Law, Animal Control, Ordinance Enforcement 9/11/01 kat

9/10/01

OFFICE OF THE CITY CLERK
01 SEP 11 AM 10:55

John Gleason
18425 University Park
Livonia MI 48152

RECEIVED
CITY COUNCIL OFFICE
01 SEP 11 PM 12:43

Honorable Members of the City Council
C/o the City Clerk
City of Livonia
33000 Civic Cent Dr
Livonia Mi 48154

Honorable Members of the City Council:

I respectfully request a modification of Livonia's dog leash law to bring it in line with the Michigan dog leash law (please see the enclosed copy of the state law.) Marsha Reiser of the Animal Control service of Livonia informed me that Livonia's laws strive to be at least as strict as the state laws, and she was surprised to hear that the Michigan leash law was more strict. Livonia's current law simply requires that a dog outside its home or yard be under "voice control." "Voice control" is subject to such wide interpretation and is so difficult to verify, that the law is seriously undermined. If Livonia's law were to match the Michigan law requiring dogs to be on leash, there would be no ambiguity.

The reason I am asking for this change is because my neighbor has two pit bulls which are occasionally allowed to run at random times, off-leash and uncontrolled, in the common areas of our condominium complex. I have a miniature poodle which my family members often take outside for a walk--always on a leash--in those same common areas. Luckily so far, we have not been outside at the same moment as an off-leash pit bull. The consequences would be disastrous if, for example, my mother and dog out walking were to be attacked by a fifty-pound pit bull.

My condominium complex, The Woods, has a strict law requiring that dogs in common areas must be on leash. But my neighbor ignores the condominium law, and the condominium board has been powerless to enforce compliance. Since the Livonia law is less strict than the condominium law, and Livonia Animal Control cannot invoke state law, my legal recourse is severely limited. Thank you for considering this request.

Sincerely,

John D. Gleason

John D. Gleason

Michigan Compiled Laws: Complete Through PA 5 of 2001
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Go to the first Full Text hit...

DOG LAW OF 1919 (EXCERPT)

Act 339 of 1919

287.262 Dogs; licensing, tags, leash es. [M.S.A. 12.512]

Sec. 2. It shall be unlawful for any person to own any dog 6 months old or over, unless the dog is licensed as hereinafter provided, or to own any dog 6 months old or over that does not at all times wear a collar with a tag approved by the director of agriculture, attached as hereinafter provided, except when engaged in lawful hunting accompanied by its owner or custodian; or for any owner of any female dog to permit the female dog to go beyond the premises of such owner when she is in heat, unless the female dog is held properly in leash ; or for any person except the owner or authorized agent, to remove any license tag from a dog; or for any owner to allow any dog, except working dogs such as leader dogs, guard dogs, farm dogs, hunting dogs, and other such dogs, when accompanied by their owner or his authorized agent, while actively engaged in activities for which such dogs are trained, to stray unless held properly in leash .

History: 1919, Act 339, Eff. Aug. 14, 1919 ;--Am. 1925, Act 322, Eff. Aug. 27, 1925 ;--CL 1929, 5246 ;--CL 1948, 287.262 ;--Am. 1951, Act 173, Imd. Eff. June 8, 1951 ;--Am. 1969, Act 195, Eff. Mar. 20, 1970 .

Top of Page

FROM THE DESK OF BONNIE JOHNSON

Subject: Proposed Change in Dog Leash Ord.

Marie Plester, 29580 Hathaway, called to let you know that she is in favor of a leash law. She actually thought Livonia had a leash law until she read the article in the newspaper this past Sunday.

She had an incident happen to her while walking up to her church near Jefferson Center where there is a large field. Two dogs were with their owner but running free. They came running across the field and jumped on her and knocked her down. The owner of the dogs didn't even bother to help her up. Marie suffered a scraped elbow and a hurt knee. She does not feel that dogs should be allowed to run free.

Bonnie
12/0301

12/3/01 CC: City Clerk, Law--K. Szymula/Council Ofce
Item #13b - Regular of 12/3/01

RECEIVED
CITY COUNCIL OFFICE
01 NOV 30 PM 12:11

13b

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INSURANCE
Since 1900
100 TALON CENTRE • DETROIT, MICHIGAN 48207-4271
TELEPHONE (313) 568-2100 • FAX (313) 568-0657

Gordon W. St. John
Chief Executive Officer

November 30, 2001

NEW DATA ATTACHED

VIA FACSIMILE
(734) 421-4388

Livonia City Counsel

Ladies and Gentlemen:

I write this letter to express my strong opposition to an all encompassing Leash Law in Livonia. I do not dispute that there needs to be ownership guidelines and that those guidelines need enforcement.

There is significant open space in the City. Additionally, a number of residents live in RUF areas. For those residents of the City who are responsible owners, a Leash Law ought not to be imposed.

Thank you for your consideration in this matter.

Yours truly,

BOSQUETT & COMPANY

Gordon W. St. John

Gordon W. St. John
Chief Executive Officer

GWS:ij

C:\ineke\ltr.livoniacouncil.leashlaw

xc: City Council, Dept. of Law, Ordinance Enforcement 11/27/01 kat
ADD'L INFO RE: DEC 3, 2001 REGULAR MTG.

RECEIVED
OFFICE OF THE CITY CLERK
01 NOV 26 PM 3:52

RECEIVED
CITY COUNCIL OFFICE
01 NOV 27 PM 2:10

Gina Fournier
9928 Sunset
Livonia, MI 48150
734-425-7624

Livonia City Council
Livonia City Hall
33000 Civic Center Drive
Livonia, MI 48154

NEW DATA ATTACHED

November 21, 2001

Dear Council Members:

I would like to address the Livonia City Council regarding three pertinent issues: the proposal to enact a leash law, legitimization of dog parks with the city and use of the Rotary Park Trails.

Leash Law

After attending the November 20 legislative meeting of the Livonia City Council and hearing specific council members' arguments for adopting a leash law, I am greatly disturbed. I certainly hope that inflated egos, selfish attitudes and ignorance of the facts don't hold sway in the vote put to the full council. I hope the full council can see clearly how simple this issue is. The existing ordinance is sufficient and reasonable as it stands.

The animal control officer, Vicky Steier, who was present at the meeting, made clear that most incidents involving dog aggressive happen on private property, among family members, not in public places. The legal department stated that enacting a leash law would actually make Livonia's laws stricter than the state's, in contradiction to the letter put forth by John Gleason, which prompted CR 625-01. His ex-wife, who represented him at the meeting, explained that they aren't asking for a leash law that would punish responsible dog owners and their dogs, only more responsive animal control officers. Despite the facts, when the council members resolved to put this issue to a vote, if I heard correctly, all three suggested they would vote for a leash law! But based on what?

Two councilmen argued that joggers and other passersby don't know if dogs will stop at their owner's property line or not. Automobile drivers don't know if other drivers will stop at red lights, just as council members don't know if they will be returned to office after subsequent elections. With the absence of proof that dogs cross property lines and harm pedestrians in any numbers within the city of Livonia, there is no reason to enact legislation regarding this issue!

Another councilman only seemed to care about his own right to let his dog loose on his personal property, despite the testimony of citizens present at the meeting who safely

exercise their dogs off-leash in public areas within the city and would like to be able to do so legally.

One of the council members who voiced his support of enacting a leash law based his decision on his personal experience as a jogger although, according to his statements, he has never been threatened, attacked or bitten by a dog in the city of Livonia. This same council member went on to comment in regards to dog parks that he wouldn't want tax dollars set aside for something not all tax payers took part in. (Although members of the audience were reminded that dog park talk was not on the agenda, this councilman was not.) Must I point out that not everyone attends elementary schools, senior centers, playgrounds and golf courses either? With comments like these holding sway and pushing the council towards an imprudent decision, I am very concerned.

This is my first taste of Livonia City Government, and so far I'm afraid of what might happen next. Council members should not disregard the facts. Council members should address the concerns of all citizens, particularly the many dog owners who already exercise and socialize their dogs safely off-leash in the city's parks. Has the council been reading the many letters printed in the *Livonia Observer* arguing against a leash law? Council members who have already stated their support for this measure should definitely give this matter more consideration. If the numbers of actual incidents aren't there to support a leash law, if there's only fear and ignorance to support the enactment of a leash law, don't enact a leash law!

The one citizen present at the meeting who asked the council to adopt a leash law admitted that she never called animal control when her dog was "attacked." She contacted the city council, the legislative branch of local government first, without giving law enforcement a chance to do its job.

The existing ordinance addresses every issue regarding dogs that concerned citizens have brought forth. Have a problem with a particular dog? Report that dog and make the community stronger. I'm not sure the supposed problem of dog aggression even exists in such proportions that it should merit this debate, given the apparently low or non existent number of animal control incidents involving off-leash dogs in city parks.

Enacting a leash law would not make citizens safer, or make the job of animal control officers any easier. Just the opposite, enacting a leash law would encourage a more aggressive dog population, by outlawing such necessities as off-leash walks on the Rotary Park trails. Enacting a leash law might even create a more non-productive busy work for animal control officers, who conceivably might be forced to spend more of their time searching for and ticketing friendly dogs (presuming that a number of dog owners who walk and let their dogs play off leash safely will continue to do so).

Even if the Livonia City Council enacts a dog leash law, dogs who would threaten and bite will still threaten and bite, as the city's animal control officer alluded. So what's the point? Why penalize responsible dog owners and good dogs? Why waste tax dollars doing it? Why move in the wrong direction?

Dog Parks

Legitimization of dog parks is literally and legislatively a separate issue, as pointed out in some cases at the November 20 meeting. However in reality the city needs areas where dogs can gather and run just as much as it doesn't need a leash law. The two are part of the same issue, which is the nature of the City of Livonia's dog culture.

Other cities are more dog friendly with positive results. I have mentioned Acton, Massachusetts and Royal Oak, Michigan in my previous letter to the council. Other cities in the area such as Mt. Clements and Lake Orion have opened dog parks. Ideally, if Livonia really wants to improve dog behavior it would encourage or at least allow mini impromptu dog parks to form wherever there's room amid the city's scant park and conservation areas. Allow responsible citizens within the subdivisions to create their own off-leash areas, which is something that is already happening without incident. That's the model at work in Acton and Royal Oak.

Rotary Park Trials

Most important to me is the issue of the Rotary Park Trails. I see more dogs and dog owners there than any other place in the city. As I explained in my previous letter, I am accustomed to walking my dog off leash every day in the public woods, obeying local laws, which is still the case now that I've moved to Livonia— as long as the council doesn't enact a regressive leash law.

I haven't seen many regulars dog walkers at Rotary Park, not like I use to in New England, though I've met a few people there more than once. Mostly I've witnessed a steady stream of very nice people who maybe come by with their dog every once in a while to enjoy Livonia's only unpaved and unmanicured piece of land. (Unfortunately, since it includes a tributary of the Rouge River, Livonia's only conservation land surrounds a river with water that's "unfit for human contact," according to agency reports.)

Walking one's dog off-leash is the number one use of the Rotary Park trails from my experience. I'm there four to five times a week for a forty-five minutes to an hour each time. (Livonia's patch of preserved natural land is so small that I have to retrace my steps and circle the area twice to fit in a decent walk.) Occasionally, maybe two or three times in nearly three months, I've encountered joggers on the trails. (I don't see many joggers in Livonia anywhere.) More often, but still infrequently, I've witnessed people walking the trails without dogs, but not very often, though I have seen one large family three times.

Most of the people on the trails walk dogs and most of the people walk those dogs off-leash without incident, without cause to invoke either animal control or the local government. It's a very natural thing to do and great training and exercise for the dogs. A dog who is trained and allowed to walk naturally is the happiest, most well behaved

dog possible. I'd estimate that only ten to at best twenty-five per cent of dog owners leash their dogs while walking the trails.

Is my behavior something the Council needs to restrict? Since I am so familiar with the trails, I have been able to give directions to two groups, who were both apparently new to the trails, unfamiliar with their design and just a bit afraid they were lost. When responsible dog owners and dogs congregate, wonderful thing happens. Community bonds between individuals grow. Dogs are happy and well behaved. I do hope the Livonia City Council takes the right steps regarding the city's dog culture.

Sincerely,

Gina Fournier

Gina Fournier

xc: City Council, Dept. of Law, Inspection/Ord. Enforcement 11/20/01 kat
LEGISLATIVE COMMITTEE MTG. OF NOV. 20, 2001 RE: CR 625-01

NEW DATA ATTACHED

RECEIVED
OFFICE OF THE CITY CLERK
01 NOV 19 PM 4:01

RECEIVED
CITY COUNCIL OFFICE
01 NOV 20 AM 11:39

Dear Honorable Council Members

I agree with the recent letters from Mark Kreutzfeld & Marjorie Lapoint regarding the need for a Dog Park & for not implementing more laws against our "best friends".

I live on Ingram close to Lyndon & the new recreational development is not one of my choice. Noise & yelling is awful - Condoms are found all over - it is just an open invitation to youth. But Mr Mayor - I doubt if you live close to that area! So you would have no knowledge of this.

Remember members of the Council "Dog" is "God" spelled backwards & I can think of nothing I love better than to have my dogs as my best friends.

My house sign reads.

"Please have all children leashed & muzzled for the comfort & safety of my pets"

Thank you for your Consideration
Avis Ewaniak

11-16-01

Avis Ewaniak
14605 Ingram St.
Livonia, MI 48154-3557

I have carried this in my wallet for a long time to be produced if ever we were denied quarters in a motel because of our dogs. We never were, except in Fort Lauderdale (county ordinance) and North Carolina (state law).

In these past 15 years our dogs have never disturbed anyone, but we have been disturbed by human "dogs" who have foul mouths, bad manners and filthy habits.

Please rerun the enclosed column which appeared in March 1972. It would bear repeating and sounds more like you than a recent column you wrote on this subject.

Response: With pleasure. Thanks for asking:

I live and work in a motel. I'd like to straighten out that jerk from Kentucky who said we shouldn't admit people with pets. We've had a lot less trouble with animals than people.

Since I've been here I know of only two instances where a pet damaged hotel property. In both cases, a little shampoo on the rug remedied the problem. People are another story. They've left us with broken chairs, mirrors, burned mattresses and food on the wallpaper. One drunk actually put his fist through our TV screen.

With the exception of a beach slipper at the pool, nothing has ever been stolen from us by a pet. Out two-legged guests, on the other hand, have helped themselves to lamps, linen, pillows, pictures, mirrors, shower curtains -- almost anything that wasn't riveted to the floor or the wall.

No one has ever been injured in our place by a pet, but we've had eight guests hurt in family fights since July -- including one woman who shot her husband.

I read recently about a motel in Manhattan for pets only. No people allowed. I envy them their clientele.

Read

Over the registration desk of our motel we have this framed notice: "Dogs are welcome here. We never had a dog that smoked in bed and set fire to the blankets. We never had a dog who stole our towels, played the TV too loud or had a noisy fight with his traveling companion. We never had a dog that got drunk. So, if your dog can do such for you, you are welcome too."

God Bless You and your good work,

Rita Findley

Famous Dog Quotes

"If you pick up a starving dog and make him prosperous, he will not bite you; that is the principal difference between a dog and a man." -- Mark Twain

"He is your friend, your partner, your defender, your dog. You are his life, his love, his leader. He will be yours, faithful and true, to the last beat of his heart. You owe it to him to be worthy of such devotion." -- Unknown

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Do not stand at my grave and weep.
I am not there, I do not sleep,
I am the gusts of wind that blow.
I am the shadow that falls across the snow
I am the smile of sunshine in the day.
I am the inner voice that leads your way.

When you awake in the morning's hush,
I am your encouragement from dawn to du
I am the memories that calm your night.
I am the spirit that continues the fight.
Do not stand at my grave and cry.
I am not there.
I did not die.

Animals show love and respond to love — and the very indication of a soul is a response to love. They cry, beg and feel joy just as we do.

Animals are intelligent, curious, imaginative and creative — traits that are giveaways to having a soul.

And the level on which they express gratitude and thanks makes humans seem soulless.

We must wake up and realize that how we treat our "fellow creatures" is a mark of the depth of our own humanity.

Animals weren't abused in the Garden of Eden.

letter which

Dear Friend,

My ~~guide~~ dog ~~Kelling~~ protects me from the harshness of my world. He is my constant companion. He is my comfort in times of grief, my respite from reality, my solace from stress.

He isn't just my ~~guide~~ dog, he's my guardian angel.

Sandy Burkhardt, Guiding Eyes Graduate

Guiding Eyes for the Blind

611 Granite Springs Road • Yorktown Heights, NY 10598

eve Kulakowsky of Flat Rock, left, consoles Pontiac's Craig Pesko, Kodi's owner and handler, at services in Taylor Tuesday.

ODE TO A POLICE DOG

By HUGH McDIARMID JR.
FREE PRESS STAFF WRITER

I will protect you with my last breath

Standing before a small white casket, eve Kulakowsky pushed the words st the knot in his throat.

There is no greater love than this, that I uld lay down my life for you . . .

His voice breaking, the Flat Rock lice officer rushed to finish his eulogy r Kodi, the Pontiac police dog who d in the line of duty last week.

Officers from dozens of metro Detroit lice departments stood rigidly at ention at a Taylor pet cemetery Tues- y during a military funeral for Kodi. the sides of many, canine officers ined and fidgeted against taut leashes Kulakowsky read from "Guardians of Night," a tribute to fallen police dogs an unknown author.

Together we will experience a bond others like us will understand . . .

Kodi's owner and handler, Pontiac cer Craig Pesko, wept behind dark glasses as taps sounded a farewell. Later, Pesko quietly declined com- nt. Other canine handlers said it's icult to understand the bond between ce officers and their canine partners. Craig has no kids," Kulakowsky said. e dog was what he had. I can't gine what it's going to be like for him et back in the cruiser and not hear Kodi barking."

Kodi, 2½, died Friday during surgery to repair spinal damage caused by a two-story fall the dog took during the search of a building in Pontiac Thursday night.

He had been on the force for about 18 months and assisted in tracking, drug detection and searches.

"His work was steady, always top-notch," said Pontiac Police Sgt. Michael Story. The dog had apprehended car thieves during manhunts, and uncovered drugs on several occasions.

More than 130 police officers, police dogs and others attended the funeral, where Kodi joined more than 20,000 animals buried at AAA Pet Services cemetery in Taylor.

The officers wore black bands around their badges — identical to the badges and bands fastened to each police dog's collar.

When our time is done, you move on in the world. If we should meet again on another street, I will gladly take up your fight.

➤ *Donations in Kodi's memory may be made to the Midwest Michigan Police K-9 Academy, c/o Pontiac Police K-9 Memorial Fund, P.O. Box 250151, West Bloomfield 48325.*

Contact HUGH McDIARMID JR. *at 248-858-2292 or mcdiarmidjr@freepress.com.*

Ryan Terry and other officers give a final salute to Kodi at the pet cemetery in Taylor. At Terry's feet is his police dog, Jaeger.

City needs a dog park

I agree with the recent letter from Mark Kreutzfeld titled, "Don't Punish the Dogs." I too was annoyed to learn that the city council was proposing more leash laws on its residents. As an owner of two dogs that I periodically take on walks, I have come to the conclusion that there are two different mind sets when it comes to dogs – either you like or tolerate them or you don't. And if you don't then no amount of laws is going to change the way you feel about dogs living amongst us. Non-tolerant dog residents will always find something to complain about in regards to our four-legged friends. I know this because I follow the laws – I walk them on a leash, pick up their feces and try to be respectful of others property. Even so, I encounter negative comments and gestures from time-to-time when we're out walking. I ponder what I'm doing to bring on this kind of animosity and all I can figure is that my dogs are not cute and cuddly. While they are graduates of obedience school – they're large "mutts" that came from the Humane Society. They also need to be exercised.

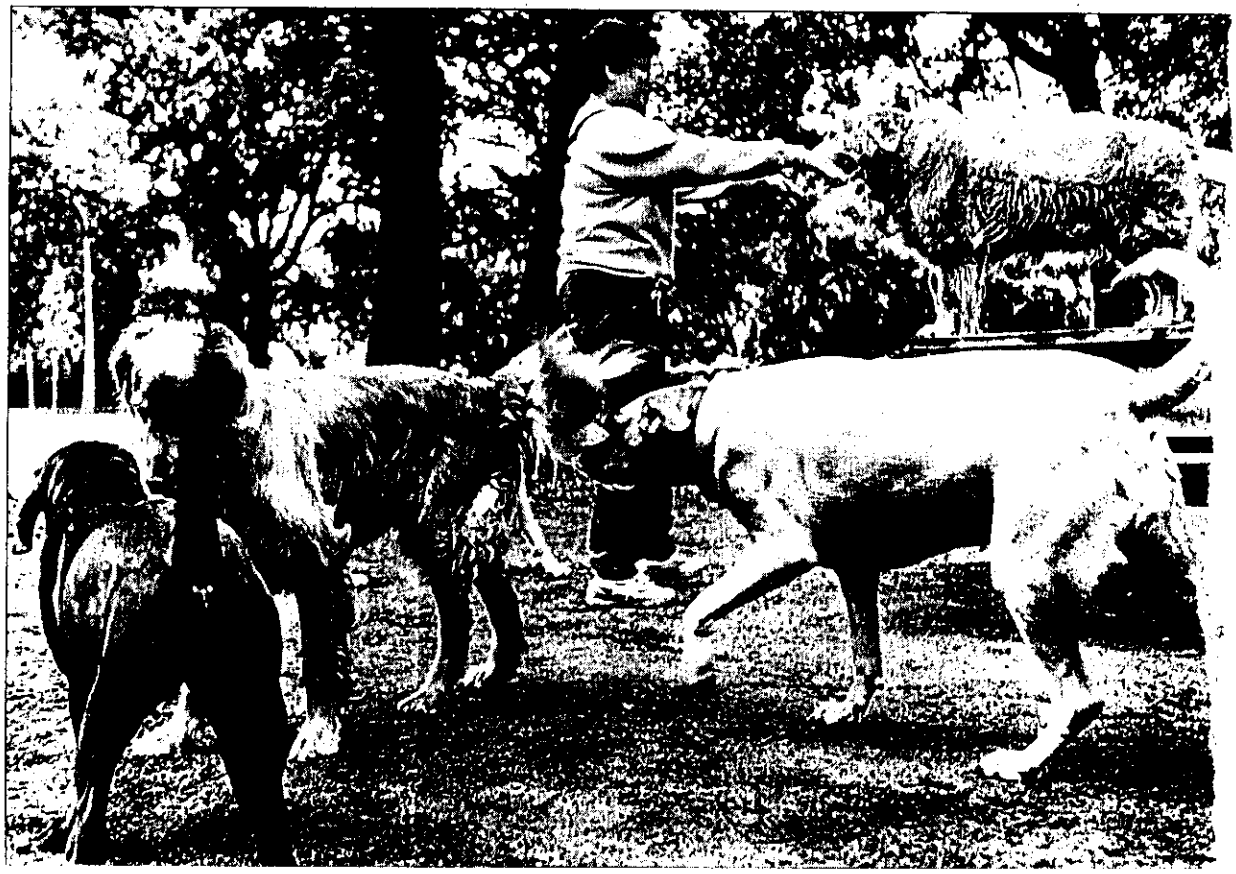
How will more laws help my situation?

A better solution would be for the mayor to designate a dog park in Livonia like several other Detroit suburbs have done including the soon-to-open dog park at Lyons Oak County Park. This way our dogs can run and play in a confined area and away from non-tolerant dog people. I encourage fellow Livonia dog owners to join me in asking the mayor to open a dog park in Livonia and discourage the city from implementing more laws that will not bring a resolution to this situation.

Marjorie Laport
Livonia

CANINE KLATCH

Dog parks offer recreation, comfort for pooches and their owners



JERRY HOLT/Detroit Free Press

Carol O'Connor of Berkley gives Rafferty, her 11-year-old golden retriever, a treat as other dogs play around them at Meininger Park.

IT'S DOGGIE HEAVEN

By BILL LAITNER
FREE PRESS STAFF WRITER

Every day is a dog-day afternoon in Royal Oak's Meininger Park.

By 5:30 p.m. or so, the canine klatch begins.

On Wednesday, a sober-faced Bouvier de Flanders greeted garrulous pals — a pair of tawny-haired retrievers and a spotted

GONE TO THE DOGS

Here's where you and your pooch can romp without a leash. These parks have designated dog runs. But ask local authorities or check signs to make sure you are in an approved area.

Area	Park	Location	Access
Mt. Clemens	Behnke Dog Park	300 N. Groesbeck Hwy.	free
Royal Oak	Cummington Park	Torquay and Leafdale	free
Royal Oak	Lockman Park	N. Connecticut at Derby	free
Royal Oak	Mark Twain Park	Campbell south of 14 Mile	free.

"It's been really great support for us. . . . We never would have found this support group."

ED BERGER, *on what Meininger Park has done for him and his dog Reilley, which lost a leg to cancer.*

good dog." Lanin, a lawyer, has

xc: City Council, Dept. of Law, Ordinance Enforcement 11/7/01 kat
PRESENTLY IN LEGISLATIVE COMMITTEE

RECEIVED
OFFICE OF THE CITY CLERK
01 NOV -7 AM 8:14

Gina Fournier
9928 Sunset
Livonia, MI 48150
734-425-7624

RECEIVED
CITY COUNCIL OFFICE
01 NOV -7 PM 4:10

Livonia City Council
Livonia City Hall
33000 Civic Center Drive
Livonia, MI 48154

NEW DATA ATTACHED

November 5, 2001

Dear Council Members:

I am a new Livonia resident, registered voter and dog owner (license #2963). I have recently relocated to the area, where I grew up, after spending eighteen years away living on the east and west coasts. I am writing the council regarding the dog leash debate, which I've noticed in the *Livonia Observer*.

A sign posted in Devonaire Woods Park indicates that by law dogs must be on a leash or under their owner's control, an ordinance that makes sense to me as is. Meanwhile, a sign posted near the Rotary Park nature trails says pets must be on a leash, which I find contradictory and illogical. There is no better place in the city for dogs to play off leash!

In the two months we've been here, while walking my dog, Dalva, I have witnessed the area's dog culture. Livonia dog culture is different from what Dalva and I have been accustomed to, living most recently in Acton, Massachusetts. In general I find this area conservative (in the good sense of being prudently cautious), but in some instances too conservative (in the negative sense of carrying uninformed, outdated opinions), particularly regarding dogs.

(I believe Dalva feels the same due to the dearth of socialized dogs in the area for her to play with, as well as regrettably fewer conservation areas suitable for off-leash walks in the woods and less public open space where dogs can run together safely.)

My dog has been raised on daily walks off-leash in the woods, weekly off-leash playtime with other dogs in public parks, as well as daily neighborhood walks on leash, in all cases obeying local laws. (Yes, we really walk this much. I recommend it. I haven't gotten sick once in the two years we've been keeping this schedule.) .

In Livonia, most dogs we've encountered are locked up in backyards behind fences, where dogs do not exercise or socialize. Habitually, the same dogs bark and jump sometimes madly or aggressively as we walk by. I believe that such behavior is mostly likely due to lack of proper exercise and social time with their own kind. Dogs who get out regularly and play with other dogs aren't as likely to reactive negatively when faced with a non-threatening situation. Dalva and I do see dogs and dog owners who are out every day walking in the neighborhood, but not many considering how many homes there are in the subdivision.

Most of the other dog owners and dogs that we have met out walking in Livonia have been very friendly, but many are unaccustomed to dogs socializing and playing off leash. Other dog owner's have shared with me how they'd like to let their dog off leash, but since the animal grew up without that training, they fear the dog's reaction, and perhaps rightly so.

Dogs are known as pack animals with highly developed social systems. Dogs are not designed to be loners. Yet surprisingly, we have met more than one dog owner who was afraid to let our dogs say hello—even when both have been leashed and the dogs' body language have suggested willingness and often eagerness to do so. In this regard, we have met a much smaller number of less friendly, more timid and uptight dog owners and dogs. This isn't surprising as dogs often reflect their owner's demeanor.

I've heard stories about how the city tried to establish fenced in dog parks and supposedly took them down because of a separate problem regarding irresponsible owners who don't scoop their dog's feces. If true, this a confusion of cause and effect that I find very frustrating. Occasionally I do see untended dog poop in Devonaire Woods, but even more often I find broken glass, food and candy wrappers littered throughout the park, especially near the ice rink. Shall the city require parents to leash their children at all times as well?

If the Livonia City Council were to take any action on this matter, it would be great to see local government encourage healthy dogs and responsible dog ownership in an effort to nurture a better-informed public. If someone isn't willing to walk and socialize a dog on a regular basis, they probably shouldn't keep one. If Livonia doesn't allow dogs to run, gather and play off-leash, then the city shouldn't expect the dogs it licenses to act like the good citizens they could be otherwise, in the way that we wouldn't expect poorly treated children to behave well either. Owners who fail to scoop should be penalized—not all dog owners— in the way police officers enforce seatbelt laws by issuing tickets to only those driver's who are caught not wearing theirs.

Please do not enact legislation that would require owners to mistreat and poorly train their dogs.

I would be happy to discuss this matter further. I have pictures documenting Big Dog Club (my personal funny name for the informal gathering in Acton, Ma.), which I could share with the council members.

Across town, in Royal Oak neighborhood parks dog owners and dogs gather to socialize. My hope is that Livonia will move to follow that lead.

Thank you for your time and consideration.

Sincerely,

Gina Fournier

Gina Fournier
9928 Sunset
Livonia, MI 48150
734-425-7624

Letters to the Editor
Dave Varga
Livonia Observer
36251 Schoolcraft
Livonia, MI 48150

November 5, 2001

Dear Editor:

In response to Matt Jachman's October 11 editorial regarding off-leash dogs and "reasonable control," I disagree with his contention that "adopting some type of leash law is a no brainer." If this derogatory phrase must be used, I respectively submit that it more aptly fits Mr. Jachman's essay.

I have not read or heard anyone advocate a dog's right to freely roam the streets, as Mr. Jachman's position suggests. The solution to the problem Mr. Jachman described is simple. Encounter a dog out walking itself? Report that particular dog and dog owner, especially if an incident occurs, to prevent future incidents. This is a true no brainer, and no additional laws are needed to enforce this reasonable measure.

Mr. Jachman's undue emphasis on "free-roaming dogs" failed to represent the majority off-leash dogs in the area. As a new (returning) resident, in two months of twice daily walks with my dog, I have never encountered a free-roaming dog in the city of Livonia.

When we are fortunate, sometimes my dog and I do encounter other dog owners out with their off-leash dogs, usually in Rotary Park. Contrary to Mr. Jachman's opinion, these dogs do not "pose too much of a threat to public safely." They are well cared for pets who walk and play safely, ideally in a group of their own kind, all under the control and watchful eyes of their owners.

In his article, entitled "Runners, walkers shouldn't be hounded by uncontrolled dogs," Mr. Jachman asked, "I should interrupt my workout to play with your crazy mutt, hoping it doesn't attach its teeth to my right calf?" He was writing in reference to dogs "charging across the street, or off the porch," as he jogs "along the sidewalks and streets."

Is this really the best argument Mr. Jachman can come up with for enacting a leash law? Again, we've already got this problem covered. Report problem dogs and irresponsible dogs owners who break the already established "reasonable control" ordinance.

(And the same goes for those few dog owners who don't scoop. Punish those who break already existing laws. And if you want to see where debris is a larger problem, check out the broken glass, food and candy wrappers littered around Devonaire ice rink.)

Otherwise, joggers do not hold the right of way. If my dog and I should meet Mr. Jachman or any other jogger while we are out walking neighborhood sidewalks, all parties should expect to stop or

pause to negotiate our intersection—like we would do at a stop sign or red light. As a jogger, it's Mr. Jachman's responsibility to do so courteously and safely, advancing as much respect as he expects to receive.

In addition, (though he didn't mention this) should Mr. Jachman jog the trails in Rotary Park (where Dalva and I most often encounter joggers in the city), there too he should expect to stop or at least slow down for a second or two, especially when approaching other parties, perhaps moving more slowly, who may not be aware of his presence. When I see a jogger, I am able to better control my dog. However, when a jogger runs up from behind, we are both caught off guard.

I don't have a problem with joggers. Ideally, I believe Rotary Park trails should be open to both joggers and off-leash dog walkers. As a responsible and seasoned dog owner, I'm aware that some joggers don't feel comfortable reading an unfamiliar dog's body language for signs of friendliness or aggression. In these instances, to relieve the "stress" a jogger like Mr. Jachman might feel, I shout, "My dog is friendly," and she is.

Give us a chance. We're both friendly. We just relocated from the East Coast where impromptu dog parks are prevalent and attitudes toward off-leash dogs are more relaxed. This contrasts Mr. Jachman's contention that "reasonable control" is a relic of the past. From living in more progressive areas, my dog is accustomed to properly negotiating these types of meetings.

In addition, I want Mr. Jachman to know that my dog is not "crazy." She's smart, well socialized and likes to say hello. Certainly a jogger can understand that dogs like to run too. Mr. Jachman wants a response from my dog "instantly," but isn't that asking more than we ask of children? Give the dog and I a second or two to adjust, and after we both say "hi!" we'll step aside to let you pass. Do we really need laws to mandate good manners and common sense?

Take a few seconds to acknowledge the presence of others on the sidewalk or on the trail, particularly those whose paths intersect our own. This strikes me as the more civil and reasonable way to approach these intersections.

Like children, dogs behave best when they socialize and exercise, which can not be accomplished on-leash or shut-off in Livonia's small backyards. Dogs who sit in backyards do not receive much benefit and are analogous to children sitting on the couch watching mindless television.

Livonia doesn't need a leash law. It needs more open spaces and a few more open minds. Royal Oak has successfully established off-leash dog areas in its city parks. Livonia should too.

Sincerely,

Gina Fournier

cc: City Clerk
City Attorney
Council Office/bj
10-29-01

Date: October 23, 2001

To: Livonia City Council Members
33000 Civic Center Drive
Livonia, MI 48154

From: Rosalie Giss
33211 Fargo
Livonia, MI 48152

Subject: Dogs on Leashes

I wish to support the enforcement of "Dogs on Leashes" ordinance.

Please send me a notification of meeting regarding the proposed ordinance.

Thank you

Rosalie Giss

Rosalie Giss

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01 OCT 29 PM 3:28

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OCT 29 2001
CITY OF LIVONIA
CITY CLERK
TO _____

xc: City Council, Dept. of Law, Ordinance Enforcement 10/9/01

ADD'L INFO RE: ITEM #3 - OCT. 10, 2001 REGULAR MEETING

3

Ms. Joan Mueller
11415 Arden St
Livonia MI 48150-2877

October 9, 2001

RECEIVED
CITY COUNCIL OFFICE
01 OCT -9 PM 4:02

NEW DATA
ATTACHED

Re: Leash Law

Honorable Council Members:

May I begin by stressing that I fully sympathize with the lady who is suggesting an amendment to the present leash law. Pit bulls, or any other breed of dog, should not be roaming loose without their owners or someone else watching them. From what I've been told, the dogs she fears are not under any kind of control. Doesn't this fall under enforcement of current law?

Almost daily for nine years I have seen my two dogs at Ford Field or Civic Center Park carrying a leash (+ plastic bags!) using verbal control and hand signals.

2000 Member
The Humane Society of the United States

Ms. Joan Mueller
11415 Arden St
Livonia MI 48150-2877

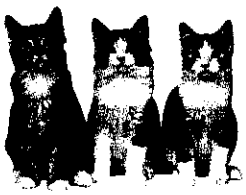
Walking my dogs on a leash is not enough exercise for their good health. They need and love to run free; my (Rosedale Gardens) yard is very small.

I am afraid my dogs and I will be punished by a strict leash law for incidents that do not apply to people like me and, most important, will probably not solve the problem of indifferent and/or negligent dog owners.

Thank you for your consideration in leaving the leash law as it stands.

Sincerely,

Joan Mueller



1999 Member
The Humane Society of the United States

xc: City Council, Dept. of Law, Ordinance Enforcement
ADD'L INFO RE: ITEM 3 - OCT. 10, 2001 REGULAR MTG.
10/10/01 kat

11905 Merriman
Livonia, Mi. 48150
Oct. 9, 2001

NEW DATA ATTACHED

01 OCT 10 PM 3:53
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CITY COUNCIL OFFICE

Dear Mrs. Bosmon,

The State Law says it perfectly, which requires all dogs to be on a leash outside the owners fenced-in property.
I am not in favor of any leniency for dogs. Dogs are animals, not human beings like dog lovers think.
Dogs have no business running loose in parks.
People go to parks to enjoy an outdoor picnic and shouldn't have to be bothered with a loose dog smelling around the table.
It's a dogs nature to smell everything and I for one don't want to have a dog smelling around my ankles if I am walking down the sidewalk.
If dog owners want to let their dogs run loose, let it be in the owners fenced-in back yard, or take their dog for a walk on a leash and clean up after it.

Sincerely,

Lorna Schaffer

NEW DATA
ATTACHED

IMPORTANT MESSAGE

FOR Karen

DATE 10/9 TIME 1050 A.M. P.M.

M Tasha Larson

OF 15423 Harrison, Livonia 48154

PHONE 734-421-1916
AREA CODE NUMBER EXTENSION

☐ FAX

☐ MOBILE
AREA CODE NUMBER TIME TO CALL

TELEPHONED	✓	PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		WILL FAX TO YOU	

MESSAGE Lives at Harrison & 5 Mile.
Favors the dog leash law.

SIGNED R.

TOPS FORM 4005 LITHO IN U.S.A.

10/08/01 CC: CITY CLERK, CITY ATTORNEY.
Item #3 Regular Meeting of 10/10/01--ks

3

Karen Szymula

From: Robert Krenz [rkrenz@peoplepc.com]
Sent: Monday, October 08, 2001 9:35 AM
To: citycouncil@ci.livonia.mi.us
Subject: leash law

NEW DATA ATTACHED

I read the article in Sunday's Observer about dogs and leashes. At you meeting, please discuss the leash law for cats. I believe most cat owners in this city are not aware of this ruling, henceforth, cats on loose turning others peoples property into a litter box. Also please publicize the rulings for cats.
Thank you
Gini Krenz

DOGS
(Bev Whitbeck)
Req. for dog leash law.

3) Bev Whitbeck, 16440 Penn Drive - voiced concerns about promoting a dog leash law in Livonia.

JAN 2 3 1998

DOGS
(Beverly Whitbeck)
16440 Penn Drive
Problem with neighbor's dog attacking her show dogs--would like a leash law adopted.

From the audience, Beverly Whitbeck, 16440 Penn Drive, Livonia, stated she has a problem with her neighbor's dog attacking her show dogs, and said she would like a legal leash law put into effect. The Council asked for a report and recommendation from the Department of Law with respect to this matter.

DEC 17 1997

PRESS

ARTICLES

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Article published Aug 12, 2007

Court rules against Birmingham dog park

by Greg Kowalski

STAFF WRITER

The people in Bloomfield Township who don't like Birmingham's dog park recently won a big victory in court.

The Michigan Supreme Court ruled Wednesday that the dog park at the Springdale Golf Course "violates a deed restriction limiting use of the land to 'residential purposes only.' "

The judgment noted, "Springdale Park has been used over the years for a variety of park-related activities, including those that might be characterized as involving unusual amounts of noise. For example, the park has been used for dances, Girl Scout camping and baseball games. However, the Girl Scout camping and dances did not occur on land burdened by the deed restrictions."

But the ruling does not mean the park will close immediately.

"The Supreme Court kicked it back to Oakland County Circuit Court to determine what to do next," said Jeffrey Kragt, assistant city attorney for Birmingham. "The court will set up a status conference" to seek a resolution, he said.

The suit was filed by a group of Bloomfield Township residents neighboring the park. They formed the Bloomfield Estates Improvement Association Inc., and objected to the noise, increased traffic and smells generated by the dog park. But the legal argument was based on the contention that the park site had a deed restriction on it that said it could only be used for residences if it were not parkland.

The park is owned by the city of Birmingham, and the city's stance was that the Bloomfield Township residents across the street from the park had no say in what goes on in Birmingham.

In court, the city argued that a dog park fits into the definition of "residential use" because dogs can wander in back yards at homes.

However, the court ruled "a back yard is attached to a home, and hence fits within the actual meaning of the term 'residential.' "

No one from Bloomfield Estates Improvement Association could be reached for comment.

"It's a shame," said Kelly Kretzer, who was at the park Friday morning with Susan Lucas and their dogs.

"We're very sad," Lucas said.

"I just can't see how it's disturbing anyone," added Ed Spence, who also brought his dog to the park.

All three said they did not know where they would take their dogs when the park closes.

Dissenting from the court's opinion were Justices Marilyn Kelly and Elizabeth Weaver.

"There is no evidence that it has been heavily used, is noisy or smelly or has drawn increased automobile traffic," they wrote.

Return to regular web page

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July 5, 2007

Livonia to look at tighter leash law

Complaints of unruly canines spur meeting on extending rule beyond requiring leads in parks.

Christine Ferretti / The Detroit News

LIVONIA -- These days, Gene and Barbara Scott don't leave their home without a big stick.

The Livonia couple said it's all they can do to protect their 8-year-old basset hound from being mauled by unleashed dogs roaming freely through nearby Hines Park, in subdivisions and along main roads.

Gene Scott, 74, said his 62-pound dog Duncan has been attacked four times during walks in their neighborhood near Farmington and Joy roads since March 2006.

"We live in fear of being able to walk our dog," he said, noting an emergency vet trip last year after an unleashed bulldog attacked Duncan, biting his neck, in a park near an elementary school.

The Scotts are among nearly 30 residents who have sent letters or appeared in front of the City Council over the last couple of years pleading with officials to change Livonia's leash laws.

The ordinance requires pets to be leashed only in parks. When it comes to streets and subdivisions, pets are required only to be "under reasonable control" by hand or vocal command of their owners, said James Zoumbaris, Livonia's superintendent of public service.

On July 17, the council's Legislative Committee will consider amendments to the ordinance for the first time in two years.

If the proposed changes become law, Livonia will join municipalities such as Ann Arbor, Beverly Hills, Bloomfield Township, Dearborn, Detroit, Sterling Heights and Warren that have created laws requiring pets to be leashed.

The decision to bring back the issue, which has been in committee since April 2005, was prompted by residents' complaints over the last six months, said Councilman Tom Robinson, chairman of the Legislative Committee.

"We are giving residents the opportunity to come in and talk to us about it," he said. "It's a sensitive issue."

Sarah Burns, who first urged the city to rethink the law, said it's about time the issue came back before the committee.

"It took two years to get this meeting going," she said.

Burns, a 50-year resident, said she became concerned when an unleashed retriever ripped her 5-year-old granddaughter's teddy bear from her arms and destroyed it. The dog's owner, when confronted, did not apologize and told Burns her dog "doesn't like leashes," she said.

"We need a leash law," Burns said. "You don't know when (dogs) are going to get spooked How much control do you have over them if they are not on a leash?"

Livonia has one animal control officer who cites violators in the 95,000-resident city.

Punishments can include up to a $100 fine, 120 hours of community service work and tickets requiring a court appearance, Zoumbaris said.

An annual report detailing animal ordinance citations given was not available on Tuesday.

Robinson said the committee will either make a recommendation to amend the ordinance, which would require a council vote, or leave it in committee for further discussion.

*You can reach Christine Ferretti at (734) 462-2289 or **cferretti@detnews.com**.*

Return to regular web page

The Livonia Observer
Thursday, March 13, 2003

Give dogs a place to run

It has long been said that dogs, unlike cats or other pets, are members of the family. And indeed they require far more attention than other animals, because they bond so dearly to those who love them. Why is that? Perhaps it's because the first entry in the journal of recorded history was the domestication of dogs. In the ensuing millennia, civilization, in the name of progress, has made that domestication increasingly difficult.

With the influx of cars, trucks, vans, and SUVs, a dog's ability to run off lead has diminished. With expanded housing developments, parks, and businesses, our open spaces are filling up. Dogs that were created to drive cattle, retrieve fallen game, or assist us in many endeavors have been relegated to the back yard or the six-foot tether.

Surrendered dogs overwhelm shelters, pounds, and rescue services because they were too "hyper" for the lack of proper exercise. Ordinances are passed to require all dogs must be leashed, as if that flawed reasoning would prevent soiled lawns and dog bites. Harmless dogs are harassed, teased and tormented by spoiled or otherwise unsupervised children. Judgments are ruled against innocent dog owners who not only must suffer undue financial burden, but also endure the irreconcilable grief when their beloved four-legged family member is surrendered to euthanasia. We have, in sum, created an environment that is hostile to our oldest, most loyal, and strongest companion.

Now we are beginning to reverse the awful and unhealthy trend. The cities of Royal Oak, East Lansing and Novi, to name a few, have created dog parks, areas where dogs are able to run freely under their owners supervision unencumbered by leashes, small lots, harmful children, and motor vehicles. I have visited two of these, and by my own observation I must conclude that they work. The simple reasoning behind their success is that an overwhelming majority of dog owners are responsible citizens.

There has been much talk recently, in the communities of Livonia, Redford, Dearborn, Garden City, and others in Western Wayne County for setting aside parkland for dogs. That time is overdue; the time of talk must give way to action. There are plenty of areas in all the aforementioned communities for such parks; moreover, the rewards will benefit all citizens. The costs, furthermore, are miniscule, just fencing, litter devices, and water fountains are necessary; in fact, they are already in place just waiting for proper use.

Before we build another golf course, before we build another children's play area, let's think about our long ignored yet uncomplaining canines that enrich so many lives. Perhaps we will see fewer incidents of dog bites, dogs run over in the street, unwanted feces on our lawns, and, most of all, less abandoned dogs.

Nationwide we pour untold billions "for the sake of the children" without hesitation into countless programs, so how about a few hundred for Rover and Spot?

Mark D. Kreutzfeld
Livonia

THE LIVONIA OBSERVER
THURSDAY, FEBRUARY 20, 2003

Meeting set to discuss Hines Park bark park

BY STEPHANIE ANGELYN CASOLA
STAFF WRITER

Like many dog-owners, Redford resident Shelly Andrews is willing to drive the distance to take pet pooches Josie and Cheyenne to a place where they can run and play without a leash.

Since 2001, she has worked to find support to build a dog park in Redford. And now, her dream is closer to becoming reality.

Wayne County Parks has approved the use of about 2 acres of land for a dog park in Wallaceville, a part of Hines Park located west of Telegraph Road in Dearborn Heights. It's not Redford Township, but it's close.

Kim Thomas, a Dearborn Heights resident, has joined with Andrews. They worked with Larry Fitch, director of Wayne County Parks, and found this to be a suitable location.

A dog park is a fenced-in area where dogs are free to run off-leash. The space allows dogs to get sufficient exercise and to socialize with other dogs.

DOG PARK TALK

What: Meeting for dog owners to plan for a dog park in Hines Park.
When: 7 p.m. Tuesday, Feb. 25.
Where: The gym at the Redford Community Center, 26650 Capitol Ave., west of Beech Daly, north of Plymouth Road.
More details: Kim at (313) 562-5228 or Shelly at (313) 541-7584.

Owners are required to accompany their pets, and clean up after them.

"(Wayne County Parks) will maintain the area – mow the grass, pick up trash – but we have to do the rest," said Andrews.

Fundraising efforts have already begun to purchase fencing, dog washes and other amenities for the park.

"We're immediately looking for ways to raise funds for 2,100-feet and 250-posts worth for fencing," said Andrews. Additional items, like shrubbery, trees, benches, poop bags, a water fountain, lights, Frisbees and tennis balls will be added as the group is able to buy them.

A dog park meeting will be 7 p.m. Tuesday, Feb. 25, in the gym at the Redford Community Center, 26650 Capitol Ave., in Redford. Dog-owners living in Redford, Dearborn Heights, Livonia, western Detroit or surrounding areas are encouraged to attend.

Andrews has not cast aside her quest for a Redford dog park. It remains a consideration in the Redford's five-year master recreation plan. A feasibility study for a Redford dog park is scheduled this year, she said. If the results are favorable and a good location is found, residents might see a dog park as early as 2004.

For more information call Kim at (313) 562-5228 or Shelly at (313) 541-7584 or send e-mail to redforddogpark@yahoo.com

scasola@oe.homecomm.net | (734) 953-2054

(7) spkt

The Livonia Observer
Thursday, September 19, 2002

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Residents speak up in support of bark park

BY STEPHANIE ANGELYN CASOLA
STAFF WRITER

About a year ago, while walking her dogs Josie and Cheyenne, Shelly Andrews envisioned a place where they might run leash-free in Redford.

A neighbor mentioned how much he missed visiting a Mt. Clemens dog park, and the conversation sparked an idea. Andrews began seeking the support of friends and pet owners who would like to have a dog park in Redford.

"A dog park is not just a place for yuppies and their yuppie dogs," she said.

A dog park is a fenced-in area at least an acre in size where dogs are free to run off-leash. Dogs get sufficient exercise and socialization with other dogs. The animals are never left unattended and owners are required to clean up after them.

"It's hard to throw a Frisbee or ball to our dogs in the backyard," said Andrews of the small yards in Redford. "They don't get to stretch out and run like they would in a dog park."

She hopes other residents will see the benefits. Elderly pet owners and those with disabilities would have somewhere to take their dogs to get exercise. Owners tend to form friendships too.

"You can turn them loose," said Bob Biestek, owner of an energetic boxer named Harley. "They can run and enjoy other dogs. For me, it would be ideal, walking this bruiser. He loves to run."

Biestek lives in Dearborn Heights, a city also pursuing a possible "bark park," but he said he would happily use one in Redford if it became a reality.

Mike Curle, parks leader and head of maintenance for Redford Township Parks and Recreation, said the possibility is still in early stages.

"We're working on our five-year Master Plan," said Curle. "It's one of the conceptual ideas. People have shown interest in it."

At two public forums regarding the Master Plan, residents – including Andrews – have spoken in favor of a dog park.

"The idea is really neat," said Curle. "It's something we're looking into."

One concern in the township is the proximity of a residential area to a possible location for a dog park, in Capitol Park.

The biggest opposition Andrews had encountered are those residents who fear their tax dollars might increase, and those who worry that pet owners will not clean up after their dogs.

PLEASE SEE BARK PARK, A6

BARK PARK

FROM PAGE A5

She has earned the support of people like Richard Dery, a Redford resident and owner of Dery Home Improvement. He has agreed to install fencing, provide wood chips and build other structures for a bark park if the idea becomes a reality.

For now, Andrews takes her dogs to places like Behnke Memorial Dog Park, a free facility in Mt. Clemens and Orion Oaks Bark Park which has 6 acres of land and lake access for doggie paddlers in Lake Orion. Like many dog owners, she's willing to travel.

Kim Thomas is organizing a Dog Owners Group in Dearborn Heights and said she would visit Redford with her dog, Millie.

"It would be more convenient," said Thomas. "I could drive four miles instead of 30 miles."

Dorothy Morris, director of Redford Senior Center, is also excited about the idea.

"I really wish Redford would get a bark park," said Morris. "Obviously, we all know about them. We travel out to Oakland County. As you can see, we're all pet-friendly people."

Morris has shared the idea with Redford resident Bob Clay, who lives close to Capitol Park. He has only had Brownie, a 16-inch beagle hound, for three months but she's already become a best friend. Clay walks Brownie three times a day and would like her to have a safe place to run.

"She's so good," said Clay. "She sleeps with me. She's been spayed and house broken. She's so precious."

Andrews has distributed 2,000 informational flyers about dog parks. She's collected more than 1,000 signatures from area residents, in places like Redford, Westland and Livonia, who are in favor of the idea.

For more information, contact Shelly Andrews at (313) 541-7584 or send e-mail to redforddogpark@yahoo.com.

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Livonia Observer

Your hometown newspaper serving Livonia for 63 years

Thursday, February 28, 2002 www.observerandeccentric.com

LETTERS

Dog parks already work

Adolph Zak's contention that "a leashed dog gets adequate exercise," printed Jan. 24 must be refuted. Statistics, common sense, observation and experience all indicate that this is not true. The reason dog parks are catching on across the country is because people and municipalities are realizing that dogs do need to run off-leash. Dogs who are allowed to run and play with their own kind grow to become healthy, well-balanced dogs. Most importantly, they are far less likely to bite than their cooped-up, segregated, forever-tethered, too often skittish counterparts, as reports for dog bites in the city overwhelmingly resound.

The vast majority of people who walk their dogs in the woods off-leash are friendly and responsible. Once people let go of their fears and open their minds, the beauty here is that dog parks and off-leash play build the community, in contrast to Mr. Zak's suggestions of danger and destruction. The biggest threat in the woods and fields today are fearful, unfriendly humans. Livonia already enjoys impromptu mini-dog parks, which are working out just fine and don't cost taxpayers.

Let's be reasonable in this debate. Can Mr. Zak support his claim that "unleashed dogs are also destroying all the wildlife in what it supposed to be a nature preserve at the back of Rotary Park?" Owls and other birds in the Livonia's woods do not appear to be harmed by dogs at all. Human populations, pollution and encroachment of habitat primarily lead to extinction, not dog play.

Apparently Mr. Zak's "several negative experiences" occurred prior to studies in recent years, or he never reported the incidents. Dogs who bite should be reported to protect greater public safety. Let Animal Control do their job so that the small number of irresponsible owners out there can be held accountable. I do hope people can come together and realize that responsible ownership means off-leash play. According to surveys done by this paper, there is no record or pattern of dog bites of any kind involving socialized dogs exercising off-leash in the city of Livonia. Overwhelmingly, dogs who bite do so on or near their owner's property, where many dogs don't receive adequate exercise or socialization.

Like peace, give what's already working a chance and keep the woods and fields friendly.

Gina Fournier
Livonia

LIVONIA OBSERVER
THURSDAY, JANUARY 24, 2002

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LETTERS

File Copy

Leash law serves all

I have had several negative experiences in Rotary park while walking my leashed dogs. All of these episodes involve my dogs being attacked by unleashed dogs while their "masters" desperately try to control their animals. Most of the time it sounds more like a county fair hog calling contest than a command to a disciplined dog. One encounter with several unleashed dogs being "controlled" by one person resulted in a $1,500 vet bill to repair the ripped leg on my dog.

Every dog I have ever owned has had professional training but I still would not subject other people to my unleashed dog out of basic courtesy. Rotary Park is simply being used as a kennel run by many people at the peril of all others. Unleashed dogs are also destroying all of the wildlife in what is supposed to be a nature preserve at the back of Rotary Park.

A leashed dog gets adequate exercise along with the person who walks it. An enforced leash law serves everyone except for those who think a public park is their personal domain.

Adolph Zak
Livonia

LETTERS

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The Livonia Observer
Thursday, December 27, 2002

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Who needs a leash?

On Dec. 3, I attended a City Council meeting (which I seldom do) and was pleasantly surprised to see that the "Dog Leash Proposal" was defeated, even if it was only by a slim margin, and the proposal for a designated "Dog Park" was approved. It was refreshing to see that there were at least four council members who saw the leash law proposal for what it was – a half-hearted "Feel Good" attempt at making the citizens of Livonia believe the proposed law would have made a difference – (Isn't election time over folks?).

Requiring all dog owners to leash their dogs would not have changed a thing, except increased calls to the Police Department every time a disgruntled neighbor saw someone walking their dog under "Reasonable Control." Besides, most people already assumed there was a leash law.

I would venture to say that most dog attacks on people, or other animals, are done by dogs that escape their yards and are running free without the owner's knowledge that their dog is even loose. There are already ordinances on the books that cover this type activity such as: Dog running at large (Ord. No. 6.04.270) and harboring a vicious animal (Ord. No. 6.04.370). For that type of incident, the owner should be cited with a violation and I bet if you check the city statistic's there has been very few violations issued for that type of thing in Livonia.

My guess is there has been more violations issued for "Barking dog" (Ord. No. 6.04.340) rather than a biting dog, and I bet most dog bite complaints occur on private property or inside private homes, not city sidewalks or parks. As far as the issue of dog "do-do," those inconsiderate dog owners who refuse to pick-up their animal's excrement (ord. No. 8.24.100) while on a walk will continue to do so with or without a leash law.

People who invest the time and money in training their dog at Obedience School should be allowed the right to walk their dog off lead (heel position) without being harassed by those owners who can't find the time nor the patience to try and train their dog. Even the city prosecutor agreed that the new proposed ordinance would not change a thing. So why after 40 years would you want to "Fix something that ain't broke?" I truly believe most dog owners know whether or not they can trust their dog off leash anyway. Why punish all responsible dog owners for the neglectful few who probably should not even own a dog?

I hope this vote finally puts this issue to rest so we can move on to more concerning topic's like: The dwindling city budget, Union contract negotiations, and potential police and fire personnel "lay-offs." As a citizen of Livonia, these are the types of things that can affect the quality of life in Livonia. It is hard to believe that one person's original complaint to the Livonia Observer can result in this much hoopla over nothing (kinda like the infamous Hooters restaurant saga) – let's get a life Livonia!

Hey, I've got one for ya, how about we start issuing violations to parents who fail to keep their teenagers under "Reasonable Control." Yes, there is even an Ordinance for that one too (Ord No.9.85.020) – I bet that would solve a lot more potential problems in this city than requiring me to walk my dog on a leash! Think about it Livonia.

Tim Larion
Livonia

LETTERS

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The Livonia Observer
Thursday, December 27, 2002

RECEIVED
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As a proponent of "reasonable control" and socialized dogs (as opposed to dogs kept inhumanely segregated, under-exercised in back yards and forever tethered, unable to use the four legs they were given), I am delighted to see both the Observer and the Livonia City Council support the idea of dog parks in Livonia.

The good news is that the city doesn't have to spend any money on dog parks, but merely follow the lead of communities like Royal Park, Mich. and Acton, Mass., by simple legitimizing off-leash play where it is already occurring, without a threat to public safety, in the city's parks. The Observer's recent survey of dog bites reported in the last 12 months confirmed what off-leash proponents have argued all along; none occurred in city parks. The back field in Rotary Park offers a natural barrier between city land and surrounding neighborhoods. There are many who already safely utilize this area as a burgeoning dog park.

It is time for the full community to update its thinking about dogs, which, remember, are a domesticated species. One citizen who recently argued for a leash law called dogs "predators," but so are humans! Let's really think about this issue. Can the Observer substantiate its recent claims that "a lot of people figure" "reasonable control" means a leash law? (Considering your coverage of this issue, is readership that low?) This sounds like succumbing to fear and ignoring the facts, especially considering the paper's own reporting. You seem to guess and possibly incite when you state that "many" "joggers, cyclists and walkers" "feel they must carry some kind of repellent spray to ward off potentially dangerous dogs not on leash" – in contrast to the evidence in your own story. Dogs on-leash bite too. Leashes have little to do with dog bites. Should Councilman Engebretson reintroduce a leash law, as reported, it would raise serious questions about who actually needs "restriction," which is a concept that's pretty clear to me.

Most dog bites occur on or near an owner's property among friends and family, meaning the proposed leash law that rightly failed represented misplaced concerned. What people should be worried about are those dogs who are not prepared to meet new situations in a friendly manner. Those dogs who never get out of the back yard or off their owners property to meet other dogs, run and play are the dogs who bite. Off-leash play is actually necessary. Look around – obesity isn't just an issue with the nation's human children.

Gina Fournier
Livonia

The Livonia Observer
Thursday, December 13, 2001

Leash law had its place; dog park merits a look

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The idea of enacting a dog leash law has failed to get support of a majority of Livonia City Council members. However, the call for creating a dog park in Livonia is a proposal that still has legs.

Livonia's wealth of parkland space – 1,342 acres and more than 60 developed and undeveloped parks and reportedly second only to Detroit in the metro area – does seem perfectly suited to setting aside some kind of area to allow man's best friend to get some exercise, chase Frisbees, and just plain socialize. As the city gets the ball rolling on how to create a park area devoted to canines, city officials should be able to learn from other communities where the idea has already come up or actually been tried.

Still, it seems a leash ordinance would have added teeth and clarity to the current idea of 'reasonable' control on public property, especially since a lot of people figure that's what the law means anyway.

In Farmington, some residents also pushed for a dog park. However, they were barking up the wrong tree, as too many city council members opposed it. The big concerns included choosing a site from limited park land, potential liability and concerns over upkeep or maintenance. Birmingham also faced a push for a dog park, but plans never materialized. West Bloomfield officials approved the concept of a "puppy park" for that township, after a group there promoted the idea. However, it hasn't been set up yet.

Other communities across the country have relied on the work of volunteer groups, park fees and strict rules to make their parks work. Obviously, the city's tight budget situation would make any new expenditures for a dog park one major bone of contention.

Anti-dog leash people who showed up at last week's council meeting, in many cases, were surprised to find out that their jaunts with an unbridled Fido through Livonia's parks were probably already violating a current city ordinance that only allows dogs in the parks if they're on a leash or "restricted." The lack of definition of that term might leave folks wondering how that differs from "reasonable control," the current standard on other public property such as streets and sidewalks.

Right now, city park restrictions requiring dogs on a leash go unenforced. The proposed proposed ordinance that would have required dogs on leashes on all public property would have suffered the same lack of enforcement.

Only two animal control officers work in our city of 36 square miles and more than 100,000 people. Perhaps that's all we need, as dog attacks, bites or incidents reported apparently aren't excessive in the city, and they're most often happening on homeowners' property.

Still, it seems a leash ordinance would have added teeth and clarity to the current idea of "reasonable control" on public property, especially since a lot of people figure that's what the law means anyway. Some opponents say it's just the opposite: A leash law wouldn't change things or make Livonia any safer, precisely because, some officials say, it wouldn't or couldn't actually be enforced.

Most of the time, people on Livonia's streets and in their neighborhoods aren't really threatened by neighborhood animals. They know the dogs or they can tell the demeanor is friendly. A leash ordinance would, however, encourage compliance and that could add just a bit of reassurance to joggers, cyclists and walkers, many of whom who feel they must carry some kind of repellent spray to ward off potentially dangerous dogs not on leashes. Seeing a dog on a leash certainly offers a greater feeling of safety.

For now, it seems the city will remain without a leash law. However, we support the idea of investigating a dog park or parks for Livonia's canine population.

The Livonia Observer
Thursday, December 6, 2001

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Leash law snipped by council, 4-3

■ Livonia won't require dog owners to keep their pets on a leash on public property, as proposed. However, the city will study creating a dog park.

BY MATT JACHMAN
STAFF WRITER
mjachman@oe.homecomm.net

Livonia's leash-law proposal, faced with opposition from dog owners, reached the end of its tether on Monday.

A move to draft an ordinance that would have required dogs to be on leashes when off their owners' premises failed by a 3-4 City Council vote.

The council voted 5-2 in favor of studying the creation of a dog park, a designated area where dogs could run unleashed. People who let dogs run free in city parks – as several who spoke at Monday's meeting said they do – may now be violating the city's somewhat murky rules governing pets in parks.

Council members who rejected a leash law said it would interfere with dog owners' rights and would not ensure more safety than enforcement of the current ordinance, which requires dogs to be under "reasonable control."

Councilwoman Val Vandersloot asked city attorney

Please see LEASH, A5

Leash from page A1

Sean Kavanagh what a leash law would do that the city's current law doesn't. "Nothing," he answered.

Benefit questioned

"We don't think that this new proposed ordinance would do anything but create a new class, and a large class, of criminals," Kavanagh added later.

"To think that passing this leash law is going to make this city safer is just not going to happen," Vandersloot said.

Councilman John Walsh said keeping dogs controlled is a matter of personal responsibility, not of the city regulating behavior.

Walsh and Vandersloot joined Councilmen John Pastor and Brian Duggan in voting against the proposal. Councilmen Jack Engebretson and Joe Laura and Council President Maureen Miller Brosnan voted for it.

"It'll get the attention of these so-called irresponsible dog owners," Engebretson said.

Dogs in parks

Residents speaking against the leash-law plan outnumbered those speaking in favor of it by 10 to two. But many opponents' comments were focused on having dogs unleashed in parks – which may already be banned by the parks ordinance – rather than on the streets and sidewalks.

"There never seems to be a problem between the people and the dogs or the dogs and each other," said Bruce Bacon, who said he lets his dog run in a park.

"It enables responsible dog owners to allow their dogs to socialize," said Nora Creighton, who urged the creation of a dog park.

Engebretson asked Kavanagh about the current rules for dogs in parks. "They are required to be on a leash," Kavanagh replied.

Later, he amended that statement – slightly – when animal control officer Vickey Steier said the ordinance pertaining to dogs in parks requires them to be on a leash or "restricted," and that the word "restricted" is not defined.

"If you don't have it on a leash, you better have really good control over that dog in a park," Kavanagh said.

After the meeting, a couple of people who let their dogs run in parks said they were not aware of the restriction but don't plan to change their habits.

Pets or predators?

One proponent of a leash law, Peggy Fisher, said her own dog was attacked and seriously injured by another dog being walked off-leash, and that her elderly father fell and injured himself when scared off his porch by a dog that had just been let out of its house.

"Unleashed dogs, I think, can turn from loving pets into predators," Fisher said.

The council's second vote on the issue sent the subject of a dog park to the city administration for a report and recommendation. Engebretson and Brosnan voted against the referral.

Kavanagh said that the current dog ordinance is effective. "There are very few repeat offenders on these types of cases," he said.

At the close of Monday's meeting, Engebretson, responding to a residents' concern, said he would seek to have "reasonable control" defined more clearly.

After the meeting, Engebretson said he may introduce a leash-law proposal next year, when three new council members begin their terms.

"Things change," he said.

The Livonia Observer
Thursday, December 6, 2001

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01 DEC 11 AM 10: 05

Most dog bite reports occur at owners' homes

BY MATT JACHMAN
STAFF WRITER
mjachman@oe.homecomm.net

■ Sixteen of the 28 attacks occurred on the dog's home turf where the dogs would have been exempt from proposed leash restrictions.

Of the 28 dog bites reported in Livonia in the last 12 months, more than half occurred on the property of the dog owners and only four clearly could have been prevented with the leash law rejected by the City Council on Monday.

Sixteen of the 28 attacks occurred on the dog's home turf, according to animal control records, where the dogs would have been exempt from proposed leash restrictions.

Four other incidents, including the only reported dog-on-dog attack, involved loose dogs off the owners' property, reports show. None of those four occurred in parks, where dogs are subject to more restrictions than they are on the sidewalks but also where many people allow their dogs to run unleashed.

A proposal to draft a leash law that would have applied to dogs off their owners' property – dogs being walked on the sidewalk, for example – failed on a 3-4 council vote Monday. They did vote 5-2 to explore the idea a dog park.

The eight other biting incidents included two in which the dog's owner had taken it for a visit to someone else's property. It is not clear whether the failed leash-law plan would have applied to dogs in such situations.

Three other incidents involved leashed dogs; one a loose stray without an owner. One bite was also reported at a pet store, and another at an animal hospital.

Of the 16 attacks on the property of the dogs' owners, most victims were acquaintances, family members or the owners themselves, said Brian Wilson of the Department of Public Works, under which the animal control office is organized.

In only one of those incidents – a dog breaking out of a front door to bite a newspaper carrier – was the victim a stranger, Wilson said.

The Livonia Observer
Sunday, December 2, 2001

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01 DEC 11 AM 10: 24

Leash law hits council Monday

■ Dogs would need to be on a leash when they're on public property, under a proposed leash ordinance. The council meets at 7 p.m. Monday at City Hall.

BY MATT JACHMAN
STAFF WRITER
mjachman@oe.homecomm.net

Livonia officials are looking at replacing the city's "reasonable control" ordinance for pet dogs with a leash law.

The City Council is scheduled to vote Monday on whether to have the city's law department draft a leash law that would require dogs to be on leashes when out in public.

"I think it just makes sense to have a dog on a leash" in public, said Councilman Jack Engebretson. But, he said, the plan would not apply to dogs in their owners' yards or on their porches.

"We are not telling people, 'You must have your dog leashed on your property,'" he said.

Currently, the city requires dogs to be under "reasonable control" when being exercised. Critics say that rule is too vague.

The issue was raised in September by resident John Glean, who wrote to the council that a neighbor's two pit bulldogs sometimes run loose, and that that makes him fearful for the safety of his own dog and the person walking the dog.

Engebretson said he would also like the council to explore the idea of a dog park, an area where dogs could run free. Many dog owners say they walk their dogs, unleashed, in parks, but technically, dogs are supposed to be leashed in city parks.

"We need to deal with this (leash law) issue and then we need to deal with the possibility of a dog park area

Please see LEASH, A3

Leash *from page A1*

separately," Engebretson said.

Gina Fournier, who lobbied council against the leash-law proposal, is trying to bring opponents to Monday's council meeting.

"A leash law is not going to stop dogs that will bite," Fournier said. "Aggressive dogs are aggressive dogs and generally a result of irresponsible owners," who would ignore a leash law, she added.

Fournier is also pushing for a dog park.

Mayor Jack Kirksey favors changes in "reasonable control" and said he is not inclined to veto a leash law should the council vote for one.

But he thinks there is room for compromise.

"I'm still looking to see ways that it might be tempered or amended, and the discussion that might take place," the mayor said.

Kirksey, too, wants to study the creation of a dog park. He said he visited his son in the Denver area recently and was impressed by a large fenced dog park they visited.

"I think there are ways for pet owners to have them out," he said.

The council meeting starts at 8 p.m. Monday in the city hall auditorium.

The Livonia Observer
Thursday, November 29, 2001

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01 DEC -5 AM 8:53

Set, enforce leash law

As a dog lover, I applaud Jack Engebretson and Joe Laura for daring to change the useless Livonia dog "voice control" ordinance for in Livonia. The city reviewed the state leash law, which does not require leashes, yet failed to look around them at nearby communities, including Redford, which has a leash law in place. I am optimistic that other council members will show concern for Livonia citizens by mandating, and most importantly, enforcing a leash law.

It was suggested by the animal control officer present that I erred in not reporting that my dog was attacked by a loose dog who was "under voice control" while running at us and attacking my dog. Apparently I am at fault here, even though my dog and I were attacked. It was enlightening to learn also that residents should call when they see dog leaving feces on the ground, apparently we are expected to approach these loose dogs, check out their tags to identify them and call to make a report. I cannot believe officers would dedicate the time to search out the culprits either. I'd like to believe my tax dollars are spent more wisely. However, if dogs are actually on a leash outdoors with the owner on the other end, instead of being allowed to roam under the guise of "voice control," perhaps it will lessen. Conversely at the meeting tonight, another resident who made such a call to the animal control department, in response to a pit bull attack, was told by the animal control officer that the dog was "under voice control" at the time.

Barb Iovan
Livonia

LETTERS

Leash law: It's already covered

In response to Matt Jachman Oct. 11 column regarding off-leash dogs and "reasonable control," I disagree with his contention that "adopting some type of leash law is a no-brainer."

The solution to the problem Mr. Jachman described is simple. Encounter a dog out walking itself? Report that particular dog and dog owner, especially if an incident occurs, to prevent future incidents. This is a true no no-brainer, and no additional laws are needed.

Mr. Jachman's undue emphasis on "free-roaming dogs" failed to represent the majority of off-leash dogs in the area. My dog and I sometimes encounter other dog owners also out with their off-leash dogs, usually in Rotary Park. Contrary to Mr. Jachman's opinion, these dogs do not "pose too much of a threat to public safety." They are well cared for pets who walk and play safely, ideally in a group of their own kind, all under the control and watchful eyes of their owners. Furthermore, this is what responsible dog ownership looks like.

In his article, Mr. Jachman asked, "I should interrupt my workout to play with your crazy mutt, hoping it doesn't attach it's teeth to my right calf?" Is this really the best argument Mr. Jachman can come up with for enacting a leash law? Because we've already got this problem covered. Otherwise, joggers do not hold the right of way. If my dog and I should meet Mr. Jachman or any other jogger while we are out walking on neighborhood sidewalks, all parties should expect to stop or pause to negotiate our intersection – like we would do at a stop sign or yellow light.

In addition, should Mr. Jachman jog the trails at Rotary Park, there too he should expect to stop or at least slow down, especially when approaching other parties who may not be aware of his presence. When I see a jogger, I am able to better control my dog. However, when a jogger runs up from behind, we are both caught off guard.

Mr. Jachman wants a response from my dog "instantly," but isn't that asking more than we ask of children? Give the dog and I a second or two to adjust. After we both say "hi!" we'll step aside to let you pass. Do we really need laws to mandate good manners and common sense?

Livonia doesn't need a leash law. It needs more open spaces and a few more open minds. Royal Oak has successfully established off-leash dog areas in its city parks. Livonia should too.

Gina Fournier
Livonia

Raising issues helped

Although the goal is winning and failed campaigns are often orphaned, I take great satisfaction renewing old friendships, making new friends and airing vital Livonia questions. The issues of efficiency, competence, flawed priorities and Livonia's dwindling industrial/commercial tax base were the basis of this honest, forthright, "straight talk" campaign.

We exposed the failed effectiveness and waste in Livonia's Plymouth Road Development Authority. We addressed the flawed business plan of the Bentley Recreation issue, with it's proposed annual residential fee and $5.7 million overrun.

We addressed the misplaced council priorities during a "tight" budget, such as a million dollars added to the Greenmead "Blue House," while raising the employees health insurance co-pay, running aging fire equipment, overstaffing management and buying council laptop computers.

We informed Livonia residents that we now pay 61 percent of the property tax, because the business percentage has dropped to 39 percent in the past five years.

I also proposed a "business restoration act" to reverse the exodus which includes a five-year moratorium on new commercial zoning.

For the past four months, these issues were publicly aired at two League of Women Voters forums shown on cable Channel 12, with the Livonia Chamber of Commerce newsletter, public forums at the library, Wilson Acres Civic Association, Northwest Realtors and in the Observer Newspaper.

I am thankful for those who supported me. I hope you will not lose interest in these issues, and think of me as a knowledgeable Livonia resident, deeply concerned about our future.

Ron Mardiros
Livonia

Debt owed to vets

There was a request to establish a permanent memorial honoring those from the community who have given their lives in the service of their country. I don't understand why the art community of Livonia hasn't come up with a proper memorial.

I myself will be gone shortly; in about seven months, I will be going into the Air Force along with many friends who are going into the Air Force and other branches of service. If half of us don't come back, are you saying you won't honor our death? Will we be forgotten, have died in vain, only knowing in death we have somehow preserved our way of life? It just seems we as communities are in debt to those who fought and died for our country, and the least we can do is to put up a memorial. If we can't even do that it's just sad, and I feel that we as a community have let down our next-door neighbors, friends and family.

I hope that you will honor our fallen soldiers.

David J. Philbin
Livonia

The Livonia Observer
Thursday, November 15, 2001

LETTERS

City needs a dog park

I agree with the recent letter from Mark Kreutzfeld titled, "Don't Punish the Dogs." I too was annoyed to learn that the city council was proposing more leash laws on its residents. As an owner of two dogs that I periodically take on walks, I have come to the conclusion that there are two different mind sets when it comes to dogs – either you like or tolerate them or you don't. And if you don't then no amount of laws is going to change the way you feel about dogs living amongst us. Non-tolerant dog residents will always find something to complain about in regards to our four-legged friends. I know this because I follow the laws – I walk them on a leash, pick up their feces and try to be respectful of others property. Even so, I encounter negative comments and gestures from time-to-time when we're out walking. I ponder what I'm doing to bring on this kind of animosity and all I can figure is that my dogs are not cute and cuddly. While they are graduates of obedience school – they're large "mutts" that came from the Humane Society. They also need to be exercised. How will more laws help my situation?

A better solution would be for the mayor to designate a dog park in Livonia like several other Detroit suburbs have done including the soon-to-open dog park at Lyons Oak County Park. This way our dogs can run and play in a confined area and away from non-tolerant dog people. I encourage fellow Livonia dog owners to join me in asking the mayor to open a dog park in Livonia and discourage the city from implementing more laws that will not bring a resolution to this situation.

Marjorie Laport
Livonia

Enough dog laws

I see the discussion is alive on the editorial page of the Livonia O&E, most recently by a high schooler who had an "experience" with a dog and wants to translate it into a leash on every dog.

Our dog, placed in a group of preschoolers, is a great guardian and protector. When tired, she doesn't throw a tantrum but rather finds a piece of furniture to lay down behind. With a group of grade schoolers, Maggie will play and be the quietest of the bunch. Compared to teenagers, she's never sped down a dark residential street, done a "lawn job," trashed lawns with McDonald's bags, or left parks littered with beer cans and broken glass on a weekend.

One could conceivably make a stronger case for leashes on kids. The fact is, however, that individual kids are the responsibility of their parents, just as individual dogs are the responsibility of their owner. There are enough laws in place to assure the responsiveness of both parents and dog owner.

Joseph F. Derkowsk
Livonia

The Livonia Observer
Thursday, November 8, 2001

Leash law means safety

I am Ashlie Papp. I attend Stevenson High School. I am a junior at Stevenson. I wish to address you about the possible modification of the city's dog leash ordinance. I believe the law should be modified. In my experience as a Livonia resident, especially one that does not yet drive, not all dogs are trained and can be very dangerous. I believe that dogs should be able to run around and in other words be a dog, but that is why we have fenced yards.

The law has to be modified in order to ensure the peace of mind of all. Have you ever had some strange, wild looking dog run after you barking? People cannot run faster than dogs, as I found out the hard way. As I said I do not yet drive so, I have to walk everywhere. It is very frightening to be chased by what appears to be a wild animal. I was not injured, although I have no idea what could have happened if the dog's owner had not walked outside right then and called his animal in.

I understand that many dogs are well-trained, friendly animals. I am sorry that those dogs will also have to be on leashes. We cannot put some dogs on leashes and let "the good ones" run free, though. Therefore, I guess some dogs will have to be on a leash needlessly. People can also fence their yards in so that the dogs can run free on their own property. I wish there was some other solution than to put all dogs on leashes but that is all that can be done to ensure the safety of all.

Ashlie Papp
Livonia

The Livonia Observer
Thursday, October 25, 2001

Don't punish all dogs

The proposal to adopt a leash law in Livonia not only fails to address the issue at hand, but also it is an act that punishes the responsible majority for the actions of the irresponsible minority.

That loose dogs are at times a safety concern or at least an annoyance is indisputable. Either by owner neglect or just plain misfortune, dogs are sometimes found loose on our streets. In most cases, which are seldom reported, this occurs when a dog accidentally escapes from his dwelling and is found wandering the streets. Fortunately, most often the dog is returned to a relieved owner before any incident transpires.

Irresponsible or selfish dog owners do allow their pets to soil the property of others and become menacing to people and other pets. At times, I have found dog feces on my front lawn. I don't like it and I wish every dog owner would have the decency to clean up his/her animal's waste. As a resident of Farmington Road, it's safe to assume that every dog in question was on a leash.

Dogs were domesticated over 5000 years ago and since then they have been trained and bred to perform specific tasks, such as guarding flocks, retrieving fallen prey, or herding livestock. Since Sept. 11, moreover, dogs worked endlessly searching for survivors in New York City and Washington, DC, after the devastating terrorist attacks. All this was accomplished without a leash. Dogs are the only entity on the face of the earth that is preconditioned to obey the commands of their owners and handlers. It is that eagerness to please that sets them apart from everything else in the animal kingdom, including the human race.

Dogs need exercise if they are to remain healthy and happy. To do this, they need to run unencumbered and freely off leash. Veterinarians and dog psychologists support this view universally.

A leash law is no answer to the issue of stray dogs or soiled property. There are already laws that prohibit such behavior and furthermore they are sufficient. Anyone who believes otherwise must be unfamiliar with our litigation driven society. As a responsible canine owner, I implore the council to reject this burdensome and needless proposal.

Mark Kreutzfeld
Livonia

LETTERS

Get input on leash law

I saw the article in the Sunday Observer, and I was shocked that the city council would act on one person's complaint about dogs not being on a leash.

I understand the man's concern, but I think that he needs to talk to that neighbor about the problem, not inconvenience the rest of us that have dogs that walk without a leash and do not have a problem in their neighborhood. (I do take their leashes with me and if they do not listen to me, then I do put the leash on them.)

I also think that this should be voted on by the public, not by the city council just because one person complained about it.

I have never had a complaint nor do I complain if a person is walking their dog without a leash and picks up dog mess if there is any (but I do agree they should have the dog leashes with them in case there is a problem).

Also a person did mention a dog park (or more than one park) or let us walk dogs in the park with the stipulation that dog mess must be picked up.

I hope the council puts this on the back burner for a while before taking action and getting more input from the Livonia residents.

Joyce Kubrak
Livonia

The Livonia Observer - Thursday, October 11, 2001

Matt Jachman

Runners, walkers shouldn't be hounded by uncontrolled dogs

"He won't hurt you."

As a runner, I've heard those words, or variations of them, more times than I can recall. They usually come from someone whose dog is nipping at my heels – or tangled up in my legs – as I plod along the sidewalks and streets.

He may not hurt me. I hope he doesn't hurt me.

But the problem is, I can't be sure. And, judging by the way he came charging across the street, or off of the porch, and is now bearing down like an enraged foxhound on the hunt, barking madly, it doesn't look too promising.

The owner's blasé attitude about the whole thing isn't reassuring.

Then there's the preface to "He won't hurt you," that I've heard about: "Just stop running."

Right. I should interrupt my workout to play with your crazy mutt, hoping it doesn't attach its teeth to my right calf?

Dog-lovers will say I don't understand the needs of their Fidos and Spots, but adopting some type of leash law is a no-brainer. "Reasonable control" has gone to, well, the dogs.

"Reasonable control" is the nickname of the current Livonia ordinance that requires dogs, in most circumstances, to be under voice command when out in public. It's a vestige of Livonia's roots as a rural community, when population was low and there was more space to let dogs run.

But, fantasize about the past as we might, Livonia is not that community. It's a bustling city of more than 100,000 – and a daytime population probably twice that – with some densely populated neighborhoods. Free-roaming dogs in public places pose too much of a threat to public safety.

Oh, sure, there are dogs that can be controlled by their masters' voices – professionally trained, probably, and regularly drilled.

But most household dogs just aren't that disciplined. And the master isn't always around. (Reasonable control would seem to require that someone actually be present to control the dog. The tyranny!)

I've yet to encounter a dog that was called off instantly on command. Even if that occurred, why should runners and walkers – including dog-walkers – have to put up with the extra stress?

Dog-lovers argue the problem lies with irresponsible owners, and that's true. But until we can guarantee 100-percent ownership responsibility, or stamp RDO ("responsible dog owner") on the foreheads of those who qualify, the uncertainty will remain.

(Speaking about responsibility, is there any way we can get those surprises that pooches leave for us, on sidewalks and in side yards, cleaned up? I know Livonia is the Paris of the Midwest, but this is too much. And in Paris, the streets and sidewalks are hosed down frequently.)

The city council is looking into adopting a leash law, and dog owners have already voiced their concerns, asking that some exceptions be made. I can live with that.

This is an issue the council should run with – and no yappers should be nipping at its heels.

But until it does, I'm keeping the pepper spray handy.

Matt Jachman is a reporter for the Livonia Observer. Despite the above wisecrack, in terms of cleanliness, if not soul and artistry, he prefers the sidewalks of Livonia to the paths along the Seine.

The Detroit News - Wednesday, October 10, 2001

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CITY COUNCIL OFFICE
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Livonia to start enforcing its ordinances

Crackdown covers everything from signs to trash to pets.

By Craig Garrett
The Detroit News

LIVONIA — America's eighth-safest city may not be so snug for dogs and bargain-hunters.

Livonia officials want to crack down on people who plant unauthorized garage-sale signs along city streets and dogs whose owners allow them to howl throughout the night.

Mayor Jack Kirksey said many of the ordinances that keep Livonia streets clean and quiet have been ignored for years. Recent complaints over barking dogs, unleashed pets, sign clutter and other nuisances have forced the city to revisit the ordinances, the mayor said.

The city will begin ticketing people who violate rules that prohibit unauthorized signs, owners of troublesome dogs and residents who place their trash to the curb well in advance of pickup times, he said.

"It's more of an appeal (for neighbors) to be more sensitive to one another," Kirksey said.

Livonia has problems with some people who like to bend the rules, Kirksey said.

On any given weekend, Kirksey said residents plunge hundreds of garage sale and charity event signs along Livonia's streets. Rules prohibit such signs unless a permit is granted, and the petitioner must agree to remove the sign after the event ends. Others allow their dogs to bark incessantly, disrupting quiet neighborhoods. And some residents walk their dogs without a leash, forcing homeowners and walkers to sidestep droppings.

Kirksey proposes sending ordinance officers across the city to warn violators and ticket those who ignore the rules. He also is asking the Livonia City Council to enact an ordinance that requires pet owners to leash their dogs while walking them.

Some had complained about dogs tearing into park trash containers and leaving behind "deposits," Kirksey said.

"Most do follow the letter of the law, but we do get a complaints about (yard) signs," council president Maureen Miller Brosnan said. "I'm glad the mayor is concerned."

Kirksey wants homeowners to bring their trash to the curb no more than a day before pickup times. He wanted to keep city streets from becoming "part-time alleys."

Resident Debbie Arnett agreed with the mayor's plans.

"I appreciate a city where these types of things don't happen," she said.

You can reach Craig Garrett at (313) 561-9646 or cgarrett@detnews.com.

Livonia's rules

- Signs in a city right of way are prohibited. Those with charity and garage-sale signs must have a city permit and council approval. Signs must be in specific locations.
- Dog owners who allow their pets to bark after repeated warnings risk a citation.
- Trash should be brought to the curb no sooner than 6 p.m. on the day before pickups.
- The city is considering forcing dog owners to leash their pets. Most neighboring communities have similar ordinances.

Should all dogs be on a leash?

■ Council members may begin to study replacing Livonia's 'reasonable control' ordinance for dogs.

BY MATT JACHMAN
STAFF WRITER
mjachman@oe.homecomm.net

Forget who let the dogs out. "Are they on a leash?" is the question Livonia officials may soon ask.

The City Council is expected on Wednesday to send to committee a resident's request that the city adopt a leash law. When off their owners' property, dogs are now required to be under "reasonable control," a rule that, critics say, is too vague.

"It's kind of hard to determine if the dog is under voice control," said Theresa Gleason, whose ex-husband made the request. She spoke to the council Monday as it took up the issue at its study session.

"It's very uncomfortable to be walking down the street and have a loose dog," said Barb Iovan, a dog-owner.

"I don't think there really is such a

Please see LEASH, A6

Leash *from page A1*

thing as voice control all the time," Iovan added.

The issue brought several dog-lovers to City Hall Monday night. None took a firm stand against a leash law, but some asked for a compromise that would leave dogs some room to roam.

"There should be an area where the dogs can run free," such as in parks, said Rebecca Franks.

"Certainly, there are areas that can accommodate dogs that are under voice control," said Gordon St. John.

Iovan also complained about the waste left by dogs that run loose; Franks, who lives near Devon Aire Park, said other types of waste, such as food wrappers and used condoms, pose more of a problem at the park.

"We've got a lot of things to clean up other than dog feces," she said.

And in-line skaters are more of a nuisance than the dogs that, shepherded by their owners, regularly exercise in the park, Franks said.

Franks and others blamed the owners for dogs that are threatening or improperly controlled.

"It's more or less the owners, not the dogs," she said.

But she said her own dog is kept on a leash when walking the sidewalks or in areas that are not as open as parks.

City attorney Sean Kavanagh said his office would favor changes to the reasonable control law.

"We agree that it does need to be updated," Kavanagh told the council. "It would be nice to have a more succinct, to-the-point ordinance."

Livonia's ordinance is more lenient than state law, which requires dogs to be on leashes outside their owners' property, Kavanagh said.

John Gleason, who made the request that the city adopt a leash law, did not attend Monday's meeting but had his ex-wife represent him.

Gleason wrote the council that a neighbor has two pit bulls that are sometimes allowed to run loose. He said he is fearful for the safety of his own dog, a miniature poodle, and the person walking the poodle – on a leash – should a pit bull be out at the same time.

Neighboring communities that have leash laws include Redford Township, Canton Township and Westland.

LETTER TO THE LIVONIA CITY COUNCIL

2.

Council Office
April 27, 2023

MEETING DATE	PREPARED BY
LE051723/E060523	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject of the regulation of veterinary hospitals. (CR 294-14)

BACKGROUND DETAILS

At the Regular Meeting of October 6, 2014, on a motion by Toy, seconded by Meakin, and unanimously adopted, it was:
294-14 RESOLVED, that Council does hereby refer the subject of the regulation of veterinary hospitals to the Legislative Affairs Committee for its report and recommendation.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss subject matter as presented.

ATTACHMENTS

1. LE051723 LTC Regulations on Vet Hospitals (294-14)
2. R100614 Subject matter of the regulation of vet hospitals to LE - CR 294-14

APPROVED BY

Dr. Karen Wroblewski from Allen □ospital, 19066 Farmington Road, spoke about the different governmental bodies that oversee certain types of veterinary practices in the State of Michigan, kennels and groomers having none.

On a motion by Toy, seconded by Meakin, and unanimously adopted, it was:

ORDS – Liv Code of
Subject to regulation of veterinary hospitals.
(Refer to the Legislative Affairs Committee for its report and recommendation)

#294-14 RESOL□ED, that Council does hereby refer the subject of the regulation of veterinary hospitals to the Legislative Affairs Committee for its report and recommendation.

UNFINISHED BUSINESS AGENDA ITEMS (Regular Meeting of October 6, 2014)

Motion by: ***Toy***
Seconded by: ***Meakin***

ROLL CALL:
Ayes: ***Nash, Kritzman, Pastor, Meakin, Toy, Scheel, and Brosnan***

Nays: ***None***
Absent: ***None***

LETTER TO THE LIVONIA CITY COUNCIL

3.

Council Office
April 27, 2023

MEETING DATE	PREPARED BY
LE051723/R060523	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject of Sign Permit Application, Petition 2015-08-SN-04, submitted by Huron Sign Company, on behalf of the Livonia Family YMCA, requesting approval for a replacement ground sign with variable electronic message board at 14255 Stark Road. (CR 317-15)

BACKGROUND DETAILS

At the Regular meeting of October 19, 2015:
CR 317-15 RESOLVED, that having considered a communication from the City Planning Commission, dated September 4, 2015, which transmits its resolution #09-59-2015, adopted on September 1, 2015, with regard to a Sign Permit Application, Petition 2015-08-SN-04, submitted by Huron Sign Company, on behalf of the Livonia Family YMCA, requesting approval for a replacement ground sign with variable electronic message board for the recreational facility located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue (14255 Stark Road) in the Southeast 1/4 of Section 21, the Council does hereby refer this subject to the Legislative Affairs Committee for its report and recommendation.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss subject matter as submitted.

ATTACHMENTS

1. S092115 Subject matter of Pet 2015-08-SN-04 (Huron Sign Co - Livonia Family YMCA, 14255 Stark) CR 317-15

APPROVED BY

SIGN PERMIT APPS
Pet 2015-08-SN-04 (Huron Sign Company, on behalf of the Livonia Family YMCA) Request for a replacement ground sign with variable electronic message board for the recreational facility located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue (14255 Stark Road), Section 21. **(Refer to the Legislative Affairs Committee for its report and recommendation)**

#317-15 RESOLVED, that having considered a communication from the City Planning Commission, dated September 4, 2015, which transmits its resolution #09-59-2015, adopted on September 1, 2015, with regard to a Sign Permit Application, Petition 2015-08-SN-04, submitted by Huron Sign Company, on behalf of the Livonia Family YMCA, requesting approval for a replacement ground sign with variable electronic message board for the recreational facility located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue (14255 Stark Road) in the Southeast 1/4 of Section 21, the Council does hereby refer this subject to the Legislative Affairs Committee for its report and recommendation.

A roll call vote was taken on the foregoing resolutions with the following result:

AYES: Scheel, Nash, Kritzman, Pastor, Meakin, Toy and Brosnan

NAYS: None

CONSENT AGENDA ITEMS (Regular Meeting of October 19, 2015)

Motion by: ***Scheel***
Seconded by: ***Kritzman***

ROLL CALL:
Ayes: ***Scheel, Nash, Kritzman, Pastor, Meakin, Toy, and Brosnan***

Nays: ***None***
Absent: ***None***

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD OCTOBER 5, 2015

Meeting was called to order at 8:00 p.m. by President Brosnan. Present: Lynda Scheel, Susan Nash, Brandon Kritzman, Brian Meakin, Laura Toy, and Maureen Miller Brosnan. Absent: John Pastor.

Elected and appointed officials present: Todd Zilincik, City Engineer; Mark Taormina, Director of Planning & Economic Development; Don Knapp, City Attorney; Judy Priebe, Director of Legislative Affairs; Susan Hoff, City Clerk; and Mayor Jack Kirksey.

8. SIGN PERMIT APPLICATION: Planning Commission, re: Petition 2015-08-SN-04 submitted by Huron Sign Company, on behalf of the Livonia Family YMCA, for a replacement ground sign with variable electronic message board for the recreational facility located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue (14255 Stark Road) in the Southeast 1/4 of Section 21.

Bill Short, Huron Sign Company, Ypsilanti, Michigan. He said they're making all of the signs. There are ten Metro Detroit YMCA's. They're doing all of those. It's been kind of an interesting experience for him because he really hadn't had much contact with the YMCA as he grew up. There wasn't any in his town. But in going around to every one of the ten over the last couple months, he's been just completely astonished about the kind of vibrance and beehive of activities that they are, and also the appreciation by their host communities. The YMCA's are non-profits. They are always looking for ways to increase membership and participation, and the electronic signs have proven to be an economical way to get the word out to the public about their programs and events, such as open enrollment, daycare availability, yoga classes, swimming classes, on and on. All ten are getting new signs because there's a rebranding program nationwide which has been going on for a couple of years with the YMCA USA. This sign kind of represents a conformance or an extension of that rebranding process. He mentioned too that the sign, the graphics are the only things that light up. The background is opaque and it is dark at night. Many of these YMCA's are in R-zoned properties. This particular property is ten acres. It's truly an exceptional situation in the City of Livonia and the neighborhood is pretty exceptional too. At night, softball is going on and ice skating and picnics and whatever. So it's really an interesting situation. He also mentioned they have downsized their original request after hearing the recommendations of the Planning Commission to obtain approval.

Mark Taormina, Director of Planning and Economic Development, said Livonia Family Y is seeking approval to replace the facility's main identification ground

sign with a new monument sign that incorporates a variable electronic message board. The subject site is located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue, and is zoned R-2, One Family Residential. Signage for this type of use is regulated pursuant to Section 18.50E of the Zoning Ordinance. Privately owned and operated community buildings in a single family zoning district are permitted one (1) identification sign not to exceed six (6) square feet in sign area and if erected as a ground sign, shall not exceed four feet (4') in height and have a minimum setback of twenty feet (20') from any right-of-way line. The existing sign measures fifty-six (56) square feet in area and is four feet eight inches (4 ' 8") in height. It is located between the building and Stark Road, adjacent to the northeast corner of the building, and set back approximately thirty feet (30') back from the sidewalk. The original proposed replacement sign measured seventy-one (71) square feet in area, but that has been reduced to approximately 36 square feet. The petitioner has agreed to move it back to a 20 foot setback. The proposed sign does include a variable electronic message board. Variable electronic message boards are not allowed in an R-2 district. The Planning Commission is recommending approval of the reduced sized sign. It would be subject to final approval from the Zoning Board of Appeals.

Vice President Meakin offered the resolution referring this matter to the Legislative Affairs Committee for its Report and Recommendation for the Consent Agenda.

Nash asked if they discussed hours that sign would be allowed on. Taormina said it was discussed but nothing was specified.

Toy said the Legislative Affairs Committee will be meeting on October 13, 2015 and could add this item to that meeting if need be.

DIRECTION:	REFER MATTER TO LEGISLATIVE AFFAIRS COMMITTEE FOR ITS REPORT & RECOMMENDATION	CONSENT

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD SEPTEMBER 21, 2015

Meeting was called to order at 8:38 p.m. by President Brosnan. Present: Laura Toy, Lynda Scheel, Susan Nash, Brandon Kritzman, John Pastor, Brian Meakin, and Maureen Miller Brosnan. Absent: None.

Elected and appointed officials present: Rick Grodek, Civil Engineer II; Mark Taormina, Director of Planning & Economic Development; Don Knapp, City Attorney; Judy Priebe, Director of Legislative Affairs; Susan Hoff, City Clerk; and Mayor Jack Kirksey.

12. SIGN PERMIT APPLICATION: Planning Commission, re: Petition 2015-08-SN-04 submitted by Huron Sign Company, on behalf of the Livonia Family YMCA, for a replacement ground sign with variable electronic message board for the recreational facility located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue (14255 Stark Road) in the Southeast 1/4 of Section 21.

    Mark Taormina, Director of Planning and Economic Development, was prepared to present the request; however, the petitioner was not present to answer any questions from the Council.

    At the direction of the Chair, this Item was moved to the next Study meeting scheduled for October 5, 2015, so the petitioner may appear before Council to address their request.

    Kritzman said this request is for a variable electronic message board. He said it is a residential area and close in proximity to parks and schools and senior housing. He feels it is important that petitioner be present to answer any questions from Council or the public.

    DIRECTION: MOVED TO NEXT STUDY MTG CONSENT

PLANNING COMMISSION

R. LEE MORROW, Chairman
IAN WILSHAW, Vice Chairman
CAROL A. SMILEY, Secretary

SCOTT BAHR
KATHLEEN E. McINTYRE
GERALD TAYLOR

JACK KIRKSEY
MAYOR

MARK TAORMINA
PLANNING & ECONOMIC
DEVELOPMENT DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2290 Fax (734) 466-2108

September 4, 2015

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2015-08-SN-04 - Huron Sign Company, on behalf of the Livonia Family YMCA

Dear Council Members:

At the 1,075th Public Hearings and Regular Meeting held by the City Planning Commission on September 1, 2015, in the Livonia City Hall, the following resolution was unanimously adopted:

#09-59-2015 **RESOLVED**, that the City Planning Commission does hereby recommend to the City Council that Petition 2015-08-SN-04 submitted by Huron Sign Company, on behalf of the Livonia Family YMCA requesting approval of a replacement ground sign with variable electronic message board for the recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast 1/4 of Section 21, be approved subject to the following conditions:

1. That the ground sign shall be installed in accordance with the Sign Plan submitted by Huron Sign Company, as received by the Planning Commission on September 1, 2015;

2. That this approval is subject to the petitioner being granted a variance from the Zoning Board of Appeals for excess signage and the inclusion of a variable electronic message board as illustrated on the above-referenced Sign Plan and any conditions related thereto; and

3. That any additional signage shall come back before the Planning Commission and City Council for their review and approval.

Very truly yours,

APPROVED FOR SUBMISSION

Jack Kirksey, Mayor

CITY PLANNING COMMISSION

Carol A. Smiley, Secretary

cc: Mayor, Clerk, Law, Inspection, Zoning Board of Appeals
YMCA of Metropolitan Detroit, 1401 Broadway, Detroit, MI 48226
Bill Short, Huron Sign Company, 663 S. Mansfield Street, Ypsilanti, MI 48197

ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF FEBRUARY 9, 2000

#112-00 RESOLVED, that having considered a communication from the City Planning Commission, dated January 13, 2000, which transmits its resolution 01-01-2000 adopted on January 11, 2000, with regard to **Petition 99-11-8-29 submitted by DeMattia Associates, on behalf of the Livonia YMCA**, requesting site plan approval in connection with a proposal to construct an addition to the facility located at 14255 Stark Road in the Southeast 1/4 of Section 21, pursuant to the provisions set forth in Section 18.58 of Ordinance No. 543, as amended, the Council does hereby concur in the recommendation of the Planning Commission and Petition 99-11-8-29 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan marked Sheet A-1, prepared by DeMattia Associates, dated December 15, 1999, as revised, is hereby approved and shall be adhered to;

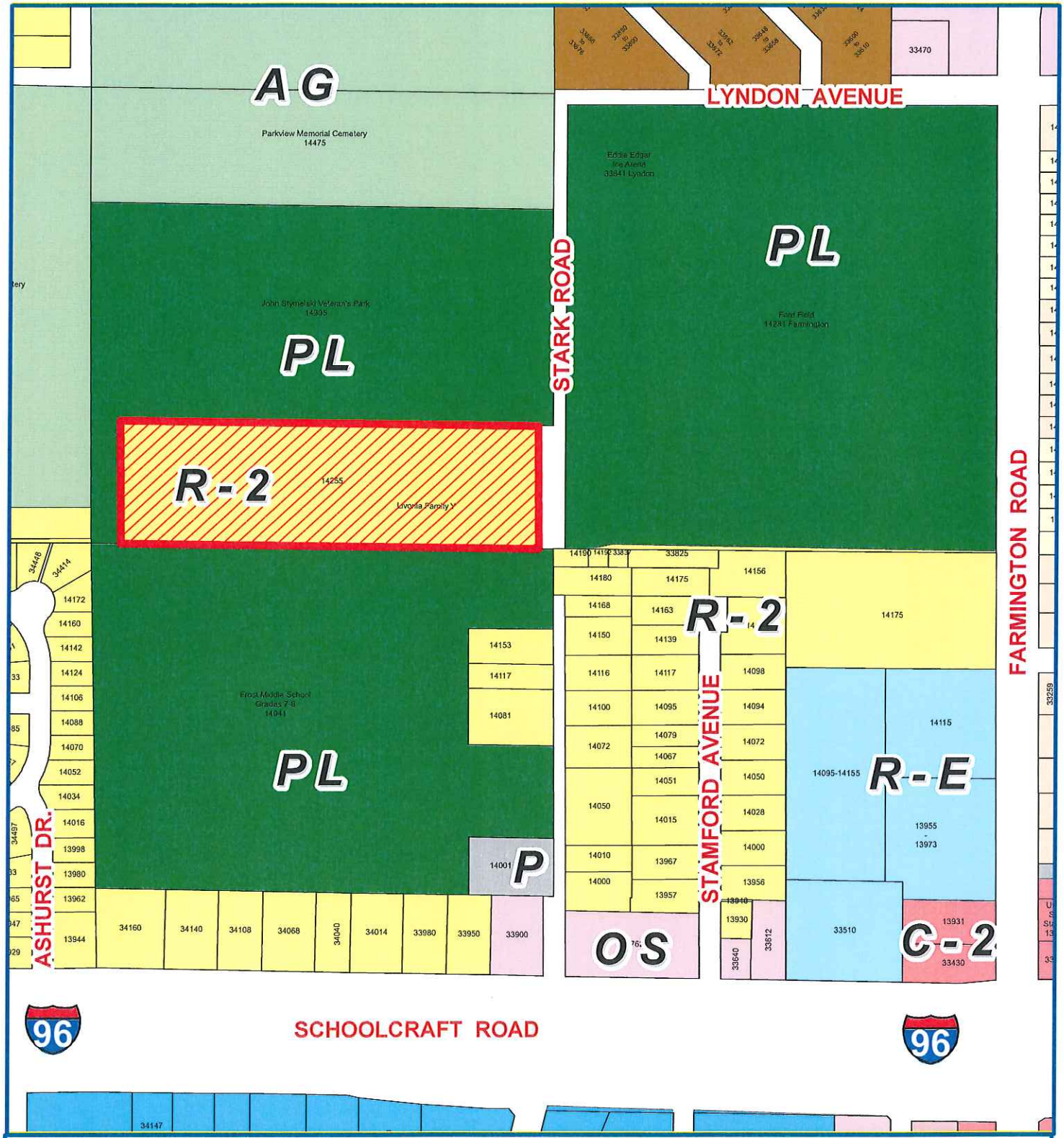
2. That all disturbed lawn areas shall be sodded in lieu of hydroseeding;

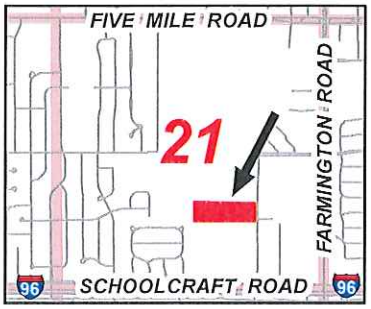
3. That the Exterior Building Elevation Plan marked Sheet A-3, prepared by DeMattia Associates, dated December 15, 1999, as revised, is hereby approved and shall be adhered;

4. That all approvals are based on the petitioner providing the City of Livonia with an agreement for shared parking between the YMCA and Frost School;

5. That the parking area designated in the agreement shall be resealed and double striped; and

6. That no signs, either freestanding or wall mounted, are approved with this petition; all such signage shall be separately submitted for review and approval by the Planning Commission and City Council.





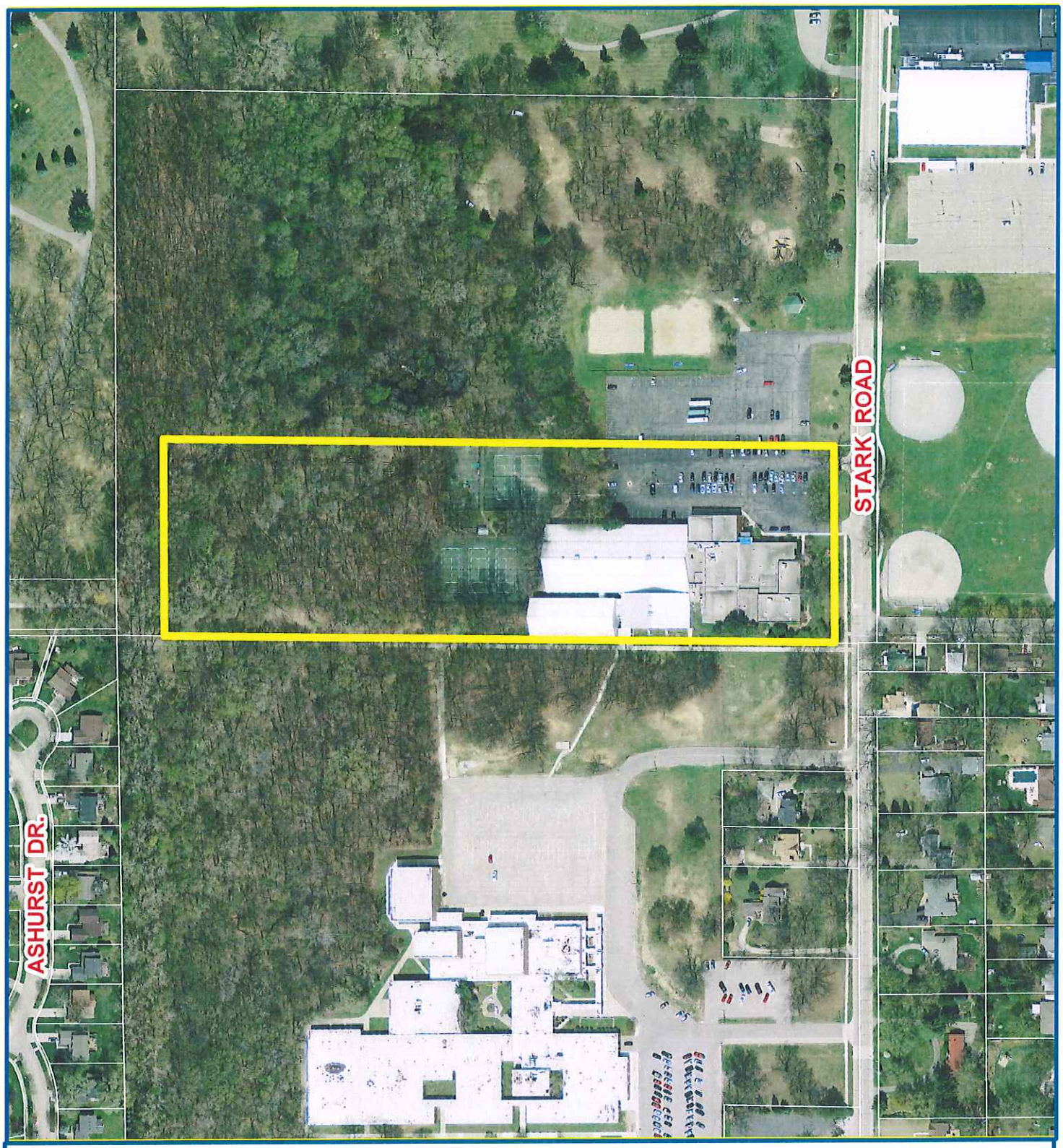
Address & Zoning Map

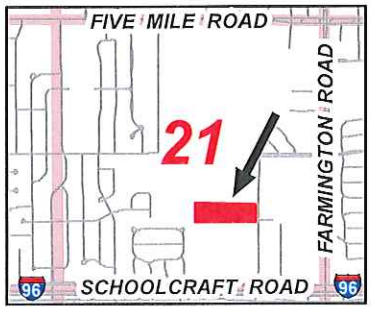
Petition 2015-08-SN-04
Livonia Family YMCA
14255 Stark Road
Ground Sign

N

Not to Scale

City of Livonia
Planning Department





Aerial Map

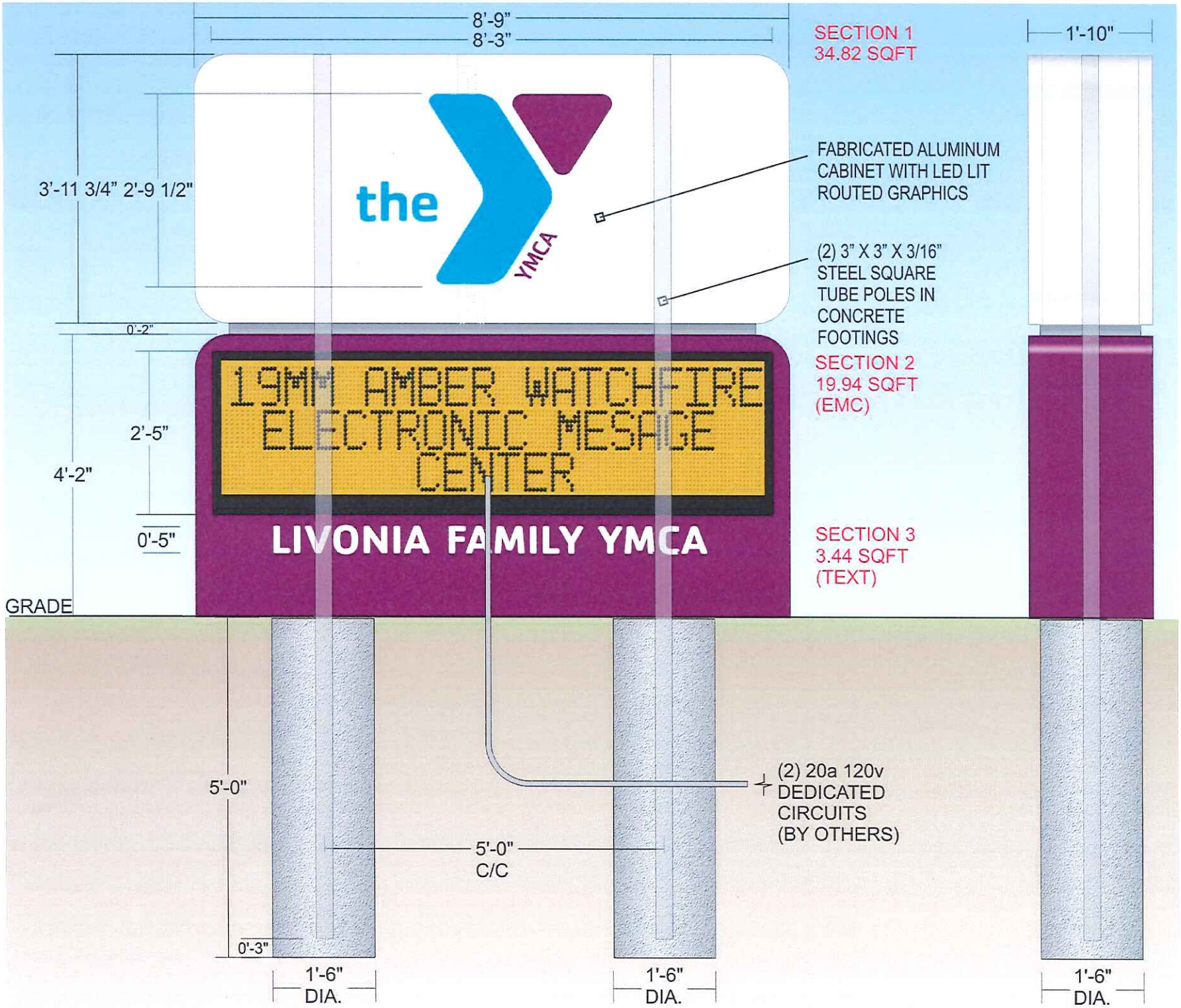
Petition 2015-08-SN-04
Livonia Family YMCA
14255 Stark Road
Ground Sign

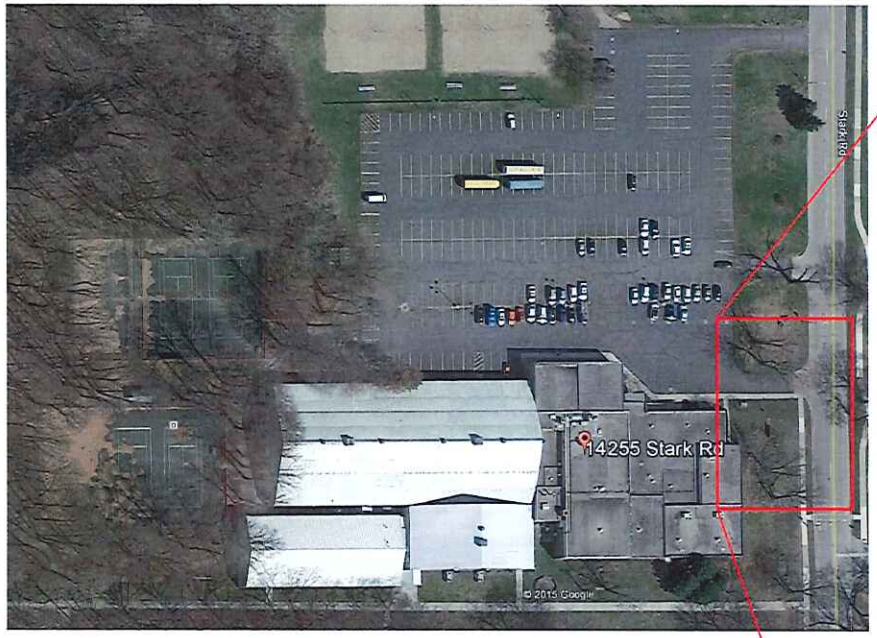
N

Not to Scale

City of Livonia
Planning Department

12'-0"
LIVONIA
FAMILY
4'-8"


8'-9"
8'-3"
SECTION 1
34.82 SQFT
1'-10"
3'-11 3/4"
2'-9 1/2"
the
YMCA
FABRICATED ALUMINUM CABINET WITH LED LIT ROUTED GRAPHICS
(2) 3" X 3" X 3/16" STEEL SQUARE TUBE POLES IN CONCRETE FOOTINGS
0'-2"
19MM AMBER WATCHFIRE
ELECTRONIC MESAGE
CENTER
SECTION 2
19.94 SQFT
(EMC)
2'-5"
4'-2"
0'-5"
LIVONIA FAMILY YMCA
SECTION 3
3.44 SQFT
(TEXT)
GRADE
5'-0"
(2) 20a 120v DEDICATED CIRCUITS (BY OTHERS)
5'-0"
C/C
0'-3"
1'-6"
DIA.
1'-6"
DIA.
1'-6"
DIA.


14255 Stark Rd
Stark Rd
© 2015 Google

EXISTING SIGN TO BE REMOVED
15'-0"
PROPOSED SIGN

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR SIGNAGE APPROVAL

All applications for Signage Approval shall be filed with the City Planning Commission, 33000 Civic Center Drive, Livonia, MI 48154-3097. **Filing fee of $50.00.**

Date Filed: 8/ Petition # 2015-08-SN-04

Site Address: 14255 STARK Sidwell # 084 99 0003 000

Applicant: BILL SHORT Business/Company: HURON SIGN CO

Applicant's Address: 663 ~~S. MANSFIELD~~ S. MANSFIELD City: YPSILANTI State: MI Zip Code: 48197

Applicant's Phone # (734) 483-2000 x14 Applicant's Fax # (734) 483-5764

Contact Person: BILL SHORT Business/Company: HURON SIGN CO

Contact's Address: 663 S. MANSFIELD City: YPSILANTI State: MI Zip Code: 48197

Contact's Phone # (734) 483 2000 x14 Contact's Fax # (734) 483 5164

Please provide the following information:

1) proposal for **Wall Sign(s)** must show the following:
   - shape and dimensions of sign(s)
   - total square footage of sign area
   - method of illumination
   - elevation plan showing location of sign(s) on building

2) proposal for **Awning Sign(s)** must show the following:
   - shape and dimensions of sign(s)
   - total square footage of sign area
   - method of illumination (only sign area is permitted to be back-lit)
   - elevation plan showing location of sign(s) and awning(s) on building

3) proposal to erect a **Ground Sign** must show the following:
   - shape and dimensions of sign
   - total square footage of sign area
   - height of sign (measured from the surface grade of the land)
   - method of illumination
   - site plan depicting sign's location and setback from any right-of-way line

4) One (1) set of reduced plans, a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us

5) One (1) completed application form & **twenty (20) sets of full size drawings**

You are invited and encouraged to review your proposal with the Planning Department staff subsequent to the filing of this application. Only one set of preliminary drawings will be necessary for this analysis.

PAID
AUG 14 2015
TREASURER'S OFFICE
CITY OF LIVONIA

Owner of Property: YMCA of Metropolitan Detroit

Owner's Address: 1401 Broadway City: Detroit State: MI Zip Code: 48226

Owner's Phone # (313) 267 5300 Owner's Fax # (313) 267 5321

Signature of Owner: Print Name: Scott Landry

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 4

Petition 2015-08-SN-04 submitted by Huron Sign Company, on behalf of the Livonia Family YMCA, requesting approval of a replacement ground sign with variable electronic message board for the recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21.

August 25, 2015 Study Meeting:

Livonia Family Y is seeking approval to replace the facility's main identification ground sign with a new monument sign that incorporates a variable electronic message board. The subject site is located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue, and is zoned R-2, One Family Residential.

Signage for this type of use is regulated pursuant to Section 18.50E of the Zoning Ordinance. Privately owned and operated community buildings in a single family zoning district are permitted one (1) identification sign not to exceed six (6) square feet in sign area and if erected as a ground sign, shall not exceed four feet (4') in height and have a minimum setback of twenty feet (20') from any right-of-way line.

On February 9, 2000, this site received site plan approval to construct an addition to the Livonia Family YMCA. As part of the approval it was conditioned:

> That no signs, either freestanding or wall mounted, are approved with this petition; all such signage shall be separately submitted for review and approval by the Planning Commission and City Council.

The existing sign measures fifty-six (56) square feet in area and is four feet eight inches (4'-8") in height. It is located between the building and Stark Road, adjacent to the northeast corner of the building, and set back approximately thirty feet (30') back from the sidewalk.

The proposed replacement sign measures seventy-one (71) square feet in area, which is an increase of fifteen (15) square feet, or approximately 27%, over the existing sign. The overall height of the new sign would be eight feet one inch (8'-1"). The variable electronic message board essentially makes up the lower half of the sign, and measures two feet five inches (2'-5") in height by eight feet three inches (8'-3") in length for a total area of approximately twenty (20) square feet. Variable electronic message boards are not allowed in an R-2 district. The proposed sign would be installed in the same general location as the existing ground sign; however, it would be closer to the street. The new sign is shown having a setback of fifteen feet (15') from the sidewalk, and rather than being oriented parallel to Stark Road, it would be perpendicular to the street. Because the proposed sign is in excess of what the ordinance allows in terms of area and height limitations, contains a deficient setback from the adjacent public thoroughfare, and

contains a variable electronic message board where none is permitted, final approval will require that variances be granted from the Zoning Board of Appeals.

Provided below is the language of Section 18.50H(o) of the Zoning Ordinance regulating electronic message signs in commercial zoning districts. In general, the rules will allow, when all other signs on the premises are brought into conformity, one-half (½) of the area of an otherwise permitted monument sign to be in the form of a variable electronic message sign. Each message/image must remain static for a period of not less than five (5) seconds, and the time interval between messages cannot exceed one (1) second, which must occur over the entire face of the sign.

Section 18.50H(o)

1. Any ground sign permitted under this Section 18.50H which (i) conforms to the terms of this Ordinance, and (ii) pertains to a business, business center, and/or regional center as to which all other signage of whatever type also conforms to this Ordinance, may include a variable electronic message sign covering not more than fifty (50) percent of the area of the ground sign, provided that each individual message on the sign shall remain in place for a minimum of five (5) seconds, any change of message is accomplished within one (1) second, and any change shall occur simultaneously over the entire face of the variable electronic message sign. Signs which constitute Nonconforming Uses under Section 18.17 of this Ordinance, or as to which variance(s) has/have been granted for sign size, height, location, or number, must be eliminated or brought into conformity with all currently applicable ordinance limits prior to the issuance of a variable electronic message sign permit for the business, business center, and/or regional center to which such nonconforming sign(s) pertain(s).
2. No such sign may be oriented to face any residentially zoned property.
3. The intensity of the display on any variable electronic message sign shall not exceed the levels specified in the chart below:

INTENSITY LEVEL (NITS)		
COLOR	DAYTIME	NIGHTTIME
Red Only	3,150	1,125
Green Only	6,300	2,250
Amber Only	4,690	1,675
Full Color	7,000	2,500

Prior to the issuance of a permit for a variable electronic message sign, applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in the chart above, and the intensity level is protected from end-user manipulation by password-protected software or other method deemed appropriate by the Department. The characters on any variable electronic message sign must be lighted against a darker or less luminous background.

4. The sign owner shall provide on the application for a permit for a variable electronic message sign contact information for a person who is available to be contacted at any time and who is able to turn off the variable electronic message sign promptly after a malfunction occurs. If the Department finds that a variable electronic message sign has malfunctioned, the owner of the sign, within twenty-four (24) hours of a request by the Department, shall correct the malfunction or power off the sign.

Variable electronic message signs which do not comply with all of the provisions of this subsection (o) shall not be permitted in any zoning district in the City.

September 1, 2015 Regular Meeting:

At the August 25th study session, the Planning Commission felt the proposed ground sign was too large. It was pointed out that variable electronic message boards on commercial signs are only permitted to be fifteen (15) square feet in area. It was suggested the area and height of the sign be reduced.

Approving Resolution: That this request for a replacement ground sign for the Livonia Family YMCA at 14255 Stark Road is hereby approved, subject to City Council approval and the following conditions:

1. That the ground sign shall be installed in accordance with the Sign Plan submitted by Harmon Sign, as received by the Planning Commission on August 14, 2015, **except for the fact the total area of the sign, including a fifteen (15) variable electronic message board, shall not exceed forty (40) square feet, and the height of the sign shall not exceed six feet (6')**;

2. That this approval is subject to the petitioner being granted a variance from the Zoning Board of Appeals for excess signage and variable electronic message board and any conditions related thereto; and

3. That any additional signage shall come back before the Planning Commission and City Council for their review and approval.

Denying Resolution: That this request for a replacement ground sign for the Livonia Family YMCA at 14255 Stark Road is denied for the following reasons:

1. That the applicant has failed to comply with all the requirements outlined in Section 18.50H of the Zoning Ordinance;

2. That the sign is in in excess of what the ordinance allows in terms of area and height limitations, would be deficient in setback from the adjacent public thoroughfare, and contains a variable electronic message board where none is permitted;

3. That the applicant has not justified the need for a replacement ground sign of this type, size and location, which is contrary to what the Zoning Ordinance allows for this use; and

4. That approving this signage request would set an undesirable precedent for the area and would not be aesthetically in the City's best interest.

MINUTES OF THE 1,075TH PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, September 1, 2015, the City Planning Commission of the City of Livonia held its 1,075th Public Hearings and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Lee Morrow, Chairman, called the meeting to order at 7:00 p.m.

Members present:	Scott P. Bahr	Kathleen McIntyre	R. Lee Morrow
	Carol A. Smiley	Gerald Taylor	

Members absent: Ian Wilshaw

Mr. Mark Taormina, Planning Director, and Ms. Margie Watson, Program Supervisor, were also present.

Chairman Morrow informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #4 PETITION 2015-08-SN-04 LIVONIA YMCA

Ms. Smiley, Secretary, announced the next item on the agenda, Petition 2015-08-SN-04 submitted by Huron Sign Company, on behalf of the Livonia Family YMCA requesting approval of a replacement ground sign with variable electronic message board for the recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast 1/4 of Section 21.

Mr. Taormina: This is a request for a replacement ground sign for the Livonia YMCA on Stark Road. The zoning of this property is R-2, One Family Residential. Privately owned and operated community buildings located in any residential district are restricted to a single identification sign not to exceed 6 square feet, and if erected as a ground sign, shall not exceed 4 feet in height and shall be setback at least 20 feet from the right-of-way. The YMCA currently has a monument sign. The sign has been on the site now for a number of years. It totals 56 square feet altogether, is 4'8" in height and is setback roughly 30 feet from the right-of-way. Unfortunately, we don't have any history relative to the existing sign, and whether it received approval from the Zoning Board of Appeals. It obviously exceeds what the ordinance provides for this type of use. To replace this sign with anything that is of equal size or even larger, as proposed, is going to have to go the Zoning Board of Appeals for approval. The proposed replacement sign is roughly 71 square feet in size. Bear in mind when you look at this plan, the ground level is that line just above the posts. The posts on the lower part of the drawing represent the foundation for the sign and those are below grade. The sign, as I indicated, is 71 square feet in total size, representing an increase of about 15 square feet or 27 percent over the existing sign. Its height is 8'1". Certainly it's taller and larger. Part of the reason for this is the fact that the lower half of the sign includes a variable electronic message board which measures roughly 2.5 feet in height by 8'3" in length for a total area of 20 square feet. I'll just mention too that variable electronic message boards are not allowed in residential zones regardless of the use. The proposed sign would be installed in the same general location as the existing ground sign. However, it would be slightly closer to the street. It would be 15 feet versus 30 feet from the sidewalk. The sign is in excess of the area and height limitations, and because it also has a deficient setback from the adjacent public thoroughfare, and it contains a variable electronic message board where none is permitted, it would require Zoning Board of Appeals approval. Mr. Chairman, there is no correspondence.

Mr. Morrow: By ordinance, what is the required setback?

Mr. Taormina: The setback requirement is 20 feet from the right-of-way.

Mr. Morrow: And they are at 15 feet?

Mr. Taormina: They are showing the new sign at 15 feet. That is correct. This plan shows the proposed sign oriented in an east-west direction perpendicular to the roadway as opposed to the existing sign

which is setback slightly further and is oriented parallel to the street.

Mr. Morrow: Any questions of the Planning Director?

Mr. Bahr: Mark, what is the square footage limit according to the ordinance for a sign like this?

Mr. Taormina: Only six square feet and that applies to privately owned and operated community buildings.

Mr. Bahr: I saw that and I just wanted to double check because you also say "shall not exceed 4 feet in height." I'm imagining a 4 foot high sign at 6 square feet. So that is correct?

Mr. Taormina: That is correct, and apparently we were unable to locate any information regarding past approvals for that sign.

Mr. Bahr: So whatever sign they have is going to need a variance.

Ms. McIntyre: Through the Chair to Mark. A question on clarification of Section 18.50H(o). About two thirds of the way down, *"Signs which constitute Nonconforming Uses under Section 18.17 of this Ordinance, or as to which variance(s) has/have been granted for sign size, height, location, or number, must be eliminated or brought into conformity with all currently applicable ordinance limits prior to the issuance of a variable electronic message sign permit for the business."* Does that mean that all the other signs, or does that mean that the sign that the electronic message is going to be on has to be conforming? I'm confused by this language.

Mr. Taormina: I can understand why you're confused. Number one, we provided you with that language just to give you a point of reference with how we regulate variance electronic message boards in other zoning districts. Bear in mind, this type of sign is not allowed in this particular district, but in those districts where it is allowed, which are principally commercial districts, a business is only allowed to have one of these signs where all other signage on the site is in conformance with the ordinance.

Ms. McIntyre: Got it. So this is kind of like a double waiver kind of deal.

Mr. Taormina: Well, yes, and we have had commercial businesses that go before the Zoning Board of Appeals saying they'd still like to have a variable electronic message board, with compelling reasons why they can't bring all the signage into conformity.

Ms. McIntyre: So I think you just really honed in on my question, which I didn't ask well. So the Zoning Board of Appeals can still grant a variance, kind of superseding Section 18.50H(o)?

Mr. Taormina: It's all subject to the Zoning Board of Appeals. That's correct.

Ms. McIntyre: Thank you.

Mr. Taormina: The reason this is before you is, there was an addition constructed to the YMCA back in 2000. With the approval of that addition, there was a condition that effectively said any signage has to come back before the Planning Commission and City Council for approval. That is what triggered tonight's review of this. It still has to go to Council. It still has to go to the Zoning Board of Appeals regardless of what sign is approved.

Mr. Morrow: Any other questions? Is the petitioner here this evening? We will need your name and address for the record please.

Bill Short, Huron Sign Company, 663 S. Mansfield Street, Ypsilanti, Michigan 48197.

Mr. Morrow: Thank you. Is there anything you'd like to add to what you've heard so far?

Mr. Short: Just a few comments I guess. My company is Huron Sign Company and we're making all of the signs. There are ten Metro Detroit YMCA's. We're doing all of those. It's been kind of an interesting experience for me because I really hadn't had much contact with the YMCA as I grew up. There was none in my town. But in going around to every one of the ten over the last couple months, I've been just completely astonished about the kind of vibrance and beehive of activities that they are, and also the appreciation by their host communities. The YMCA's are non-profits. They are always looking for ways to increase membership and participation, and the electronic signs have proven to be an economical way to get the word out to the public about their programs and events, such as open enrollment, daycare availability, yoga classes, swimming classes, on and on. All ten are getting new signs because there's a rebranding program nationwide which has been going on for a couple of years with the YMCA USA. This sign kind of represents a conformance or an extension of that rebranding process. I might mention too that the sign, the graphics are the only things that light up. The background is opaque and it is dark at night. Many of these YMCA's, and I don't understand why, but many of them are in R-zoned properties. This particular property is ten acres. It's truly an exceptional situation in the

City of Livonia and the neighborhood is pretty exceptional too. At night, softball is going on and ice skating and picnics and whatever. So it's really an interesting situation. I guess that's really all I have to say. I also realized, I might mention too, that I got kind of a heads up from Planning that you thought the sign was too big and I guess I understand. I also understand that I have to come away from here with some kind of an approval for us to move forward. So we've downsized our request if I can present it.

Mr. Morrow: Let me just ask one question. Before you designed the sign, did you visit our Sign Ordinance to see what was allowed?

Mr. Short: Yes.

Mr. Morrow: Because I counted at least three variances from our Sign Ordinance, setback, height, square foot and an electronic sign in a zoning district that's not permitted.

Mr. Short: I am aware of that. First of all, it's my mission to do this. It's part of my agreement with the Y to attempt to get their signs where they want them and the stature that they want them. I truly think that this is a great exception because of the size of land, the type of neighborhood.

Mr. Morrow: Ultimately, this is going to have to be approved by the Zoning Board of Appeals.

Mr. Short: I understand.

Mr. Morrow: In other words, for lack of a better way to say it, the Planning Commission initiates all petitions and it's sometimes very difficult, particularly with a number of variances to our ordinance, to approve them. But this is only your first stop and I don't know how the rest of the Commission feels. We'll find that out before the night is over. Let me see if there are any questions.

Mr. Taylor: I could understand if you wanted to put this larger sign on a mile road, but this is Stark Road. There's not that much traffic and it's slow traffic that goes down there. So I wish you would just get more realistic on the size of the sign. I can understand why everybody wants these electronic signs now. It's good advertising, but we've got to get more realistic on the size and the setback in order to make it work. Thank you.

Ms. Smiley: Are you telling us that this is a sign that is at all ten communities where you're putting up the new sign?

Mr. Short: Oh, no. There are four proposed like this, and frankly none have been approved yet, except Farmington Hills.

Ms. Smiley: I would repeat what Commissioner Taylor said. I think it's 25 or 30 miles an hour on that street, so they definitely have time to read anything without it flashing. There's also homes across the street. I understand why you need to change it because it was like flush up against the building which I never really understood. I mean if anything, it should be perpendicular as opposed to parallel. But there are homes in there. Unless I was going to the Y, there would be no reason for me to ever be on Stark Road. I'm past where I have junior high kids. There's a junior high there, but I find it to be a lot. In fact, way too much, but we'll look at your new dimensions. Thank you.

Mr. Morrow: The sign that was passed out. What is the square footage of this one?

Mr. Short: It depends on how you measure it, but keeping in mind that just the Y in the YMCA, you have a seven by . . .

Mr. Morrow: So this is 36 square feet?

Mr. Short: Yes. It's computed there. Sure.

Mr. Morrow: So that's roughly half the size of the one that you presented initially.

Mr. Short: Yes.

Mr. Morrow: Does the setback remain at 15 feet?

Mr. Short: We're certainly . . . if 20 is what you allow, maybe we could at least get rid of one variance.

Mr. Morrow: Twenty feet is the allowable setback. That would remove one variance if you go 20 feet.

Mr. Short: Well, if that helps, I'll do it.

Mr. Morrow: Then of course being in a residential zoning district. It looks like you've come a long way. You've cut it in half. Does the Commission have any questions on the sign that he just presented? Any comments?

Ms. McIntyre: I think this is a much more reasonable sign, and looking at the facts and we understand we don't know if this was ever really

approved – that's close to a 60 foot sign, right – 5 feet by 12 feet? I'm very comfortable with this new configuration.

Mr. Morrow: Also, just looking at my notes here, I see that this 36.24 square feet is actually quite a bit smaller than the existing sign, which if my notes are correct, the current one is 56 square feet. Is that what you said, Mark?

Mr. Taormina: Correct.

Mr. Morrow: So he's dropped the size down. It's something a little more we can work with.

Mr. Bahr: I'm comfortable with this sign. This is a unique area over here where it's not a highly traveled road and it's technically a residential area, but residential homes are not across the street from this. It's not going to bother anybody. It's parks over there. There may not be a lot of traffic, but that's all the more reason why I guess I don't have an issue with them having an electronic sign like this. Stevenson High School has one. The Rec Center has one. A number of places have them, and this is going to be less intrusive on surrounding neighborhoods than what that was. So I think if we go with a 20 foot setback, there's no issue with this.

Mr. Morrow: Ultimately, it will still have to go to the Zoning Board of Appeals.

Mr. Bahr: There is legally an issue. I don't have an issue.

Mr. Morrow: We're trying to get it to something that maybe we can recommend.

Ms. McIntyre: Just one additional thing. I think the electronic signs, I'm not the biggest fans of them, but I think done well, they can actually look better than when you have a lot of temporary plastic signage up that say's "kid's day today." There's no way to put this in the language that the Y, instead of using those temporary plastic signs that don't look very good, would use this as the primary means of communicating their special events or community activities.

Mr. Short: I'll pass that along.

Mr. Taormina: Would this Commission like to discuss the times of operation of the variable electronic message board?

Mr. Morrow: Let's see. Do you have any idea of when this electronic message board would be running?

Mr. Short: Well, when I heard the gentleman before me being questioned that way, I called my contact at the Y. They open at 5:00 a.m. and close at 10:00 p.m. Monday through Friday; open at 5:00 a.m. and close at 6:00 p.m. on Saturday and Sunday. They'd like to have it on when they're open, but they're flexible. If you think it ought to be turned off before they close, they're flexible.

Mr. Morrow: So the hours they said at 5:00 in the morning until did you say 10:00 p.m.?

Mr. Short: Ten at night.

Ms. Smiley: Then Saturday and Sunday, 5:00 a.m. to 6:00 p.m.?

Mr. Short: Until 6:00 p.m. Yes.

Mr. Morrow: Okay. I'm glad you were listening and got on the phone.

Mr. Bahr: I guess I'll go through the Chair to Mark, but maybe somebody else can answer the question if Mark doesn't know it. A place like Stevenson High School or the Rec Center, did they have time limits on their signs?

Mr. Taormina: No, but those did not go through this type of approval.

Mr. Bahr: I understand, and I don't have a strong opinion either way. With my comments earlier, this being at a place that pretty much the people that are going to see the sign are the people going to the Y, I don't have a strong opinion either way. I don't think there's a burning need to put restrictions on the time.

Mr. Morrow: So what you're saying is the 5:00 a.m. to 10:00 p.m. . . .

Mr. Bahr: Five to 10:00 p.m. would be totally fine with me.

Mr. Morrow: And reductions on Saturday and Sunday.

Ms. Smiley: Five to 6:00 p.m.

Mr. Morrow: Schoolcraft and the public schools, they do their thing. We don't even see those. They just appear like magic.

Mr. Taylor: They do what they want to do. Let's put it that way.

Mr. Morrow: Is there anything else you want to say, sir?

Mr. Short: I don't want to screw it up.

Mr. Morrow: Is there anybody in the audience that wishes to speak for or against the granting of this petition? Seeing no one coming forward, a motion would be in order.

On a motion by Bahr, seconded by McIntyre, and unanimously adopted, it was

#09-59-2015 **RESOLVED**, that the City Planning Commission does hereby recommend to the City Council that Petition 2015-08-SN-04 submitted by Huron Sign Company, on behalf of the Livonia Family YMCA requesting approval of a replacement ground sign with variable electronic message board for the recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast 1/4 of Section 21, be approved subject to the following conditions:

1. That the ground sign shall be installed in accordance with the Sign Plan submitted by Huron Sign Company, as received by the Planning Commission on September 1, 2015;

2. That this approval is subject to the petitioner being granted a variance from the Zoning Board of Appeals for excess signage and the inclusion of a variable electronic message board as illustrated on the above-referenced Sign Plan and any conditions related thereto; and

3. That any additional signage shall come back before the Planning Commission and City Council for their review and approval.

Mr. Morrow: Is there any discussion?

Mr. Taormina: The dimensions of the sign have been changed.

Mr. Bahr: That's been changed?

Mr. Taormina: Yes.

Mr. Morrow: We'll let the staff come up with the actual numbers based on this plan. They only have a 36 square foot sign.

Mr. Taormina: Did that include the limitation of hours?

Mr. Bahr: I didn't include it.

Ms. Smiley: Do you want to include it? Kathleen, do you want to include it.

Mr. Morrow: We won't speak to it as we did on the prior one. We'll leave that up to the Zoning Board of Appeals, which will ultimately make the decision. So you can present those hours to them or whatever you want at that time. We're leaving that in the Zoning Board of Appeals hands.

Mr. Short: Thank you.

Mr. Morrow, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

LETTER TO THE LIVONIA CITY COUNCIL

4.

Council Office
April 27, 2023

MEETING DATE	PREPARED BY
LE051723/R060523	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

Subject matter of the demolition of blighted residential and commercial properties. (CR 110-23)

BACKGROUND DETAILS

At the Regular Meeting of April 10, 2023, on a motion by Councilmember Donovic, supported by Vice President Toy, and unanimously adopted, it was:
CR 110-23 RESOLVED, that upon the motion by Councilmember Rob Donovic, seconded by Council Vice President Laura Toy, at the Regular Meeting held April 10, 2023, the Council does hereby refer the subject matter of the demolition of blighted residential and commercial properties to the Law and Education Committee for its report and recommendation.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss the subject matter of the demolition of blighted residential and commercial properties.

ATTACHMENTS

1. LE051723 Demo blighted residential an comm property
2. LE051723 Westland Ordinance Blighted Buildings
3. R041023 Subject matter of demo of blighted residential and comm properties CR 110-23

APPROVED BY

On a motion by Councilmember Donovic, supported by □ice President Toy, and unanimously adopted, it was:

> **#110-23** RESOL□ED, that upon the motion by Councilmember Rob Donovic, seconded by Council □ice President Laura Toy, at the Regular Meeting held April 10, 2023, the Council does hereby refer the subject matter of the demolition of blighted residential and commercial properties to the □**aw and Education Committee** for its report and recommendation.

RESOLUTION REQUSTED OF R. DONOVIC (Regular Meeting of April 10, 2023)

Motion:	**Donovic**
Second:	**Toy**
Ayes:	**Donovic, McCullough, McIntyre, Toy, □ahr, □olly**
Nays:	**None**
Absent:	**Morgan**

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

1. BLOCK PARTY: Ray Franges, re: to be held Saturday, August 19, 2023, from 3:00 p.m. to 10:00 p.m., on Brentwood Street between Meadowlark and Jacquelyn Streets, with a rain date of Sunday, August 20, 2023.

   The petitioner was not present.

   Councilmember Bahr offered an approving resolution for the Consent agenda.

   Councilmember Donovic offered an approving resolution for the Regular

   agenda. DIRECTION: APPROVED

   REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

1.

City Clerk
May 2, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Lori Miller, MiPMC, Deputy City Clerk,

AGENDA ITEM

BLOCK PARTY: Ray Franges, re: to be held Saturday, August 19, 2023, from 3:00 p.m. to 10:00 p.m., on Brentwood Street between Meadowlark and Jacquelyn Streets, with a rain date of Sunday, August 20, 2023.

BACKGROUND DETAILS

Request to host a block party on Brentwood Street between Meadowlark and Jacquelyn Streets, on Saturday, August 19th from 3:00 p.m. to 10:00 p.m., with a rain date of Sunday, August 20th. Event to include neighborhood bonding for residents, music, games and food. Annual event.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Approve as submitted.

ATTACHMENTS

1. Brentwood Block Party Request

APPROVED BY

REQUEST FOR BLOCK PARTY and/or BARRICADING OF CITY STREETS

(To be sent to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097 **or** hand delivered to the City Clerk's Office **at least 8 weeks prior to the planned event**)

PLEASE PRINT

Date of Application 5-1-23

Ray Frances
Name of Neighborhood Representative

14430 Brentwood 48154
Address *(please include zip code)*

Telephone Number: Home 734-812-2305

(please include area code) Office ↑

Please circle what is being requested – **"BLOCK PARTY"** and/or **"STREET BARRICADING"**

August 19th
Date of Block Party and/or Barricading

August 20th
Rain Date

3pm - 10pm
Time of Block Party and/or Barricading
(Ending Time – No Later than 10:00 p.m.) (Be as specific as possible)

Location of Block Party and/or Barricading.
(Be as specific as possible – indicate what **streets** as well as what **boundaries**).

Brentwood between Meadowlark & Jaqueline

Type of Event (Describe briefly activities planned, i.e. music, barbecue, games, etc.)

Neighborhood bonding - music - games, food

Approximate Number Attending: 40

Date of Council Approval/Denial:

Council Resolution Number:

2023 APR 31 PM 12:12
RECEIVED
OFFICE OF THE CITY CLERK

City Council Office Document
Revised January 2014
A:Block Party Form

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 22, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Vice President Laura Toy, and President Jim Jolly. Absent: Kathleen McIntyre.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; David Lear, Assistant City Engineer; Mark Taormina, Director of Planning and Economic Development; Ted Davis, Superintendent of Parks and Recreation; Casey O'Neil, Information Systems Director; Connie Kumpula, Chief Accountant; Jacob Rushlow, Assistant DPW Director; and Ermon Sims, Interim Housing Director.

Councilmember Bahr led the Pledge of Allegiance.

Councilmember Bahr excused himself from the meeting at 8:05 p.m. due to a family commitment.

2. REQUEST TO AMEND THE PREVIOUSLY ESTABLISHED COMMERCIAL REHABILITATION DISTRICT NO. 4: Paul F. Bohn, Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc., re: for a three-year extension for the redevelopment of property located at 31501 Schoolcraft Road, in the Northeast ¼ of Section 27. (CR 306-19)

   President Jolly relinquished the gavel to Vice President Toy at 8:05 p.m. to avoid any appearance of impropriety.

   Brandon Grysko of Fausone Bohn presented the request to Council.

   Councilmember Donovic asked when they intend to start the project.

   Brandon Grysko indicated they lost three years due to the pandemic and are asking for three additional years to offset that. He said they are getting their building permit package together and plan to start as soon as possible.

   Councilmember Donovic explained he would like to see this old building taken down and get the work started as soon as possible.

   Brandon Grysko said the same clients have the Holiday Inn Express at 96 and Inkster, which has been very successful. It was previously North American Photo and was vacant for several years before they rehabilitated it. He also mentioned that they have a good relationship with the Livonia Police Department and the cameras on their buildings are frequently used in traffic crash investigations.

   Councilmember McCullough asked if they intend to break ground this year.

   Brandon Grysko indicated the finance situation has been challenging with the banks, but the rezoning and site planning was recently approved and this is another step in the right direction He said Councilmembers are welcome to contact him with any questions they may have.

Councilmember Donovic asked Mark Taormina if the Commerical Rehabilitation Exemption Certificate would have gone up since 2018. Mark indicated it freezes the taxable value of a portion of the property and it will remain frozen throughout the duration of the certificate, in this case, if it's extended, he believes would be 2030. The other taxable values will continue to increase with the land value. At the expiration of the certificate, it would go back to taxes being paid on the full value of the property at that time.

Vice President Toy asked if there have been many commercial rehabs given out. Mark indicated there have been five districts established and five projects. He said we're just now nearing the end of our first Commercial Rehabilitation Certificate, and that was the former Frank's Nursery at Levan and Five Mile. Another district established was the hotel on Victor Parkway. He said the petitioner cannot come back and ask for more time in the end as it there is a 10 year maximum and they were initially given 7 years.

Councilmember McCullough offered an approving resolution for the Regular agenda.

President Jolly resumed the chair at 8:14 p.m.

DIRECTION: APPROVED REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

2.

Council Office
May 5, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

REQUEST TO AMEND THE PREVIOUSLY ESTABLISHED COMMERCIAL REHABILITATION DISTRICT NO. 4: Paul F. Bohn, Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc., re: for a three-year extension for the redevelopment of property located at 31501 Schoolcraft Road, in the Northeast ¼ of Section 27. (CR 306-19)

BACKGROUND DETAILS

A formal request from Petitioner has been included with this letter.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To approve as submitted.

ATTACHMENTS

1. S050823 Req to amend approval of CREC No 4 (Schoolcraft Lodge)
2. R090919 Approval of CREC 4 (Schoolcraft Lodge, Fausone Bohn) CR 306-19
3. R090919 CREC 4 (Schoolcraft Lodge, Fausone Bohn)

APPROVED BY

FAUSONE BOHN, LLP
ATTORNEYS AT LAW

April 17, 2023

City of Livonia
Susan Nash, City Clerk
33000 Civic Center Dr.
Livonia, Michigan 48154

RE: Commercial Rehabilitation Exemption Certificate (CREC)
No. C2020-007/Request for Amendment

Dear Ms. Nash:

This letter is being sent on behalf of property owner Schoolcraft Lodge, Inc., (herein referred to as the "Developer") regarding the previously issued CREC for the development located on the south side of Schoolcraft Road just west of Merriman Road (the "Development"). The Developer respectfully requests that the existing CREC exemption period for the parcel comprising the Development (# 105-99-0029-003) be extended for an additional three (3) years beyond the current termination date of December 30, 2027, for the reasons set forth herein.

The Developer began pursuing this project five (5) years ago with the idea of bringing an extended stay hotel to the City of Livonia to serve professionals on extended business trips in the Metro Detroit area. On April 15, 2019, the Developer requested that the City consider a commercial rehabilitation tax exemption to facilitate the redevelopment of this vacant property. On September 9, 2019, the Livonia City Council voted **unanimously** to approve the Development for a seven (7) year CREC.

At the time the CREC was approved, no one could predict that the world would soon grind to a halt with the COVID-19 global health pandemic that struck Michigan particularly hard beginning in March and April of 2020. Although three years have passed since the *start* of the pandemic, it remains a significant hurdle for the Developer to overcome. Key industries, including construction and hospitality, are still experiencing fallout.

The increased costs that have and will be incurred by the Developer as a result of the pandemic cannot be overstated. In addition to shutting down construction, the subsequent economic devastation wrought by material scarcity, exponentially increased labor costs, and uncertainty in the real estate and hospitality markets have caused significant concerns, which continue to this day. Moreover, commercial interest rates have skyrocketed; the prime rate has increased 60% since September 2019. Lenders are increasingly wary about financing hospitality projects due to the devastating effect of the pandemic on these businesses. Overall project costs for the Development, including labor and materials, are anticipated to be 30-40% higher than originally projected.

The cost changes and delays due to the pandemic and other reasons outside the Developer's control have made this Development more challenging and costly than anticipated at the outset. An equitable extension of the existing CREC for three (3) additional years will allow the project to continue and provide a substantial benefit for the community by putting this vacant property back into beneficial use.

41700 West Six Mile • Suite 101 • Northville, MI 48168
(248) 380-0000 tel. • (248) 380-3434 fax • www.fb-firm.com

The additional years of exemption will allow the Developer to stabilize the Development. Likewise, the lower carrying costs created by the three additional years of exemption will allow the Developer to offer competitive rates for the end-users of the project, as well as to continue to realize the vision of bringing best in class development to this neglected property.

It should be noted, despite the uncertainty surrounding the Development, the Developer has continued to advance this project through a rezoning petition and site plan submission and remains committed to bringing a fruitful project to the City. The Developer prides itself on being a closely held organization with family and community values at the core of the organization and looks forward to a lasting partnership with the City of Livonia.

The Developer has advanced a rezoning petition and site plan for the City Council's consideration and would be happy to answer questions concerning this CREC request at the same time, or at another convenient public meeting date. Thank you again for your time and attention to this request.

Respectfully submitted,

Brandon M. Grysko

Brandon M. Grysko

cc: Robert Nofar, William Nofar
Mark Taormina, Livonia Economic Development Director

X:\PFB\Nofar, Robert\31501 Schoolcraft CRD\2022 Extension\Liv City Clerk Ltr 4.18.2023.docx

On a motion by McIntyre, supported by Meakin, it was:

#306-19 W□EREAS, the City Clerk has received an Application for Commercial Rehabilitation Exemption Certificate from Paul F. Bohn, Fausone Bohn, LLP, Attorneys at Law, on behalf of Schoolcraft Lodge, Inc., dated April 15, 2019, received by the Office of the City Clerk on May 15, 2019, to facilitate the redevelopment of property located at 31501 Schoolcraft Road, Livonia, Michigan 48150, in the Northeast □ of Section 27, (Commercial Rehabilitation District #4)□and

W□EREAS, the City Clerk has notified in writing the Assessor of the City of Livonia as well as the legislative body of each taxing unit which levies ad valorem property taxes in the local governmental unit in which the proposed facility is to be located, i.e., the City of Livonia, and advised each of them that the said Application and request has been received□and

W□EREAS, the City Council has afforded Paul F. Bohn, Fausone Bohn, LLP, Attorneys at Law, on behalf of Schoolcraft Lodge, Inc., the Assessor, and a representative of each of the affected taxing units an opportunity for a hearing on this Application and request and said hearing having in fact been conducted at 7:00 p.m., Wednesday, August 21, 2019, at the Livonia City □all, 33000 Civic Center Drive, Livonia, Michigan□and

W□EREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property previously exempt and currently in force under Public Act 210 of 2005 or under Public Act 198 of 1974 (IFT's) does not exceed 5□ of the total taxable value of the City of Livonia□ and

W□EREAS, the application was approved at a public hearing as provided by Section 4(2) of Public Act 210 of 2005 on August 21, 2019□and

W□EREAS, the applicant, Schoolcraft Lodge, Inc., is not delinquent in any taxes related to the facility□and

W□EREAS, the application is for commercial property as defined in Section 2(a) of Public Act 210 of 2005□and

W□EREAS, the applicant, Schoolcraft Lodge, Inc., has provided answers to all required questions under the application instructions to the City of Livonia□and

W□EREAS, the City of Livonia requires that rehabilitation of the facility shall be completed by December 1, 2020□and

W□EREAS, the commencement of the rehabilitation of the facility did not occur more than six months prior to the filing of the application for exemption□and

W□EREAS, the application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of Public Act 210 of 2005 and that is situated within a Commercial Rehabilitation District established under Public Act 210 of 2005□and

W□EREAS, completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, and revitalize a blighted urban area, in which the facility is situated□and

W□EREAS, the rehabilitation includes improvements aggregating 10□ or more of the true cash value of the property at commencement of the rehabilitation as provided by Section 2(j) of Public Act 210 of 2005.

NOW, T□EREFORE, BE IT RESOL□ED BY T□E CITY COUNCIL OF LI□ONIA AS FOLLOWS:

1. That the City Council, on the basis of the information received from the applicant, Paul F. Bohn, Fausone Bohn, LLP, Attorneys at Law, on behalf of Schoolcraft Lodge, Inc., finds and determines: (a) that the granting of this Commercial Rehabilitation Exemption Certificate shall not have the effect of substantially impeding the operation of the local governmental unit or impairing the financial soundness of any taxing unit which levies an ad valorem property tax in the local governmental unit in which the facility is to be located□ and (b) the applicant has fully complied with the requirements of Section 8, Act No. 210, P.A. 2005, as amended.

2. That the City Council hereby approves the Application for Commercial Rehabilitation Exemption Certificate from Paul F. Bohn, Fausone Bohn, LLP, Attorneys at Law, on behalf of Schoolcraft Lodge, Inc., for the expansion and rehabilitation of the properties located at 31501 Schoolcraft Road, Livonia, Michigan 48150 (Commercial Rehabilitation District #4), for seven (7) years, pursuant to the provisions of PA 210 of 2005, as amended.

A roll call vote was taken on the foregoing resolution with the following result:

AYES: McIntyre, Meakin, Kritzman, Bahr and White

NAYS: □olly and Toy

The President declared the resolution adopted.

UNFINISHED BUSINESS AGENDA ITEMS (Regular Meeting of September 9, 2019)

Motion by: ***McIntyre***
Seconded by: ***Meakin***
ROLL CALL:
Ayes: **McIntyre, Meakin, □ritzman, □ahr, □ hite**

Nays: ***Jolly and Toy***
Absent: ***None***

CITY OF □I□ONIA
PU□□IC □EARING

Minutes of Meeting □eld on □ ednesday, August 21, 2019

A Public □earing of the Council of the City of Livonia was held at the City □all Auditorium on Wednesday, August 21, 2019.

MEMBERS PRESENT: Laura Toy, President
□im □olly, □ice President
Scott Bahr
Brian Meakin
Brandon Kritzman
Kathleen McIntyre
Cathy White

MEMBERS ABSENT: None

OT□ERS PRESENT: Mark Taormina, Director of Economic Development
Paul Bernier, City Attorney
Sara Kasprowicz, Recording Secretary

The Public □earing was called to order at 7:10 p.m. with President Laura Toy presiding. This has New Data attached to it for this Public □earing and this is brought to us on September 9th again to be heard this is Paul F. Bohn, Fausone Bohn, LLP, Attorneys at Law on behalf of Schoolcraft Lodge, Inc. This is requesting approval of Commercial Rehabilitation Exemption Certificate for the expansion and rehabilitation of property located at 31501 Schoolcraft Road, Livonia, MI 48150.

The Public □earing is now open. There were four people in the audience.

Toy: Mr. Taormina.

Taormina: Thank you. This request seeks approval of a Commercial Rehabilitation Exemption Certificate in connection with the development of a new, 100 room, 5 story, Staybridge Suites hotel at the southwest corner of Merriman and Schoolcraft Roads. Your applicant this evening is Schoolcraft Lodge, Incorporated, represented by Paul Bohn, of Fausone Bohn. On □une 17th, City Council approved Commercial Rehabilitation District #4, which encompasses the property at 31501 Schoolcraft Road. This is a 2.37acre site, it was originally approved in 1983 as a Mountain □acks restaurant and was later sold and converted to a beauty school called L'Espirit Academy. The building is currently vacant. The applicant, Schoolcraft Lodge, is the current owner. The effect of granting the Commercial

Rehabilitation Exemption Certificate is to freeze the taxable value of the real property which includes the building and site improvements but not the land. For this property, the current taxable value of the real property, excluding land, is □218,500. The duration of the incentive is the number of years that the taxable value of the real property would remain frozen based on this predevelopment value and can range from one to a maximum of ten years as determined by City Council. If approved, the tax revenue generated from the real property improvements that the City and other taxing authorities receive, except as it applies to the school operating and State education tax would remain fixed for the duration of the incentive. The estimated tax savings to the developer annually would be approximately □96,000. The taxable value uncaps at the expiration of the certificate which an estimated value today of approximately □65,000 per room would result in a true cash value of over □6.5 million and a corresponding taxable value of □3.25 million. With that, Madam President, I'll answer any questions you may have. I have provided you with some of the numbers related to this project, some of our estimates of the value of the Commercial Rehabilitation Exemption Certificate provides some comparisons of what the numbers would be with the incentive versus those without the incentive, as well as the impact of the City portion of the tax revenue. These numbers were checked by the City Assessor. Thank you.

Toy: Thank you so much. Council, questions□ Yes, go right ahead, Councilwoman McIntyre.

McIntyre: Mark, you may have just said this, I was looking at the numbers. Ten years is the maximum, right.

Taormina: Correct.

McIntyre: The Statutory maximum.

Taormina: Correct.

McIntyre: The minimum is one year□

Taormina: Correct.

McIntyre: Thank you.

Toy: Sure. Sure. □ice President □olly.

□olly: Mr. Taormina, in regards to doing something like this, is this a slippery slope with other developments that might be coming down the path in the City, or no□ I mean, I can understand your rationale potentially for this

particular site, but it seems like this, more so than the other tax incentives that we've offered and granted and approved, potentially could be, you know, a slippery slope where other people would want something similar to this because there is not really any kind of justification for it.

Taormina: Well, I can understand your concern completely and I would say that the guidelines that we developed, although not formally established by this body still serve as criteria for tax incentives including the PA-210, so I think going back and looking at some of those guidelines and criteria we should as the same questions. What are some of the extraordinary cost associated with this development that warrant the tax incentive and apply that to what we believe would be reasonable in terms of an incentive back to the developer for those extra credit to reimburse them for maybe use for those extraordinary costs.

olly: Sorry to put you on the spot. As a person who wrote those guidelines and the person who is in charge of the Economic Development Director, what are the extraordinary circumstances of this property From your professional opinion, what warrants this

Taormina: Well I can only speculate as to what they're going to present to you in terms of what those extraordinary costs are because really the burden really is on the Applicant, but I would say demolition costs are something that are consistent with most redevelopment projects could offer some extraordinary costs as compared to a Greenfield Development. Other developers in the past have made arguments that these storm compliance storm management guidelines is an additional cost that they don't typically find themselves faced with in projects, redevelopment projects in particular. This site was developed originally without those storm water controls in place but now they have to be added to these. Whether or not that is legitimate, I guess that's really something for the Council to determine. There are other utility relocation costs associated with this project that I'm sure they'll mention this evening so those are primarily what I would say would fall in that category of extraordinary above and beyond what we would typically see with a Greenfield Development.

olly: Ok. One last question.

Toy: Yes, please, go right ahead.

olly: ave they indicated how many years they are seeking this for

Taormina: The application, I'm not sure, I'm going to throw that one to the applicant and whether or not that is something that's stated in the actual form or not. I'm assuming it's ten years, I don't know if that's formally submitted on this

part of the application or not. Yes, it is, number of years exemption requested, 10, and that's right on the front page of the application.

olly: Thank you, Sir. Thank you for all the answers.

Toy: Thank you, Councilman. Anyone else with some questions before we go to the Petitioner. earing and seeing no one. Anyone from the audience No. Ok. Petitioner, you're up.

Bohn: Thank you. Good evening everyone. I'll just sort of summarize. Today I have the Applicant with me, William and Robert Nofar, they're here before you. My name is Paul Bohn.

Toy: Your address, Mr. Bohn. For the record.

Bohn: Thank you. Let me start by saying.

Toy: Your address for the record.

Bohn: My address. 41700 West Six Mile Road Suite 103 Northville, MI 48168 as stated on the application.

Toy: Thank you so much.

Bohn: Let me start revisiting the questions in reverse order so that the question as to whether this is needed, are there extraordinary circumstances. In part from the storm water management issue that will have to be updated, yes, there is a building that has to be demolished. Greenfield sites don't have that impediment and it is a cost impediment to redevelopment, so if you want urban infill that's one of the things that I would say you should balance. This particular product is somewhere untested in this market, it is a higher end Staybridge Suite, so it is a higher price point than Livonia is used to paying and is to the folks that visit Livonia, so in order to get the absorption that we hope for, it may take a little longer, however, we're going to incur the same level of costs upfront. Really what the abatement is meant to do is to defer the time it takes to absorb. And to that, hopefully the developer will recoup over a longer period of time, that investment. Unlike some owners, the Nofar's own, build and operate their facilities, this is not a big developer who can flip the property in seven years and get their return on investment by pushing those costs down to the next owner. So, when you have an owner operator, you should also go for maybe a little more private place, if you want to look at their other building, which is at Schoolcraft and Inkster, which did revitalize the area which has change the Farmer ack's which has been the impetus for changing the surrounding area. There is a strip mall that was torn down and redone and reoccupied. Whether you can attribute that directly to that developer or

not, that's up to you. The project will employ, the current project employs more than a dozen Livonia residents. Both of those are jobs that you don't have today. So those are kind of some of the extraordinary costs. What is happening currently, in this market, I think you're more aware of, is a labor shortage of school trades forcing up the cost of those type of developments. If you've read Crain's, you know there's an oversight plan of approved projects that aren't going vertical. Other cities are offering incentives of different types and those are always considerations for developers too. Whether those be located in Detroit which has the same issues with labor shortage or the same issues with material costs you balance whether or not the side offers incentives, but this side clearly qualifies for Brownfield and taxing for revenues would be used for a similar purpose. This city is really a policy decision, I understand and I'm a member of the Chamber and I think that this is a fiscal responsible city, this abatement, because it preserves the current revenue that you have, does not detract from that current revenue. It asks for a period of basically, allows the property to be increased in value. It's the bricks and mortars that are evaded. I would also say that when you look at the actual calculations that I think Mr. Taormina has provided you, what is the City component of this abatement versus the value of abatement to the developer. The City has an opportunity to maximize using other mileages as well that don't detract from City revenue in the future. So, again, I think those are all a basis for why this abatement is being considered and in terms the other question you asked, Council Person, I am unaware of any court case and possibly the Council people, they know differently, that an entitlement by a community in one instance is a precedent for another. Unlike it wouldn't be, I can't imagine it could be. So, I don't think you have that at this address. But it is still a fair question.

olly: Madam, President.

Toy: Certainly, go ahead.

olly: So, Mr. Bohn, you're a professional and I appreciate how you spoke to this manner, bottom line is, from my perspective, we have a least one new brand new hotel that has opened up in the last six months, we have another that is due to be under construction that is higher end than this and we have at least a third, that is not this, looking to get underway as well. What added benefit is this one in particular that these others are not

Bohn: I can't speak to projects that I don't know the details.

olly: Its just another hotel. I mean at the end of the day it's another hotel and we have no trouble attracting hotels to the community. Again, that's where I'm looking at this from, there's not anything added special here, it's

a hotel. We have new hotels going up, we have them where they're wanting to be put up. So, I just, I mean, there's a big burden here for us to giving up □96,000 some dollars a year over ten years in tax revenue. The argument from my perspective anyways, it's not that we just care about City dollars, we live here and we're guardians of the community, so the other tax revenue as well, I look at that to be just the same as anything else. □ust because its not coming to the City's checking account doesn't mean its not important or somehow negligible. So there's. Ok.

Bohn: By the way, I didn't mean to imply that they're negligible or not important, I was pointing out the fact that you have an opportunity to leverage those things. So, I don't think any revenue is unimportant, I think it has to be wisely spent, I would also note the same observation made. The City of Detroit has attracted many projects that has gone through site plan approval and are not going vertical right now. I represent some. These gentlemen haven't start site planning for a reason. They're not going to get a □100,000 into something they can't afford to build. Or at the end, come back to you and say, "Wow, we really wanted this higher-end project, that's what we told you we were going to do, but at the end of the day, this is really all we can construct." I'd rather be told no.

□olly: I'd rather be told no too, but I mean, if you can't afford to play the game, listen, I've shared my thoughts. I think we don't have a problem bringing hotels to the community at this point, so I'll seat the floor, thank you.

Toy: Thank you very much, □ice President. Anyone else□ Yes. Go ahead Councilwoman.

McIntyre: Good evening, thank you for being here tonight. I am less concerned about the slippery slope aspect because I think every project that seeks incentives has to a lot of times, has to stand on their own merits. I would like to understand, and you have done a nice job, of course, Paul, as you always do of delineating the reasons and the factors why you think that it's appropriate for a Commercial Rehab District, but can you delineate, you or the Nofars, delineate what those actual costs are, because over 10 years, right, we are looking to give up ten times □100,000, right□ So, I think that's a million, last time I checked.

Bohn: It is, so I can give you the capital cost and the cost of money as you know when you incur an obligation, there is a cost of securing those funds.

McIntyre: I guess what I'm asking for are the factors that would be applicable, that would be motivate us, right, to grant the incentive. Based on the extraordinary costs. As someone that has worked on Brownfield projects, I certainly appreciate that it's more costly to do a Brownfield, for some of the reasons we talked about, but if you could just help us at all, kind of delineate what those actual costs are.

Bohn: So, I only can to compare it to the project that was built very similar. 400,000 storm water that is going to be required on this site that wouldn't otherwise be required and about 350,000 in demolition costs. Those are the capital costs, those aren't the costs of that plus the interest carry on that so you could add, I would say, you know 5 over the time it takes to recoup that. The cost of labor and materials over the last 36 months in Detroit has gone up 25 and it's going up, it's not going down, it continues to go up so I don't know how to guesstimate that as a component, but if the soft cost of a project which is typically about a 1/3 is going up at 25 that would be several hundred thousand dollars.

Toy: Oh, yeah, go ahead.

McIntyre: Thank you, I appreciate, and I know that is a detail that you were weren't expecting to have to lay out tonight. I'm just trying to mention it.

Bohn: About a million and a half in capital plus the cost of money.

McIntyre: Ok, what I heard, was well, sorry 400 plus 350 plus the cost of money. Plus 750.

Bohn: Plus the increased cost of labor.

McIntyre: Ok, the labor, the increased labor and materials, I'm certainly empathetic to everybody doing development, I read Crain's and I know there's some big projects on hold. In my mind, these incentives should be used to compensate investors for factors that are unique to this property. Everyone who is building anything is facing the same labor and materials cost and with respect to the Staybridge being a more upscale property, I think Staybridge's are lovely, I'm delighted at the prospect of having one here. I don't think, we've got a brand new oliday Inn, right, which is a fairly upscale, so to me, the rationale for granting this incentive because it's slightly higher and its going to take you longer to recoup your costs, because initially the occupancy might not be as high. That's not a compelling reason for this incentive. What is a compelling reason to me are those costs that are unique to this site, so thank you.

Bohn: Then those, yes, those are the unique costs.

McIntyre: Yep, so thank you.

Toy: Councilman Bahr.

Bahr: I'll just piggyback on that, I appreciate Kathleen's comments, I'd even go as far as saying the storm water is just a reality of Wayne County at this point. I mean, virtually any large project we have in this community, we're

dealing with that. I don't see that as unique to the site. Even the demolition, virtually anywhere East of 275 you are dealing with that and probably beyond that. I guess my other question is too and I'm asking you guys as property experts. Would it be fair to say that the fact that you have to demolish a building is factored into the value of the land when you buy it I mean isn't it going to be detrimental to the land if you have a building that's come down versus a Greenfield, or am I wrong

Bohn: The next purpose for that building would be a different use. You would repurpose the building.

Bahr: I'm not assuming the building has to come down, I'm just saying that we're looking at current land taxable value of 206,000, you're anticipating that land taxable value being 250,000 which you know that's of, the taxable value is the value so we're saying that the value of the land itself is going to increase by almost 100,000. Doesn't that speak to the fact that having a building on there that has to come down, don't you make that up somewhat in the purchase price or am I wrong

Bohn: Not necessarily, no. I mean that has more to do whether the seller is motivated to sell, I mean, there other competing uses for this property, I think you're aware of and they're not hotel uses. Those people will pay a premium for things that, these guys only build hotels, they're not a developer, per say. They're not someone that's going to buy and acquire a property and then structure the deal to meet an end use.

Bahr: When you say p-uses, you mean potential uses, you're not saying you know other people that are looking to get this property.

Bohn: I have no idea if there are or not. I know there were people looking for it when it was in play, but no, I have no specific knowledge of it.

Bahr: Why, and I think we talked about this before, but refresh my memory, why this site for your guys Why are the developers interested in putting this hotel here

Bohn: So Staybridge does a lot of demographic research on what's needed and what's needed in a particular area and I think these guys could probably give you greater detail on how that goes but that's kind of their secret sauce, the site location process is a little bit of a mystery but also a little bit of objective and subjective art. So, in order to even put a flag here, to say that's going to be a Staybridge, Staybridge has to say that's the location we accept. So that process leads you to that product at that location. Could you get a lesser hotel or a different hotel or a different use, I imagine so.

Bahr: So Staybridge wants this site.

Bohn: Yes.

Bahr: Are there other sites you are considering if you don't, in this city or otherwise, if you don't get this.

Bohn: Otherwise, yes. In this city, I don't know. Are there other properties in the city that you are looking at□

Nofar: In the city of Livonia, not right now. No.

Bahr: Are there other, do you have other options that Staybridge has given you besides this.

Nofar: Staybridge has locations and they're, you know, per their license agreement, you are allowed a radius and you cannot build because it is too close. This site, this location, off of 96, between 275 and Southfield Freeway, would be good. They like that area, there are not too many hotels there, there's just us and the □ampton. I don't count the smaller ones and its not 275 where its tons of hotels out there, but on this strip, there's not too many and I think, and the franchise thinks, it's a strong market for us.

Bahr: Sure, and I can understand that. Another question, this is for Mark, just jot it down some of the hotels that have either recently come or are coming. Mark, if you can tell me off the top of your head whether we gave tax incentives to these, □oliday Inn Express. You told me earlier we gave a tax incentive to that, correct.

Taormina: Yes, Commercial Rehabilitation Exemption Certificate, the same type of abatement that is being requested here.

Bahr: Ok, what about the □ampton Inn on 96 just East of Middlebelt□

Taormina: No that was undeveloped site at the time, that was vacant land that was split off from a larger construction.

Bahr: Ok, □oliday Inn on 6 Mile□ I'm testing your memory here.

Taormina: No.

Bahr: We did not. Ok and then what about, we just recently did this, Docs Sports Grill site. Any tax incentive□

Taormina: No. No tax incentives there.

Bahr: Ok, there was a building that needed to be demolished there so, ok, I was just trying to get a comparable because one of the things that I'm always concerned about with these things is, just our ability to be consistent. If this is something that we just always do, then I'd have a hard time standing here saying don't give it to these guys, I think there is a case to be made for just offering these incentives for a redevelopment situation, which I think you alluded to earlier. It is interesting that we haven't needed to do it for some other sites that had similar types of demolition, so that's all I have for now. Thanks.

Toy: Thanks Scott, Councilman. Anyone else□ □ey, really quick, what is, your busier days on that corridor since you have a hotel there already. What are your busier times, is it Monday through Thursday, obviously, it's probably the weekend, I would guess right□

Nofar: Monday through Thursday are our busiest times, during the Summer, we have a lot of weddings, we have a lot of softball teams, a lot of family reunions, kids are out of school, it gets busy on the weekend during the Summer. Primarily, if you are asking me, 12 months, Monday through Thursday because we get a lot of corporate.

Toy: The hall that is next to you, which is Burton Manor, I almost said Roma, that's how old I am but do you think that's part of your business, I mean, do you think you get any business from them as well.

Nofar: That is a percentage of our business, we work well with them along with other companies.

Toy: Yeah, because I had heard, and again, this is rumor, so don't always believe rumors but they had a piece of property they were looking at a hotel at one point.

Nofar: I heard that as well.

Toy: Did you, ok, so I'm not totally off base. I don't like to gossip but yeah, so have they approached you maybe on putting another hotel there.

Nofar: Not formally, I did here that they were possibly interested in talking with us, but we have no interest.

Toy: I'd ask you why but that's kind of impolite because that's your business it's ok. Great ok, thanks for that explanation. That's interesting because, you know, after you see these hotels go up in our city, some of my colleagues have said that we've put in quite a few hotels and I'm just wondering what the attraction is. I know Detroit can't hold them all sometimes because of

the growth and the economy is good and all those wonderful things we are facing right now.

Nofar: Certain flags cannot go up next to certain flags based on the radius and so that has a lot of decision making on locations. I don't know if that would help you a little bit.

Toy: No that's all right. It's kind of like allmark stores, they wouldn't let you put a allmark in certain locations and non-compete clauses and things like that. Ok, thank you so much.

Bahr: ust a comment, Madam President, just in response to what you just said, I think we've heard it implied but these guys only heard from others. You said you don't know why this is such a hot market for hotels, I think it's a direct result on what is happening downtown, we're the first major market for those that don't want to pay downtown prices for hotels. So, it's a huge opportunity for Livonia, it's a huge opportunity for these guys. I think that's important to consider, talking about whether incentive is necessary here or not. There is major incentive already economically to go to this site.

Toy: If I may, at the end of this particular pamphlet, or brochure, you're saying if in this event, if this does not happen, you would have to sell the property, is that an accurate statement still

Nofar: I have had a few calls for people asking to purchase the vacant land, the vacant building and I told them that I am not interested.

Toy: Oh, ok, so maybe I misinterpreted, it said if you didn't get this, did I misinterpret that

Nofar: Ok, let me rephrase what I said. We still have a decision to make but as of when they called me, I'm not going to entertain.

Bohn: I think we know that we have not started the site planning process, because typically, we are not, we don't predispose that the Council has to act one way or the other. If you're asking why the abatement was asked for ten years, if you ask a lawyer how long you can get an abatement and the answer is ten years, then the answer is, I have no shame in asking, right So, whether you scope it that way based on whether you think it deserves it or not, that's really why these discussions happen.

Toy: We have 198's like that, they all wanted 12 years. Go ahead Councilman, Councilman ice President olly.

olly: Madam President, with what we've heard so far, I'm not impressed with this, in something that adds critical community, although it would be an

added investment, this is not the kind of thing I think that taxpayers should be subsidizing. Especially in the amount of 960,000. I'll offer a denying resolution.

Toy: Ok, you've heard a denying. Councilwoman McIntyre.

McIntyre: I am comfortable with applying your offer for this kind of incentive for your project. To Mr. Bohn's point about the ten years, of course your going to as for ten years. When I was at Ford for 198's I always asked for 12 and 2-years construction, so I understand that. I think that the numbers that we're hearing, I would be supportive of something less than ten years. I would entertain like a seven-year term, which would cover, I understand, not the cost of money and not quite all of your expenses, but some of those expenses are regardless of any property. If you are taking a vacant piece, storm water management is going to cost you. So I'd like to offer an approving resolution for a seven year incentive.

Toy: You have that, Sara, right Two. Ok. All right, and this is on September 9th is there any other comments from the Council.

McIntyre: I just have one more thing.

Toy: Sure. Go right ahead.

McIntyre: Another reason, when I look at incentives and what makes sense and what doesn't, we had a discussion several years ago in this body and I thing with Planning about incentives and understanding what incentives were appropriate and some people want to formulate an application, like a decision tree. I don't think you can do that with incentives, there's certainly a rationale, right, standard rationale for different incentives, or quantitative rationale, but there's an art to it too. That site has been, I know the salon there, the school, that was never an attractive since we lost the restaurant there and that's one of my reasons, right, if that were an attractive site for development, I understand the hotel business is booming, right, people want to be in Livonia, but that's one of my rationales too, for you know, to me, that's part of the art of being willing to offer the incentive for that property. So thank you.

Toy: Thank you, Councilwoman. Anyone else wishing to speak to this. Mr. Bohn, anything else you would like to share, or anybody. You heard what you have, approving/denying, correct, on the 9th.

Kritzman: Madam, Chair, I'm sorry I should have spoken out just a bit sooner. Do you have any breakout of the anticipated cost for those special conditions that were mentioned as part of the discussion this evening Site improvement cost, you know I am familiar with how these things come

together as well as many of us have been part of these. We all see it from a different perspective, and I think some of the conversation that has taken place up to now is extremely valid. You bought a property that has existing stuff on it. I've been involved in those same sorts of things, some things you can anticipate, some things you can't. I totally get that, I had a site today that found a 50 foot by 10 foot six inch deep concrete slab that happened to be buried under a couple feet of dirt. Turns out the City of Novi had a basketball court there at one point and they forgot to tell us about it. But, there's things that can't be anticipated and there's things from a Brownfield and redevelopment perspective that should be credible, viable, incentive-based items but there's some that are and I'd love to see a break out of that anticipated cost.

Bohn: We can give more detail on the 9th. Anything else Yes.

Toy: Councilwoman McIntyre.

McIntyre: I have one final question and that's if Mr. Nofar, are you involved in the Novi, is that your facility, the Staybridge in Novi Is that your property

Nofar: No.

McIntyre: Ok, that's the closest Staybridge I think, Ok. Thank you.

Toy: That opens up a good point, what other motels do you own

Nofar: We own a couple of Courtyard Mariotts, we have five oldiay Inn Expresses, we're doing a ampton Inn, we have Country Inn Suites.

Toy: Are they out by the airport at all or no

Nofar: No.

Toy: No, ok, so are they around this area or Grand Rapids or Lansing

Nofar: We have one in Brighton, we're going to be opening one in Roseville, its 104 rooms, we have one in Lansing, one in Lapeer, Livonia, Ft. Wayne Indiana and two in Columbus Ohio.

Toy: Well, good for you, much success to you. Yes sir. Thank you, Mr. Bohn and Nofars, thank you very much. If there's nothing else before us we are adjourned.

As there were no further questions or comments, the Public earing was declared closed at 7:44 p.m.

SUSAN M. NAS, CITY CLERK

NEW DATA RECEIVED AT PUBLIC HEARING OF 08/21/2019 08/21/19

CREC TAX ESTIMATES
FOR
PROPOSED STAYBRIDGE SUITES
MERRIMAN & SCHOOLCRAFT ROADS

100-ROOM 5-STORY EXTENDED-STAY HOTEL
CONSIDERATION OF COMMERCIAL REHABILITATION TAX INCENTIVE
(PA 210 OF 2005)

Current Real Property Taxable Value =	$218,500 ($56,250 Land Imp + $162,250 Building)
Current Land Taxable Value=	$206,500
Current Taxable Value (Total)	$425,000

Millage Rate=	58.6723 mills
City Portion=	13.8927 mills (~23.7%)
School Operating + State Education=	24 mills

Estimated true cash value of 100-room, 60,000 sq.ft. hotel = $6,500,000 ($65K/room)
SEV= $3,250,000

Anticipated Land Taxable Value=	$250,000
Future Real Property Taxable Value =	$3,000,000

Computation of Commercial Rehabilitation Tax:

STEP 1: Multiply total mills levied by taxable value of Real Property (excluding land) for year immediately preceding effective date of exemption
STEP 2: Multiply School Operating + SET by difference between taxable value of Real Property (excluding land) for current year and taxable value of Real Property (excluding land) for year immediately preceding effective date of exemption.

STEP 1: 58.6723 x 218.5 =	**$12,820**
STEP 2: 24.0000 x (3,000 – 218.5) =	**$66,756**
Commercial Rehab Tax =	**$79,576**

Tax on Land Value = 58.6723 x 250.0 = **$14,668**
w/ incentive

Total Tax= Commercial Rehab + Land= 79,576 + 14,668= **$94,244**

Comparison without Incentive:

Estimated $3.25M Taxable Value
3,250 x 58.6723 mills= w/out incentive **$190,685**

value of incentive to developer
Difference (Annual Savings to Developer): 190,685 – 94,244 = **$96,441**

~IMPACT ON CITY PORTION: $6,508 vs. $45,151 ($38,643/year difference)

Note: The above figures are approximations after consultation with the City's Assessment Department and do not include Personal Property tax estimates.

NEW DATA FOR PUBLIC HEARING OF 08/21/2019 - ITEM 2

STAYBRIDGE SUITES LIVONIA, MI

HIGHLIGHTS

The only extended stay hotels in Livonia are :

Residence Inn-Livonia MI off of 275 and 6 mile rd (This is a high end Marriott brand extended stay)

Townplace Inn-Livonia MI off 275 and 6 mile rd (This is a low end Marriott brand extended stay)

These are the only two real quality extended stay in Livonia market. The remaining are low economy brand extended stays

StayBridge Suites is a high end IHG extended stay Hotel Brand

Rates are from $149 to $359 a night

We already own a IHG brand (Holiday Inn Express & Suites) on 96 and Inkster rd

The Staybridge Suites would be a sister property to the Holiday Inn Express & Suites and would cater to many corporate business coming from Downtown Detroit area that are looking for a Elite high end extended stay accomodations. We are seeing tons of extended stay requests but no where to put them.

This would generate more guests to livonia from corporate Detroit guests which would add more business to the Livonia market. This is a win win situation for everyone.

Since we built the Holiday Inn Express & Suites in Livonia off 96 and inkster road it has made a dramatic upside to the exit. The location (old photography studio) was an eye sore to the City and businesses in the area looked delapitated and many vacancy signs. for example since the opening of the new hotel the shopping strip across the highway was totally revamped and tenants are occupiening the newly renovated shopping strip. The old Franks nursery has been totally remodeled and will be opeining soon.

The Staybridge Suites would add new life to the Merriman Exit due to the majestic building and curb appeal and landscaping that is desperately needed. This would be a huge upside to the exit and would also encourage the neighboring businesses to also update or develop more businesses in the area.

Our sole purpose to purchasing this land. to develop a beautiful high end extended stay hotel that would be very successfull. Our credibility stands as living proof to what we did to the 96 and inkster exit when we built the Holiday Inn Express & Suites which has be overwhelming success!

Currently this site is a eye sore to the exit but has much upside potential and is Ideal for a New Vibrant Extended stay Hotel with explosive visibility from I-96 and Merriman rd.

In the event this does not happen, We would have to sell the property.

Where We Play

With more than 275 hotels spread across four continents and over 180 in the pipeline, the brand's sustained growth continues.

Break From the Travel Norm

At Staybridge Suites®, we're at the heart of a movement to help guests conquer the rat race and experience a Break from the Travel Norm. We curate a variety of moments by combining familiar cues with elevated touches to prompt relaxation, social interaction, and exploration.

QUESTIONS ABOUT

The New Design?

Experience our virtual hotel and get more information at **design.staybridgesuites.com**

Building Summary

PROTOTYPE SITE PLAN DETAILS	
Acreage	2.53 acres
Gross Building Area	86,009 sq ft
Number of Floors	4
Total Suite Count	123 Suites
Gross Building Area per Key	699 sq ft
Parking Spaces	128

GUEST SUITES	
King Studio Suite (100)	401 sq ft
King Studio ADA Suite (6)	515 sq ft
King One Bedroom Suite (16)	558 sq ft
King One Bedroom ADA Suite (1)	622 sq ft
Fully equipped kitchens and functional storage throughout	
King beds, 54" work space and integrated power	

PUBLIC SPACE
5,089 sq ft
Pantry Adjacent to Check-in – 113 sq ft
Enclosed Breakfast Buffet – 296 sq ft
Fitness Center – 809 sq ft
Guest Laundry Required – 206 sq ft

BACK OF HOUSE
5,192 sq ft

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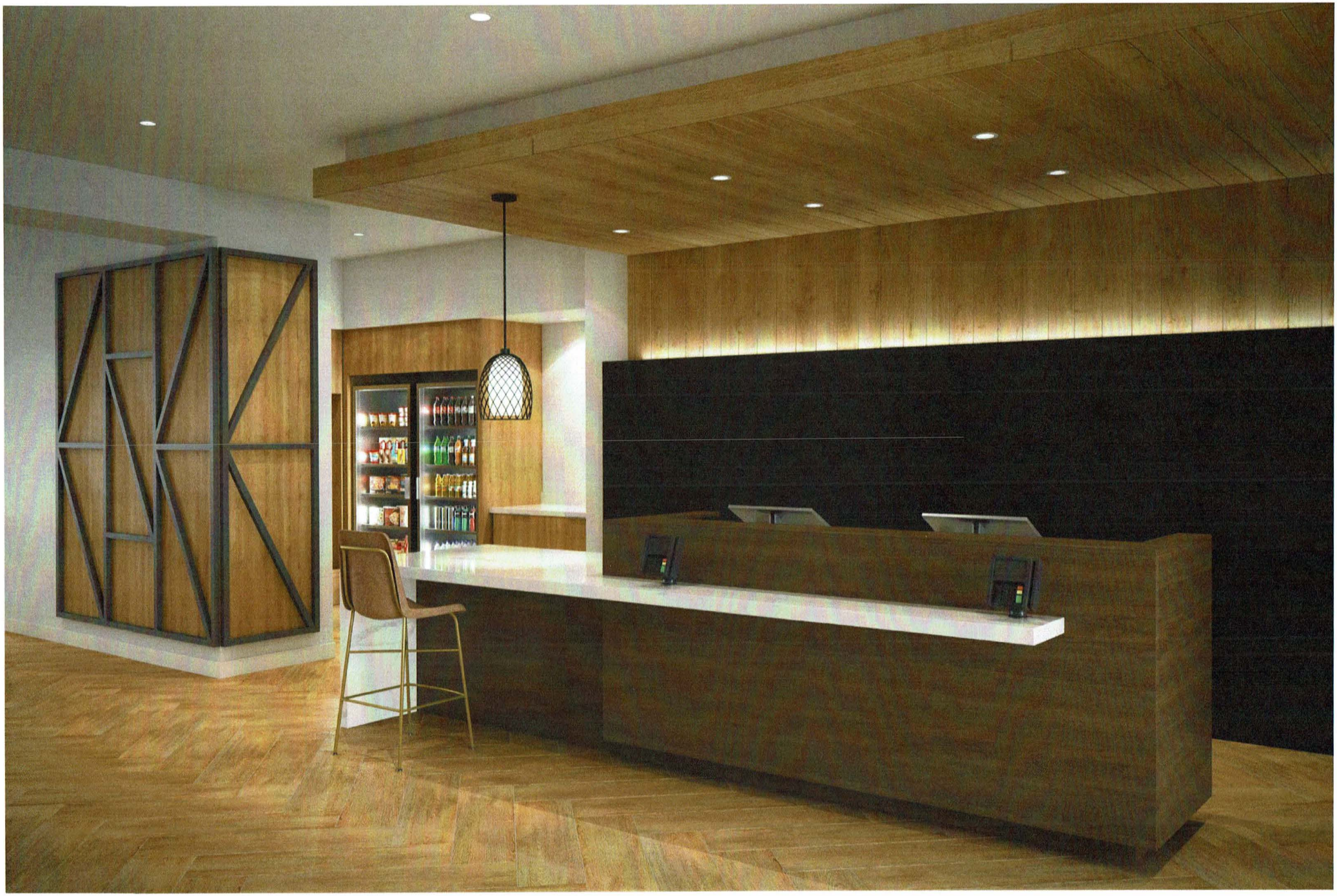
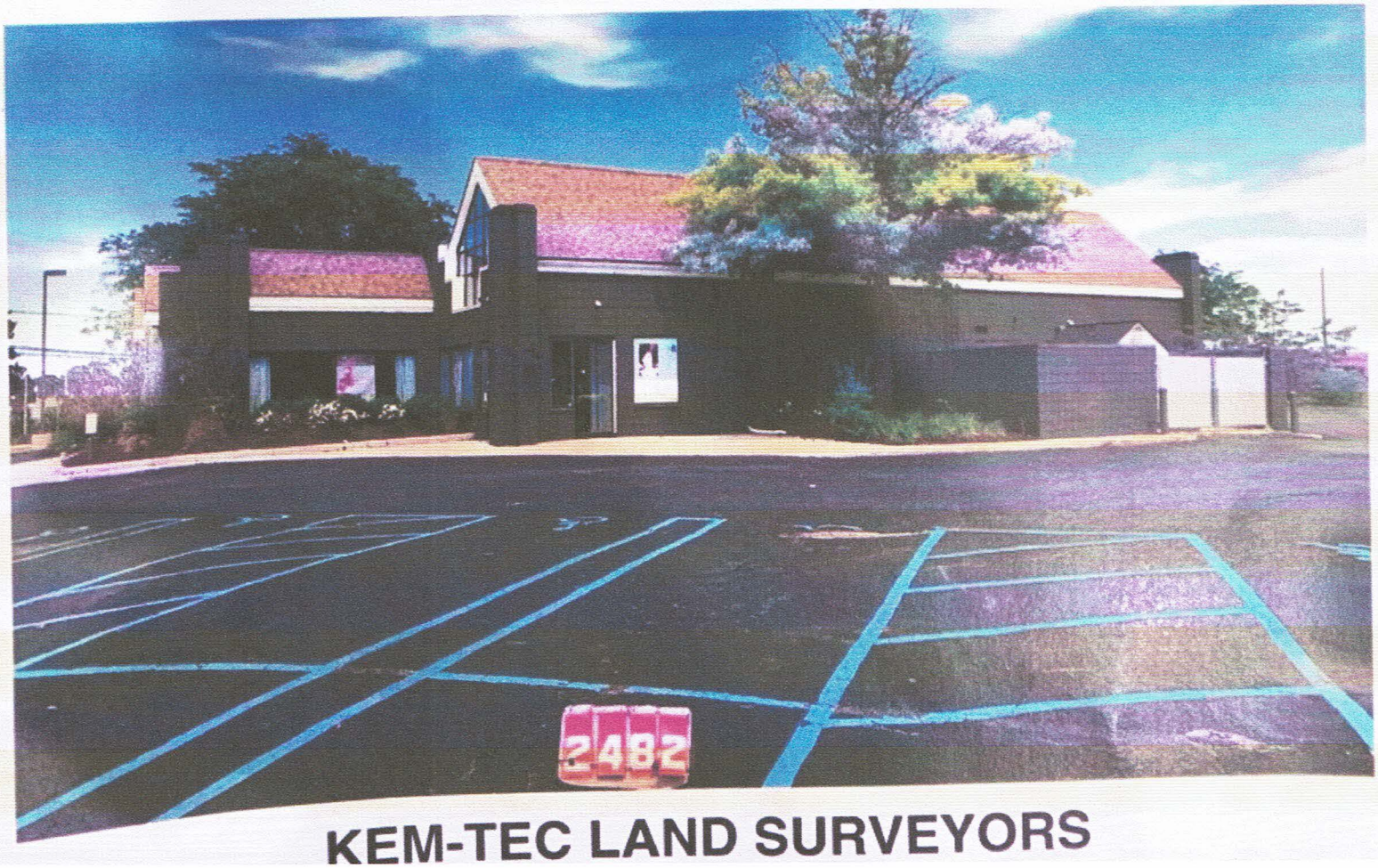
STAYBRIDGE



Coca-Cola
Chobani
Custom
Creation Bar



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□udy Priebe
Director of Legislative Affairs

□uly 11, 2019

To be announced at the City Council Regular Meeting of Monday, □uly 22, 2019

A Public □earing for the following item will be held on
□ ednesday, August 21, 2019
at 7:00 P.M.
in the Auditorium of □ivonia City □all,
33000 Civic Center Drive, □ivonia, Michigan

Paul F. Bohn, Fausone Bohn, LLP, Attorneys at Law, on behalf of Schoolcraft Lodge, Inc. is requesting approval of a Commercial Rehabilitation Exemption Certificate for the expansion and rehabilitation of the property located at 31501 Schoolcraft Road, Livonia, MI 48150. (Commercial Rehabilitation District #4)

□udy Priebe
Director of Legislative Affairs

cc: Mayor, City Clerk (publication August 8, 2019), City Treasurer, City Attorney, Director of Planning □ Econ Dev., City Assessor, City Engineer, Director of Public Works, Director of Finance and Director of Inspection

On a motion by Meakin, supported by McIntyre, it was:

COMM REHAB DISTS
(Paul F. Bohn, Fausone Bohn, LLP, Schoolcraft Lodge, Inc.
Approval to establish a Commercial Rehabilitation District on property located at 31501 Schoolcraft in the Northeast ¼ of Section 27.
(CRD 4)

#226-19 WHEREAS, pursuant to Act No. 210 of the Public Acts of 2005, as amended, this Council has the authority to establish commercial rehabilitation districts within the boundaries of the City of Livonia; and

JUN 17 2019

WHEREAS, a proposal was made by Schoolcraft Lodge, Inc. regarding the establishment of a commercial rehabilitation district encompassing land situated in the City of Livonia and comprised of an area of approximately 2.370 acres lying in the Northeast ¼ of Section 27, as more particularly described in Exhibit A, attached hereto and incorporated by reference herein, which area is hereinafter referred to as "City of Livonia Commercial Rehabilitation District No. 4"; and

WHEREAS, written notice has been given by certified mail to Paul F. Bohn, Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc., of the Council's pending action on this resolution and of its right to a hearing on the establishment of proposed City of Livonia Commercial Rehabilitation District No. 4; and

WHEREAS, notice has been given to all interested owners, residents and taxpayers in the Livonia area of a public hearing on the establishment of the proposed City of Livonia Commercial Rehabilitation District No. 4; and

WHEREAS, on May 22, 2019 a public hearing was held on the establishment of proposed City of Livonia Commercial Rehabilitation District No. 4, at which time Paul F. Bohn, Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc., and other taxpayers and residents of the City of Livonia had an opportunity to be heard (a copy of the statements both written and oral made at such hearing being on file with this City Council), and a representative of Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc., attended said hearing and acknowledged receipt of notice of such hearing on behalf of the said corporation; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Livonia after granting the establishment of proposed City of Livonia Commercial Rehabilitation District No. 4 will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LIVONIA, AS FOLLOWS:

JUN 17 2019

1. A Commercial Rehabilitation District is hereby established, such district to consist of the area described in Exhibit A, attached hereto.

2. Such Commercial Rehabilitation District is hereby designated as the "City of Livonia Commercial Rehabilitation District No. 4."

EXHIBIT A

(Clerk to Insert description of proposed Commercial Rehabilitation District)

3. It is hereby determined that the subject property meets the statutory requirement of functional obsolescence.

4. The City Assessor has submitted a statement showing the SEV of the property, which indicates that the 2019 SEV of the property is:

   31501 Schoolcraft Road $425,000.00

5. That the City Council, on the basis of the information received from the applicant, Paul F. Bohn, Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc., finds and determines that the granting of this Commercial Rehabilitation District shall not have the effect of substantially impeding the operation of the local governmental unit or impairing the financial soundness of any taxing unit which levies an ad valorem property tax in the local governmental unit in which the facility is to be located.

A roll call vote was taken on the foregoing resolution with the following result:

AYES: McIntyre, Meakin, Jolly, Kritzman, Bahr and White

NAYS: Toy

The President declared the resolution adopted.

UNFINISHED BUSINESS ITEMS (Regular Meeting of June 17, 2019)

Motion by: ***Meakin***
Seconded by: ***McIntyre***
ROLL CALL:
Ayes: ***McIntyre, Meakin, Jolly, Kritzman, Bahr, White and Toy***
Nays: ***None***
Absent: ***None***

CITY OF □I□ONIA
PU□□IC □EARING

Minutes of Meeting □eld on □ ednesday, May 22, 2019

A Public □earing of the Council of the City of Livonia was held at the City □all Auditorium on Wednesday, May 22, 2019.

MEMBERS PRESENT: Laura Toy, President
□im □olly, □ice President
Scott Bahr
Kathleen McIntyre
Brian Meakin
Cathy K. White

MEMBERS ABSENT: Brandon Kritzman

OT□ERS PRESENT: Mark Taormina, Director of Economic Development
Paul Bernier, City Attorney
Bonnie □. Murphy, Certified Electronic Recorder, CER-2300

The Public □earing was called to order at 7:00 p.m. with President Laura Toy presiding. This is a public hearing regarding a request from Paul F. Bohn, Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc. for the properties located at 31501 Schoolcraft Road, Livonia, Michigan 48150, for approximately 2.37 acres lying in the Northeast □ of Section 27, as more particularly described in the attachment to the application which is herby incorporated by reference and which is hereinafter referred to as "Proposed City of Livonia Commercial Rehabilitation District No. 4."

The City Clerk has mailed a notice to the Petitioner and/or his agent, Wayne County, and to all other parties having interest in the Proposed City of Livonia Commercial Rehabilitation District No. 4.

The Public □earing is now open for comments. There was no audience in attendance.

Toy: Mr. Taormina□

Taormina: Thank you. Schoolcraft Lodge, Inc., the Petitioner in the case, is seeking to establish the City's 4th Commercial Rehabilitation District at the Southwest corner of Schoolcraft and Merriman Road. The City's first Commercial Rehabilitation District was established in 2013, and that encompassed the 4-acre parcel which is at the Northwest corner of Levan

and Five Mile Roads, which at the time was the site of the shuttered Frank's Nursey and is now home to Mendelson Professional Building.

CR #2 was established in 2015 and that included two parcels under common ownership located on □aggerty Road between Seven and Eight Mile Road. That district was about 10.86 acres in size and included what was originally the □aggerty Tech Center and as we all know that project is currently under construction and includes □aggerty Center, the retail center as well as □aggerty Courtyard Apartments is what they are now called.

And the third Commercial Rehabilitation District was also established in 2015 and that was to facilitate the redevelopment of the Southwest corner of Schoolcraft and Inkster Roads into what is now a □oliday Inn Express. The Petitioner in that case was Livonia Lodge, Inc., which includes the same principles involved in the current request by Schoolcraft Lodge, Robert and William Nofar.

The proposed CRD #4 includes the property at 31501 Schoolcraft Road. The subject 2.37-acre site was originally approved and developed in the early 1980s as a Mountain Jack's restaurant and was later sold and converted school called L'Esprit Academy.

The new owners plan is to redevelop the site with a hotel.

Unique to this property and only one other site in the City is the fact that it is zoned C-3, □ighway Services. □otels are treated as a permitted use, but the height is limited to two stories and this is something that will need to be addressed as part of the zoning and site plan review process.

Creating the District is the first step in the process of seeking a tax abatement under PA 210 to help facilitate and incentivize the redevelopment of the site. Once the District is established, Council then considers the request for a Commercial Rehabilitation Exemption Certificate. The process is much like filing an Industrial Facilities Tax Exemption Certificate then after the IDD is established.

A Commercial Rehabilitation District can include one or more properties, totaling not less than 3 acres, unless the district is part of a downtown or business area as determined by the Local Legislative Body.

Because the subject parcel is less than three acres, Council must as part of its deliberations, determine that the District is part of a Business Area.

In 2015, Council made this determination in the case of CRD #3 at the Southwest corner of Schoolcraft and Inkster Roads in connection with the

development of the □oliday Inn Express. Council agreed that that area, which is located within a well established commercial and industrial corridor, qualified as a Business Area as provided for in the statute.

As noted, the establishment of the District occurs before granting the Exemption Certificate. In no way does the creation of the District obligate the City in granting a property tax abatement.

For a facility to qualify, the new investment in rehabilitating the property must result in improvements exceeding 10□ of the True Cash □alue of the property. In addition, some major structural improvements, rehabilitation can include and often does new construction on vacant property from which a previous structure was demolished.

The request for an Exemption Certificate does require a separate public hearing and a review of the and upon recommendation of the City Council, the issuance of the CREC by the Tax Commission freezes the taxable value of the building, the land improvements and exempts the new investment from local taxes for a period of up ten years as determined by Council. Upon expiration of the Certificate, then the value of the real property uncaps.

For Tax Year 2019, the taxable value of this property was □425,000.00.

Representing the Petitioner this evening and to provide further details is Paul Bohn of Fausone Bohn, LLP and also William Mofar.

Toy: Will the Petitioner give his name and address for the record.

Bohn: Name and address is Paul F. Bohn, business address is 41700 West Six Mile Road Suite 101, Northville, Michigan.

Toy: Thank you very much.

McIntyre: I have a question for Mark.

Toy: Go right ahead.

McIntyre: Mark, under the PA 201, the owner pays the Commercial Rehabilitation Tax instead of property taxes, correct□

Taormina: Correct.

McIntyre: Does any of that money come to the City□

Taormina: Yes. So, what happens is –

McIntyre: And I'm sorry, I don't remember the specifics, we haven't done one for a few years.

Taormina: Yes. It operates similar to other statutes, parallel statutes for industrial properties. In this case it would freeze the taxable value on the real property, excluding land. So, it would be the building and any land improvements. Land still can continue to increase and be taxed, and State school taxes are still applied to the industrial, the increased taxable of the property. So, the freeze only applies to the building and land improvements.

McIntyre: So, the City would continue to recognize whatever revenue we commonly recognize.

Taormina: The other thing I have to say, there will be an increase over time on the value of the land that increases and the maximum period for which the Certificate can be granted is ten years.

McIntyre: And we ran it ten years for the other districts, is that correct?

Taormina: I think all, I think two of the three were but the third one I can't recall the actual time.

McIntyre: Thank you. Thank you, Madam President.

Toy: Certainly. Councilman Bahr.

Bahr: I have a question for Mark as well. You said the minimum size is three acres?

Taormina: Minimum size, yes. But it does have the provision that the local legislative body can waive that requirement when it's located in a downtown or a qualified business area and that is a discretionary determination.

Bahr: We need to decide what a qualified business area means?

Taormina: Yes.

Bahr: Wow, that's a loose wall. My next question what is it about this site that brings them up for an incentive like this? I mean a lot of the properties in the City are developed that don't come for this. What is unique about this that brings this discussion up?

Taormina: You know, I don't want to speak directly to the economics, try to justify that based on numbers, that's something the Petitioner can respond to. This is similar to many other redevelopment projects where demolition is

required, full scale demolition of all of the site improvements and then the redevelopment including the installation of new underground utilities, and storm water and the expenses involved in that. And rather than try to go into justification, I think that's something that the Petitioner should do. They evaluated this in terms of what I believe they feel is needed to help facilitate this project without taking it as far as submitting it for a Brownfield Redevelopment proposal. That was discussed early in the negotiations with the Petitioner in terms of what the options would be, but I think they felt that this was probably something that's more palatable to the community, because it was done in a similar case at Inkster and Schoolcraft.

Bahr: I appreciate that. If you take something like Chi Chi's property for example, we didn't do something like this for that, and that required demolition of the building and I imagine it required a lot of the same kind of underground work, or am I wrong□

Taormina: No, that's right.

Bahr: So, what is it --- is it just the fact that the Petitioner has asked for this and they did not, or is this something --- I'm trying to understand why does it apply to a site like this versus others□

Taormina: The fact of the matter is in that case they did not ask for any type of incentive. Whether or not the economics are comparable here, I know that this is a recent acquisition on the part of this entity, unlike the former Chi Chi's site was held by the owner for a very long period of time so that may be part of the difference there.

Bahr: All right. I know you said this was a Mountain Jack's, you said it was a salon or something like, and remind me again, currently is it sitting vacant□

Taormina: It has been empty, I'm going to say it's been around a year and a half now, maybe closer to two years.

Bahr: All right, thank you.

Bohn: Council, I can answer the question.

Toy: □old on a second.

Bohn: Sure.

Toy: Mark, what I need to know on this site, as we look at hotels that we're putting in in our community, where do we, as we referred to many times

the Inkster and Schoolcraft hotel, □oliday Inn Express. As we come down the corridor and we get into – I know that Burton Manor was thinking about petitioning on a piece of property over there that was – again, that's rumored but I heard it several times, and then we come down, is that a Fairfield or a □ampton□

Taormina: □ampton.

Toy: and then we have Costco, and we come down and have some more commercial, UPS, and we come down into this area and there's a restaurant and along the road there's some commercial; then you come across Merriman Road. That on the corner is a gas station, if I recall correctly□

Taormina: Correct.

Toy: I'm trying to look at the site again, I drove past it but I'm trying to remember, the building just to the other side of south of the gas station, if you will, in the little box, what is that building□

Taormina: Storage.

Toy: And then the bigger, the larger building right here, do we know what that is? I'm trying to get a feel for the area.

Taormina: Those are just Industrial.

Toy: Industrial□ Okay.

Taormina: Yes. Everything that is identified as blue on the plans is Industrial zoned property. The darker red is C-3 zoning. The gas station is zoned C-2 to give you a better understanding.

Toy: And then across the expressway, there's some older homes over there, if I'm not mistaken, they're scattered in a little bit here and there, some old Livonia homes if you will, and then there's several office areas. There's a root canal specialist, I know that, in that area but I'm just trying to envision again, that would be blue most of it just behind the Mobil there on the flip side□

Taormina: No. There's very little Industrial on the north side of Schoolcraft, in fact, I'm not aware of any.

Toy: Okay. It's mostly office?

Taormina: Yes. There's a Speedway gas station on the northeast corner and then you have another gas station across the way, with some offices, residential to the north.

Toy: And then there's residential that starts across the expressway, I know my sister lives over there in that direction as well. So, as we move down the expressway, we don't really have any hotels this side of Merriman would that be an accurate statement

Taormina: That is. The Comfort Inn is located back at Middlebelt Road, behind – as part of the Buckingham site, America's Best is also located adjacent to the new storage facility where the old bowling alley was located, but I'm not aware of any other hotels as you continue west from that point all the way to ---

Toy: Merriman Road.

Taormina: Well, to Merriman Road and even more down the way.

Toy: Okay, that's what I wondered. So, as we proceed, this is something new to this area as far as a hotel

Taormina: Yes.

Toy: And that's what they're asking for, okay. I'm just trying to get the vision of the area. Okay, Mr. Bohn, thank you for waiting.

Bohn: You're welcome. I wanted to address Council's question regarding the economics. I can't tell you why somebody doesn't come in and pursue financing and why people didn't. But I can tell you the incentives that we're looking at for this, I would think would qualify for would be Brownfield to demolish the building as an up-front cost. The building is vacant, it's unlikely, given its current configuration, to get re-leased, I believe that's probably what the current owner recognized. The use that is being proposed is a greater investment than most two-story buildings, reflects a change in that area. That zoning in that area is actually quite old, so ultimately if this is approved, you'd get an investment that would be substantially greater than the standard investment that limits you to a two-story building. You're also on highway frontage, you'll see along a highway, a five-story building is not an unusual size building. And the specific economic risk is what's been going on in the State of Michigan, what's been going on in Southeastern Michigan and what you've probably read about in Crain's and others are there are numerous projects that have been planned, site plan approved, that are on hold. We are now at the convergence of a dire shortage of skilled trades, the average skilled trade worker is my age which should scare you. With the shrinkage of

available labor has put projects on hold in Detroit that are otherwise financed. What we're seeing just in the hotel market, is you have a relatively very competitive room rate, so you're willing to charge more per room and keep your vacancy rate low, you want to have lower vacancy, that's what you can charge. Labor rates on a daily basis are what they are, but your skilled trades, the ability to make this building go vertical has gone up at a greater rate than the ability to charge greater rent from your property. At the same time because of the real or perceived costs of tariffs, the things that you build with, predominantly concrete and steel, and then secondarily wood, have gone up. So you're having an unusual circumstance where you have a market demand but the cost to actually construct new has increased greater than you can get rent back.

So, this abatement request which to Councilmember McIntyre's question, does not deprive the City of any current revenue, that revenue stays in place, that remains unchanged. It increases because the land, the dirt component of the real estate, can and does get reassessed. In fact, the CRD #3 land has been subsequent to redevelopment assessed at an increase. You'll likely see an increase. And when the abatement ends, the property as you know uncaps and you'll assess it at its current value.

What I really encourage you to do, if anything to describe, to your point is it a business area, I guess it sort of Justice Potter Stewart, it's a pornography showcase, if you get a map -- not --- I don't want to say pornography showcase, but I could show you some aerial maps and say tell me why this isn't a business area, I think it's pretty well described as a business area. It's probably a little more, a little older than some of your other areas, it hasn't gotten the demand, some of the more centered empired demand crossings have. Your industrial properties went first, as the whole State lost industrial properties, no one built that. The Amazon project was phenomenal because look at how long that property sat in an underutilized fashion. You could ask your assessors or others whether CRD #3, the □oliday Inn Express, has been a success. I think if you measure the actual dollar abatement in the freeze that's measured in tens of thousands of dollars, where the actual economic outcome because of employment, re-employment and greater activities to the surrounding areas. I would tell you go around the hotel and look at some of the small businesses and the activity that's gone on there, ask them whether they've seen an uptake in business since the hotel has stayed about 85□ occupied. Ask the restaurants in that area if they've seen more people eating meals and I can tell you some of the vacant spaces aren't vacant any more. I can't --- it's probably harder for me to measure it, but I think the operator of that entity is standing next to me, his brother is not here, but the two operate that successfully, they've hired locally.

If you have questions of me or the project, but in closing why we are asking for this and what differentiates it from maybe some other types of businesses, this hotel market is driven by the costs in the immediate area or the costs of construction, particularly in Southeastern Michigan right now, I think are going to remain greater than originally anticipated. If you saw the Crain's article from three weeks ago, front page, the number of projects that have been approved but put on hold, I don't wish that to happen and I am submitting this request so that we can make this project go forward this year.

Toy: Councilmember Bahr.

Bahr: Thank you for that. It was interesting to hear. I was going to ask you about the □ampton and □oliday Inn Express. Do you perceive that there's a demand that those hotels can't keep up with that this hotel is going to relieve□

Nofar: They're not struggling to keep up with demand. I can't speak to Hampton Inn because that's not my property. I can only speak for my □oliday Inn Express and we're keeping up and we have a lot of sell out nights, but we also know that Staybridge is an acceptable brand and corporate driven, and there's a need for that.

Bahr: What do you mean by corporate driven□

Nofar: A lot of corporate stays.

Bahr: Got it, got it, okay.

Nofar: And when we spoke to the parent company for □oliday Inn Express, Staybridge, all these brands, they told us there is a need for an extended stay in that location, in that area. And with us having six properties with them, we felt a need to take the next step and pursue this location and to move forward with it.

Bahr: When you say in that area, do you know what constitutes that area, is it that square mile, is it the City of Livonia, is it Western Wayne County□

Nofar: No, it's Livonia on I-96 and Livonia on 275, they're not looking on 275. They're looking on the 96 corridor, which has the Holiday Inn Express and the □ampton Inn. So, they're looking for another one which would be an extended stay in that corridor.

Bahr: Through the Chair to Mark, just to be clear, so you're talking about the business area, that's as opposed to what, an industrial area, a residential area? I agree this is a business area, I'm just trying to figure it out.

Taormina: I think business area could mean a combination of both industrial and retail, commercial properties. It doesn't differentiate between that as a business category and wouldn't necessarily include the residential properties. And I don't think the statute is designed to necessarily include the residential properties in the formation of the District, unless the development is a particular type of residential project.

Bahr: I'll just make a comment here, I think this project is fantastic. What is happening between Inkster and Middlebelt along the expressway, I think from a community standpoint makes that corridor more attractive. I think the concept of the project is awesome.

Toy: Councilmember Meakin.

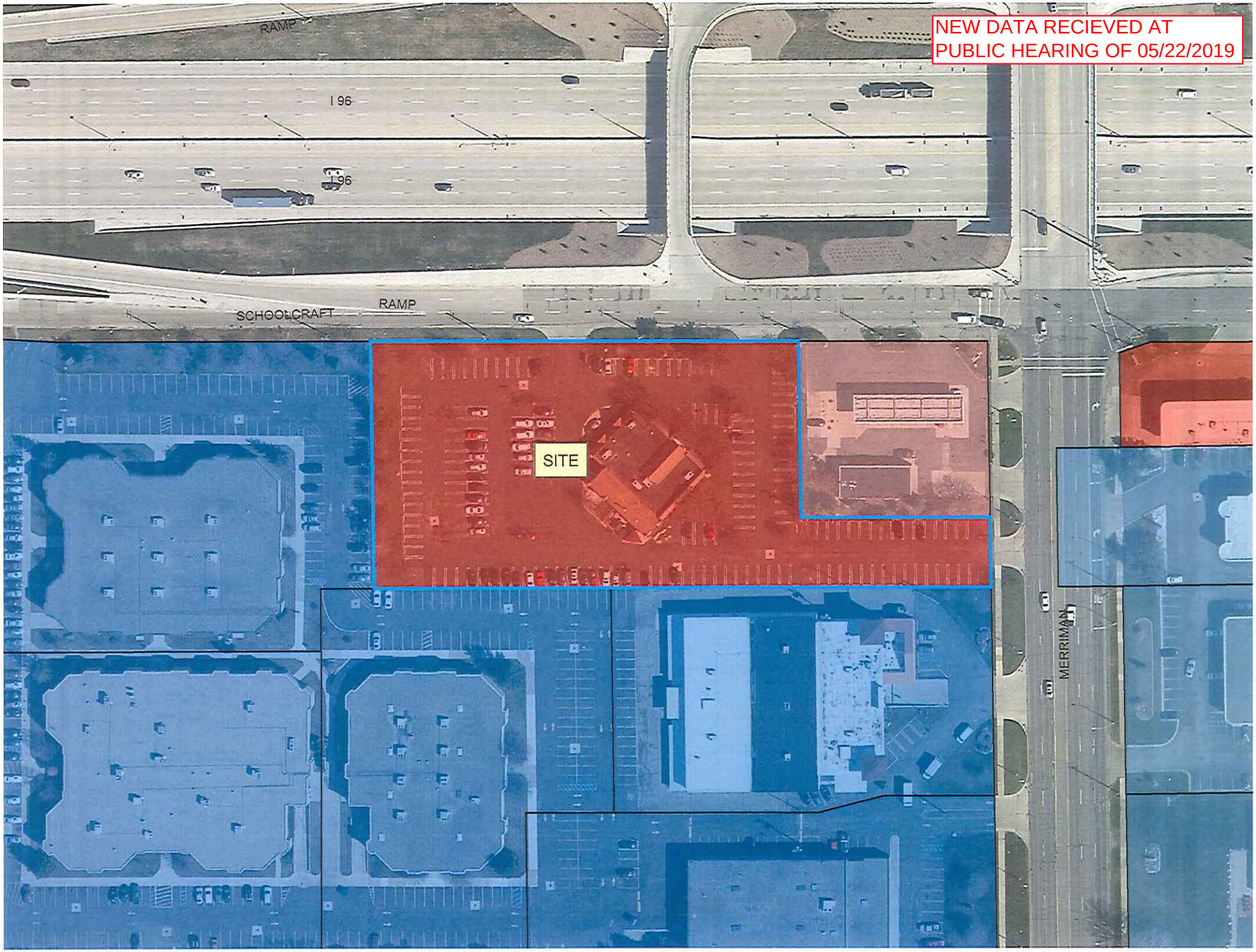
Meakin: Thank you, Madam President. This is the Public □earing portion of this process and since there's no public here to be heard, I will offer two resolutions, an approving and a denial.

Toy: We have two resolutions, an approving and a denying. Any other comments from the Council□ □earing none, this matter will be heard on the Monday, □une 17th Regular Meeting of Council.

As there were no further questions or comments, the Public □earing was declared closed at 7:26 p.m.

SUSAN M. NAS□, CITY CLERK

NEW DATA RECIEVED AT
PUBLIC HEARING OF 05/22/2019



OFFICES OF T□E CITY COUNCI□

COUNCI□ MEM□ERS

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33000 CI□IC CENTER DRI□E
LI□ONIA, MIC□IGAN 48154-3097
(734) 466-2251
FA□: (734) 421-4388

□udy Priebe
Director of Legislative Affairs

May 3, 2019

To be announced at the City Council Regular Meeting of Wednesday, May 8, 2019.

A Public □earing for the following items will be held on
□ ednesday, May 22, 2019
at 7:00 P.M.,
in the Auditorium of □ivonia City □all,
33000 Civic Center Drive, □ivonia, Michigan

Paul F. Bohn, Fausone Bohn, LLP, on behalf of Schoolcraft Lodge, Inc. requesting **to establish a Commercial Rehabilitation District** for the property located at 31501 Schoolcraft Road, Livonia, MI 48150, to facilitate the redevelopment of this property. (Tax ID No. 105 99 0029 003)

□udy Priebe
Director of Legislative Affairs

cc: Mayor, City Clerk (suggested publication: 5/12/19), City Treasurer, City Attorney, City Planner, City Assessor, City Engineer, Director of Public Works, Director of Finance and Director of Inspection

FAUSONE BOHN, LLP
ATTORNEYS AT LAW

April 15, 2019

VIA: FIRST CLASS AND ELECTRONIC MAIL

Susan M. Nash, City Clerk
City of Livonia
33000 Civic Center Drive
Livonia, Michigan 48154
SNash@ci.livonia.mi.us

RE: Request to Establish a Commercial Rehabilitation District

Dear Ms. Nash:

On behalf of Schoolcraft Lodge, Inc., please let this letter serve as its request to establish a Commercial Rehabilitation District pursuant to Public Act 210 of 2005 over property located at 31501 Schoolcraft Road, Tax Parcel ID No. 105 99 0029 003 (the "Property"). If approved the applicant intends to seek a request from the City of Livonia for a Commercial Rehabilitation Act Exemption Certificate to facilitate the redevelopment of the currently vacant and functionally obsolete Property, formerly an office building and hair salon, into a state-of-the-art, four-story, 93-room hotel.

We respectfully ask that this matter be set for a public hearing and consideration by the Livonia City Council. If you have any questions regarding this request, or wish additional information please do not hesitate to contact this office.

Very truly yours,

Paul F. Bohn

PFB/vjc

cc: Mark S. Taormina, City of Livonia Economic Development Director *(VIA: mtaormina@ci.livonia.mi.us)*
Judy Preibe, City of Livonia Director of Legislative Affairs *(VIA: citycouncil@ci.livonia.mi.us)*
Robert Nofar
William Nofar

41700 West Six Mile • Suite 101 • Northville, MI 48168
(248) 380-0000 tel. • (248) 380-3434 fax • www.fb-firm.com

31501 SCHOOLCRAFT LIVONIA, MI 48150 (Property Address)

Parcel Number: 105 99 0029 003

Item 1 of 2 1 Image / 1 Sketch

Property Owner: SCHOOLCRAFT LODGE INC .

Summary Information

> Commercial/Industrial Building Summary
- Yr Built: 1983
- # of Buildings: 1
- Total Sq.Ft.: 7,448

> Property Tax information found

> Assessed Value: $425,000 | Taxable Value: $425,000

> 45 Building Department records found

Owner and Taxpayer Information

Owner	SCHOOLCRAFT LODGE INC 31501 SCHOOLCRAFT LIVONIA, MI 48150	**Taxpayer**	SCHOOLCRAFT LODGE INC 50102 DRAKES BAY DRIVE NOVI, MI 48374

General Information for Tax Year 2019

Property Class	COMMERCIAL - IMPROVED	**Unit**	46 CITY OF LIVONIA
School District	LIVONIA	**Assessed Value**	$425,000
YR BLT/SQ FT	1983|7448	**Taxable Value**	$425,000
USER NUM IDX	0	**State Equalized Value**	$425,000
USE CODE	*Not Available*	**Date of Last Name Change**	12/28/2018
USER ALPHA 3	*Not Available*	**Notes**	*Not Available*
Historical District	*Not Available*	**Census Block Group**	*Not Available*
MISC	*Not Available*	**Exemption**	*No Data to Display*

Principal Residence Exemption Information

Homestead Date *No Data to Display*

Principal Residence Exemption	June 1st	Final
2019	0.0000 %	-
2018	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2018	$418,500	$418,500	$418,500
2017	$418,200	$418,200	$411,026
2016	$408,010	$408,010	$407,360

Land Information

Zoning Code	C-3	**Total Acres**	2.370
Land Value	$412,949	**Land Improvements**	$112,504
Renaissance Zone	No	**Renaissance Zone Expiration Date**	*No Data to Display*
ECF Neighborhood	*Not Available*	**Mortgage Code**	*No Data to Display*
Lot Dimensions/Comments	*No Data to Display*	**Neighborhood Enterprise Zone**	No

Lot(s)	Frontage	Depth
Lot 1	396.00 ft	0.00 ft

Total Frontage: 396.00 ft **Average Depth: 0.00 ft**

Legal Description

27A 18A2-21A2 22A 23A2 24A2A 25A1 24A2B2 25A2B PT OF THE NE 1/4 SEC 27 T1S R9E BEG S 00D 07M 30S E 508.14 FT & N 89D 22M 10S W 60 FT FROM THE NE COR SEC 27 TH N 89D 22M 10S W 572 FT TH N 00D 07M 30S W 231.53 FT TH S 89D 14M 28S E 397 FT TH S 00D 07M 30S E 164.64 FT TH S 89D 22M 10S E 175 FT TH S 00D 07M 30S E 66 FT TO POB 2.37 AC

Land Division Act Information

Date of Last Split/Combine	*No Data to Display*	**Number of Splits Left**	*Not Available*
Date Form Filed	*No Data to Display*	**Unallocated Div.s of Parent**	0

Date Created	*No Data to Display*	**Unallocated Div.s Transferred**	0
Acreage of Parent	0.00	**Rights Were Transferred**	No
Split Number	0	**Courtesy Split**	No
Parent Parcel	*No Data to Display*		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
08/06/2018	$1,100,000.00	PTA	P & S WELLS LLC	SCHOOLCRAFT LODGE INC	ARMS LENGTH TRANS	
05/03/2004	$985,000.00	TA	GL ZIEGLER INVESTMENTS, LLC	PETER & SALLY WELLS	ARMS LENGTH TRANS	
02/11/2000	$975,000.00	TA	MUER,C A	GL ZIEGLER INVESTMENTS, LLC	ARMS LENGTH TRANS	

Building Information - 7448.00 sq ft (Commercial)

Floor Area	7,448 sq ft	**Estimated TCV**	$324,462
Occupancy	*Not Available*	**Class**	C
Stories Above Ground	1	**Average Story Height**	*Not Available*
Basement Wall Height	*Not Available*	**Identical Units**	*Not Available*
Year Built	1983	**Year Remodeled**	*Not Available*
Percent Complete	*Not Available*	**Heat**	Package Heating & Cooling
Physical Percent Good	40%	**Functional Percent Good**	100%
Economic Percent Good	100%	**Effective Age**	36 yrs

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LETTER TO THE LIVONIA CITY COUNCIL

14.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Brenda Smyser, Program Supervisor,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate	**To New Rate**
	2022	**2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

ATTACHMENTS

1. 13.08.040 - 2023
2. S052223 LTC 2023 Water and Sewer Rates
3. 2023 Attachment II Comparison of Communities For Distribution xlsx
4. 2023 Attachment III Statement of Revenue and Expenses
5. Letter to Water Board - Water Rates 2023_Final
6. 2023 Water Rate Ordinance Revisions
7. 2023 Attachment I Per Unit Increase

APPROVED BY

Michael T Slater

Date: May 23, 2023

Michael Slater, Finance Director

Date: May 25, 2023

Paul Bernier, City Attorney

Maureen Miller Brosnan

Date: May 25, 2023

Maureen Miller Brosnan, Mayor

AN ORDINANCE AMENDING SECTION 040 OF TITLE 13, CHAPTER 08 (WATER SERVICE RATES AND REVENUES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 040 of Title 13, Chapter 08 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.08.040 Consumption rates. Effective with the first billing on and after July 1, 202~~2~~3, water use will be charged at the following rates:

CHARGE DESCRIPTION	AMOUNT PER 100 CUBIC FEET
Base Charge	
GLWA per 100 cubic feet of water used	$ 2.~~14~~35
City of Livonia per 100 cubic feet of water used	$ 0.~~75~~86
Use Charge per 100 cubic feet of water used	$ ~~2.89~~3.21
Large User (meters sizes 1.5 inch or larger)	
Charge per 100 cubic feet of water used	$ ~~0.96~~1.13
Total Use Charge for Large Users per 100 cubic feet of water used	$ ~~3.85~~4.34

Rates presently established shall continue for bills issued before July 1, 202~~2~~3.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

_____

LETTER TO THE LIVONIA CITY COUNCIL

12.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations

made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate 2022	**To New Rate 2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Water

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

n/a

DETAILED WORK BEING PERFORMED

n/a

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

n/a

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

n/a

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): n/a

ATTACHMENTS

1. Letter to Water Board - Water Rates 2023 Final
2. 2023 Attachment I Residential User Increase
3. 2023 Attachment II Comparison of Communities For Distribution xlsx

4. 2023 Attachment III Statement of Revenue and Expenses
5. 2023 Water Rate Ordinance Revisions

APPROVED BY

Date: May 10, 2023

Don Rohraff, Director of Public Works

Date: May 12, 2023

Michael Slater, Finance Director

Date: May 12, 2023

Paul Bernier, City Attorney

Date: May 12, 2023

Maureen Miller Brosnan, Mayor

Attachment II

RESIDENTIAL WATER AND SEWER BILL
COMPARISON OF COMMUNITIES
Charges for 10, 20 and 30 Billing Units (CFW)[1] per Quarter
5/8 Inch Meter
As of April 26, 2023

Purpose: The following comparison is provided to show the amount of a quarterly residential water customer bill based on various hypothetical water usage amounts.

COMMUNITY	LOW USAGE - 10 UNITS	AVERAGE USAGE - 20 UNITS[2]	HIGH USAGE - 30 UNITS
Canton - with Sump - 2022 Rate	101.05	180.50	259.94
Farmington Hills - 2022 Rate	149.97	186.90	279.23
Livonia - 2023 Rate	***132.25***	***194.75***	***257.25***
Canton - without Sump - 2022 Rate	132.01	211.46	290.90
Plymouth (City of) - 2022 Rate	115.62	219.68	323.74
Westland - 2023 Rate	149.50	229.24	308.99
Redford Township - 2022 Rate	150.58	256.58	362.58
Northville (City of) - 2023 Rate	172.12	326.98	481.84

Footnotes:

[1] "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons. Communities bill in different units of measurement, such as 1,000 gallons. This analysis converts the various methodologies to a common format.

[2] 20 units of water is the average usage for a Livonia residential water customer.

[3] Comparison rates are based on most recent information available

ATTACHMENT III
COMBINED STATEMENT OF REVENUE AND EXPENSES

	FY 16/17 AUDIT	FY 17/18 AUDIT	FY 18/19 AUDIT	FY 19/20 AUDIT	FY 20/21 AUDIT	FY 21/22 AUDIT	FY 22/23 Projected	FY 23/24 RATE ANALYSIS	FY 23/24 RATE ANALYSIS W/O INCREASE
OPERATING REVENUE									
Customer billings	36,653,877	39,834,062	39,713,701	39,107,543	38,347,261	40,223,471	41,579,402	43,434,312	40,992,560
Fines and forfeitures	1,751,702	1,851,194	1,857,586	1,407,064	1,498,126	1,629,981	1,600,000	1,600,000	1,600,000
Service Connections	37,977	80,819	54,206	49,899	66,385	34,128	30,000	77,500	77,500
Other Revenue	100,508	101,016	73,726	52,377	94,969	105,069	78,000	281,933	281,933
Total Operating Revenue	38,544,064	41,867,091	41,699,219	40,616,883	40,006,741	41,992,649	43,287,402	45,393,745	42,951,993
OPERATING EXPENSES									
Cost of Water	13,463,652	13,931,174	12,746,276	11,633,702	11,783,956	12,103,060	12,547,649	13,198,327	13,198,327
Cost of Sewage Disposal	14,469,546	14,469,546	15,496,996	16,994,074	16,764,493	16,285,132	16,866,830	16,739,599	16,739,599
System maintenance and operation	5,673,119	6,921,054	4,110,636	5,164,796	5,494,898	5,883,365	7,754,152	7,787,273	7,787,273
General and Administrative	1,057,499	1,071,356	1,070,456	1,172,959	1,241,712	1,257,708	1,359,789	1,371,659	1,371,659
GASB 75 OPEB expense		875,000							
Depreciation	3,148,353	3,314,702	3,427,755	3,682,943	3,797,231	3,960,377	4,081,511	4,081,511	4,081,511
Total Operating Expense	37,812,169	40,582,832	36,852,119	38,648,474	39,082,290	39,489,642	42,609,931	43,178,368	43,178,368
Operating income	731,895	1,284,259	4,847,100	1,968,409	924,451	2,503,007	677,471	2,215,377	(226,375)
NON OPERATING REVENUE (EXPENSE)									
Interest Income	102,678	238,443	489,429	245,340	(10,295)	1,458	54,070	31,500	(78,500)
Interest Expense	(327,007)	(328,908)	(301,006)	(339,904)	(392,591)	(446,491)	(438,652)	(535,356)	(535,356)
Gain on Sale of Assets	44,286	63,275	31,550	-	-	-	40,000	-	-
Total Nonoperating Revenue(Expense)	(180,043)	(27,190)	219,973	(94,564)	(402,886)	(445,033)	(344,582)	(503,856)	(613,856)
EXTRAORDINARY ITEM	-	-	-	-	-	-	-	-	-
NET INCOME (LOSS) BEFORE CAPITAL CONTRIBUTIONS AND EXTRAORDINARY ITEMS	551,852	1,257,069	5,067,073	1,873,845	521,565	2,057,974	332,889	1,711,522	(840,230)

DEPARTMENT OF PUBLIC WORKS

MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
DIRECTOR OF PUBLIC WORKS

DOUGLAS L. MOORE, MSA
ASSISTANT DIRECTOR OF PUBLIC WORKS

JACOB A. RUSHLOW, PE
ASSISTANT DIRECTOR OF PUBLIC WORKS

RYAN J. FERRELL
SUPERINTENDENT OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150-4202
(734) 466-2655
FAX: (734) 466-2660

MAINTENANCE SERVICES

- Roads
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- Sewer
- Building
- Animal Control
- Forestry
- Equipment
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- Traffic Signs
- Solid Waste / Recycling

April 26, 2023

Water and Sewer Board
City of Livonia

Subject: Water and Sewer Fund Review, Water and Sewer Rates Adjustments. Industrial Surcharge Rate, Industrial Waste Control Charge (Effective July 1, 2023)

Dear Board Members:

This report provides a review of the performance of the Water and Sewer Fund for FY 2023, as well as a recommendation to adjust the water and sewer rates to Livonia customers, including charges to some of the commercial/industrial customers in Livonia. The following topics are discussed in this report:

- Increase in wholesale water and sewer cost
- A review of the Water and Sewer Fund performance for FY 2022
- Proposed Water and Sewer Fund rate adjustments for 2023
- Ordinance amendments reflecting recommended rate adjustments

Change in Wholesale Water and Sewer Cost

The Great Lakes Water Authority (GLWA) increased the wholesale cost of water to the City of Livonia by 7.2%. The cost to the City of Livonia per billing unit of 100 cubic feet (approximately 750 gallons) has increased by 7 cents, from $1.06 to $1.13. The GLWA fixed monthly charges have increased by $39,200 per month, from $622,800 to $662,000 per month.

Wayne County charges sewage disposal as a fixed monthly fee to the City of Livonia. The cost is estimated to increase 4% from $1,318,333 to $1,371,066. The increase in rates is the result of large Wayne County improvement projects planned and budgeted in previous fiscal years.

A Review of the Water and Sewer Fund Performance for Fiscal Year 2022

The Water and Sewer Fund experienced a net operating gain of $2,057,974 before contributions from developers, grant reimbursements, and special assessment revenue (reference Attachment III). Every year, the goal of rate setting is to generate enough income to cover anticipated operating expenses, debt service payments, and capital improvements. Fiscal year 2022 operating revenue was down $1 million largely due to actual sales being lower than projections. Operating expenses were also down from projections by $2.3 million. There are three main drivers for the reduced expense: 1. We estimated the Wayne County rate high based on planned capital projects. 2. A chip shortage has reduced meter production and impacted our ability to purchase and install new meters and reading devices. 3. We budgeted for SCADA, a software and hardware upgrade to measure water pressure throughout the City, in previous fiscal years. The project is set to start later this year.

Projected Water and Sewer Fund Rate Adjustments for 2023

Wholesale Charges:
The Great Lakes Water Authority (GLWA) and Wayne County wholesale charges to the City of Livonia for 2023 are shown below in Table 1. Each unit is 100 cubic feet. Approximately 40.08% of Great Lakes Water Authority and Wayne County's total fixed costs are passed through to our customers in fixed format, with the remaining 59.92% being adjusted back into the per-unit charges for water and sewer.

TABLE 1

Description	2022	2023	$ / % Change
GLWA Per Unit (water)	$ 1.06	$1.13	$ 0.07 / 6.60%
GLWA Fixed Cost per month (water)	$622,800	$662,000	$39,200 / 6.29%
Wayne County Fixed Cost per month (sewer)	$1,318,333	$1,371,066	$52,733 / 4.00%

The GLWA is also adjusting the Industrial Surcharge Rates and the Industrial Waste Control Charges as shown in the Summary and Recommendations in the Water and Sewer Ordinance revisions. All four of the Industrial Surcharge rates have increased. The Industrial Waste Control Charges, which are based on meter size, have been increased by 1.68% across the board. Both the Industrial Surcharge Rate and the Industrial Waste Control Charges affect *only* commercial and industrial customers. These charges continue to be a pass-through to the affected customer with no additional charge by the City of Livonia.

City of Livonia Charges:

A continuing effort is being made to provide services in the most efficient, cost-effective manner possible. Operating, maintenance and administration expenses are constantly monitored to keep costs within budget. All policies and procedures are regularly reviewed, and processes and procedures are implemented to contain cost while providing excellent service. Operations and maintenance will continue to monitor water main breaks, weather conditions and the state of our infrastructure to find ways of reducing expenses.

Administration is also exploring ways to provide customer billing and collection services that reduce costs while providing improved service to the customer.

TABLE 2 below reflects the recommended rate adjustments for low-, medium- and high-volume users with small meters. There are 37,637 users with small meters.

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"SMALL USERS" 5/8 to 1 Inch Meters
As of July 1, 2023

		LOW USAGE			MEDIUM USAGE			HIGH USAGE		
		10 UNITS/QUARTER			20 UNITS/QUARTER			30 UNITS/QUARTER		
Per Unit Charge:		7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)
2022 Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 Water per Billing Unit	3.21		$32.10			$ 64.20			$ 96.30	
2022 Sewer per Billing Unit	2.90	$ 29.00			$ 58.00			$ 87.00		
2023 Sewer per Billing Unit	3.04		$30.40			$ 60.80			$ 91.20	
2022 Fixed Charge	69.75	$ 69.75			$ 69.75			$ 69.75		
2023 Fixed Charge	69.75		$ 69.75			$ 69.75			$ 69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

The table below reflects the recommended rate adjustments for “large users” of meter sizes 1½” to 10”.

TABLE 3

CITY OF LIVONIA – WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"LARGE USERS" – METER SIZE OVER 1 INCH – As of July 1, 2023

PER UNIT RATES	**#/Meters**	**2022/23**	**2023/24**	**Incr./Decr.**	**Incr.**
Cost of Water per Billing Unit		2.89	3.21	0.32	11.07%
Cost of Sewer per Billing Unit		2.90	3.04	0.14	4.83%
Large User Charge		2.87	3.15	0.28	9.76%
QUARTERLY FIXED FEES PER METER					
1 1/2 " Meter	628	205.02	209.12	4.10	2.0%
2" Meter	689	263.16	268.42	5.26	2.0%
3" Meter	150	345.78	352.70	6.92	2.0%
4" Meter	81	528.36	538.93	10.57	2.0%
6” Meter	16	1,407.60	1,435.75	28.15	2.0%
8” Meter	8	3,987.18	4,066.92	74.15	2.0%
10" Meter	1	11,493.36	11,723.23	229.87	2.0%

Impact of Water and Sewer improvement projects

Planned water and sewer improvement projects have had some impact on the proposed Water and Sewer Fund rate adjustments for 2023.

The City is planning to replace sections of water main that have experienced numerous water main breaks in the last few years.

- 12-inch water main on Merriman Road from Plymouth Road to the CTX Railroad right-of-way at a cost of $2,000,000.
- 12-inch water main on Middlebelt Road crossing underneath the Tarabusi Creek between 6 Mile Road and Mark Lane at a cost of $500,000. This section broke under the creek and is currently shut down.
- 12-inch water main along Schoolcraft Road where crossing underneath I-96 at a cost of $700,000.This section has a significant leak underneath I-96 and is currently shut down.

The City is also planning to continue implementation of the 5-year capital improvement plan with replacement of old 8-inch and 12-inch water main pipe on Merriman Road from 5 Mile Rd to Lyndon and on 5 Mile Road from Merriman to Auburndale (Section 22, Project Area 10a), Merriman Road from Lyndon to Schoolcraft, Lyndon from Auburndale to Sunset, and Schoolcraft from Merriman to Hubbell (Section 23, Project Area 11a), Farmington Road from 5 Mile Road to 6 Mile Road (Section 28, Project Area 12a), Livonia Gardens Subdivision (Section 22, Project Area 10b), and Bai-Lynn Park Subdivision (Section 23, Project Area 11b). In total, approximately 5.5 miles of replacement and upsizing of water main will be replaced at a cost of $10,000,000.

The City continues to perform sewer cured-in-place-pipe (CIPP) lining in the east half of Section 1. This year's plan includes CIPP lining of approximately 3 miles of sewer pipe ranging from 10-inch to 15-inch diameter at a cost of $1,000,000. Preparation for the CIPP lining work will start in June/July 2023 and CIPP lining is planned for August 2023.

Ordinance amendments reflecting recommended rate adjustments

The 2023/24 total per unit rate increase to the average residential user is 4.96% (reference Attachment I). For comparison, please find Attachment II that highlights the Water and Sewer cost of other communities. Even with this rate change, Livonia rates continue to remain much lower than most surrounding communities.

It is recommended and requested that the Water and Sewer Board proceed with the amendments to the Water and Sewer Ordinance as follows:

13.08.40 Water Consumption rates
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.050A Quarterly Fixed Fee per Meter (water)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

13.08.050B Seasonal Flat rate Water, per quarter **89.18**

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

13.20.120 Sewer Disposal Rates

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2022

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

Quarterly Fixed Fee per Meter (sewer)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

Industrial Waste Control Monthly Meter Charges (GLWA)		
5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 Flat Rate Sewer per Quarter	105.57
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023	

13.20.130 Special Rates - for Designated Users

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:

50% of Current per unit Sewage Charge

Per Unit Charges

Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 Industrial Waste Pollutant Strength Surcharges **EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023**	
Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Very Truly Yours,

Donald R. Rohraff
Director of Public Works

Connie Kumpula
Chief Accountant

DR/CC/jar
Attachment I: Effect of Rate Adjustment on Typical Residential Bill
Attachment II: Residential Water and Sewer Bill Comparison of Communities
Attachment III: Combined Statement of Revenue and Expenses

13.08.40 WATER CONSUMPTION RATES

Effective with the first billing on and after July 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.50 FIXED RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (water)

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

B) Seasonal Flat rate Water, per quarter 89.18

13.20.120 DISPOSAL & MAINTENANCE RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (sewer)

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

B) Sewer Disposal Rates

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

B2) Flat Rate Sewer per Quarter 105.57

B3) Industrial Waste Control Monthly Meter Charges (GLWA)

5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 - Special Rates - for Designated Users

Effective with the first billing on and after July 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:	
50% of Current per unit Sewage Charge	
Per Unit Charges	
Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 - Industrial Waste Pollutant Strength Surcharges

Effective with the first billing on and after July 1, 2023

Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Attachment I

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
AVERAGE METERS (5/8 to 1 Inch)
As of July 1, 2023
NO FIXED INCREASE TO SMALL METERS AND A 2 % INCREASE LARGE METERS WITH 8% WATER LOSS

		LOW USAGE 10 UNITS PER QUARTER			AVERAGE USAGE 20 UNITS PER QUARTER			HIGH USAGE 30 UNITS PER QUARTER		
		7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)
Per Unit Charge:										
2022 - Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 - Water per Billing Unit	3.21		32.10			64.20			96.30	
2022 - Sewer per Billing Unit	2.90	29.00			58.00			87.00		
2023 - Sewer per Billing Unit	3.04		30.40			60.80			91.20	
2022 Fixed Charge	69.75	69.75			69.75			69.75		
2023 Fixed Charge	69.75		69.75			69.75			69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

Footnotes:

(1) "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons.

(2) 20 units of water is the average usage for a Livonia residential water customer.

LETTER TO THE LIVONIA CITY COUNCIL

15.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Brenda Smyser, Program Supervisor,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 050 of Title 13, Chapter 08 (Water Service Rates and Revenues) to provide changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate	**To New Rate**
	2022	**2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

ATTACHMENTS

1. 13.08.050 - 2023
2. S052223 LTC 2023 Water and Sewer Rates
3. 2023 Attachment II Comparison of Communities For Distribution xlsx
4. 2023 Attachment III Statement of Revenue and Expenses
5. Letter to Water Board - Water Rates 2023_Final
6. 2023 Water Rate Ordinance Revisions
7. 2023 Attachment I Per Unit Increase

APPROVED BY

Michael T Slater

Michael Slater, Finance Director — Date: May 23, 2023

Paul Bernier, City Attorney — Date: May 25, 2023

Maureen Miller Brosnan

Maureen Miller Brosnan, Mayor — Date: May 25, 2023

AN ORDINANCE AMENDING SECTION 050 OF TITLE 13, CHAPTER 08 (WATER SERVICE RATES AND REVENUES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 050 of Title 13, Chapter 08 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.08.050 Fixed rates. A. In addition to the charge for water usage, effective with the first billing on and after July 1, 202~~2~~3, there will be a fixed quarterly charge, determined by meter size, as follows:

METER SIZE	QUARTERLY CHARGE
5/8 Inch	$ 2~~3.27~~4.98
3/4 Inch	$ 2~~3.27~~4.98
1 Inch	$ 2~~3.27~~4.98
1 1/2” Meter	$ ~~68.40~~74.90
2” Meter	$ ~~87.79~~96.15
3” Meter	$ 1~~15.36~~26.33
4” Meter	$ 1~~76.27~~93.04
6” Meter	$ ~~469.59~~514.27
8” Meter	$ 1,~~330.17~~456.73
10” Meter	$ ~~3,834.32~~4,199.15

B. Seasonal Flat rate Water, per quarter $ 8~~1.07~~9.18.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

_____

LETTER TO THE LIVONIA CITY COUNCIL

12.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations

made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate 2022	**To New Rate 2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Water

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

n/a

DETAILED WORK BEING PERFORMED

n/a

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

n/a

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

n/a

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): n/a

ATTACHMENTS

1. Letter to Water Board - Water Rates 2023 Final
2. 2023 Attachment I Residential User Increase
3. 2023 Attachment II Comparison of Communities For Distribution xlsx

4. 2023 Attachment III Statement of Revenue and Expenses
5. 2023 Water Rate Ordinance Revisions

APPROVED BY

Date: May 10, 2023

Don Rohraff, Director of Public Works

Date: May 12, 2023

Michael Slater, Finance Director

Date: May 12, 2023

Paul Bernier, City Attorney

Date: May 12, 2023

Maureen Miller Brosnan, Mayor

Attachment II

RESIDENTIAL WATER AND SEWER BILL
COMPARISON OF COMMUNITIES
Charges for 10, 20 and 30 Billing Units (CFW)[1] per Quarter
5/8 Inch Meter
As of April 26, 2023

Purpose: The following comparison is provided to show the amount of a quarterly residential water customer bill based on various hypothetical water usage amounts.

COMMUNITY	LOW USAGE - 10 UNITS	AVERAGE USAGE - 20 UNITS[2]	HIGH USAGE - 30 UNITS
Canton - with Sump - 2022 Rate	101.05	180.50	259.94
Farmington Hills - 2022 Rate	149.97	186.90	279.23
Livonia - 2023 Rate	***132.25***	***194.75***	***257.25***
Canton - without Sump - 2022 Rate	132.01	211.46	290.90
Plymouth (City of) - 2022 Rate	115.62	219.68	323.74
Westland - 2023 Rate	149.50	229.24	308.99
Redford Township - 2022 Rate	150.58	256.58	362.58
Northville (City of) - 2023 Rate	172.12	326.98	481.84

Footnotes:

[1] "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons. Communities bill in different units of measurement, such as 1,000 gallons. This analysis converts the various methodologies to a common format.

[2] 20 units of water is the average usage for a Livonia residential water customer.

[3] Comparison rates are based on most recent information available

ATTACHMENT III
COMBINED STATEMENT OF REVENUE AND EXPENSES

	FY 16/17 AUDIT	FY 17/18 AUDIT	FY 18/19 AUDIT	FY 19/20 AUDIT	FY 20/21 AUDIT	FY 21/22 AUDIT	FY 22/23 Projected	FY 23/24 RATE ANALYSIS	FY 23/24 RATE ANALYSIS W/O INCREASE
OPERATING REVENUE									
Customer billings	36,653,877	39,834,062	39,713,701	39,107,543	38,347,261	40,223,471	41,579,402	43,434,312	40,992,560
Fines and forfeitures	1,751,702	1,851,194	1,857,586	1,407,064	1,498,126	1,629,981	1,600,000	1,600,000	1,600,000
Service Connections	37,977	80,819	54,206	49,899	66,385	34,128	30,000	77,500	77,500
Other Revenue	100,508	101,016	73,726	52,377	94,969	105,069	78,000	281,933	281,933
Total Operating Revenue	38,544,064	41,867,091	41,699,219	40,616,883	40,006,741	41,992,649	43,287,402	45,393,745	42,951,993
OPERATING EXPENSES									
Cost of Water	13,463,652	13,931,174	12,746,276	11,633,702	11,783,956	12,103,060	12,547,649	13,198,327	13,198,327
Cost of Sewage Disposal	14,469,546	14,469,546	15,496,996	16,994,074	16,764,493	16,285,132	16,866,830	16,739,599	16,739,599
System maintenance and operation	5,673,119	6,921,054	4,110,636	5,164,796	5,494,898	5,883,365	7,754,152	7,787,273	7,787,273
General and Administrative	1,057,499	1,071,356	1,070,456	1,172,959	1,241,712	1,257,708	1,359,789	1,371,659	1,371,659
GASB 75 OPEB expense		875,000							
Depreciation	3,148,353	3,314,702	3,427,755	3,682,943	3,797,231	3,960,377	4,081,511	4,081,511	4,081,511
Total Operating Expense	37,812,169	40,582,832	36,852,119	38,648,474	39,082,290	39,489,642	42,609,931	43,178,368	43,178,368
Operating income	731,895	1,284,259	4,847,100	1,968,409	924,451	2,503,007	677,471	2,215,377	(226,375)
NON OPERATING REVENUE (EXPENSE)									
Interest Income	102,678	238,443	489,429	245,340	(10,295)	1,458	54,070	31,500	(78,500)
Interest Expense	(327,007)	(328,908)	(301,006)	(339,904)	(392,591)	(446,491)	(438,652)	(535,356)	(535,356)
Gain on Sale of Assets	44,286	63,275	31,550	-	-	-	40,000	-	-
Total Nonoperating Revenue(Expense)	(180,043)	(27,190)	219,973	(94,564)	(402,886)	(445,033)	(344,582)	(503,856)	(613,856)
EXTRAORDINARY ITEM	-	-	-	-	-	-	-	-	-
NET INCOME (LOSS) BEFORE CAPITAL CONTRIBUTIONS AND EXTRAORDINARY ITEMS	551,852	1,257,069	5,067,073	1,873,845	521,565	2,057,974	332,889	1,711,522	(840,230)

DEPARTMENT OF PUBLIC WORKS

MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
DIRECTOR OF PUBLIC WORKS

DOUGLAS L. MOORE, MSA
ASSISTANT DIRECTOR OF PUBLIC WORKS

JACOB A. RUSHLOW, PE
ASSISTANT DIRECTOR OF PUBLIC WORKS

RYAN J. FERRELL
SUPERINTENDENT OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150-4202
(734) 466-2655
FAX: (734) 466-2660

MAINTENANCE SERVICES

- Roads
- Parks
- Water
- Sewer
- Building
- Animal Control
- Forestry
- Equipment
- Storm Drains
- Traffic Signs
- Solid Waste / Recycling

April 26, 2023

Water and Sewer Board
City of Livonia

Subject: Water and Sewer Fund Review, Water and Sewer Rates Adjustments. Industrial Surcharge Rate, Industrial Waste Control Charge (Effective July 1, 2023)

Dear Board Members:

This report provides a review of the performance of the Water and Sewer Fund for FY 2023, as well as a recommendation to adjust the water and sewer rates to Livonia customers, including charges to some of the commercial/industrial customers in Livonia. The following topics are discussed in this report:

- Increase in wholesale water and sewer cost
- A review of the Water and Sewer Fund performance for FY 2022
- Proposed Water and Sewer Fund rate adjustments for 2023
- Ordinance amendments reflecting recommended rate adjustments

Change in Wholesale Water and Sewer Cost

The Great Lakes Water Authority (GLWA) increased the wholesale cost of water to the City of Livonia by 7.2%. The cost to the City of Livonia per billing unit of 100 cubic feet (approximately 750 gallons) has increased by 7 cents, from $1.06 to $1.13. The GLWA fixed monthly charges have increased by $39,200 per month, from $622,800 to $662,000 per month.

Wayne County charges sewage disposal as a fixed monthly fee to the City of Livonia. The cost is estimated to increase 4% from $1,318,333 to $1,371,066. The increase in rates is the result of large Wayne County improvement projects planned and budgeted in previous fiscal years.

A Review of the Water and Sewer Fund Performance for Fiscal Year 2022

The Water and Sewer Fund experienced a net operating gain of $2,057,974 before contributions from developers, grant reimbursements, and special assessment revenue (reference Attachment III). Every year, the goal of rate setting is to generate enough income to cover anticipated operating expenses, debt service payments, and capital improvements. Fiscal year 2022 operating revenue was down $1 million largely due to actual sales being lower than projections. Operating expenses were also down from projections by $2.3 million. There are three main drivers for the reduced expense: 1. We estimated the Wayne County rate high based on planned capital projects. 2. A chip shortage has reduced meter production and impacted our ability to purchase and install new meters and reading devices. 3. We budgeted for SCADA, a software and hardware upgrade to measure water pressure throughout the City, in previous fiscal years. The project is set to start later this year.

Projected Water and Sewer Fund Rate Adjustments for 2023

Wholesale Charges:
The Great Lakes Water Authority (GLWA) and Wayne County wholesale charges to the City of Livonia for 2023 are shown below in Table 1. Each unit is 100 cubic feet. Approximately 40.08% of Great Lakes Water Authority and Wayne County's total fixed costs are passed through to our customers in fixed format, with the remaining 59.92% being adjusted back into the per-unit charges for water and sewer.

TABLE 1

Description	2022	2023	$ / % Change
GLWA Per Unit (water)	$ 1.06	$1.13	$ 0.07 / 6.60%
GLWA Fixed Cost per month (water)	$622,800	$662,000	$39,200 / 6.29%
Wayne County Fixed Cost per month (sewer)	$1,318,333	$1,371,066	$52,733 / 4.00%

The GLWA is also adjusting the Industrial Surcharge Rates and the Industrial Waste Control Charges as shown in the Summary and Recommendations in the Water and Sewer Ordinance revisions. All four of the Industrial Surcharge rates have increased. The Industrial Waste Control Charges, which are based on meter size, have been increased by 1.68% across the board. Both the Industrial Surcharge Rate and the Industrial Waste Control Charges affect *only* commercial and industrial customers. These charges continue to be a pass-through to the affected customer with no additional charge by the City of Livonia.

City of Livonia Charges:

A continuing effort is being made to provide services in the most efficient, cost-effective manner possible. Operating, maintenance and administration expenses are constantly monitored to keep costs within budget. All policies and procedures are regularly reviewed, and processes and procedures are implemented to contain cost while providing excellent service. Operations and maintenance will continue to monitor water main breaks, weather conditions and the state of our infrastructure to find ways of reducing expenses.

Administration is also exploring ways to provide customer billing and collection services that reduce costs while providing improved service to the customer.

TABLE 2 below reflects the recommended rate adjustments for low-, medium- and high-volume users with small meters. There are 37,637 users with small meters.

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"SMALL USERS" 5/8 to 1 Inch Meters
As of July 1, 2023

		LOW USAGE			MEDIUM USAGE			HIGH USAGE		
		10 UNITS/QUARTER			20 UNITS/QUARTER			30 UNITS/QUARTER		
Per Unit Charge:		7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)
2022 Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 Water per Billing Unit	3.21		$32.10			$ 64.20			$ 96.30	
2022 Sewer per Billing Unit	2.90	$ 29.00			$ 58.00			$ 87.00		
2023 Sewer per Billing Unit	3.04		$30.40			$ 60.80			$ 91.20	
2022 Fixed Charge	69.75	$ 69.75			$ 69.75			$ 69.75		
2023 Fixed Charge	69.75		$ 69.75			$ 69.75			$ 69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

The table below reflects the recommended rate adjustments for “large users” of meter sizes 1½” to 10”.

TABLE 3

CITY OF LIVONIA – WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"LARGE USERS" – METER SIZE OVER 1 INCH – As of July 1, 2023

PER UNIT RATES	**#/Meters**	**2022/23**	**2023/24**	**Incr./Decr.**	**Incr.**
Cost of Water per Billing Unit		2.89	3.21	0.32	11.07%
Cost of Sewer per Billing Unit		2.90	3.04	0.14	4.83%
Large User Charge		2.87	3.15	0.28	9.76%
QUARTERLY FIXED FEES PER METER					
1 1/2 " Meter	628	205.02	209.12	4.10	2.0%
2" Meter	689	263.16	268.42	5.26	2.0%
3" Meter	150	345.78	352.70	6.92	2.0%
4" Meter	81	528.36	538.93	10.57	2.0%
6” Meter	16	1,407.60	1,435.75	28.15	2.0%
8” Meter	8	3,987.18	4,066.92	74.15	2.0%
10" Meter	1	11,493.36	11,723.23	229.87	2.0%

Impact of Water and Sewer improvement projects

Planned water and sewer improvement projects have had some impact on the proposed Water and Sewer Fund rate adjustments for 2023.

The City is planning to replace sections of water main that have experienced numerous water main breaks in the last few years.

- 12-inch water main on Merriman Road from Plymouth Road to the CTX Railroad right-of-way at a cost of $2,000,000.
- 12-inch water main on Middlebelt Road crossing underneath the Tarabusi Creek between 6 Mile Road and Mark Lane at a cost of $500,000. This section broke under the creek and is currently shut down.
- 12-inch water main along Schoolcraft Road where crossing underneath I-96 at a cost of $700,000.This section has a significant leak underneath I-96 and is currently shut down.

The City is also planning to continue implementation of the 5-year capital improvement plan with replacement of old 8-inch and 12-inch water main pipe on Merriman Road from 5 Mile Rd to Lyndon and on 5 Mile Road from Merriman to Auburndale (Section 22, Project Area 10a), Merriman Road from Lyndon to Schoolcraft, Lyndon from Auburndale to Sunset, and Schoolcraft from Merriman to Hubbell (Section 23, Project Area 11a), Farmington Road from 5 Mile Road to 6 Mile Road (Section 28, Project Area 12a), Livonia Gardens Subdivision (Section 22, Project Area 10b), and Bai-Lynn Park Subdivision (Section 23, Project Area 11b). In total, approximately 5.5 miles of replacement and upsizing of water main will be replaced at a cost of $10,000,000.

The City continues to perform sewer cured-in-place-pipe (CIPP) lining in the east half of Section 1. This year's plan includes CIPP lining of approximately 3 miles of sewer pipe ranging from 10-inch to 15-inch diameter at a cost of $1,000,000. Preparation for the CIPP lining work will start in June/July 2023 and CIPP lining is planned for August 2023.

Ordinance amendments reflecting recommended rate adjustments

The 2023/24 total per unit rate increase to the average residential user is 4.96% (reference Attachment I). For comparison, please find Attachment II that highlights the Water and Sewer cost of other communities. Even with this rate change, Livonia rates continue to remain much lower than most surrounding communities.

It is recommended and requested that the Water and Sewer Board proceed with the amendments to the Water and Sewer Ordinance as follows:

13.08.40 Water Consumption rates
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.050A Quarterly Fixed Fee per Meter (water)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

13.08.050B Seasonal Flat rate Water, per quarter **89.18**

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

13.20.120 Sewer Disposal Rates

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2022

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

Quarterly Fixed Fee per Meter (sewer)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

Industrial Waste Control Monthly Meter Charges (GLWA)		
5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 Flat Rate Sewer per Quarter	105.57
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023	

13.20.130 Special Rates - for Designated Users

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:

50% of Current per unit Sewage Charge

Per Unit Charges

Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 Industrial Waste Pollutant Strength Surcharges **EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023**	
Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Very Truly Yours,

Donald R. Rohraff
Director of Public Works

Connie Kumpula
Chief Accountant

DR/CC/jar
Attachment I: Effect of Rate Adjustment on Typical Residential Bill
Attachment II: Residential Water and Sewer Bill Comparison of Communities
Attachment III: Combined Statement of Revenue and Expenses

13.08.40 WATER CONSUMPTION RATES

Effective with the first billing on and after July 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.50 FIXED RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (water)

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

B) Seasonal Flat rate Water, per quarter 89.18

13.20.120 DISPOSAL & MAINTENANCE RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (sewer)

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

B) Sewer Disposal Rates

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

B2) Flat Rate Sewer per Quarter 105.57

B3) Industrial Waste Control Monthly Meter Charges (GLWA)

5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 - Special Rates - for Designated Users

Effective with the first billing on and after July 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:	
50% of Current per unit Sewage Charge	
Per Unit Charges	
Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 - Industrial Waste Pollutant Strength Surcharges

Effective with the first billing on and after July 1, 2023

Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Attachment I

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
AVERAGE METERS (5/8 to 1 Inch)
As of July 1, 2023
NO FIXED INCREASE TO SMALL METERS AND A 2 % INCREASE LARGE METERS WITH 8% WATER LOSS

		LOW USAGE 10 UNITS PER QUARTER			AVERAGE USAGE 20 UNITS PER QUARTER			HIGH USAGE 30 UNITS PER QUARTER		
		7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)
Per Unit Charge:										
2022 - Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 - Water per Billing Unit	3.21		32.10			64.20			96.30	
2022 - Sewer per Billing Unit	2.90	29.00			58.00			87.00		
2023 - Sewer per Billing Unit	3.04		30.40			60.80			91.20	
2022 Fixed Charge	69.75	69.75			69.75			69.75		
2023 Fixed Charge	69.75		69.75			69.75			69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

Footnotes:

(1) "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons.

(2) 20 units of water is the average usage for a Livonia residential water customer.

LETTER TO THE LIVONIA CITY COUNCIL

16.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Brenda Smyser, Program Supervisor,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 050 of Title 13, Chapter 28 (Industrial Waste Surcharge) to provide for changes in the industrial waste surcharge rate to become effective with the first billing on or after July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate	**To New Rate**
	2022	**2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

ATTACHMENTS

1. 13.28.050 - 2023
2. S052223 LTC 2023 Water and Sewer Rates
3. 2023 Attachment II Comparison of Communities For Distribution xlsx
4. 2023 Attachment III Statement of Revenue and Expenses
5. Letter to Water Board - Water Rates 2023_Final
6. 2023 Water Rate Ordinance Revisions
7. 2023 Attachment I Per Unit Increase

APPROVED BY

Michael T Slater

Michael Slater, Finance Director — Date: May 23, 2023

Paul Bernier, City Attorney — Date: May 23, 2023

Maureen Miller Brosnan

Maureen Miller Brosnan, Mayor — Date: May 25, 2023

AN ORDINANCE AMENDING SECTION 050 OF TITLE 13, CHAPTER 28 (INDUSTRIAL WASTE SURCHARGE) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 050 of Title 13, Chapter 28 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.28.050 Schedule of charges. Industrial waste pollutant strength surcharges are adopted herein, made effective with the first billing on and after July 1, 202~~2~~3, for users of the wastewater system of the City of Livonia, and are to be computed as follows:

Computation of Industrial Waste Pollutant Strength Surcharge

The industrial waste pollutant strength surcharge shall be computed in accordance with the following formula:

SC = 0.0624 V [a (BOD-275) + b (TSS-350) + c (P-12) + d (FOG-100)]

Where:

SC	=	Pollutant strength surcharge fee in dollars for the billing period.
V	=	Volume of waste discharged in the billing period in Mcf (1,000 cubic feet).
BOD	=	Five-day biochemical oxygen demand of the waste expressed in milligrams per liter (ppm).
TSS	=	Total suspended solids in the waste expressed in milligrams per liter (ppm).
P	=	Phosphorus in the waste expressed in milligrams per liter (ppm).
FOG	=	Fats, oils, and grease in the waste expressed in milligrams per liter (ppm).

a, b, c, d	=	Surcharge rates in dollars/pound for treating BOD, TSS, P and FOG, respectively.
0.624	=	Factor which converts Mcf to MM lbs.
a	=	dollars/pound for treating BOD = $ 0.35~~51~~61/pound greater than 275 mg/l.
b	=	dollars/pound for treating TSS = $ 0.48~~82~~96/pound greater than 350 mg/l.
c	=	dollars/pound for treating P = $ 6.~~448~~629/pound greater than 12 mg/l.
d	=	dollars/pound for treating FOG = $ 0.11~~2~~5/pound greater than 100 mg/l.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

_____

LETTER TO THE LIVONIA CITY COUNCIL

12.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

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made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate 2022	**To New Rate 2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Water

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

n/a

DETAILED WORK BEING PERFORMED

n/a

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

n/a

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

n/a

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): n/a

ATTACHMENTS

1. Letter to Water Board - Water Rates 2023 Final
2. 2023 Attachment I Residential User Increase
3. 2023 Attachment II Comparison of Communities For Distribution xlsx

4. 2023 Attachment III Statement of Revenue and Expenses
5. 2023 Water Rate Ordinance Revisions

APPROVED BY

Date: May 10, 2023

Don Rohraff, Director of Public Works

Date: May 12, 2023

Michael Slater, Finance Director

Date: May 12, 2023

Paul Bernier, City Attorney

Date: May 12, 2023

Maureen Miller Brosnan, Mayor

Attachment II

RESIDENTIAL WATER AND SEWER BILL
COMPARISON OF COMMUNITIES
Charges for 10, 20 and 30 Billing Units (CFW)[1] per Quarter
5/8 Inch Meter
As of April 26, 2023

Purpose: The following comparison is provided to show the amount of a quarterly residential water customer bill based on various hypothetical water usage amounts.

COMMUNITY	LOW USAGE - 10 UNITS	AVERAGE USAGE - 20 UNITS[2]	HIGH USAGE - 30 UNITS
Canton - with Sump - 2022 Rate	101.05	180.50	259.94
Farmington Hills - 2022 Rate	149.97	186.90	279.23
Livonia - 2023 Rate	***132.25***	***194.75***	***257.25***
Canton - without Sump - 2022 Rate	132.01	211.46	290.90
Plymouth (City of) - 2022 Rate	115.62	219.68	323.74
Westland - 2023 Rate	149.50	229.24	308.99
Redford Township - 2022 Rate	150.58	256.58	362.58
Northville (City of) - 2023 Rate	172.12	326.98	481.84

Footnotes:

[1] "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons. Communities bill in different units of measurement, such as 1,000 gallons. This analysis converts the various methodologies to a common format.

[2] 20 units of water is the average usage for a Livonia residential water customer.

[3] Comparison rates are based on most recent information available

ATTACHMENT III
COMBINED STATEMENT OF REVENUE AND EXPENSES

	FY 16/17 AUDIT	FY 17/18 AUDIT	FY 18/19 AUDIT	FY 19/20 AUDIT	FY 20/21 AUDIT	FY 21/22 AUDIT	FY 22/23 Projected	FY 23/24 RATE ANALYSIS	FY 23/24 RATE ANALYSIS W/O INCREASE
OPERATING REVENUE									
Customer billings	36,653,877	39,834,062	39,713,701	39,107,543	38,347,261	40,223,471	41,579,402	43,434,312	40,992,560
Fines and forfeitures	1,751,702	1,851,194	1,857,586	1,407,064	1,498,126	1,629,981	1,600,000	1,600,000	1,600,000
Service Connections	37,977	80,819	54,206	49,899	66,385	34,128	30,000	77,500	77,500
Other Revenue	100,508	101,016	73,726	52,377	94,969	105,069	78,000	281,933	281,933
Total Operating Revenue	38,544,064	41,867,091	41,699,219	40,616,883	40,006,741	41,992,649	43,287,402	45,393,745	42,951,993
OPERATING EXPENSES									
Cost of Water	13,463,652	13,931,174	12,746,276	11,633,702	11,783,956	12,103,060	12,547,649	13,198,327	13,198,327
Cost of Sewage Disposal	14,469,546	14,469,546	15,496,996	16,994,074	16,764,493	16,285,132	16,866,830	16,739,599	16,739,599
System maintenance and operation	5,673,119	6,921,054	4,110,636	5,164,796	5,494,898	5,883,365	7,754,152	7,787,273	7,787,273
General and Administrative	1,057,499	1,071,356	1,070,456	1,172,959	1,241,712	1,257,708	1,359,789	1,371,659	1,371,659
GASB 75 OPEB expense		875,000							
Depreciation	3,148,353	3,314,702	3,427,755	3,682,943	3,797,231	3,960,377	4,081,511	4,081,511	4,081,511
Total Operating Expense	37,812,169	40,582,832	36,852,119	38,648,474	39,082,290	39,489,642	42,609,931	43,178,368	43,178,368
Operating income	731,895	1,284,259	4,847,100	1,968,409	924,451	2,503,007	677,471	2,215,377	(226,375)
NON OPERATING REVENUE (EXPENSE)									
Interest Income	102,678	238,443	489,429	245,340	(10,295)	1,458	54,070	31,500	(78,500)
Interest Expense	(327,007)	(328,908)	(301,006)	(339,904)	(392,591)	(446,491)	(438,652)	(535,356)	(535,356)
Gain on Sale of Assets	44,286	63,275	31,550	-	-	-	40,000	-	-
Total Nonoperating Revenue(Expense)	(180,043)	(27,190)	219,973	(94,564)	(402,886)	(445,033)	(344,582)	(503,856)	(613,856)
EXTRAORDINARY ITEM	-	-	-	-	-	-	-	-	-
NET INCOME (LOSS) BEFORE CAPITAL CONTRIBUTIONS AND EXTRAORDINARY ITEMS	551,852	1,257,069	5,067,073	1,873,845	521,565	2,057,974	332,889	1,711,522	(840,230)

DEPARTMENT OF PUBLIC WORKS

MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
DIRECTOR OF PUBLIC WORKS

DOUGLAS L. MOORE, MSA
ASSISTANT DIRECTOR OF PUBLIC WORKS

JACOB A. RUSHLOW, PE
ASSISTANT DIRECTOR OF PUBLIC WORKS

RYAN J. FERRELL
SUPERINTENDENT OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150-4202
(734) 466-2655
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MAINTENANCE SERVICES

- Roads
- Parks
- Water
- Sewer
- Building
- Animal Control
- Forestry
- Equipment
- Storm Drains
- Traffic Signs
- Solid Waste / Recycling

April 26, 2023

Water and Sewer Board
City of Livonia

Subject: Water and Sewer Fund Review, Water and Sewer Rates Adjustments. Industrial Surcharge Rate, Industrial Waste Control Charge (Effective July 1, 2023)

Dear Board Members:

This report provides a review of the performance of the Water and Sewer Fund for FY 2023, as well as a recommendation to adjust the water and sewer rates to Livonia customers, including charges to some of the commercial/industrial customers in Livonia. The following topics are discussed in this report:

- Increase in wholesale water and sewer cost
- A review of the Water and Sewer Fund performance for FY 2022
- Proposed Water and Sewer Fund rate adjustments for 2023
- Ordinance amendments reflecting recommended rate adjustments

Change in Wholesale Water and Sewer Cost

The Great Lakes Water Authority (GLWA) increased the wholesale cost of water to the City of Livonia by 7.2%. The cost to the City of Livonia per billing unit of 100 cubic feet (approximately 750 gallons) has increased by 7 cents, from $1.06 to $1.13. The GLWA fixed monthly charges have increased by $39,200 per month, from $622,800 to $662,000 per month.

Wayne County charges sewage disposal as a fixed monthly fee to the City of Livonia. The cost is estimated to increase 4% from $1,318,333 to $1,371,066. The increase in rates is the result of large Wayne County improvement projects planned and budgeted in previous fiscal years.

A Review of the Water and Sewer Fund Performance for Fiscal Year 2022

The Water and Sewer Fund experienced a net operating gain of $2,057,974 before contributions from developers, grant reimbursements, and special assessment revenue (reference Attachment III). Every year, the goal of rate setting is to generate enough income to cover anticipated operating expenses, debt service payments, and capital improvements. Fiscal year 2022 operating revenue was down $1 million largely due to actual sales being lower than projections. Operating expenses were also down from projections by $2.3 million. There are three main drivers for the reduced expense: 1. We estimated the Wayne County rate high based on planned capital projects. 2. A chip shortage has reduced meter production and impacted our ability to purchase and install new meters and reading devices. 3. We budgeted for SCADA, a software and hardware upgrade to measure water pressure throughout the City, in previous fiscal years. The project is set to start later this year.

Projected Water and Sewer Fund Rate Adjustments for 2023

Wholesale Charges:
The Great Lakes Water Authority (GLWA) and Wayne County wholesale charges to the City of Livonia for 2023 are shown below in Table 1. Each unit is 100 cubic feet. Approximately 40.08% of Great Lakes Water Authority and Wayne County's total fixed costs are passed through to our customers in fixed format, with the remaining 59.92% being adjusted back into the per-unit charges for water and sewer.

TABLE 1

Description	2022	2023	$ / % Change
GLWA Per Unit (water)	$ 1.06	$1.13	$ 0.07 / 6.60%
GLWA Fixed Cost per month (water)	$622,800	$662,000	$39,200 / 6.29%
Wayne County Fixed Cost per month (sewer)	$1,318,333	$1,371,066	$52,733 / 4.00%

The GLWA is also adjusting the Industrial Surcharge Rates and the Industrial Waste Control Charges as shown in the Summary and Recommendations in the Water and Sewer Ordinance revisions. All four of the Industrial Surcharge rates have increased. The Industrial Waste Control Charges, which are based on meter size, have been increased by 1.68% across the board. Both the Industrial Surcharge Rate and the Industrial Waste Control Charges affect *only* commercial and industrial customers. These charges continue to be a pass-through to the affected customer with no additional charge by the City of Livonia.

City of Livonia Charges:

A continuing effort is being made to provide services in the most efficient, cost-effective manner possible. Operating, maintenance and administration expenses are constantly monitored to keep costs within budget. All policies and procedures are regularly reviewed, and processes and procedures are implemented to contain cost while providing excellent service. Operations and maintenance will continue to monitor water main breaks, weather conditions and the state of our infrastructure to find ways of reducing expenses.

Administration is also exploring ways to provide customer billing and collection services that reduce costs while providing improved service to the customer.

TABLE 2 below reflects the recommended rate adjustments for low-, medium- and high-volume users with small meters. There are 37,637 users with small meters.

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"SMALL USERS" 5/8 to 1 Inch Meters
As of July 1, 2023

		LOW USAGE			MEDIUM USAGE			HIGH USAGE		
		10 UNITS/QUARTER			20 UNITS/QUARTER			30 UNITS/QUARTER		
Per Unit Charge:		7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)
2022 Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 Water per Billing Unit	3.21		$32.10			$ 64.20			$ 96.30	
2022 Sewer per Billing Unit	2.90	$ 29.00			$ 58.00			$ 87.00		
2023 Sewer per Billing Unit	3.04		$30.40			$ 60.80			$ 91.20	
2022 Fixed Charge	69.75	$ 69.75			$ 69.75			$ 69.75		
2023 Fixed Charge	69.75		$ 69.75			$ 69.75			$ 69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

The table below reflects the recommended rate adjustments for “large users” of meter sizes 1½” to 10”.

TABLE 3

CITY OF LIVONIA – WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"LARGE USERS" – METER SIZE OVER 1 INCH – As of July 1, 2023

PER UNIT RATES	**#/Meters**	**2022/23**	**2023/24**	**Incr./Decr.**	**Incr.**
Cost of Water per Billing Unit		2.89	3.21	0.32	11.07%
Cost of Sewer per Billing Unit		2.90	3.04	0.14	4.83%
Large User Charge		2.87	3.15	0.28	9.76%
QUARTERLY FIXED FEES PER METER					
1 1/2 " Meter	628	205.02	209.12	4.10	2.0%
2" Meter	689	263.16	268.42	5.26	2.0%
3" Meter	150	345.78	352.70	6.92	2.0%
4" Meter	81	528.36	538.93	10.57	2.0%
6” Meter	16	1,407.60	1,435.75	28.15	2.0%
8” Meter	8	3,987.18	4,066.92	74.15	2.0%
10" Meter	1	11,493.36	11,723.23	229.87	2.0%

Impact of Water and Sewer improvement projects

Planned water and sewer improvement projects have had some impact on the proposed Water and Sewer Fund rate adjustments for 2023.

The City is planning to replace sections of water main that have experienced numerous water main breaks in the last few years.

- 12-inch water main on Merriman Road from Plymouth Road to the CTX Railroad right-of-way at a cost of $2,000,000.
- 12-inch water main on Middlebelt Road crossing underneath the Tarabusi Creek between 6 Mile Road and Mark Lane at a cost of $500,000. This section broke under the creek and is currently shut down.
- 12-inch water main along Schoolcraft Road where crossing underneath I-96 at a cost of $700,000.This section has a significant leak underneath I-96 and is currently shut down.

The City is also planning to continue implementation of the 5-year capital improvement plan with replacement of old 8-inch and 12-inch water main pipe on Merriman Road from 5 Mile Rd to Lyndon and on 5 Mile Road from Merriman to Auburndale (Section 22, Project Area 10a), Merriman Road from Lyndon to Schoolcraft, Lyndon from Auburndale to Sunset, and Schoolcraft from Merriman to Hubbell (Section 23, Project Area 11a), Farmington Road from 5 Mile Road to 6 Mile Road (Section 28, Project Area 12a), Livonia Gardens Subdivision (Section 22, Project Area 10b), and Bai-Lynn Park Subdivision (Section 23, Project Area 11b). In total, approximately 5.5 miles of replacement and upsizing of water main will be replaced at a cost of $10,000,000.

The City continues to perform sewer cured-in-place-pipe (CIPP) lining in the east half of Section 1. This year's plan includes CIPP lining of approximately 3 miles of sewer pipe ranging from 10-inch to 15-inch diameter at a cost of $1,000,000. Preparation for the CIPP lining work will start in June/July 2023 and CIPP lining is planned for August 2023.

Ordinance amendments reflecting recommended rate adjustments

The 2023/24 total per unit rate increase to the average residential user is 4.96% (reference Attachment I). For comparison, please find Attachment II that highlights the Water and Sewer cost of other communities. Even with this rate change, Livonia rates continue to remain much lower than most surrounding communities.

It is recommended and requested that the Water and Sewer Board proceed with the amendments to the Water and Sewer Ordinance as follows:

13.08.40 Water Consumption rates
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.050A Quarterly Fixed Fee per Meter (water)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

13.08.050B Seasonal Flat rate Water, per quarter **89.18**

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

13.20.120 Sewer Disposal Rates

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2022

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

Quarterly Fixed Fee per Meter (sewer)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

Industrial Waste Control Monthly Meter Charges (GLWA)		
5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 Flat Rate Sewer per Quarter	105.57
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023	

13.20.130 Special Rates - for Designated Users

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:

50% of Current per unit Sewage Charge

Per Unit Charges

Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 Industrial Waste Pollutant Strength Surcharges **EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023**	
Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Very Truly Yours,

Donald R. Rohraff
Director of Public Works

Connie Kumpula
Chief Accountant

DR/CC/jar
Attachment I: Effect of Rate Adjustment on Typical Residential Bill
Attachment II: Residential Water and Sewer Bill Comparison of Communities
Attachment III: Combined Statement of Revenue and Expenses

13.08.40 WATER CONSUMPTION RATES

Effective with the first billing on and after July 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.50 FIXED RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (water)

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

B) Seasonal Flat rate Water, per quarter 89.18

13.20.120 DISPOSAL & MAINTENANCE RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (sewer)

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

B) Sewer Disposal Rates

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

B2) Flat Rate Sewer per Quarter 105.57

B3) Industrial Waste Control Monthly Meter Charges (GLWA)

5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 - Special Rates - for Designated Users

Effective with the first billing on and after July 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:	
50% of Current per unit Sewage Charge	
Per Unit Charges	
Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 - Industrial Waste Pollutant Strength Surcharges

Effective with the first billing on and after July 1, 2023

Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Attachment I

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
AVERAGE METERS (5/8 to 1 Inch)
As of July 1, 2023
NO FIXED INCREASE TO SMALL METERS AND A 2 % INCREASE LARGE METERS WITH 8% WATER LOSS

		LOW USAGE 10 UNITS PER QUARTER			AVERAGE USAGE 20 UNITS PER QUARTER			HIGH USAGE 30 UNITS PER QUARTER		
		7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)
Per Unit Charge:										
2022 - Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 - Water per Billing Unit	3.21		32.10			64.20			96.30	
2022 - Sewer per Billing Unit	2.90	29.00			58.00			87.00		
2023 - Sewer per Billing Unit	3.04		30.40			60.80			91.20	
2022 Fixed Charge	69.75	69.75			69.75			69.75		
2023 Fixed Charge	69.75		69.75			69.75			69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

Footnotes:

(1) "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons.

(2) 20 units of water is the average usage for a Livonia residential water customer.

LETTER TO THE LIVONIA CITY COUNCIL

17.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Brenda Smyser, Program Supervisor,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 120 of Title 13, Chapter 20 (Livonia Sewage Disposal System) to provide for changes to the sewer disposal and maintenance rates to become effective with the first billing on or after July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate	**To New Rate**
	2022	**2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

ATTACHMENTS

1. 13.20.120 - 2023
2. S052223 LTC 2023 Water and Sewer Rates
3. 2023 Attachment II Comparison of Communities For Distribution xlsx
4. 2023 Attachment III Statement of Revenue and Expenses
5. Letter to Water Board - Water Rates 2023_Final
6. 2023 Water Rate Ordinance Revisions
7. 2023 Attachment I Per Unit Increase

APPROVED BY

Michael T Slater

Michael Slater, Finance Director — Date: May 23, 2023

Paul Bernier, City Attorney — Date: May 23, 2023

Maureen Miller Brosnan

Maureen Miller Brosnan, Mayor — Date: May 25, 2023

AN ORDINANCE AMENDING SECTION 120 OF TITLE 13, CHAPTER 20 (LIVONIA SEWAGE DISPOSAL SYSTEM) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 120 of Title 13, Chapter 20 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.20.120 Disposal and maintenance rates (sewer). A. Effective with the first billing on and after July 1, 202~~2~~3, the fixed quarterly charge for sewage system maintenance, determined by water meter size, shall be as follows:

METER SIZE	QUARTERLY CHARGE
5/8 Inch	$ 4~~6.48~~4.77
3/4 Inch	$ 4~~6.48~~4.77
1 Inch	$ 4~~6.48~~4.77
1 1/2" Meter	$ 13~~6.62~~4.22
2" Meter	$ 17~~5.37~~2.28
3" Meter	$ 2~~30.42~~26.36
4" Meter	$ 3~~52.09~~45.89
6" Meter	$ 9~~38.01~~21.48
8" Meter	$ 2,6~~57.01~~10.19
10" Meter	$ 7,~~659.04~~524.08

B. 1. In addition to the fixed quarterly maintenance charge, effective with the first billing on and after July 1, 202~~2~~3, there will be a charge for sewage system use, which shall be assessed at the following rates:

Base Charge	
Wayne County per 100 cubic feet of water used	$ 2.1~~5~~8
City of Livonia per 100 cubic feet of water used	$ 0.~~75~~86
Base Charge per 100 cubic feet of water used	$ ~~2.90~~3.04
Large User (meters sizes 1.5 inch or larger)	
Charge per 100 cubic feet of water used	$ ~~1.91~~2.02
Total Charge for Large Users per 100 cubic feet of water used	$ ~~4.81~~5.06

2. For each dwelling unit with an unmetered water supply, there shall be a flat quarterly sewage system charge of: $ ~~104.48~~105.57

3. Users other than single-family and two-family residential shall be subject to monthly Industrial Waste Control Meter Charges, determined by meter size, in the following amounts:

METER SIZE	MONTHLY INDUSTRIAL WASTE CONTROL CHARGE
5/8 Inch	$ 3.~~58~~64
3/4 Inch	$ 5.~~37~~46
1 Inch	$ ~~8.95~~9.10
1 1/2” Meter	$ ~~19.69~~20.02
2” Meter	$ 2~~8.64~~9.12
3” Meter	$ 5~~1.91~~2.78
4” Meter	$ 7~~1.60~~2.80
6” Meter	$ 10~~7.40~~9.20
8” Meter	$ 1~~79.00~~82.00
10” Meter	$ 25~~0.60~~4.80
12” Meter	$ 2~~86.40~~91.20
14” Meter	$ 3~~58.00~~64.00
16” Meter	$ 4~~29.60~~36.80
18” Meter	$ 50~~1.20~~9.60
20” Meter	$ 5~~72.80~~82.40
24” Meter	$ 6~~44.40~~55.20
30” Meter	$ 7~~16.00~~28.00

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

LETTER TO THE LIVONIA CITY COUNCIL

12.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations

made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate 2022	**To New Rate 2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Water

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

n/a

DETAILED WORK BEING PERFORMED

n/a

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

n/a

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

n/a

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): n/a

ATTACHMENTS

1. Letter to Water Board - Water Rates 2023 Final
2. 2023 Attachment I Residential User Increase
3. 2023 Attachment II Comparison of Communities For Distribution xlsx

4. 2023 Attachment III Statement of Revenue and Expenses
5. 2023 Water Rate Ordinance Revisions

APPROVED BY

Date: May 10, 2023

Don Rohraff, Director of Public Works

Date: May 12, 2023

Michael Slater, Finance Director

Date: May 12, 2023

Paul Bernier, City Attorney

Date: May 12, 2023

Maureen Miller Brosnan, Mayor

Attachment II

RESIDENTIAL WATER AND SEWER BILL
COMPARISON OF COMMUNITIES
Charges for 10, 20 and 30 Billing Units (CFW)[1] per Quarter
5/8 Inch Meter
As of April 26, 2023

Purpose: The following comparison is provided to show the amount of a quarterly residential water customer bill based on various hypothetical water usage amounts.

COMMUNITY	LOW USAGE - 10 UNITS	AVERAGE USAGE - 20 UNITS[2]	HIGH USAGE - 30 UNITS
Canton - with Sump - 2022 Rate	101.05	180.50	259.94
Farmington Hills - 2022 Rate	149.97	186.90	279.23
Livonia - 2023 Rate	***132.25***	***194.75***	***257.25***
Canton - without Sump - 2022 Rate	132.01	211.46	290.90
Plymouth (City of) - 2022 Rate	115.62	219.68	323.74
Westland - 2023 Rate	149.50	229.24	308.99
Redford Township - 2022 Rate	150.58	256.58	362.58
Northville (City of) - 2023 Rate	172.12	326.98	481.84

Footnotes:

[1] "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons. Communities bill in different units of measurement, such as 1,000 gallons. This analysis converts the various methodologies to a common format.

[2] 20 units of water is the average usage for a Livonia residential water customer.

[3] Comparison rates are based on most recent information available

ATTACHMENT III
COMBINED STATEMENT OF REVENUE AND EXPENSES

	FY 16/17 AUDIT	FY 17/18 AUDIT	FY 18/19 AUDIT	FY 19/20 AUDIT	FY 20/21 AUDIT	FY 21/22 AUDIT	FY 22/23 Projected	FY 23/24 RATE ANALYSIS	FY 23/24 RATE ANALYSIS W/O INCREASE
OPERATING REVENUE									
Customer billings	36,653,877	39,834,062	39,713,701	39,107,543	38,347,261	40,223,471	41,579,402	43,434,312	40,992,560
Fines and forfeitures	1,751,702	1,851,194	1,857,586	1,407,064	1,498,126	1,629,981	1,600,000	1,600,000	1,600,000
Service Connections	37,977	80,819	54,206	49,899	66,385	34,128	30,000	77,500	77,500
Other Revenue	100,508	101,016	73,726	52,377	94,969	105,069	78,000	281,933	281,933
Total Operating Revenue	38,544,064	41,867,091	41,699,219	40,616,883	40,006,741	41,992,649	43,287,402	45,393,745	42,951,993
OPERATING EXPENSES									
Cost of Water	13,463,652	13,931,174	12,746,276	11,633,702	11,783,956	12,103,060	12,547,649	13,198,327	13,198,327
Cost of Sewage Disposal	14,469,546	14,469,546	15,496,996	16,994,074	16,764,493	16,285,132	16,866,830	16,739,599	16,739,599
System maintenance and operation	5,673,119	6,921,054	4,110,636	5,164,796	5,494,898	5,883,365	7,754,152	7,787,273	7,787,273
General and Administrative	1,057,499	1,071,356	1,070,456	1,172,959	1,241,712	1,257,708	1,359,789	1,371,659	1,371,659
GASB 75 OPEB expense		875,000							
Depreciation	3,148,353	3,314,702	3,427,755	3,682,943	3,797,231	3,960,377	4,081,511	4,081,511	4,081,511
Total Operating Expense	37,812,169	40,582,832	36,852,119	38,648,474	39,082,290	39,489,642	42,609,931	43,178,368	43,178,368
Operating income	731,895	1,284,259	4,847,100	1,968,409	924,451	2,503,007	677,471	2,215,377	(226,375)
NON OPERATING REVENUE (EXPENSE)									
Interest Income	102,678	238,443	489,429	245,340	(10,295)	1,458	54,070	31,500	(78,500)
Interest Expense	(327,007)	(328,908)	(301,006)	(339,904)	(392,591)	(446,491)	(438,652)	(535,356)	(535,356)
Gain on Sale of Assets	44,286	63,275	31,550	-	-	-	40,000	-	-
Total Nonoperating Revenue(Expense)	(180,043)	(27,190)	219,973	(94,564)	(402,886)	(445,033)	(344,582)	(503,856)	(613,856)
EXTRAORDINARY ITEM	-	-	-	-	-	-	-	-	-
NET INCOME (LOSS) BEFORE CAPITAL CONTRIBUTIONS AND EXTRAORDINARY ITEMS	551,852	1,257,069	5,067,073	1,873,845	521,565	2,057,974	332,889	1,711,522	(840,230)

DEPARTMENT OF PUBLIC WORKS

MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
DIRECTOR OF PUBLIC WORKS

DOUGLAS L. MOORE, MSA
ASSISTANT DIRECTOR OF PUBLIC WORKS

JACOB A. RUSHLOW, PE
ASSISTANT DIRECTOR OF PUBLIC WORKS

RYAN J. FERRELL
SUPERINTENDENT OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150-4202
(734) 466-2655
FAX: (734) 466-2660

MAINTENANCE SERVICES

- Roads
- Parks
- Water
- Sewer
- Building
- Animal Control
- Forestry
- Equipment
- Storm Drains
- Traffic Signs
- Solid Waste / Recycling

April 26, 2023

Water and Sewer Board
City of Livonia

Subject: Water and Sewer Fund Review, Water and Sewer Rates Adjustments. Industrial Surcharge Rate, Industrial Waste Control Charge (Effective July 1, 2023)

Dear Board Members:

This report provides a review of the performance of the Water and Sewer Fund for FY 2023, as well as a recommendation to adjust the water and sewer rates to Livonia customers, including charges to some of the commercial/industrial customers in Livonia. The following topics are discussed in this report:

- Increase in wholesale water and sewer cost
- A review of the Water and Sewer Fund performance for FY 2022
- Proposed Water and Sewer Fund rate adjustments for 2023
- Ordinance amendments reflecting recommended rate adjustments

Change in Wholesale Water and Sewer Cost

The Great Lakes Water Authority (GLWA) increased the wholesale cost of water to the City of Livonia by 7.2%. The cost to the City of Livonia per billing unit of 100 cubic feet (approximately 750 gallons) has increased by 7 cents, from $1.06 to $1.13. The GLWA fixed monthly charges have increased by $39,200 per month, from $622,800 to $662,000 per month.

Wayne County charges sewage disposal as a fixed monthly fee to the City of Livonia. The cost is estimated to increase 4% from $1,318,333 to $1,371,066. The increase in rates is the result of large Wayne County improvement projects planned and budgeted in previous fiscal years.

A Review of the Water and Sewer Fund Performance for Fiscal Year 2022

The Water and Sewer Fund experienced a net operating gain of $2,057,974 before contributions from developers, grant reimbursements, and special assessment revenue (reference Attachment III). Every year, the goal of rate setting is to generate enough income to cover anticipated operating expenses, debt service payments, and capital improvements. Fiscal year 2022 operating revenue was down $1 million largely due to actual sales being lower than projections. Operating expenses were also down from projections by $2.3 million. There are three main drivers for the reduced expense: 1. We estimated the Wayne County rate high based on planned capital projects. 2. A chip shortage has reduced meter production and impacted our ability to purchase and install new meters and reading devices. 3. We budgeted for SCADA, a software and hardware upgrade to measure water pressure throughout the City, in previous fiscal years. The project is set to start later this year.

Projected Water and Sewer Fund Rate Adjustments for 2023

Wholesale Charges:
The Great Lakes Water Authority (GLWA) and Wayne County wholesale charges to the City of Livonia for 2023 are shown below in Table 1. Each unit is 100 cubic feet. Approximately 40.08% of Great Lakes Water Authority and Wayne County's total fixed costs are passed through to our customers in fixed format, with the remaining 59.92% being adjusted back into the per-unit charges for water and sewer.

TABLE 1

Description	2022	2023	$ / % Change
GLWA Per Unit (water)	$ 1.06	$1.13	$ 0.07 / 6.60%
GLWA Fixed Cost per month (water)	$622,800	$662,000	$39,200 / 6.29%
Wayne County Fixed Cost per month (sewer)	$1,318,333	$1,371,066	$52,733 / 4.00%

The GLWA is also adjusting the Industrial Surcharge Rates and the Industrial Waste Control Charges as shown in the Summary and Recommendations in the Water and Sewer Ordinance revisions. All four of the Industrial Surcharge rates have increased. The Industrial Waste Control Charges, which are based on meter size, have been increased by 1.68% across the board. Both the Industrial Surcharge Rate and the Industrial Waste Control Charges affect *only* commercial and industrial customers. These charges continue to be a pass-through to the affected customer with no additional charge by the City of Livonia.

City of Livonia Charges:

A continuing effort is being made to provide services in the most efficient, cost-effective manner possible. Operating, maintenance and administration expenses are constantly monitored to keep costs within budget. All policies and procedures are regularly reviewed, and processes and procedures are implemented to contain cost while providing excellent service. Operations and maintenance will continue to monitor water main breaks, weather conditions and the state of our infrastructure to find ways of reducing expenses.

Administration is also exploring ways to provide customer billing and collection services that reduce costs while providing improved service to the customer.

TABLE 2 below reflects the recommended rate adjustments for low-, medium- and high-volume users with small meters. There are 37,637 users with small meters.

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"SMALL USERS" 5/8 to 1 Inch Meters
As of July 1, 2023

		LOW USAGE			MEDIUM USAGE			HIGH USAGE		
		10 UNITS/QUARTER			20 UNITS/QUARTER			30 UNITS/QUARTER		
Per Unit Charge:		7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)
2022 Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 Water per Billing Unit	3.21		$32.10			$ 64.20			$ 96.30	
2022 Sewer per Billing Unit	2.90	$ 29.00			$ 58.00			$ 87.00		
2023 Sewer per Billing Unit	3.04		$30.40			$ 60.80			$ 91.20	
2022 Fixed Charge	69.75	$ 69.75			$ 69.75			$ 69.75		
2023 Fixed Charge	69.75		$ 69.75			$ 69.75			$ 69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

The table below reflects the recommended rate adjustments for “large users” of meter sizes 1½” to 10”.

TABLE 3

CITY OF LIVONIA – WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"LARGE USERS" – METER SIZE OVER 1 INCH – As of July 1, 2023

PER UNIT RATES	**#/Meters**	**2022/23**	**2023/24**	**Incr./Decr.**	**Incr.**
Cost of Water per Billing Unit		2.89	3.21	0.32	11.07%
Cost of Sewer per Billing Unit		2.90	3.04	0.14	4.83%
Large User Charge		2.87	3.15	0.28	9.76%
QUARTERLY FIXED FEES PER METER					
1 1/2 " Meter	628	205.02	209.12	4.10	2.0%
2" Meter	689	263.16	268.42	5.26	2.0%
3" Meter	150	345.78	352.70	6.92	2.0%
4" Meter	81	528.36	538.93	10.57	2.0%
6” Meter	16	1,407.60	1,435.75	28.15	2.0%
8” Meter	8	3,987.18	4,066.92	74.15	2.0%
10" Meter	1	11,493.36	11,723.23	229.87	2.0%

Impact of Water and Sewer improvement projects

Planned water and sewer improvement projects have had some impact on the proposed Water and Sewer Fund rate adjustments for 2023.

The City is planning to replace sections of water main that have experienced numerous water main breaks in the last few years.

- 12-inch water main on Merriman Road from Plymouth Road to the CTX Railroad right-of-way at a cost of $2,000,000.
- 12-inch water main on Middlebelt Road crossing underneath the Tarabusi Creek between 6 Mile Road and Mark Lane at a cost of $500,000. This section broke under the creek and is currently shut down.
- 12-inch water main along Schoolcraft Road where crossing underneath I-96 at a cost of $700,000.This section has a significant leak underneath I-96 and is currently shut down.

The City is also planning to continue implementation of the 5-year capital improvement plan with replacement of old 8-inch and 12-inch water main pipe on Merriman Road from 5 Mile Rd to Lyndon and on 5 Mile Road from Merriman to Auburndale (Section 22, Project Area 10a), Merriman Road from Lyndon to Schoolcraft, Lyndon from Auburndale to Sunset, and Schoolcraft from Merriman to Hubbell (Section 23, Project Area 11a), Farmington Road from 5 Mile Road to 6 Mile Road (Section 28, Project Area 12a), Livonia Gardens Subdivision (Section 22, Project Area 10b), and Bai-Lynn Park Subdivision (Section 23, Project Area 11b). In total, approximately 5.5 miles of replacement and upsizing of water main will be replaced at a cost of $10,000,000.

The City continues to perform sewer cured-in-place-pipe (CIPP) lining in the east half of Section 1. This year's plan includes CIPP lining of approximately 3 miles of sewer pipe ranging from 10-inch to 15-inch diameter at a cost of $1,000,000. Preparation for the CIPP lining work will start in June/July 2023 and CIPP lining is planned for August 2023.

Ordinance amendments reflecting recommended rate adjustments

The 2023/24 total per unit rate increase to the average residential user is 4.96% (reference Attachment I). For comparison, please find Attachment II that highlights the Water and Sewer cost of other communities. Even with this rate change, Livonia rates continue to remain much lower than most surrounding communities.

It is recommended and requested that the Water and Sewer Board proceed with the amendments to the Water and Sewer Ordinance as follows:

13.08.40 Water Consumption rates
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.050A Quarterly Fixed Fee per Meter (water)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

13.08.050B Seasonal Flat rate Water, per quarter **89.18**

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

13.20.120 Sewer Disposal Rates

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2022

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

Quarterly Fixed Fee per Meter (sewer)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

Industrial Waste Control Monthly Meter Charges (GLWA)		
5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 Flat Rate Sewer per Quarter	105.57
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023	

13.20.130 Special Rates - for Designated Users

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:

50% of Current per unit Sewage Charge

Per Unit Charges

Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 Industrial Waste Pollutant Strength Surcharges **EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023**	
Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Very Truly Yours,

Donald R. Rohraff
Director of Public Works

Connie Kumpula
Chief Accountant

DR/CC/jar
Attachment I: Effect of Rate Adjustment on Typical Residential Bill
Attachment II: Residential Water and Sewer Bill Comparison of Communities
Attachment III: Combined Statement of Revenue and Expenses

13.08.40 WATER CONSUMPTION RATES

Effective with the first billing on and after July 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.50 FIXED RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (water)

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

B) Seasonal Flat rate Water, per quarter 89.18

13.20.120 DISPOSAL & MAINTENANCE RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (sewer)

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

B) Sewer Disposal Rates

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

B2) Flat Rate Sewer per Quarter 105.57

B3) Industrial Waste Control Monthly Meter Charges (GLWA)

5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 - Special Rates - for Designated Users

Effective with the first billing on and after July 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:	
50% of Current per unit Sewage Charge	
Per Unit Charges	
Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 - Industrial Waste Pollutant Strength Surcharges

Effective with the first billing on and after July 1, 2023

Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Attachment I

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
AVERAGE METERS (5/8 to 1 Inch)
As of July 1, 2023
NO FIXED INCREASE TO SMALL METERS AND A 2 % INCREASE LARGE METERS WITH 8% WATER LOSS

		LOW USAGE 10 UNITS PER QUARTER			AVERAGE USAGE 20 UNITS PER QUARTER			HIGH USAGE 30 UNITS PER QUARTER		
		7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)
Per Unit Charge:										
2022 - Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 - Water per Billing Unit	3.21		32.10			64.20			96.30	
2022 - Sewer per Billing Unit	2.90	29.00			58.00			87.00		
2023 - Sewer per Billing Unit	3.04		30.40			60.80			91.20	
2022 Fixed Charge	69.75	69.75			69.75			69.75		
2023 Fixed Charge	69.75		69.75			69.75			69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

Footnotes:

(1) "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons.

(2) 20 units of water is the average usage for a Livonia residential water customer.

LETTER TO THE LIVONIA CITY COUNCIL

18.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Brenda Smyser, Program Supervisor,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: Section 130 of Title 13, Chapter 20 (Livonia Sewage Disposal System) to provide for changes to the special rates for designated uses to become effective with the first billing on or after July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate	**To New Rate**
	2022	**2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

ATTACHMENTS

1. 13.20.130 - 2023
2. S052223 LTC 2023 Water and Sewer Rates
3. 2023 Attachment II Comparison of Communities For Distribution xlsx
4. 2023 Attachment III Statement of Revenue and Expenses
5. Letter to Water Board - Water Rates 2023_Final
6. 2023 Water Rate Ordinance Revisions
7. 2023 Attachment I Per Unit Increase

APPROVED BY

Michael T Slater

Michael Slater, Finance Director — Date: May 23, 2023

Paul Bernier, City Attorney — Date: May 23, 2023

Maureen Miller Brosnan, Mayor — Date: May 25, 2023

AN ORDINANCE AMENDING SECTION 130 OF TITLE 13, CHAPTER 20 (LIVONIA SEWAGE DISPOSAL SYSTEM) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 130 of Title 13, Chapter 20 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.20.130 Special rates—For designated uses. A. Effective with the first billing on and after July 1, 202~~2~~3, where sewage disposal service is furnished to users not situated within the city, the sewage disposal rate for such users shall be as follows:

1. For all unmetered houses or residential dwellings connected to and using the facilities of the sewage disposal system, such rate shall be a flat rate of one hundred ~~four~~five dollars and ~~forty eight~~ fifty seven cents ($10~~4.48~~5.57) per quarter.

2. For all customers connected to and using the facilities of the sewage disposal system for which consumption data may be obtained, such rate shall be equal to the appropriate base rate established in 13.20.120(B)(1), plus the appropriate quarterly fixed charge as determined by meter size established in 13.20.120(A).

B. All seasonal users with kitchen or bathroom facilities shall pay 50% of the current per unit sewage charge, i.e.:

Base Charge	
Wayne County per 100 cubic feet	$ 1.08
City of Livonia per 100 cubic feet	$ 0.37
Base Charge per 100 cubic feet	$ 1.45
Large User (meters sizes 1.5 inch or larger)	
Charge per 100 cubic feet	$ 0.96
Total Base Charge for Large Users per 100 cubic feet of water used	$ 2.41

C. The above rates do not include any rates imposed by the county for the treatment and disposal of sewage through its sewage treatment and disposal facilities. Any such rate shall be included and specified as a separate item in bills sent to users as hereinafter provided.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

LETTER TO THE LIVONIA CITY COUNCIL

12.

DPW
May 10, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2023.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2023. In calculating the new rates, a review was made to determine how the fiscal year 2022 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 4.96 percent (4.96%) this year for the average residential user, which is an increase of $9.20 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 7.2%. The GLWA increase by component amounts to the per unit rate increased by $.07 or 6.6 percent (6.6%) from $1.06 to $1.13, and an increased monthly fixed fee by $39,200 from $622,800 to $662,000 or 6.3 percent (6.3%).
3. No change to Livonia's small meter fixed rates, and a two percent (2%) increase for the large meter is recommended. An increase for the small meter in future years remains possible, depending on current and future yearly sales.
4. City of Livonia users still pay much less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2023, through June 30, 2024.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6346 05/23 RESOLVED, that the Water and Sewer Board concurs with the recommendations

made by the Director of Public Works and the Chief Accountant in their letter dated April 26, 2023. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2023.

	Old Rate 2022	**To New Rate 2023**
Water Billing per unit	$2.89	$3.21
Sewer Billing per unit	$2.90	$3.04
Total Per Unit	**$5.79**	**$6.25**

Individual Ordinance revisions are attached.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Water

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

n/a

DETAILED WORK BEING PERFORMED

n/a

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

n/a

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

n/a

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): n/a

ATTACHMENTS

1. Letter to Water Board - Water Rates 2023 Final
2. 2023 Attachment I Residential User Increase
3. 2023 Attachment II Comparison of Communities For Distribution xlsx

4. 2023 Attachment III Statement of Revenue and Expenses
5. 2023 Water Rate Ordinance Revisions

APPROVED BY

Date: May 10, 2023

Don Rohraff, Director of Public Works

Date: May 12, 2023

Michael Slater, Finance Director

Date: May 12, 2023

Paul Bernier, City Attorney

Date: May 12, 2023

Maureen Miller Brosnan, Mayor

Attachment II

RESIDENTIAL WATER AND SEWER BILL
COMPARISON OF COMMUNITIES
Charges for 10, 20 and 30 Billing Units (CFW)[1] per Quarter
5/8 Inch Meter
As of April 26, 2023

Purpose: The following comparison is provided to show the amount of a quarterly residential water customer bill based on various hypothetical water usage amounts.

COMMUNITY	LOW USAGE - 10 UNITS	AVERAGE USAGE - 20 UNITS[2]	HIGH USAGE - 30 UNITS
Canton - with Sump - 2022 Rate	101.05	180.50	259.94
Farmington Hills - 2022 Rate	149.97	186.90	279.23
Livonia - 2023 Rate	***132.25***	***194.75***	***257.25***
Canton - without Sump - 2022 Rate	132.01	211.46	290.90
Plymouth (City of) - 2022 Rate	115.62	219.68	323.74
Westland - 2023 Rate	149.50	229.24	308.99
Redford Township - 2022 Rate	150.58	256.58	362.58
Northville (City of) - 2023 Rate	172.12	326.98	481.84

Footnotes:

[1] "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons. Communities bill in different units of measurement, such as 1,000 gallons. This analysis converts the various methodologies to a common format.

[2] 20 units of water is the average usage for a Livonia residential water customer.

[3] Comparison rates are based on most recent information available

ATTACHMENT III
COMBINED STATEMENT OF REVENUE AND EXPENSES

	FY 16/17 AUDIT	FY 17/18 AUDIT	FY 18/19 AUDIT	FY 19/20 AUDIT	FY 20/21 AUDIT	FY 21/22 AUDIT	FY 22/23 Projected	FY 23/24 RATE ANALYSIS	FY 23/24 RATE ANALYSIS W/O INCREASE
OPERATING REVENUE									
Customer billings	36,653,877	39,834,062	39,713,701	39,107,543	38,347,261	40,223,471	41,579,402	43,434,312	40,992,560
Fines and forfeitures	1,751,702	1,851,194	1,857,586	1,407,064	1,498,126	1,629,981	1,600,000	1,600,000	1,600,000
Service Connections	37,977	80,819	54,206	49,899	66,385	34,128	30,000	77,500	77,500
Other Revenue	100,508	101,016	73,726	52,377	94,969	105,069	78,000	281,933	281,933
Total Operating Revenue	38,544,064	41,867,091	41,699,219	40,616,883	40,006,741	41,992,649	43,287,402	45,393,745	42,951,993
OPERATING EXPENSES									
Cost of Water	13,463,652	13,931,174	12,746,276	11,633,702	11,783,956	12,103,060	12,547,649	13,198,327	13,198,327
Cost of Sewage Disposal	14,469,546	14,469,546	15,496,996	16,994,074	16,764,493	16,285,132	16,866,830	16,739,599	16,739,599
System maintenance and operation	5,673,119	6,921,054	4,110,636	5,164,796	5,494,898	5,883,365	7,754,152	7,787,273	7,787,273
General and Administrative	1,057,499	1,071,356	1,070,456	1,172,959	1,241,712	1,257,708	1,359,789	1,371,659	1,371,659
GASB 75 OPEB expense		875,000							
Depreciation	3,148,353	3,314,702	3,427,755	3,682,943	3,797,231	3,960,377	4,081,511	4,081,511	4,081,511
Total Operating Expense	37,812,169	40,582,832	36,852,119	38,648,474	39,082,290	39,489,642	42,609,931	43,178,368	43,178,368
Operating income	731,895	1,284,259	4,847,100	1,968,409	924,451	2,503,007	677,471	2,215,377	(226,375)
NON OPERATING REVENUE (EXPENSE)									
Interest Income	102,678	238,443	489,429	245,340	(10,295)	1,458	54,070	31,500	(78,500)
Interest Expense	(327,007)	(328,908)	(301,006)	(339,904)	(392,591)	(446,491)	(438,652)	(535,356)	(535,356)
Gain on Sale of Assets	44,286	63,275	31,550	-	-	-	40,000	-	-
Total Nonoperating Revenue(Expense)	(180,043)	(27,190)	219,973	(94,564)	(402,886)	(445,033)	(344,582)	(503,856)	(613,856)
EXTRAORDINARY ITEM	-	-	-	-	-	-	-	-	-
NET INCOME (LOSS) BEFORE CAPITAL CONTRIBUTIONS AND EXTRAORDINARY ITEMS	551,852	1,257,069	5,067,073	1,873,845	521,565	2,057,974	332,889	1,711,522	(840,230)

DEPARTMENT OF PUBLIC WORKS

MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
DIRECTOR OF PUBLIC WORKS

DOUGLAS L. MOORE, MSA
ASSISTANT DIRECTOR OF PUBLIC WORKS

JACOB A. RUSHLOW, PE
ASSISTANT DIRECTOR OF PUBLIC WORKS

RYAN J. FERRELL
SUPERINTENDENT OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150-4202
(734) 466-2655
FAX: (734) 466-2660

MAINTENANCE SERVICES

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- Storm Drains
- Traffic Signs
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April 26, 2023

Water and Sewer Board
City of Livonia

Subject: Water and Sewer Fund Review, Water and Sewer Rates Adjustments. Industrial Surcharge Rate, Industrial Waste Control Charge (Effective July 1, 2023)

Dear Board Members:

This report provides a review of the performance of the Water and Sewer Fund for FY 2023, as well as a recommendation to adjust the water and sewer rates to Livonia customers, including charges to some of the commercial/industrial customers in Livonia. The following topics are discussed in this report:

- Increase in wholesale water and sewer cost
- A review of the Water and Sewer Fund performance for FY 2022
- Proposed Water and Sewer Fund rate adjustments for 2023
- Ordinance amendments reflecting recommended rate adjustments

Change in Wholesale Water and Sewer Cost

The Great Lakes Water Authority (GLWA) increased the wholesale cost of water to the City of Livonia by 7.2%. The cost to the City of Livonia per billing unit of 100 cubic feet (approximately 750 gallons) has increased by 7 cents, from $1.06 to $1.13. The GLWA fixed monthly charges have increased by $39,200 per month, from $622,800 to $662,000 per month.

Wayne County charges sewage disposal as a fixed monthly fee to the City of Livonia. The cost is estimated to increase 4% from $1,318,333 to $1,371,066. The increase in rates is the result of large Wayne County improvement projects planned and budgeted in previous fiscal years.

A Review of the Water and Sewer Fund Performance for Fiscal Year 2022

The Water and Sewer Fund experienced a net operating gain of $2,057,974 before contributions from developers, grant reimbursements, and special assessment revenue (reference Attachment III). Every year, the goal of rate setting is to generate enough income to cover anticipated operating expenses, debt service payments, and capital improvements. Fiscal year 2022 operating revenue was down $1 million largely due to actual sales being lower than projections. Operating expenses were also down from projections by $2.3 million. There are three main drivers for the reduced expense: 1. We estimated the Wayne County rate high based on planned capital projects. 2. A chip shortage has reduced meter production and impacted our ability to purchase and install new meters and reading devices. 3. We budgeted for SCADA, a software and hardware upgrade to measure water pressure throughout the City, in previous fiscal years. The project is set to start later this year.

Projected Water and Sewer Fund Rate Adjustments for 2023

Wholesale Charges:
The Great Lakes Water Authority (GLWA) and Wayne County wholesale charges to the City of Livonia for 2023 are shown below in Table 1. Each unit is 100 cubic feet. Approximately 40.08% of Great Lakes Water Authority and Wayne County's total fixed costs are passed through to our customers in fixed format, with the remaining 59.92% being adjusted back into the per-unit charges for water and sewer.

TABLE 1

Description	2022	2023	$ / % Change
GLWA Per Unit (water)	$ 1.06	$1.13	$ 0.07 / 6.60%
GLWA Fixed Cost per month (water)	$622,800	$662,000	$39,200 / 6.29%
Wayne County Fixed Cost per month (sewer)	$1,318,333	$1,371,066	$52,733 / 4.00%

The GLWA is also adjusting the Industrial Surcharge Rates and the Industrial Waste Control Charges as shown in the Summary and Recommendations in the Water and Sewer Ordinance revisions. All four of the Industrial Surcharge rates have increased. The Industrial Waste Control Charges, which are based on meter size, have been increased by 1.68% across the board. Both the Industrial Surcharge Rate and the Industrial Waste Control Charges affect *only* commercial and industrial customers. These charges continue to be a pass-through to the affected customer with no additional charge by the City of Livonia.

City of Livonia Charges:

A continuing effort is being made to provide services in the most efficient, cost-effective manner possible. Operating, maintenance and administration expenses are constantly monitored to keep costs within budget. All policies and procedures are regularly reviewed, and processes and procedures are implemented to contain cost while providing excellent service. Operations and maintenance will continue to monitor water main breaks, weather conditions and the state of our infrastructure to find ways of reducing expenses.

Administration is also exploring ways to provide customer billing and collection services that reduce costs while providing improved service to the customer.

TABLE 2 below reflects the recommended rate adjustments for low-, medium- and high-volume users with small meters. There are 37,637 users with small meters.

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"SMALL USERS" 5/8 to 1 Inch Meters
As of July 1, 2023

		LOW USAGE			MEDIUM USAGE			HIGH USAGE		
		10 UNITS/QUARTER			20 UNITS/QUARTER			30 UNITS/QUARTER		
Per Unit Charge:		7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)	7/1/2022	7/1/2023	Chg (%)
2022 Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 Water per Billing Unit	3.21		$32.10			$ 64.20			$ 96.30	
2022 Sewer per Billing Unit	2.90	$ 29.00			$ 58.00			$ 87.00		
2023 Sewer per Billing Unit	3.04		$30.40			$ 60.80			$ 91.20	
2022 Fixed Charge	69.75	$ 69.75			$ 69.75			$ 69.75		
2023 Fixed Charge	69.75		$ 69.75			$ 69.75			$ 69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

The table below reflects the recommended rate adjustments for “large users” of meter sizes 1½” to 10”.

TABLE 3

CITY OF LIVONIA – WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"LARGE USERS" – METER SIZE OVER 1 INCH – As of July 1, 2023

PER UNIT RATES	**#/Meters**	**2022/23**	**2023/24**	**Incr./Decr.**	**Incr.**
Cost of Water per Billing Unit		2.89	3.21	0.32	11.07%
Cost of Sewer per Billing Unit		2.90	3.04	0.14	4.83%
Large User Charge		2.87	3.15	0.28	9.76%
QUARTERLY FIXED FEES PER METER					
1 1/2 " Meter	628	205.02	209.12	4.10	2.0%
2" Meter	689	263.16	268.42	5.26	2.0%
3" Meter	150	345.78	352.70	6.92	2.0%
4" Meter	81	528.36	538.93	10.57	2.0%
6” Meter	16	1,407.60	1,435.75	28.15	2.0%
8” Meter	8	3,987.18	4,066.92	74.15	2.0%
10" Meter	1	11,493.36	11,723.23	229.87	2.0%

Impact of Water and Sewer improvement projects

Planned water and sewer improvement projects have had some impact on the proposed Water and Sewer Fund rate adjustments for 2023.

The City is planning to replace sections of water main that have experienced numerous water main breaks in the last few years.

- 12-inch water main on Merriman Road from Plymouth Road to the CTX Railroad right-of-way at a cost of $2,000,000.
- 12-inch water main on Middlebelt Road crossing underneath the Tarabusi Creek between 6 Mile Road and Mark Lane at a cost of $500,000. This section broke under the creek and is currently shut down.
- 12-inch water main along Schoolcraft Road where crossing underneath I-96 at a cost of $700,000.This section has a significant leak underneath I-96 and is currently shut down.

The City is also planning to continue implementation of the 5-year capital improvement plan with replacement of old 8-inch and 12-inch water main pipe on Merriman Road from 5 Mile Rd to Lyndon and on 5 Mile Road from Merriman to Auburndale (Section 22, Project Area 10a), Merriman Road from Lyndon to Schoolcraft, Lyndon from Auburndale to Sunset, and Schoolcraft from Merriman to Hubbell (Section 23, Project Area 11a), Farmington Road from 5 Mile Road to 6 Mile Road (Section 28, Project Area 12a), Livonia Gardens Subdivision (Section 22, Project Area 10b), and Bai-Lynn Park Subdivision (Section 23, Project Area 11b). In total, approximately 5.5 miles of replacement and upsizing of water main will be replaced at a cost of $10,000,000.

The City continues to perform sewer cured-in-place-pipe (CIPP) lining in the east half of Section 1. This year's plan includes CIPP lining of approximately 3 miles of sewer pipe ranging from 10-inch to 15-inch diameter at a cost of $1,000,000. Preparation for the CIPP lining work will start in June/July 2023 and CIPP lining is planned for August 2023.

Ordinance amendments reflecting recommended rate adjustments

The 2023/24 total per unit rate increase to the average residential user is 4.96% (reference Attachment I). For comparison, please find Attachment II that highlights the Water and Sewer cost of other communities. Even with this rate change, Livonia rates continue to remain much lower than most surrounding communities.

It is recommended and requested that the Water and Sewer Board proceed with the amendments to the Water and Sewer Ordinance as follows:

13.08.40 Water Consumption rates
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.050A Quarterly Fixed Fee per Meter (water)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

13.08.050B Seasonal Flat rate Water, per quarter **89.18**

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

13.20.120 Sewer Disposal Rates

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2022

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

Quarterly Fixed Fee per Meter (sewer)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

Industrial Waste Control Monthly Meter Charges (GLWA)		
5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 Flat Rate Sewer per Quarter	105.57
EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023	

13.20.130 Special Rates - for Designated Users

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:

50% of Current per unit Sewage Charge

Per Unit Charges

Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 Industrial Waste Pollutant Strength Surcharges **EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2023**	
Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Very Truly Yours,

Donald R. Rohraff
Director of Public Works

Connie Kumpula
Chief Accountant

DR/CC/jar
Attachment I: Effect of Rate Adjustment on Typical Residential Bill
Attachment II: Residential Water and Sewer Bill Comparison of Communities
Attachment III: Combined Statement of Revenue and Expenses

13.08.40 WATER CONSUMPTION RATES

Effective with the first billing on and after July 1, 2023

Per Unit Charges	
GLWA per 100 cubic feet	2.35
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.21
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.13
TOTAL Large User Charge per 100 cubic Feet	**4.34**

13.08.50 FIXED RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (water)

5/8	Inch Meter	24.98
3/4	Inch Meter	24.98
1	Inch Meter	24.98
1 ½	Inch Meter	74.90
2	Inch Meter	96.15
3	Inch Meter	126.33
4	Inch Meter	193.04
6	Inch Meter	514.27
8	Inch Meter	1,456.73
10	Inch Meter	4,199.15

B) Seasonal Flat rate Water, per quarter 89.18

13.20.120 DISPOSAL & MAINTENANCE RATES

Effective with the first billing on and after July 1, 2023

A) Quarterly Fixed Fee per Meter (sewer)

5/8	Inch Meter	44.77
3/4	Inch Meter	44.77
1	Inch Meter	44.77
1 ½	Inch Meter	134.22
2	Inch Meter	172.28
3	Inch Meter	226.36
4	Inch Meter	345.89
6	Inch Meter	921.48
8	Inch Meter	2,610.19
10	Inch Meter	7,524.08

B) Sewer Disposal Rates

Per Unit Charges

Wayne County per 100 cubic feet	2.18
City of Livonia per 100 cubic feet	0.86
Per Unit Charge per 100 cubic feet	3.04
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.02
TOTAL Large User Charge per 100 cubic Feet	**5.06**

B2) Flat Rate Sewer per Quarter 105.57

B3) Industrial Waste Control Monthly Meter Charges (GLWA)

5/8	Inch Meter	3.64
3/4	Inch Meter	5.46
1	Inch Meter	9.10
1 ½	Inch Meter	20.02
2	Inch Meter	29.12
3	Inch Meter	52.78
4	Inch Meter	72.80
6	Inch Meter	109.20
8	Inch Meter	182.00
10	Inch Meter	254.80
12	Inch Meter	291.20
14	Inch Meter	364.00
16	Inch Meter	436.80
18	Inch Meter	509.60
20	Inch Meter	582.40
24	Inch Meter	655.20
30	Inch Meter	728.00

13.20.130 - Special Rates - for Designated Users

Effective with the first billing on and after July 1, 2023

Seasonal user with Kitchen or Bathroom Facilities:	
50% of Current per unit Sewage Charge	
Per Unit Charges	
Wayne County per 100 cubic feet	1.08
City of Livonia per 100 cubic feet	0.37
Per Unit Charge per 100 cubic feet	1.45
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	0.96
TOTAL Base Charge for Large User	**2.41**

13.28.050 - Industrial Waste Pollutant Strength Surcharges

Effective with the first billing on and after July 1, 2023

Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.361
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.496
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	6.629
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.115

Attachment I

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
AVERAGE METERS (5/8 to 1 Inch)
As of July 1, 2023
NO FIXED INCREASE TO SMALL METERS AND A 2 % INCREASE LARGE METERS WITH 8% WATER LOSS

		LOW USAGE 10 UNITS PER QUARTER			AVERAGE USAGE 20 UNITS PER QUARTER			HIGH USAGE 30 UNITS PER QUARTER		
		7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)	7/1/2022	7/1/2023	CHANGE (%)
Per Unit Charge:										
2022 - Water per Billing Unit	2.89	$ 28.90			$ 57.80			$ 86.70		
2023 - Water per Billing Unit	3.21		32.10			64.20			96.30	
2022 - Sewer per Billing Unit	2.90	29.00			58.00			87.00		
2023 - Sewer per Billing Unit	3.04		30.40			60.80			91.20	
2022 Fixed Charge	69.75	69.75			69.75			69.75		
2023 Fixed Charge	69.75		69.75			69.75			69.75	
Total Charge		$ 127.65	$ 132.25	3.60%	$ 185.55	$ 194.75	4.96%	$ 243.45	$ 257.25	5.67%

Footnotes:

(1) "CFW", a billing unit, 100 cubic feet of water, is 748.052 gallons.

(2) 20 units of water is the average usage for a Livonia residential water customer.

LETTER TO THE LIVONIA CITY COUNCIL

14.

DPW
May 11, 2023

MEETING DATE	PREPARED BY
S052223/R060523	Jacob Rushlow, P.E., Assistant Director of Public Works,

AGENDA ITEM

AWARD OF CONTRACT: Department of Public Works, re: for all labor, materials, and equipment to complete the 2023 roof replacement projects in an amount not to exceed $681,853.00, from budgeted funds.

BACKGROUND DETAILS

The 2023 roof replacement projects include a complete removal of the existing coal-tar built-up roof and replacement with a new PVC membrane at Fire Stations number 1, 5, and 6 and a partial roofing re-cover/repair at the Senior Center. The total roofing area is approximately 29,000 square feet. Visual observations from the DPW Building Maintenance staff and Architecture team include surface ponding, flashing deterioration, dried mastic, previous repairs, vegetation, and splits.

The proposed project scope includes removal and proper disposal of the existing roof and replacement with a new PVC membrane roofing system, rigid insulation, and associated flashing details to achieve a complete watertight roof assembly with a 20-year warranty.

In order to proceed with construction, bid documents were prepared by the Department with assistance from our architect, Hubbell, Roth & Clark (HRC) and bid documents were made publicly available on Bid Net Direct (MITN). A bid opening was held on April 11, 2023, and four competitive bids were received. Source One Construction LLC was the lowest bidder and KJP Roofing was the second lowest qualified bidder. Upon a thorough verification of references, the Department recommends awarding of the contract to KJP Roofing. A copy of the recommendation letter from HRC, bid tabulation, and bid proposal are provided for your consideration.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Accept the bid and award a construction contract to KJP Roofing and Sheet Metal, Inc., 46958 N. Gratiot Ave., Suite #174, Chesterfield, MI 48051, for all labor, materials, and equipment to complete the 2023 roof replacement projects in an amount not to exceed $681,853.00 from budgeted funds.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

NA

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$681,853.00

DETAILED WORK BEING PERFORMED

Senior Center – Roofing re-cover in portion of one section of the building, approximately 1,400 SF; replacement of wet insulation.
Fire Station #1 – Complete tear off existing coal-tar built-up roof and existing membrane roof and installation of new PVC membrane roof, approximately 13,400 SF; replacement of wet insulation in existing membrane area.
Fire Station #5 – Complete tear off existing coal-tar built-up roof and installation of new PVC membrane roof, approximately 6,000 SF.
Fire Station #6 – Complete tear off existing coal-tar built-up roof and installation of new PVC membrane roof, approximately 8,200 SF.
For all (4) locations, the new roofing materials shall be single ply membrane as specified. Deteriorated wood nailers and decking materials shall be replaced if they are encountered. For the Fire Station roofs, all existing insulation under the built-up roofing systems shall be removed and replaced. At the Senior Center location, only wet insulation is to be removed and replaced. Copings, flashings, metal edge, etc. shall be removed and replaced.

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

Sufficient budget in the amount of $681,853.00 is available in account no. 401-000-976-000

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

See recommendation letter from HRC. Low bidder is not recommended due to responses from references, listed project examples and experience, and unbalanced bid item pricing. The second low bidder is recommended due to qualified experience and positive reference responses.

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): NA

ATTACHMENTS

1. 20230511_2023_Roofing_HRC_Award_ltr
2. KJP City of Livonia Proposal Complete

APPROVED BY

Jacob Rushlow, P.E., Assistant Director of Public Works

Date: May 11, 2023

Don Rohraff, Director of Public Works

Date: May 11, 2023

Michael T Slater

Date: May 11, 2023

Michael Slater, Finance Director

Date: May 11, 2023

Paul Bernier, City Attorney

Maureen Miller Brosnan

Date: May 12, 2023

Maureen Miller Brosnan, Mayor

HRC
HUBBELL, ROTH & CLARK, INC
CONSULTING ENGINEERS SINCE 1915

555 Hulet Drive
Bloomfield Hills, MI 48302-0360

248-454-6300

www.hrcengr.com

May 11, 2023

Department of Public Works
City of Livonia
12973 Farmington Rd.
Livonia, MI 48150-4202

Attn: Mr. Jacob Rushlow, P.E.
Assistant Director of Public Works

Re: Recommendation for Award and Bid Tabulation
2023 Roof Replacements

HRC Job No. 20211058
20220419, 20220474

Dear Mr. Rushlow:

We have reviewed the bids that were received electronically by the City on April 11, 2023, and forwarded to our office for the 2023 Roof Replacements Project. There were four (4) bids received. The apparent low bidder is Source One Construction LLC, from Wixom, Michigan. The second apparent low bidder is KJP Roofing from Chesterfield, Michigan. Please refer to the attached Bid Tabulation for an itemized bid breakdown of all the Bids.

Based on our review of Source One Construction's Bid submittal and reference information, HRC does not recommend that the City award the 2023 Roof Replacements (i.e. the Work) to Source One Construction LLC for the following reasons:

- Source One Construction LLC's reference project examples, in part, refer to experience installing Duro-Last brand PVC roofing using the "RhinoBond" installation which is a completely different attachment method than the fully adhered, single-ply TPO membrane application specified for the Work. Duro-Last also, is not one of the acceptable roofing manufacturers specified for this project. They factory prefabricate their roofing systems and installation of their product is typically a different of level of effort than what will be necessary to field cut, field seam and field fit what HRC specified for the Work.

- Source One Construction LLC also utilized reference information for a JM TPO installation but, it was on a newly constructed building, not for a more complicated tear-off and re-roof project as necessary for the three Fire Stations nor the re-cover installation, as required for the Senior Center. The reference contact person that HRC spoke with regarding this project indicated that, while the installation went well, the roof was only a minor part of the overall project, and the roof was not overly complicated.

- Source One Construction LLC's Bid indicated a total cost for the ladders required at the three Fire Stations as $7,500. This cost is far insufficient to cover the materials and installation of these ladders as specified. For comparison, KJP Roofing listed $69,000 for the same total cost line items and the Royal Roofing Co. indicated a total cost of $95,000. (Quality Roofing did not provide a Bid breakdown, as indicated on the attached Bid tabulation.)

- Johns Manville (JM) technical field staff who inspect their roofing installations on behalf of the manufacturer for warranty purposes have indicated that recently, quality concerns have arisen on some Source One Construction LLC JM roofing projects. JM is currently working through these matters with Source One Construction LLC to resolve them so that JM can warrant these installations for the building Owners. (HRC notes, for the City's information, that we spoke directly to JM representatives regarding Source One Construction LLC's qualifications for the Work because JM is the roofing manufacturer whose products were intended to be used for the Work, based on the Bid submitted.)

Based on the above information, HRC recommends that the City award the work to the second apparent low bidder, KJP Roofing from Chesterfield, Michigan. KJP Roofing has satisfied the bidder's prequalification and specification requirements and has submitted the necessary information for their Bid proposal to be considered complete and responsive. They have submitted several satisfactory references for similar projects completed, including installations of JM single-ply roofing systems, as specified for the Work. They have also performed roofing work for the City of Livonia in the past with satisfactory results. They intend to use JM roofing system products for the Work, based on their Bid submittal.

This office recommends award of the Contract to KJP Roofing of Chesterfield, Michigan with a total Base Bid of **$681,853.00**, subject to the submission of the necessary bonds and insurance, which comply with the Contract specifications. (The Alternate to install PVC roofing material in lieu of the TPO material specified is not a viable option because it adds to the project cost.)

Upon review of this recommendation, if the City still elects to award the Work to Source One Construction LLC, HRC anticipates that the additional level of effort necessary to administer the project and provide more frequent field observation visits to ensure compliance with the Contract Documents may exceed our prior approved budget for these services.

Enclosed, please find a copy of the Bid Tabulation for your records. If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,
HUBBELL, ROTH & CLARK, INC.

Jane M. Graham

Jane M. Graham, RA
Senior Associate

Attachment: Bid Tabulation

pc: HRC; R. Alix, A. Melchior, D. Sherman

BID TABULATION
2023 ROOF REPLACEMENTS
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

Bids Due: Tuesday, April 11, 2023 at 2:00 p.m.
HRC Job # 20211058, 20220419, 20220474

			Source One Construction. LLC 28317 Beck Road Wixom, MI 48393 Phone: (248-515-4642) 729-9440		KJP Roofing 46958 N. Gratiot Ave., Ste. 174 Chesterfield, MI 48051 Phone: (586) 256-1376		Royal Roofing Co., Inc. 2445 Brown Road Orion, MI 48359 Phone: (248) 276-7669		Quality Roofing 10800 Plaza Drive Whitmore Lake, MI 48189 Phone: (734) 550-9599	
Item	Quantity	Unit	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
SENIOR CENTER ROOFING:										
1. Removal & Recover Roofing; New Copings, Flashings - Complete	1	LS	$27,250.00	$27,250.00	$40,957.00	$40,957.00	$66,142.00	$66,142.00		$0.00
2. Plywood Deck Replacement (4'x 8' sheet, fire retardant treated required)	4	EA	$150.00	$600.00 **	$150.00	$600.00	$195.00	$780.00		$0.00
3. Remove & replace wet insulation	100	SF	$5.00	$500.00	$2.00	$200.00	$5.00	$500.00		$0.00
4. Spot repair blisters, hot spots	200	SF	$10.00	$2,000.00	$15.00	$3,000.00	$12.00	$2,400.00		$0.00
5. Plywood Wall Openings Infill	1	LS	$500.00	$500.00	$1,500.00	$1,500.00	$1,000.00	$1,000.00		$0.00
6. New Roof Sump, Drain, Piping - Complete	1	LS	$3,500.00	$3,500.00	$3,500.00	$3,500.00	$4,000.00	$4,000.00		$0.00
7. Allowance for Building Permit	1	LS	$878.00	$878.00	$878.00	$878.00	$878.00	$878.00	$878.00	$878.00
8. Contingency	1	LS	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00
Total Amount of Lump Sum (Base Bid) for SENIOR CENTER				**$37,728.00**		**$53,135.00**		**$78,200.00**		**$118,598.00**
FIRE STATION #1:										
1. Removal & Replacement of Roofing System	1	LS	$207,950.00	$207,950.00	$257,442.00	$257,442.00	$275,900.00	$275,900.00		$0.00
2. Remove & replace wet insulation over Addition Area	200	SF	$10.00	$2,000.00	$4.00	$800.00 **	$6.00	$1,200.00		$0.00
3. Access Ladders with Roof Rail Supports	2	EA	$1,500.00	$3,000.00	$19,750.00	$39,500.00	$25,000.00	$50,000.00		$0.00
4. Allowance for Building Permit	1	LS	$4,900.00	$4,900.00	$4,900.00	$4,900.00	$4,900.00	$4,900.00	$4,900.00	$4,900.00
5. Contingency	1	LS	$5,500.00	$5,500.00	$5,500.00	$5,500.00	$5,500.00	$5,500.00	$5,500.00	$5,500.00
Total Amount of Lump Sum (Base Bid) for FIRE STATION # 1				**$223,350.00**		**$308,142.00** **		**$337,500.00**		**$581,971.00**
FIRE STATION #5:										
1. Removal & Replacement of Roofing System	1	LS	$99,650.00	$99,650.00	$118,860.00	$118,860.00	$110,300.00	$110,300.00		$0.00
2. Access Ladder	1	EA	$1,500.00	$1,500.00	$12,000.00	$12,000.00	$18,500.00	$18,500.00		$0.00
3. Allowance for Building Permit	1	LS	$2,245.00	$2,245.00	$2,245.00	$2,245.00	$2,245.00	$2,245.00	$2,245.00	$2,245.00
4. Contingency	1	LS	$4,500.00	$4,500.00	$4,500.00	$4,500.00	$4,500.00	$4,500.00	$4,500.00	$4,500.00
Total Amount of Lump Sum (Base Bid) for FIRE STATION #5				**$107,895.00**		**$137,605.00**		**$135,545.00**		**$300,751.00**
FIRE STATION #6:										
1. Removal & Replacement of Roofing System	1	LS	$129,010.00	$129,010.00	$157,800.00	$157,800.00	$162,500.00	$162,500.00		$0.00
2. Access Ladders	2	EA	$1,500.00	$3,000.00 **	$8,750.00	$17,500.00	$13,500.00	$27,000.00		$0.00
3. Allowance for Building Permit	1	LS	$3,171.00	$3,171.00	$3,171.00	$3,171.00	$3,171.00	$3,171.00	$3,171.00	$3,171.00
4. Contingency	1	LS	$4,500.00	$4,500.00	$4,500.00	$4,500.00	$4,500.00	$4,500.00	$4,500.00	$4,500.00
Total Amount of Lump Sum (Base Bid) for FIRE STATION #6				**$139,681.00**		**$182,971.00**		**$197,171.00**		**$353,128.00**
***** Denotes error in Contractor Proposal unit-pricing corrected by HRC***										
TOTAL AMOUNT OF BASE BIDS				**$508,654.00**		**$681,853.00**		**$748,416.00**		**$1,354,448.00**
ALTERNATES										
ALTERNATE No. 1 - Roofing Membrane Material:										
Senior Center - PVC Membrane: (Indicate ADD or DEDUCT) to the Lump Sum Price			ADD	$2,500.00	ADD***	$3,500.00		No Bid	N/A	$25,000.00
Fire Station #1 - PVC Membrane: (Indicate ADD or DEDUCT) to the Lump Sum Price			ADD	$16,000.00	ADD***	$22,000.00		No Bid	N/A	$85,000.00
Fire Station #5 - Senior Center PVC Membrane: (Indicate ADD or DEDUCT) to the Lump Sum Price			ADD	$8,000.00	ADD***	$13,000.00		No Bid	N/A	$45,000.00
Fire Station #6 - Senior Center PVC Membrane: (Indicate ADD or DEDUCT) to the Lump Sum Price			ADD	$10,000.00	ADD***	$17,500.00		No Bid	N/A	$65,000.00
****** Denotes Bidder clarification***										
UNIT PRICING:										
1. 2X4 Wood Nailers – Remove and Replace	1	LF		$4.00		$3.25		$4.00		$6.50
2. Metal Roof Deck - Rehabilitate	1	SF		$7.00		$6.00		$3.00		$12.50
3. Metal Roof Deck - Replace (1-1/2 inch, 20 gauge, galvanized)	1	SF		$12.00		$13.00		$14.00		$17.50

A/E: Jane Graham, RA
Hubbell, Roth & Clark, Inc.
555 Hulet Drive
Bloomfield Hills, MI 48303

Bond No.: B 1278840

Selective Insurance Company of America
40 Wantage Avenue
Branchville, New Jersey 07890
973-948-3000

AIA Document A310
BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we
KJP Roofing and Sheet Metal Inc
46958 Gratiot Ave #174 Chesterfield, MI 48051 (Here insert full name and address or legal title of contractor)
as Principal, hereinafter called the Principal, and Selective Insurance Company of America

a corporation duly organized under the laws of the State of New Jersey
as Surety, hereinafter called the Surety, are held and firmly bound unto
City of Livonia
33000 Civic Center Dr Livonia, MI 48154 (Here insert full name and address or legal title of owner)
as Obligee, hereinafter called the Obligee, in the sum of
5 % Percent of the Total Bid **($ 5 % Percent)**
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

2023 Roof Replacements

(Here insert full name and address and description of project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and Sealed this **11th** day of **April 2023**

Kaileigh Priesbrom
(Witness)

KJP Roofing and Sheet Metal Inc
(Principal) (Seal)
(Title) PRESIDENT

Courtney Saundert
(Witness)

SELECTIVE INSURANCE COMPANY OF AMERICA
(Surety) (Seal)
(Title) Attorney-in-Fact
Michael G. Zervos

"Printed in cooperation with the American Institute of Architects (AIA) by the Selective Insurance Company of America. The language in this document conforms exactly to the language used in AIA Document A310, February 1970 edition."

SELECTIVE
BE UNIQUELY INSURED℠

Selective Insurance Company of America
40 Wantage Avenue
Branchville, New Jersey 07890
973-948-3000

BondNo.B 1278840

POWER OF ATTORNEY

SELECTIVE INSURANCE COMPANY OF AMERICA, a New Jersey corporation having its principal office at 40 Wantage Avenue, in Branchville, State of New Jersey ("SICA"), pursuant to Article VII, Section 1 of its By-Laws, which state in pertinent part:

> The Chairman of the Board, President, Chief Executive Officer, any Executive Vice President, any Senior Vice President or any Corporate Secretary may, from time to time, appoint attorneys in fact, and agents to act for and on behalf of the Corporation and they may give such appointee such authority, as his/her certificate of authority may prescribe, to sign with the Corporation's name and seal with the Corporation's seal, bonds, recognizances, contracts of indemnity and other writings obligatory in the nature of a bond, recognizance or conditional undertaking, and any of said Officers may, at any time, remove any such appointee and revoke the power and authority given him/her.

does hereby appoint **Michael G. Zervos**

, its true and lawful attorney(s)-in-fact, full authority to execute on SICA's behalf fidelity and surety bonds or undertakings and other documents of a similar character issued by SICA in the course of its business, and to bind SICA thereby as fully as if such instruments had been duly executed by SICA's regularly elected officers at its principal office, in amounts or penalties not exceeding the sum of: **$6,000,000.00**

Signed this **11th** day of **April**, **2023**

SELECTIVE INSURANCE COMPANY OF AMERICA

By: _____
Brian C. Sarisky
Its SVP, Strategic Business Units, Commercial Lines

SELECTIVE INSURANCE COMPANY OF AMERICA CORPORATE SEAL 1926 NEW JERSEY

CERTIFIED COPY

STATE OF NEW JERSEY :
:ss. Branchville
COUNTY OF SUSSEX :

On this **11th** day of **April**, **2023** before me, the undersigned officer, personally appeared Brian C. Sarisky, who acknowledged himself to be the Sr. Vice President of SICA, and that he, as such Sr. Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Sr. Vice President and that the same was his free act and deed and the free act and deed of SICA. BC1278840

Charlene Kimble
NOTARY PUBLIC
STATE OF NEW JERSEY
ID # N/A
MY COMMISSION EXPIRES 6/2/26

Notary Public

CHARLENE KIMBLE NOTARY PUBLIC NEW JERSEY

The power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of SICA at a meeting duly called and held on the 6th of February 1987, to wit:

"RESOLVED, the Board of Directors of Selective Insurance Company of America authorizes and approves the use of a facsimile corporate seal, facsimile signatures of corporate officers and notarial acknowledgements thereof on powers of attorney for the execution of bonds, recognizances, contracts of indemnity and other writing obligatory in the nature of a bond, recognizance or conditional undertaking."

CERTIFICATION

I do hereby certify as SICA's Corporate Secretary that the foregoing extract of SICA's By-Laws and Resolution is still in force and effect and this Power of Attorney issued pursuant to and in accordance with the By-Laws is valid.

Signed this **11th** day of **April**, **2023**.

Michael H. Lanza, SICA Corporate Secretary

SELECTIVE INSURANCE COMPANY OF AMERICA CORPORATE SEAL 1926 NEW JERSEY

Important Notice: If the bond number embedded within the Notary Seal does not match the number in the upper right-hand corner of this Power of Attorney, contact us at 973-948-3000.

B91 (4-14)

PROPOSAL
FOR
2023 ROOF REPLACEMENTS
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

City of Livonia
33000 Civic Center Drive
Livonia, Michigan 48154

Bids Due: Tuesday, April 11, 2023
On or Before 2:00 pm, Local Time
HRC Job No. 20211058 20220419
20220474

To Prospective Bidders:

Name of Company: KJP ROOFING Date: 4/10/2023

The above, as Bidder, hereby declares this bid is made in good faith without fraud or collusion with any persons bidding, and that the Drawings, Specifications, and all other information referenced in the Instructions to Bidders have been examined. Further, the Bidder is familiar with the location of the work described herein and is fully informed as to the nature of the work and conditions relating to the performance of the Contract.

The Bidder acknowledges that no representations or warranties of any nature whatsoever have been received, or are relied upon from the City of Livonia, its agents or employees, as to any conditions to be encountered in accomplishing the work and that the bid is based solely upon the Bidder's own independent judgment.

The above, as Bidder, hereby certifies that the Drawings, Specifications, and other data provided by the Owner for bidding purposes have been examined. Further, the undersigned certifies that the proposed construction methods have been reviewed and found acceptable for the conditions which can be anticipated from the information provided for bidding.

The Bidder hereby affirms that the sites of the work has been inspected and further declares that no charges in addition to the Lump Sums and Individual Unit Prices shall be made on account of any job circumstances or field conditions which were present and/or ascertainable prior to the bidding. In addition, The Contractor, as such and as Bidder, shall complete the work under whatever conditions created by the Contractor/Bidder's sequence of construction, construction methods, or other conditions the Contractor/Bidder may create, at no additional cost to the Owner.

The above, as Bidder, confirms knowledge of the locations of the proposed Roof Replacement Projects construction in the City of Livonia, Wayne County, Michigan, and the conditions under which they must be constructed; and also declares to have carefully examined the Drawings, Specifications, and Contract Documents which the Bidder understands and accepts as sufficient for the purpose of constructing said Senior Center Roof Improvements Project, and appurtenant work, and agrees to contract with the City of Livonia to furnish all labor, materials, tools, equipment, facilities and supervision necessary to do all the work specified and prescribed for the City of Livonia, in strict accordance with the Owner's General Conditions, and with the full intent of the Drawings and Specifications, prepared by Hubbell, Roth & Clark, Consulting Engineers, and will accept in full payment therefore the Sum of:

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SENIOR CENTER ROOFING:

Item	Quantity			Unit Price		Total Cost
1. Removal & Recover Roofing; New Copings, Flashings - Complete	1	LS	@	$40,957.00	=	$40,957.00
2. Plywood Deck Replacement (4'x8' sheet, fire retardant treated required)	4	EA	@	$150.00	=	$600.00
3. Remove & replace wet insulation	100	SF	@	$2.00 PER INCH	=	$200.00
4. Spot repair blisters, hot spots	200	SF	@	$15.00	=	$3,000.00
5. Plywood Wall Openings Infill	1	LS	@	$1,500.00	=	$1,500.00
6. New Roof Sump, Drain, Piping - Complete	1	LS	@	$3,500.00	=	$3,500.00
7. Allowance for Building Permit	1	LS	@	$ 878.00	=	$ 878.00
8. Contingency	1	LS	@	$ 2,500.00	=	$ 2,500.00

Total Amount of Lump Sum (Base Bid) for SENIOR CENTER $ 53,135.00

FIRE STATION #1:

Item	Quantity			Unit Price		Total Cost
1. Removal & Replacement of Roofing System**	1	LS	@	$257,442	=	$257,442.00
2. Remove & replace wet insulation over Addition Area (tapered system installed in 2018)	200	SF	@	$4.00	=	$8,000.00
3. Access Ladders with Roof Rail Supports	2	EA	@	$19,750.00	=	$39,500.00
4. Allowance for Building Permit	1	LS	@	$ 4,900.00	=	$ 4,900.00
5. Contingency	1	LS	@	$ 5,500.00	=	$ 5,500.00

Total Amount of Lump Sum (Base Bid) for FIRE STATION # 1 $ 315,342.00

FIRE STATION #5:

Item	Quantity			Unit Price		Total Cost
1. Removal & Replacement of Roofing System**	1	LS	@	$118,860	=	$118,860
2. Access Ladder	1	EA	@	$12,000.00	=	$12,000.00
3. Allowance for Building Permit	1	LS	@	$ 2,245.00	=	$ 2,245.00
4. Contingency	1	LS	@	$ 4,500.00	=	$ 4,500.00

Total Amount of Lump Sum (Base Bid) for FIRE STATION #5 $ 137,605.00

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FIRE STATION #6:

Item	Quantity			Unit Price		Total Cost
1. Removal & Replacement of Roofing System**	1	LS	@	$157,800.00	=	$157,800.00
2. Access Ladders	2	EA	@	$8,750.00	=	$17,500.00
3. Allowance for Building Permit	1	LS	@	$ 3,171.00	=	$ 3,171.00
4. Contingency	1	LS	@	$ 4,500.00	=	$ 4,500.00

Total Amount of Lump Sum (Base Bid) for FIRE STATION #6 $182,971.00

** **"Removal & Replacement of Roofing System"** shall be understood to include all work as shown on the Drawings and specified, including demolition, disposal; new insulation, membrane, flashings, metal copings, pipe boots, pipe extensions, walkway pads, raising utilities and roof-top equipment/curbs heights/rebuild, etc., installed, complete. New wood nailers and blocking that are required in order to raise the parapet heights to accommodate the new insulation thickness shall be included in the Lump Sum Removal & Replacement of Roofing System line item. Miscellaneous Unit Pricing items, as listed above, will be the basis for calculating the cost of additional, unforeseen material replacement that may arise. These additional costs will be paid from the Contingency Amount. Unused Contingency money shall be credited back to the Owner at the completion of the work, via Change Order.

ALTERNATES

Voluntary Alternates proposed by the Bidder will not be considered. The Bidder shall submit a bid based on the information shown on the Drawings and Specifications. Alternate(s) listed below are for the Owner's convenience and shall be priced as indicated by the work description. All Alternates shall be clearly marked whether they represent an Add or Deduct to the Base Bid Price quoted herein. All Alternates which are quoted shall be complete and the price shall include all Bidder mark-ups.

ALTERNATE No. 1 – Roofing Membrane Material :

In lieu of a fully adhered, 60 mil, heat welded TPO membrane, install a fully adhered, 60 mil, heat welded PVC membrane instead. All other requirements remain the same.

Senior Center - PVC Membrane:
(Indicate ADD or DEDUCT) to the Lump Sum Price $ 3,500.00

Fire Station #1 - PVC Membrane:
(Indicate ADD or DEDUCT) to the Lump Sum Price $ 22,000.00

Fire Station #5 - Senior Center PVC Membrane:
(Indicate ADD or DEDUCT) to the Lump Sum Price $ 13,000.00

Fire Station #6 - Senior Center PVC Membrane:
(Indicate ADD or DEDUCT) to the Lump Sum Price $ 17,500.00

The Owner reserves the right to award the Lump Sum Base Bid or the Lump Sum Base Bid plus any individual Alternate or combination of Alternates, depending upon the availability of funds.

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UNIT PRICING:

Miscellaneous Unit Pricing: The unit pricing requested below will be used in the event that deteriorated wood nailers are uncovered; or deteriorated metal decking is uncovered and requires rehabilitation or replacement. The Contingency line item for each site will be used to assist in covering such costs, should it be necessary to add the work to the project.

1. 2X4 Wood Nailers – Remove and Replace	1	LF	@	$ 3.25	=	$ 3.25
2. Metal Roof Deck - Rehabilitate (See Section 01010, 1.02-C)	1	SF	@	$ 6.00	=	$ 6.00
3. Metal Roof Deck - Replace (1-1/2 inch, 20 gauge, galvanized)	1	SF	@	$ 13.00	=	$ 13.00

CONSTRUCTION SCHEDULE SUBMISSION

***Important:** A tentative construction schedule is to be included with this proposal for Owner consideration. The work at the (4) sites may proceed concurrently.*

The Owner reserves the right to award the Base Bid depending upon the availability of funds. No additional compensation will be made to the Contractor to offset lost compensation due to the possible deletion/reduction of parts of the Base Bid.

The Owner, at its sole discretion, reserves the right to award to the Bidder who, in the sole determination of the Owner, will best serve the interest of the Owner. The Owner reserves the right to accept any bid, to reject any or all bids, to waive any and all informalities involving price, time, or changes in the work, and to negotiate contract terms with the successful Bidder, and the right to disregard all nonconforming, nonresponsive, unbalanced or conditional bids. However, it is the intention of the Owner to award to the low total bid to one Bidder. Also, the Owner reserves the right to reject the bid of any Bidder if the Owner believes that it would not be in the best interest of the Project to make an award to that Bidder, whether because the bid is not responsive or the Bidder is unqualified, of doubtful financial ability, or fails to meet any other pertinent standard or criteria established by the Owner.

Each Proposal must be accompanied by a bid deposit in the form of a certified check, cashier's check or bid bond, executed by the Bidder and Surety Company, payable to the City of Livonia in the amount of Five Percent (5%) of the amount of the Proposal. See Instructions to Bidders – Bid Deposit for more information.

TAXES

The City of Livonia is exempt from sales tax. A copy of the City's Tax Exempt form will be furnished upon request.

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ADDENDA

The Bidder acknowledges the following Addenda, covering revisions to the drawings or specifications and the cost, if any, of such revision has been included in the quoted proposal:

Addendum No. 1 Dated 3/6/23
Addendum No. 2 Dated 4/4/23
Addendum No. 3 Dated 4/4/23

COMPLETE BID

The following items shall be submitted for the bid to be considered complete:

1. Completed Proposal Form on Owner supplied sheets – all lines must be filled in
2. Cashier's check or bid bond and completed Bid Bond form included in this section
3. Addenda acknowledgement herein
4. Signed "Iran Linked Business" Vendor Certification (See Section 00704)
5. Municipal references (See Section 00300A)
6. Completed Statement of Qualifications and Subcontractor List Forms (Following this Section)
7. Proposed construction schedule

FEES

The Bidder shall refer to the General Conditions for allowable Fees for additional work performed, upon Owner's written authorization, by Bidder's own forces and/or for additional work, upon Owner's written authorization, by Bidder's subcontractors.

TIME OF COMPLETION

If awarded the Contract for the Roof Replacements project, we agree to have all work **substantially completed by December 1, 2023.** Substantial Completion is defined that the new roofing systems and flashings are installed and are water-tight. **Contractor shall provide material submittals for review and order materials in a timely manner to meet the substantial completion date.**

The Bidder hereby agrees to furnish the required Bonds, Insurance Certificates, and Policies within Ten (10) calendar days after acceptance of this Proposal.

Final Completion with all clean-up and punch-list items shall be complete within **Twenty (20) calendar days** of Substantial Completion.

The execution of all work and specific constraints as described in the contract drawings and specifications must be strictly adhered to.

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LIQUIDATED DAMAGES

Time is of the essence for completion of this project in order to have the Projects ready for the City. The Bidder guarantees that the work will be completed within the time limit stated herein before or within the time as extended as provided elsewhere in the Specifications. Inasmuch as the damage and loss to the Owner which will result from the failure of the Bidder to complete the work within the stipulated time, will be most difficult or impossible to accurately determine, it is mutually agreed that the damages to the Owner for such delay and failure on the part of the Bidder shall be liquidated in the amount of One Hundred Fifty Dollars ($150.00), for each and every calendar day by which the Bidder shall fail to complete the work or any part thereof within the provisions hereof, and such liquidated damages shall not be considered as a penalty.

The Owner will deduct and retain out of any money due or to become due hereunder the amount of the liquidated damages, and in case those amounts are less than the amount of actual liquidated damages, the Bidder shall pay the difference upon demand of the Owner.

We understand that liquidated damages may be assessed should we fail to meet the stipulated completion dates. Specifically, liquidated damages will be assessed daily beginning on **December 2, 2023** until such a time that Substantial Completion is achieved and further if all work is not completed by the prescribed Final Completion Date.

BIDS TO REMAIN FIRM

The price stated in this Proposal shall be guaranteed for a period of not less than 120 days from the bid due date and if authorized to proceed within that period, the Bidder agrees to complete the work covered by the Proposal at said price.

If this Proposal is accepted by the Owner and the undersigned shall fail to contract as aforesaid and to furnish the required surety bonds within fifteen (15) calendar days after being notified of the acceptance of their bid, then the undersigned shall be considered to have abandoned the contract, and the Certified Check, Cashier's Check or Bid Bond accompanying this Proposal shall be forfeited to the City of Livonia.

If the undersigned enters into the contract in accordance with their proposal, or if their proposal is not accepted, then the accompanying bid guarantee shall be returned to the undersigned.

Company Name: KJP ROOFING AND SHEET METAL

Contact Person: JASON PRIESKORN

Signature: [illegible] Title: PRESIDENT

Address: 46958 N. GRATIOT SUITE 174 CHESTERFIELD, MI 48051

County: MACOMB State: MI

Telephone No.: (586) 256-1376 Fax No.:

Email Address: JASON@KJPROOFING.COM

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LEGAL STATUS OF BIDDER

This Bid is submittal in the name of:

(Print) KJP ROOFING AND SHEET METAL

The undersigned hereby designates below the business address to which all notices, directions or other communications may be served or mailed:

Street 46958 N. GRATIOT SUITE 174

City CHESTERFIELD

State MI Zip Code 48051

The undersigned hereby declares the legal status checked below:

( ) INDIVIDUAL

( ) INDIVIDUAL DOING BUSINESS UNDER AN ASSUMED NAME

( ) CO-PARTNERSHIP
The Assumed Name of the Co-Partnership is registered in the County of _____, Michigan

(✓) CORPORATION INCORPORATED UNDER THE LAWS OF THE STATE OF _____
MICHIGAN. The Corporation is

(✓) LICENSED TO DO BUSINESS IN MICHIGAN

( ) NOT NOW LICENSED TO DO BUSINESS IN MICHIGAN

The name, titles, and home addresses of all persons who are officers or partners in the organization are as follows:

A corporation duly organized and doing business under the laws of the State of MICHIGAN

NAME AND TITLE	HOME ADDRESS
JASON PRIESKORN	9910 SPRINGBORN
PRESIDENT	CASCO, MI 48064

Signed and Sealed this 10TH day of APRIL, 2023

By (Signature)

JASON PRIESKORN
Printed Name of Signer

PRESIDENT
Title

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SEE ATTACHED

BID BOND

We, the undersigned, _____

_____

As Principal, hereinafter called the Principal, and _____

_____

A corporation duly organized under the laws of the State of _____

As surety, hereinafter called the SURETY, are held and firmly bound unto:

The Owner: _____

in the sum of_____ Dollars ($_____),

For the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for _____

_____

_____

NOW, THEREFORE, if the OWNER shall accept the bid of the Principal and the Principal shall enter into a contract with the OWNER in accordance with the terms of such bid, and give such bond or bonds as may be specified in the CONTRACT DOCUMENTS with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such contract and give such bond or bonds, if the Principal shall pay to the OWNER the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the OWNER may in good faith contract with another party to perform the work covered by said bid, then the obligation of the Principal shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this_____ day of _____, 20_____

_____ _____

(Witness) (Principal) (Seal)

(Title)

_____

(Witness) (Surety)

_____

(Title)

END OF SECTION

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STATEMENT OF QUALIFICATIONS – 00300A

Bidder must answer all questions. If more space is needed to complete a question, attach a separate sheet. Bidder may submit any additional information.

Name: KJP ROOFING AND SHEET METAL, INC

Address: 46958 N. GRATIOT STE 114 Phone: (586) 256-1376

CHESTERFIELD, MI 48051

Number of years operating under your present name: 12

General nature of work performed by your company: COMMERCIAL ROOFING & SHEET METAL

Background and experience of the principal members of your organization including officers:

SEE ATTACHED RESUME

Major equipment available for this contract:

DUMPSTERS, SKYTRACK, ROOF CUTTERS OF WHICH IS OWNED OR READILY AVAILABLE TO KJP ROOFING

Provide information of work performed for any City of Livonia Departments in the last five (5) years: LIVONIA HOUSING - McNAMARA TOWER (2019 & 2022)
CITY OF LIVONIA - SILVER VILLAGE (2022)
CITY OF LIVONIA - CARL SANDBURG LIBRARY (2023)

Bidder shall have experience in installing TPO roofing, including in a recovery type installation (i.e. roof-over), on a minimum of (3) projects during in the last ten (10) years. Bidder shall also have a minimum of Ten (10) years' experience in installing TPO membrane roofing. Provide documentation on compliance with this qualification as an attachment.

STATEMENT OF QUALIFICATIONS – 00300A

Current project workload and capacity to perform the work:

$ 8,000,000.00 - $ 10,000,000.00 ANNUALLY
$ 4,000,000.00 CURRENTLY UNDER CONTRACT

Anticipated Lead Time for Project Materials (including tapered materials):

TWO WEEKS OR LESS AT TIME OF BIDDING

PROJECT REFERENCES

The City of Livonia requires the Bidder, as the Prime Contractor, to include a minimum of three (3) references for similar projects that include installation of TPO roofing on existing municipal, industrial or commercial buildings in the last ten (10) years. References will be checked prior to the award of the contract.

* SEE ATTACHED

Project Title: _____

Client: _____

Contact Person: _____ Phone: _____

Contract Amount: _____

Start Date: _____ Completion Date: _____

Project Description: _____

STATEMENT OF QUALIFICATIONS – 00300A

Project Title: _____

Client: _____

Contact Person: _____ Phone: _____

Contract Amount: _____

Start Date: _____ Completion Date: _____

Project Description: _____

_____

_____

_____

Project Title: _____

Client: _____

Contact Person: _____ Phone: _____

Contract Amount: _____

Start Date: _____ Completion Date: _____

Project Description: _____

_____

_____

_____

State any exceptions to the Bid Requirements:

_____

_____

Form Completed by: _____

Name - Title

_____

Signature

_____

Date

SUBCONTRACTOR LIST – 00300B

ITEM	NAME, ADDRESS & PHONE # OF CONTRACTOR
	NONE @ THIS TIME AS ALL WORK SPECIFIED WILL BE SELF PERFORMED Phone:
	Phone:
	Phone:
	Phone:
	Phone:

KJP Roofing and Sheet Metal, Inc.

46958 N. Gratiot Suite 174
Chesterfield, MI 48051
jason@kjproofing.com
(586) 256-1376

References:

Roofing Suppliers:

Louis T Ollesheimer & Son Inc
605 E 12 Mile Rd
Madison Heights, MI 48071
Contact: Parks, Jayme
(248) 544-3900

ABC Building Supply
25900 Grosebeck Hwy.
Warren, MI 48089
Contact: Jordan Adams
(248) 943-7140

Projects:

Pontiac Public Schools
High School North
Barton Malow- Jon Johnson (248) 794-3595
jon.johnson@bartonmalow.com
Contract Price- $1,900,000.00
Project included removal of existing membrane and installation of 300,000 SF of fully adhered EPDM including .50 aluminum gutters and edgings

Bloomfield Public Schools
Conant and Way Elementary

Barton Malow- Joe Gorski (407) 883-9598
joseph.gorski@bartonmalow.com
Contract Price- $875,000.00
Project consisted of demolition of existing roofing where the new building tied in and installation of 45,000 SF of EPDM Roofing including all sheet metal edgings

Lakeview Public Schools
Jefferson Middle School, Ardmore Elementary and Princeton Elementary
Barton Malow- Evan Chechack (947) 234-2885
evan.chechack@bartonmalow.com
Contract Price- $400,000.00
Project consisted of additions at multiple schools throughout the district. Demolition of existing roofing to allow for addition of new building and complete roof installation of a new fully adhered EPDM Roof System including all sheet metal edgings

DTMB
Hawthorn Center DHHS
Bergmann PC- David Lenz
dlenz@bergmannpc.com
Contract Price- $2,100,000.00
Project included removal of existing roofing system and all related components. Remove and Replace 45,000 SF of roofing and installation of New ECO White EPDM Roof System including vapor barriers and cover boards

Trenton Public Schools
Anderson Elementary and Arthur Middle School
Owners Rep- John Stoner (248) 670-0160
jstoner@stoneradvisorygroup.com
Contract Price- $900,000.00
Project included removal and replacement of 90,000 SF of roofing down to deck and installing new fully adhered EPDM roof system and Metal Era edgings

Marysville Public Schools
Marysville Middle School and Elementary
NTH Consultant- Rick Bresso (248) 553-6300
rbresso@nthconsultants.com
Contract Price- $600,000.00
Project included removal and replacement of 45,000 SF of roofing down to deck and Installing new fully adhered EPDM roof system and shop fabricated metal edgings

Livonia Housing Tower 2
Owners Rep-Richard Moore(574) 276-1411
ramoore83@yahoo.com
Contract Price- $425,000.00

Project Included removal and replacement of 20,000 SF of roofing down to deck and installing new fully adhered TPO roof system with Pre-Fabricated edgings

Samaritas Senior Living
Point of Contact- Patrick Erne (248) 703-0226
Contract Price- $600,000.00

Remove and Replace 60,000 SF of asphalt roofing and installing new Certainteed Landmark shingles, new 6" gutters and downspouts. Roof area was 3 stories tall and a 12/12 pitch

Department of Veterans Affairs
Detroit VAMC – Replace Roofs
Contract John Lee – Project Manager (586) 255-4946
jlee1048@hotmail.com
Contract Price - $2,400,000

Project includes 80,000 SF of complete removal and replacement of existing roofing and insulation. The new roof is a fully adhered TPO membrane roofing system by Firestone with a 20 year no dollar limit warranty. Project also includes 65 roof drain, 800 LF of expansion joint, and 10,000 SF of saturated modified built up roofing repairs.

Women's Huron Valley Correctional Facility
Remove and Replace both steep slope and low slope roofing
Contract Price- 1,500,000.00
Contact.- Paul Majokowski (Intertek-psi) (248) 957-9911

Project includes complete removal and replacement of roofing, metal components and complete deck replacement on steep slope roofing totaling 130,000 SF

Parnall Correctional Facility
Contact Richard Mann- Project Engineer Consultant (248) 658-7777
Contract Price $240,000.00-

Project included removal of complete roof system and installing a fully tapered roof system including wood nailers and a new metal facia on a 10,000 sf building. Project required high security requirements

CMA Management –

-111 N. Main St Lofts Royal Oak, MI

Roof Project includes complete removal of existing screenwall, 14,000 SF of roofing and all related materials and installation of new roofing and metal components
Contract Price- $132,000.00

-Kings Row Plaza Troy, MI

Project included 22,000 SF of complete removal of all existing roof layer's, insulation and all related components down to structural deck. The new roof is a 60

Mil mechanically attached PVC roof system by Sika/ Sarnafil with a 20yr No Dollar Limit warranty

-Contract Price- $165,000.00

-29829 Telegraph Rd, Southfield, MI

Project included 15,000 SF of complete removal of BUR roof system and insulation. New roof is a 80 Mil mechanically attached PVC roof system by Johns Manville with a 25yr No Dollar Limit warranty

Contract Price- $135,00.00

Contact Ed Powers- Owner (248) 353-9010

Department of Military and Veteran Affairs

Port Huron Armory – Replace Roof

Contact Douglas Shilling – Building Construction Superintendent(517) 599-6881

Contract Price - $239,000.00

Project includes 15,000 SF of complete removal and replacement of existing roofing and insulation. The new roof is a fully adhered 60 mil EPDM Firestone system with new insulation, hardboard, metal coping, drains, and associated plumbing.

a. Name:	Jason Prieskorn	
b. Proposed Assignment:	Managing Member/Project Management	
c. Name of Firm:	KJP Roofing and Sheet Metal, Inc	
d. Years of Experience:	**With Firm:** 8 Years	**With Others:** 12
e. Certification No.:		**Exp. Year/State:**

30 Hour OSHA Construction Safety
Certified Lift and Boom Truck Operator- OSHA
Qualified Signal Person – OSHA
Certified with the following roofing manufactures:
Firestone
Carlisle
Johns Manville
Sarnafil
GAF
Durolast

f. Relevant Experience:

Mr. Prieskorn has over 9 years of experience in the area of construction management and 17 in the construction/ roofing field. He has worked on residential, commercial and industrial projects. He has specialized in understanding client requirements, Scheduling, Estimating, Blueprint Analyzing, Project Supervision, CAD Drawings, Communications with stakeholders and Project document requirements for both state and federal work. His federal work experience includes Department of Veteran Affairs, U.S. Air Force Contracting, and State of Michigan. His extensive experience in the field and in the office makes capable of handling and completing any project that KJP Roofing and Sheet Metal, Inc acquires.

Currently Mr. Prieskorn is full time employed as the 100% Managing Member and Project Manager for KJP Roofing and Sheet Metal, Inc. He is responsible for overseeing all company and project development. Mr. Prieskorn's responsibilities are to make sure that the various parts are progressing and that the project is safely working as a whole. He is involved at every level of development from concept to production and completion. This requires him to know about a broad range of subjects, from economics to materials and also the variety of tasks and greater level of responsibility that require organization, patience and the ability to deal with people.

Some of major project experiences of Mr. Prieskorn's are as follows:

2019- Sherwood Creek Condominium Complex

120,000 SF demolition of existing roofing and all related components. Installation of all new metal edgings, flashings and Certainteed Dimensional shingles

The total project cost is approx $875,000.00

2018-2019 Department of Veteran Affairs

Project includes complete roof replacement on 85,000 SF., replacement of 1200' of expansion joint and repairs throughout the remaining areas of the facility

The total project cost is approx $2,400,000.00

2018-2019. Marysville Public Schools

Project included demolition of existing roofing on both the middle school and elementary and installation of new roofing and all related components

The total project cost is approx. $300,000.00

2017- Womens Huron Valley Correctional Facility

Project included demolition of both steep and low slope roofing. Multiple buildings inside a secured correctional facility including 85,000 SF. of low slope roofing and 45,000 SF. of steep slope roofing

The total project cost: $1,450,000.00

OTHER PROJECTS COMPLETED:

Detroit Re-Entry- 2017 ($500,000.00)

Macomb Correctional- 2017-2018 ($1,250,000.00)

Samaritas Senior Living-2018 ($500,000.00)

Huron Valley Schools- 2017 ($475,000.00)

- ***17 + years of total experience***
- ***9 years in Marketing, Project Management and Strategic Planning***
- ***Extensive knowledge of Federal, State, and City Environmental Guidelines and Regulations***
- **Extensive OSHA training**
- **Annual contractor updates on all roofing products**
- **Up to date with Michigan code for roofing**

LETTER TO THE LIVONIA CITY COUNCIL

21.

City Clerk
May 16, 2023

MEETING DATE	PREPARED BY
R060523	Lori Miller, MiPMC, Deputy City Clerk,

AGENDA ITEM

BLOCK PARTY AND STREET BARRICADE: Lauren Feigel, re: to be held Sunday, June 25, 2023, from 12:00 p.m. to 10:00 p.m. along the Five Mile Service Road from 36996 to 36916 Five Mile Road, with no rain date requested.

BACKGROUND DETAILS

Request to host a block party and barricade the Five Mile Service Road on Sunday, June 25, 2023. Event to include barbecue, games, bicycles for kids, and the ability to safely watch SPREE Fireworks with approximately 75 residents attending the party.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Approve as submitted.

ATTACHMENTS

1. Five Mile Block Party Request

APPROVED BY

REQUEST FOR NOISE WAIVER BLOCK PARTY and/or BARRICADING OF CITY STREETS

Send to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097
or hand deliver to the City Clerk's Office **at least 8 weeks prior to the planned event**

PLEASE PRINT

Date of Application: 5/12/23 Date to appear at a Council Meeting: 5/22/23

Name of Neighborhood Representative: Lauren Feigel

Address (please include zip code): 36916 5 mile, 48154

Telephone Number with area code: Home: 734-377-0724 Office: 734-759-5901

Email: feigell@wy.k12.mi.us

Please circle what is being requested – **"BLOCK PARTY"** and/or **"STREET BARRICADING"**

6/25/23	N/A	12pm - 10pm
Date of Block Party and/or Barricading	Rain Date	Start/end time of Block Party and/or Barricading **End time is no later than 10:00 p.m.**

Location of Block Party and/or Barricading: (Be specific. Indicate which streets and between which boundaries).
Road closure of 5 mile service Rd, betwen sidewalk and Blvd.

Type of Event: Briefly (Describe activities planned. Music, barbecue, games, etc.) Barbeque, games, bicycles for kids, and the ability to safely watch spree fireworks from our street.

How many barricades are you requesting (max. 10)? 4

Approximate Number Attending: 75

Date of Council Approval/Denial: _____

Council Resolution Number: _____