

City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

**City Commission Meeting
February 13, 2018
Agenda**

Honorable Mayor, City Commissioners and Residents: This shall serve as your official notification of the Regular City Commission Meeting to be held Tuesday, February 13, 2018, at 7:30 p.m., in the City Commission Chambers, 23925 Woodward Avenue, Pleasant Ridge, Michigan 48069. The following items are on the Agenda for your consideration:

REGULAR CITY COMMISSION MEETING – 7:30 P.M.

1. **Meeting Called to Order.**
2. **Pledge of Allegiance.**
3. **Roll Call.**
4. **PUBLIC DISCUSSION – items not on the Agenda.**
5. **Governmental Reports.**
6. **City Commission Liaison Reports.**
 - **Commissioner Krzysiak – Ferndale Public Schools**
 - **Commissioner Perry – Planning/DDA, Committee Liaison**
 - **Commissioner Scott – Historical Commission**
 - **Commissioner Wahl – Recreation Commission**
7. **Consent Agenda.**

All items listed on the Consent Agenda are considered to be routine by the City Commission, will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of these items unless a City Commissioner or visitor so requests, in which event, the item will be removed from the consent agenda and considered as the last item of business.

 - a. Minutes of the Public Hearing and Regular City Commission Meeting held Tuesday, January 9, 2018.
 - b. Monthly Disbursement Report.
8. **Establishing public hearings on Tuesday, March 13, 2018 at 7:30 pm to solicit public comments on the following ordinance amendments:**
 - a. Amendment to the Pleasant Ridge City Code, Chapter 14, Building and Building Regulation, by the addition of Article VII - False Alarms.
 - b. Amendment to the Pleasant Ridge City Code, Chapter 34, Nuisance, Article III, Section 34-52, by the addition to a new section (13), regarding storage of unlicensed automobiles.
 - c. Amendment to the Pleasant Ridge City Code, Chapter 70, Traffic, Section 70-21, Violation and Penalties, regarding OUI cost recovery.

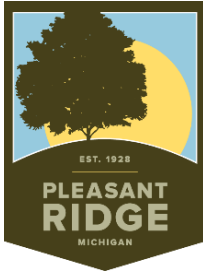
- d. Amendment to the Pleasant Ridge City Code, Chapter 70, Section 70-86, Notice and 70-87, Failure to Pay, regarding OUI cost recovery collection.

9. City Manager's Report.

10. Other Business.

11. Adjournment.

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the City at least seventy-two (72) hours in advance of the meeting, if requesting accommodations.



City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

**Public Hearing and City Commission Meeting
January 9, 2018**

Having been duly publicized, Mayor Metzger called the meeting to order at 7:33 p.m.

Present: Commissioners Krzysiak, Perry, Scott, Wahl, Mayor Metzger
Also Present: City Manager Breuckman, City Attorney Need, City Clerk Drealan
Absent: None

Public Discussion

Amy Butters, 23 Millington, reminded citizens of the Ferndale Public Schools Fine Arts Raffle on February 3rd. The raffle supports all of the fine arts programs at Ferndale Schools.

Governmental Reports

Chief Kevin Nowak, Pleasant Ridge Police Department, reported that no packages were stolen off of porches in Pleasant Ridge during the holiday season. Officer Andrew Shelton was accepted into the nationwide Drug Recognition Expert Program. It is a comprehensive program training experts in recognizing drug impaired drivers. Program participation is paid for by a federal grant. Officer Michael Kolezar responded to an attempted suicide at the bridge to the zoo. He, with the support of other officers, was able to save the man. Officer Kolezar has both training and experience in suicide prevention.

City Commission Liaison Reports

Commissioner Perry reported on the Planning Commission/DDA. The Planning Commission has not met since the last City Council meeting. Next meeting is January 22nd at City Hall.

Commissioner Scott reported on the Historical Commission. There was no meeting in December. The next meeting is January 10th at 7:00 p.m. There is no meeting in February.

Commissioner Wahl reported on the Recreation Commission. The Recreation Commission did not meet. The next meeting is January 31st.

Commissioner Krzysiak reported on Ferndale Public Schools. Updates from student representatives from both high schools were presented at the last School Board meeting. Several student run programs collected over \$600 for Blessings in a Backpack. The Superintendent's Excellence Award was presented to Jacob Keener from Ferndale High School. Several individuals were also nominated as Eagles of the Month. The Building Pride program also met to continue to help build a better school family. The preschool open house is January 25th. The kindergarten open house is February 1st.

Consent Agenda

18-3346

Motion by Commissioner Krzysiak, second by Commissioner Scott, to approve the consent agenda as amended.

Adopted: Yeas: Commissioners Krzysiak, Scott, Perry, Wahl, Mayor Metzger
 Nays: None

Public Hearing to Amend Ordinance 82 to Allow Package Liquor Sales at Gas Stations

City Manager Breuckman indicated that the ordinance would eliminate the language that prohibits gas stations from selling package liquor, wine and beer only. If approved, the owner of the gas station would need to go through the process of obtaining a special use permit. Surrounding residents and property owners would be notified of that hearing.

Mayor Metzger opened the public hearing at 7:54 p.m.

Mr. Rob Sakat, 8 Fairwood, spoke in favor of the amendment.

With no further comments or discussion, Mayor Metzger closed the public hearing at 7:55 p.m.

18-3347

Motion by Commissioner Perry, second by Commissioner Wahl, to eliminate Section 82-197(b)(1)(m). Commissioner Krzysiak and Mayor Metzger expressed support.

Adopted: Yeas: Commissioners Perry, Wahl, Krzysiak, Scott, Mayor Metzger
 Nays: None

Public Hearing to Amend Ordinance 82 Regarding Street Side Solar Panels

City Manager Breuckman indicated that the ordinance would allow the installation of solar panels, with some design restrictions, that are visible from the street. The design restrictions would apply to panels installed in the ground as well as on structures. The first permit for installation of solar panels was recently approved.

Mayor Metzger opened the public hearing at 8:03 p.m.

With no comments or discussion, Mayor Metzger closed the public hearing at 8:04 p.m.

18-3348

Motion by Commissioner Perry, second by Commissioner Scott, to approve the ordinance amendment as presented.

Adopted: Yeas: Commissioners Perry, Scott, Krzysiak, Wahl Mayor Metzger
 Nays: None

Approval of Annual Meeting Schedules

Annual meeting schedules for the City, Historical, Planning/DDA and Recreation Commissions were presented.

18-3349

Motion by Commissioner Perry, second by Commissioner Scott, to approve the 2018 schedules as presented. Commissioner Krzysiak expressed approval for the new, more quarterly, schedule.

Adopted: Yeas: Commissioners Perry, Scott, Krzysiak, Wahl, Mayor Metzger
 Nays: None

Historical Commission Appointments

It was presented that Don Daniels and Erik Krogol be appointed and John Wright be reappointed to the Historical Commission, terms to expire December 31, 2020.

18-3350

Motion by Commissioner Wahl, second by Commissioner Scott, to approve the appointments as presented.

Adopted: Yeas: Commissioners Wahl., Scott, Krzysiak, Perry, Mayor Metzger
 Nays: None

Planning Commission/DDA Appointments

It was presented that Kristi McAuliffe and Tom Wilkinson be reappointed and Frederic McCoy be appointed to the Planning Commission/DDA, terms to expire December 31, 2020.

18-3351

Motion by Commissioner Perry, second by Commissioner Wahl, to approve the appointments as presented.

Adopted: Yeas: Commissioners Perry, Wahl, Krzysiak, Scott, Mayor Metzger
 Nays: None

Recreation Commission Appointments

It was presented that Catherine Russell, James Leyerly and Jeffery Williams be reappointed to the Recreation Commission, terms to expire December 31, 2020.

18-3352

Motion by Commissioner Krzysiak, second by Commissioner Scott, to approve the appointments as presented.

Adopted: Yeas: Commissioners Krzysiak, Scott, Perry, Wahl, Mayor Metzger
 Nays: None

Board of Review Appointments

It was presented that Al Kaczkowski and Tom Treuter be appointed to the Board of Review, terms to expire December 31, 2020.

18-3353

Motion by Commissioner Scott, second by Commissioner Perry, to approve the appointments as presented.

Adopted: Yeas: Commissioners Scott, Perry, Krzysiak, Wahl, Mayor Metzger
 Nays: None

City Manager's Report

City Manager Breuckman presented an update regarding the Stevenson Park Lighting Project. The poles and light fixtures should be delivered shortly. There was discussion regarding the success of the snow removal work this winter.

Other Business

Commissioner Krzysiak noted that February's book is *Underground Railroad*, by Colson Whitehead.

Mayor Metzger noted that the latest Ridger contains a 2018 magnet with reminder dates including trash pickup schedule.

With no further business or discussion, Mayor Metzger adjourned the meeting at 8:19 p.m.

Mayor Kurt Metzger

Amy M. Drealan, City Clerk
/dleg

January 2018

ACCOUNTS PAYABLE

| | | |
|---------------------|-----------|-------------------|
| PAYROLL LIABILITIES | \$ | 9,897.26 |
| TAX LIABILITIES | \$ | 432,681.89 |
| ACCOUNTS PAYABLE | \$ | 368,888.51 |
| TOTAL | \$ | 811,467.66 |

PAYROLL

| | | |
|------------------|----|-----------|
| January 2, 2018 | \$ | 36,723.90 |
| January 17, 2018 | \$ | 34,553.53 |
| January 31, 2018 | \$ | 32,590.53 |

| | | |
|--------------|-----------|-------------------|
| TOTAL | \$ | 103,867.96 |
|--------------|-----------|-------------------|

CHECK REGISTER FOR CITY OF PLEASANT RIDGE
 PAYROLL LIABILITIES
 January 2018

| Check Date | Check | Vendor Name | Description | Amount |
|---------------------------|-------|------------------|-------------------------|-------------|
| 1/2/2018 | 2057 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 417.80 |
| 1/2/2018 | 2058 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 1,305.16 |
| 1/2/2018 | 2059 | MIFOP | UNION DUES | \$ 141.00 |
| 1/2/2018 | 2060 | MISDU | FOC DEDUCTIONS | \$ 224.60 |
| 1/2/2018 | 2061 | ALERUS FINANCIAL | RHSP CONTRIBUTIONS | \$ 417.80 |
| 1/2/2018 | 2062 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 1,190.16 |
| 1/17/2018 | 2063 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 417.80 |
| 1/17/2018 | 2064 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 1,190.16 |
| 1/17/2018 | 2065 | ALERUS FINANCIAL | RHSP CONTRIBUTIONS | \$ 234.01 |
| 1/17/2018 | 2066 | MISDU | FOC DEDUCTIONS | \$ 224.60 |
| 1/17/2018 | 2067 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 1,055.87 |
| 1/31/2018 | 2068 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 417.80 |
| 1/31/2018 | 2069 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 1,190.16 |
| 1/31/2018 | 2070 | ALERUS FINANCIAL | RHSP CONTRIBUTIONS | \$ 234.01 |
| 1/31/2018 | 2071 | MISDU | FOC DEDUCTIONS | \$ 224.60 |
| 1/31/2018 | 2072 | ALERUS FINANCIAL | RETIRMENT CONTRIBUTIONS | \$ 1,011.73 |
| TOTAL PAYROLL LIABILITIES | | | | \$ 9,897.26 |

CITY OF PLEASANT RIDGE CHECK REGISTER

PG 2

TAX LIABILITIES

January 2018

| Check Date | Check | Vendor Name | Description | Amount |
|-----------------------|-------|--------------------------------|-----------------------------|---------------|
| 01/09/2018 | 2529 | CITY OF PLEASANT RIDGE-DDA | 2017 TAX COLLECTIONS | \$ 7,650.78 |
| 01/09/2018 | 2530 | CITY OF PLEASANT RIDGE-GENERAL | 2017 TAX COLLECTIONS | \$ 32.97 |
| 01/09/2018 | 2531 | CITY OF PLEASANT RIDGE-TAXES | 2017 TAX COLLECTIONS | \$ 120,946.69 |
| 01/09/2018 | 2532 | CORELOGIC CENTRALIZED REFUNDS | 2017 TAX OVERPAYMENT | \$ 224.33 |
| 01/09/2018 | 2533 | FERNDALE SCHOOL DISTRICT | 2017 TAX COLLECTIONS | \$ 55,793.87 |
| 01/09/2018 | 2534 | OAKLAND COUNTY TREASURER | 2017 TAX COLLECTIONS | \$ 195,961.55 |
| 01/09/2018 | 2535 | SEAN AND GAIL CORCORAN | 2017 TAX OVERPAYMENT | \$ 12.59 |
| 01/09/2018 | 2536 | TIMOTHY RUOKOLAINEN | 2017 TAX OVERPAYMENT | \$ 188.00 |
| 01/24/2018 | 2537 | CITY OF PLEASANT RIDGE-DDA | 2017 TAX COLLECTIONS | \$ 911.47 |
| 01/24/2018 | 2538 | CITY OF PLEASANT RIDGE-GENERAL | 2017 TAX COLLECTIONS | \$ 580.37 |
| 01/24/2018 | 2539 | CITY OF PLEASANT RIDGE-TAXES | 2017 TAX COLLECTIONS | \$ 16,127.76 |
| 01/24/2018 | 2540 | FERNDALE SCHOOL DISTRICT | 2017 TAX COLLECTIONS | \$ 8,222.39 |
| 01/24/2018 | 2541 | OAKLAND COUNTY TREASURER | 2017 TAX COLLECTIONS | \$ 25,939.32 |
| 01/24/2018 | 2542 | PAUL EISENSTEIN | 2017 SUMMER TAX OVERPAYMENT | \$ 66.60 |
| 01/24/2018 | 2543 | TITLE PARTNERS, LLC | 2017 TAX OVERPAYMENT | \$ 23.20 |
| TOTAL TAX LIABILITIES | | | | \$ 432,681.89 |

CITY OF PLEASANT RIDGE CHECK REGISTER
 ACCOUNTS PAYABLE
 January 10, 2018

| Check Date | Check | Vendor Name | Description | Amount |
|------------|-------|------------------------------|---------------------------------------|---------------|
| 1/10/2018 | 21754 | ACCUSHRED, LLC | SHREDDING SERVICES | \$ 55.00 |
| 1/10/2018 | 21755 | ALBANA KOKA | MUSEUM CLEANING | \$ 75.00 |
| 1/10/2018 | 21756 | AVER SIGN | WOODWARD AVE BANNERS | \$ 1,365.00 |
| 1/10/2018 | 21757 | BADGER METER, INC. | BEACON HOSTING SERVICES | \$ 69.84 |
| 1/10/2018 | 21758 | BENDZINSKI AND COMPANY | CONINTUING DISCLOSURE FILING | \$ 1,000.00 |
| 1/10/2018 | 21759 | BRILAR | DPW SERVICES | \$ 31,615.23 |
| 1/10/2018 | 21760 | CITY OF FERNDALE | DISPATCH SERVICES JUL 2017 - JAN 2018 | \$ 22,750.00 |
| 1/10/2018 | 21761 | CITY OF ROYAL OAK | DPW SERVICES - DEC 2017 | \$ 359.13 |
| 1/10/2018 | 21762 | CMCS | COLLECTION SERVICES | \$ 156.47 |
| 1/10/2018 | 21763 | DEBORAH GREEN | TRANSCRIPTION SERVICES | \$ 62.50 |
| 1/10/2018 | 21764 | DETROIT EDISION COMPANY | STREETLIGHTING | \$ 3,164.85 |
| 1/10/2018 | 21765 | DETROIT SALT COMPANY LLC | BULK ROAD SALT PURCHASES | \$ 1,584.17 |
| 1/10/2018 | 21766 | EUGENE LUMBERG | COURT PROSECUTIONS | \$ 375.00 |
| 1/10/2018 | 21767 | GREAT AMERICA | TELECOMMUNICATION SERVICES | \$ 433.00 |
| 1/10/2018 | 21768 | INLAND WATERS | SEWER REHABILITATION PROJECT | \$ 127,834.82 |
| 1/10/2018 | 21769 | INTERNATIONAL INSTITUTE OF | MEMBERSHIP DUES STAMPER & DREALAN | \$ 260.00 |
| 1/10/2018 | 21770 | I & J AUTO TRUCK CENTER | PD VEHICLE REPAIRS | \$ 178.43 |
| 1/10/2018 | 21771 | JANI-KING OF MICHIGAN, INC | JANITORIAL SERVICES | \$ 2,161.00 |
| 1/10/2018 | 21772 | KENNETH BORYCZ | MECHANICAL INSPECTIONS SRVS | \$ 588.75 |
| 1/10/2018 | 21773 | LIVING LAB | WOODWARD STREETSCAPE DESIGN | \$ 2,580.00 |
| 1/10/2018 | 21774 | MAMC | MEMBERSHIP DUES - STAMPER | \$ 60.00 |
| 1/10/2018 | 21775 | O'REILY AUTO PARTS | PD VEHICLE REPAIRS | \$ 33.74 |
| 1/10/2018 | 21776 | OAKLAND COUNTY CLERKS ASSOC. | MEMBERSHIP DUES - DREALAN & STAMPER | \$ 50.00 |
| 1/10/2018 | 21777 | OAKLAND COUNTY TREASURER | SEWAGE TREATMENT-DECEMBER 2017 | \$ 47,998.25 |
| 1/10/2018 | 21778 | OPTUM BANK | 2018 H.S.A. CONTRIBUTIONS-GUZIK | \$ 237.50 |
| 1/10/2018 | 21779 | RAY KEE | BUILDING INSPECTION SERVICES | \$ 1,350.00 |
| 1/10/2018 | 21780 | SCHEER'S ACE HARDWARE | TREE LIGHTING SUPPLIES | \$ 53.07 |
| 1/10/2018 | 21781 | SOCRRA | REFUSE COLLECTION CONTRACT | \$ 8,923.00 |
| 1/10/2018 | 21782 | SOCWA | WATER PURCHASES-DEC 2017 | \$ 13,112.45 |
| 1/10/2018 | 21783 | TEEK ELECTRIC | MEMORIAL PARK LIGHTING REPAIRS | \$ 2,300.00 |
| 1/10/2018 | 21784 | TEPEL BROTHER PRINTING | NEWSLETTER PRINTING SERVICES | \$ 2,962.70 |
| 1/10/2018 | 21785 | TOSHIBA FINANCIAL SERVICES | COPIER LEASE SERVICES | \$ 1,193.06 |
| 1/10/2018 | 21786 | UNIFIRST CORPORATION | JANITORIAL SUPPLIES AND MAT RENTAL | \$ 287.63 |
| 1/10/2018 | 21787 | WEX BANK | FUEL PURCHASES | \$ 1,328.68 |
| 1/10/2018 | 21788 | WOLVERINE POWER SYSTEMS | GENERATOR ANNUAL MAINTENANCE | \$ 332.96 |

Total for 1-10-2018

\$ 276,891.23

CITY OF PLEASANT RIDGE CHECK REGISTER
 ACCOUNTS PAYABLE
 January 23, 2018

| Check Date | Check | Vendor Name | Description | Amount |
|---------------------|-------|------------------------------------|------------------------------------|--------------|
| 1/23/2018 | 21789 | BLUE CROSS BLUE SHIELD OF MICHIGAN | HEALTH INSURANCE BENEFITS | \$ 18,051.18 |
| 1/23/2018 | 21790 | COMMUNITY MEDIA NETWORK | MEETING TAPINGS | \$ 200.00 |
| 1/23/2018 | 21791 | DAVEY TREE EXPERT COMPANY | TREE MAINTENANCE SERVICES | \$ 21,270.00 |
| 1/23/2018 | 21792 | GREAT LAKES WATER AUTHORITY | IWC CHARGES-NOV 2017 | \$ 431.68 |
| 1/23/2018 | 21793 | HOLIDAY FOOD CENTER | MEETING SUPPLIES | \$ 31.99 |
| 1/23/2018 | 21794 | HOLIDAY LIGHTING SERVICE, INC. | CHRISTMAS TREE LIGHTING SUPPLIES | \$ 2,271.00 |
| 1/23/2018 | 21795 | ICMA RETIREMENT CORPORATION | ANNUAL PLAN FEE | \$ 250.00 |
| 1/23/2018 | 21796 | LEGAL SHIELD | LEGAL SERVICES BENEFIT | \$ 25.90 |
| 1/23/2018 | 21797 | LIVING LAB | SCHOOL CROSSWALK LANDSCAPE PLAN | \$ 797.50 |
| 1/23/2018 | 21798 | MICHIGAN MUNICIPAL LEAGUE | UNEMPLOYMENT CONTRIBUTION Q-4 2017 | \$ 8.07 |
| 1/23/2018 | 21799 | MIDWEST FENCE | DOG PARK KEYPASSES | \$ 565.00 |
| 1/23/2018 | 21800 | OCAA | BOARD OF REVIEW WORKSHOP | \$ 62.50 |
| 1/23/2018 | 21801 | PLANTE & MORAN PLLC | ACCOUNTING SERVICES | \$ 5,403.00 |
| 1/23/2018 | 21802 | SHERMAN NURSERY FARMS | TREE PURCHASES | \$ 11,844.94 |
| 1/23/2018 | 21803 | SOCRA | REFUSE COLLECTION CONTRACT | \$ 7,978.66 |
| 1/23/2018 | 21804 | UNIFIRST CORPORATION | MAT RENTAL AND JANITORIAL SUPPLIES | \$ 575.26 |
| 1/23/2018 | 21805 | UNUM LIFE INSURANCE COMPANY | LIFE INSURANCE BENEFITS | \$ 143.00 |
| Total for 1-23-2018 | | | | \$ 69,909.68 |

CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
ELECTRONIC TRANSFERS

| Check Date | Check | Vendor Name | Description | Amount |
|--------------------------------|-------|--------------------------------|--------------------------|---------------------|
| 1/11/2018 | 1029 | MUNICIPAL EMP.RETIREMENT SYST. | RETIREMENT CONTRIBUTIONS | \$ 22,087.60 |
| Total for Electronic Transfers | | | | <u>\$ 22,087.60</u> |



City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
To: City Commission
Date: February 8, 2018
Re: City Code Amendment Introductions – Police Ordinances

Overview

Attached are four ordinances for introduction to amend the City Code for various purposes. The ordinances were requested by the Police based on their experience as they work to address the day-to-day issues in the City.

Background

The ordinances for introduction are:

1. **Section 14-136 through 143: False Alarms.** This ordinance establishes a process by which the police can address two issues that we have dealt with in the past:
 - a. Audible alarms disturbing the peace. The ordinance requires that the owner of any alarm with an audible alert sound register their contact information with the police so that we can quickly contact them if an alarm is sounding. We have had instances where a business alarm was going off in the middle of the night, disturbing neighbors.
 - b. Response to false alarm calls. There have been instances where there are recurring false alarms from the same house or business in the City. Responding to false alarms is a drain on police resources. It is reasonable to expect that there will be some false alarms that are triggered, but the issue is that sometimes false alarms recur at a specific house or business and the owner or resident does not remedy the situation. This ordinance will give the police recourse to fine the owner if continuous false alarms are triggered and the owner or resident does not remedy the situation.

There are provisions in the ordinance to account for false alarms triggered by circumstances outside of the control of the property owner or resident. These instances will not be counted as a false alarm.

2. **Section 34-52: Unlicensed Vehicles.** An issue which is not frequent, but does recur periodically is the accumulation of unlicensed or inoperable vehicles on private property. These are often stored in backyards, and it is something that can create blight in a city like ours where we have small lots

and small backyards.

We have dealt with these situations in the past using our general nuisance standards, but we will be better served by having a specific ordinance that prohibits the storage of unlicensed or inoperable vehicles.

Note that the unlicensed/inoperable vehicle provision does not apply to a vehicle that is stored in a garage. For example, a resident may have a project car they are restoring, or an extra car that they are storing for whatever purpose. If these cars are located in a garage it does not create the same blighting impact as such vehicles stored outdoors.

3. **Section 70-21: Michigan Vehicle Code Violations and Penalties.** This amendment would increase the maximum fine in subsection c from \$700 to \$1,000. This is to keep our local ordinance consistent with the Michigan Vehicle Code section 257.625, which was recently amended.
4. **Section 70-86 through 88: Cost Recovery for Prosecution Expense.** This ordinance adds cost recovery provisions for legal services incurred in the prosecution of traffic offenses. This will cover costs for OWI (operating while intoxicated) cases, but will not be levied against civil infractions such as speeding, failure to stop, impeding traffic, etc. This reimbursement of legal costs for OWI is standard practice for OWI prosecutions in Pleasant Ridge and across the state, so adding this section will not represent a substantive policy change.

This amendment also includes small revisions in Section 70-86 and 70-87 to change references to the City finance officer or office, given that we have outsourced our finance function and no longer have a finance officer.

Requested Action

City Commission action to schedule a public hearing on these ordinances during the March 13 City Commission meeting.

City of Pleasant Ridge
Ordinance No. ____

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES,
CHAPTER 14 – BUILDING AND BUILDING REGULATIONS.

THE CITY OF PLEASANT RIDGE ORDAINS:

Section 1. Amendment.

The Code of Ordinances will be amended by adding the following Code Chapter 14, Article VII - False Alarms:

Article VII - FALSE ALARMS

Sec. 14-136. 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:

Alarm system means any mechanical or electrical device which, when activated, emits a sound or transmits a signal or message to which the police or fire department may be summoned, directly or indirectly, to respond. An alarm system is designed for use for one or any combination of the following:

- (a) The detection of an unlawful entry or attempted unlawful entry into a building, structure or facility;
- (b) The alerting of others of the commission of an unlawful act within a building, structure or facility; and/or
- (c) The detection of fire, smoke or heat within a building, structure or facility.

Alarm user means any owner or occupant who has physical control over the premises where an alarm system is installed within the city, except for alarm systems on motor vehicles. However, if an alarm system on a motor vehicle is connected to an alarm system at a premises, the person using such system is an alarm user. Excluded from this definition and coverage of this section are persons who use self-contained alarm systems, i.e., a system which signals or alerts other authorized persons who are on the premises of an attempted unauthorized intrusion, holdup attempt or fire condition. However, if such a system employs an audible signal emitting sounds, flashing light or beacon designed to signal persons outside the premises; such system shall be within the definition of an alarm system and shall be subject to this section.

False alarm means activation of an alarm system through mistake, mechanical failure, malfunction, improper installation, lack of prudent maintenance or through the negligence of the occupant of the residence and/or building in which the alarm system is located, including their employees or agents. The term “false alarm” also means any activation of an alarm system which indicates a crime or situation other than that which it was designated to indicate, or in the case of a fire alarm, any alarm condition not resulting from a fire or potential fire hazard.

Sec. 14-137. Licensing required.

No person shall engage in the business of providing for the installation, operation and/or maintenance of a burglar and/or fire alarm system and/or a combined alarm monitoring-sales facility unless properly licensed pursuant to Public Act No. 330 of 1968 (MCL 338.1051 et seq.).

Sec. 14-138. Audible or visual alarms.

- (a) *Signal disturbing the peace.* No person shall maintain an alarm system which, when activated, causes an audible and/or visible signal which can be heard or seen outside the premises and which is disturbing to the peace and quiet of the surrounding area, unless that person has first provided the police department with the following: their name, telephone number, address of the alarmed premises, and the name and telephone number of one other person who, having access to the alarmed premises, can be contacted at any time and can respond within 30 minutes to deactivate the audible and/or visible signal.
- (b) *Duration of external signal.* No person shall use, install, or direct to be installed, any audible alarm system which emits a sound alarm for a period longer than 15 minutes from the time of the initial sounding of the device.

Sec. 14-139. False alarm fees.

Notwithstanding any penalties provided for upon conviction for any violation of this chapter, and notwithstanding the fact that prosecution for violation of this chapter has or has not commenced, any person operating an alarm system which signals more than three false alarms as defined in section 14-1 within one calendar year shall pay to the city a false alarm fee in order to defray a portion of the cost of response to false alarms as follows:

- (a) Fourth false alarm\$100.00
- (b) Fifth false alarm\$200.00
- (c) Sixth false alarm and above\$300.00
- (d) All additional false alarm in the same calendar year \$500.00

Sec. 14-140. Exceptions to alarm fees.

Alarm conditions existing under the following circumstances shall not constitute a false alarm and no fee shall be assessed.

- (a) If measures to correct alarm system malfunctions have been instituted within a 72-hour period with notification to police department, provided that the alarm user presents, within 30 days of the date of alarm response, documentation of repair service having been performed by the alarm company to remedy a malfunction;
- (b) Alarm conditions being activated by a person working on the alarm system with prior notification to the police department; and
- (c) Alarms which can be substantiated as being activated by disruption or disturbance of telephone company facilities, or motor vehicle/utility accidents or by storm conditions.

Sec. 14-141. Waiver request.

- (a) Within 30 days of the date of an alarm violation, an alarm user wishing waiver of a false alarm and the associated fee as a result of a condition described in section 14-140, may do so by a written waiver request.
- (b) The waiver request, directed to the police department, shall contain documentation of the applicable condition as described in section 14-140
- (c) The police or fire chief, or a designated representative shall make a determination on the waiver request and shall notify the alarm user of the decision in writing.
- (d) In the event that the alarm user is not satisfied with the decision rendered by the police or fire chief or a designated representative, the alarm user, within ten days of the date of the determination of the police or fire chief, may file with the city manager or designee a written request that the determination be reconsidered.
- (e) The city manager or his designee shall decide whether to uphold or set aside in whole or in part, the decision reached by the police or fire chief. The alarm user shall be notified of that decision in writing. If the alarm user feels it necessary to appeal the decision he may have the opportunity to personally be present and be heard on the matter by the city manager or his designee.

Sec. 14-142. Defective alarms.

An alarm system signaling more than five false alarms within a calendar year is presumed to be defective. Upon written notice, the owner or occupant of

the building or residence shall have the alarm system inspected by a licensed alarm system contractor within ten days and shall forward to the police department said contractor's report of the probable cause of the false alarms and the measures instituted to eliminate same.

Sec. 14-143. Penalty.

- (a) Notwithstanding any other fees required by any other section of this chapter, any person who shall violate the provisions of this chapter shall be responsible for a municipal civil infraction, subject to the following penalties:
- (1) *Fines.* The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction, unless a different fine is specified in connection with a particular ordinance:
 - (i) *First offense.* The civil fine for a first offense violation shall be in an amount of \$75.00, plus costs and other sanctions, for each offense.
 - (ii) *Repeat offense.* The civil fine for any offense which is a repeat offense shall be in an amount of \$150.00, plus costs and other sanctions for each offense.
 - (2) *Enforcement.* In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation of this chapter.
 - (3) *Continuing offense.* Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.
 - (4) *Remedies not exclusive.* In addition to any remedies provided for by this chapter, any equitable or other remedies available may be sought.
- (b) The judge or magistrate shall be authorized to impose costs, damages and expenses as provided by law.

Section 2. Severability.

Should any provision or part of this Article be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Article, which shall remain in full force and effect.

Section 3. Repealer.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings clause.

Nothing in this Article shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. Effective Date.

This Ordinance shall become effective fifteen days after enactment and upon publication as provided by law.

Section 5. Adoption.

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Pleasant Ridge at a meeting duly called and held on the ____ day of _____, 2018, and ordered to be given publication in the manner prescribed by law.

Introduced: Tuesday, February 13, 2018
Public Hearing:
Adopted:
Published:
Effective:

City of Pleasant Ridge
Ordinance No. ____

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES, CHAPTER 34, ARTICLE III – NUISANCES.

THE CITY OF PLEASANT RIDGE ORDAINS:

Section 1. Amendment.

The Code of Ordinances, Chapter 34, Article III, Section 34-52 will be amended by adding a new section (13) to read as follows:

(13) The storage or parking upon private property of any unlicensed or inoperative vehicle; provided, however, that this prohibition shall not apply to inoperable vehicles located at a service station or collision facility while awaiting repairs, nor to a vehicle within an enclosed building. For the purpose of this section, the term "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway or street, excepting devices exclusively moved by human power or used exclusively upon stationary rails or tracks. This section shall apply when:

- a. The vehicle so stored or parked is not validly licensed for operation upon the highways in the state for a period in excess of five calendar days; or
- b. The vehicle so stored or parked, whether currently validly licensed or not, is inoperable for any reason for a period in excess of five calendar days.

Section 2. Severability.

Should any provision or part of this Article be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Article, which shall remain in full force and effect.

Section 3. Repealer.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings clause.

Nothing in this Article shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. Effective Date.

This Ordinance shall become effective fifteen days after enactment and upon publication as provided by law.

Section 5. Adoption.

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Pleasant Ridge at a meeting duly called and held on the ____ day of _____, 2018, and ordered to be given publication in the manner prescribed by law.

Introduced: Tuesday, February 13, 2018

Public Hearing:

Adopted:

Published:

Effective:

City of Pleasant Ridge
Ordinance No. ____

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES, CHAPTER 70 – TRAFFIC.

THE CITY OF PLEASANT RIDGE ORDAINS:

Section 1. Amendment.

The Code of Ordinances will be amended by modifying the following Code sections of Chapter 70:

Sec. 70-21. - Violations and penalties.

The penalties provided by the Michigan Vehicle Code are adopted by reference. The city may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days; provided, however that a violation of section 625(1)(c) of the Michigan Vehicle Code (MCL 257.625(1)(c)) is punishable by one or more of the following:

- (1) Community service of not more than 360 hours.
- (2) Imprisonment for not more than 180 days.
- (3) A fine of not less than \$200.00 or more than \$1000.00.

Section 2. Severability.

Should any provision or part of this Article be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Article, which shall remain in full force and effect.

Section 3. Repealer.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings clause.

Nothing in this Article shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. Effective Date.

This Ordinance shall become effective fifteen days after enactment and upon publication as provided by law.

Section 5. Adoption.

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Pleasant Ridge at a meeting duly called and held on the ____ day of _____, 2018, and ordered to be given publication in the manner prescribed by law.

Introduced: Tuesday, February 13, 2018
Public Hearing:
Adopted:
Published:
Effective:

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City of Pleasant Ridge
Ordinance No. ____

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES, CHAPTER 70 – TRAFFIC.

THE CITY OF PLEASANT RIDGE ORDAINS:

Section 1. Amendment.

The Code of Ordinances will be amended by modifying the following Code sections of Chapter 70:

Sec. 70-86. - Notice.

Upon receiving notice of a conviction, a plea of guilty, or a plea of nolo contendere for violation of MCL 257.625(1), (3), (4), (5), (6) or (7) or MCL 257.625a—257.625g, 257.625m of the Michigan Vehicle Code, the city manager or designee shall submit a bill for the expense of the emergency response, by first class mail or personal service, to the person liable as enumerated in this article. Payment shall be required within 30 days from date of service.

Sec. 70-87. - Failure to pay.

Failure to pay the bill submitted by the city' within 30 days of service shall render such matter in default. The city may then commence suit against the person liable to recover the expense of the emergency response and costs incurred in the collection process.

Sec. 70-88- Reimbursement of expenses for emergency response and prosecution.

Revise subsection (b) to add a new subsection (3) as follows:

(b) The expenses for which reimbursement may be ordered include all of the following:

(1) The salaries or wages, including overtime pay, loss of equipment, of law enforcement personnel for time spent responding to the incident from which the conviction arose, arresting the person convicted, processing the person after the arrest, preparing reports to the incident, investigating the incident, and collecting and analyzing evidence, including, but not limited to, determining bodily alcohol content and determining in the presence of and identifying controlled substances in the blood, breath, or urine; and

(2) The salaries, wages, or other compensation, including overtime pay, of fire department and emergency medical service personnel for time spend in responding to and providing fire fighting, rescue, and emergency medical services in relation to the incident from which the conviction arose.

(3) Costs billed or to be billed to the City for legal services associated with the issuance of a complaint and warrant, investigation, response to discovery, subpoenaing of witnesses, preparation for trial, preparation of pleadings, response to motions and pleadings, court appearances and court time, telephone calls and conferences relating to prosecutions and any other services performed in connection with prosecuting the person.

Section 2. Severability.

Should any provision or part of this Article be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Article, which shall remain in full force and effect.

Section 3. Repealer.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings clause.

Nothing in this Article shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. Effective Date.

This Ordinance shall become effective fifteen days after enactment and upon publication as provided by law.

Section 5. Adoption.

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Pleasant Ridge at a meeting duly called and held on the ____ day of _____, 2018, and ordered to be given publication in the manner prescribed by law.

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