

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES  
JUNE 19, 2017 WORK STUDY MEETING 4:00 P.M.  
TENTATIVE AGENDA**

**ROLL CALL:**

Supervisor McNamara	_____	Trustee Miller	_____
Clerk Wright	_____	Trustee White	_____
Treasurer Budd	_____	Engineer Nummer	_____
Trustee Frazier	_____	Attorney McCauley	_____
Trustee Martin	_____	Secretary Montgomery	_____

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

1. Discussion on the first reading of Ordinance 06-20-17 (1) an amendment to the General Code of Ordinances Article II (Municipal Civil Infractions) of Chapter 1 (General Provisions).
2. Discussion on the first reading of Ordinance 06-20-17 (2) the addition to the General Code of Ordinances Section 14-36 (Animal Waster) to Chapter 14 (Animals), Article II (Dogs), Division 1 (Generally).
3. Discussion on the first reading of Ordinance 06-20-17 (3) the addition to the General Code of Ordinances Article VI (Diseased or Dangerous Trees, Shrubs, or Plants) to Chapter 42 (Environment).
4. Discussion on the first reading of Ordinance 06-20-17 (4) an amendment to the General Code of Ordinances Section 66-30 (trash Receptacles) of Article II (Collection and Disposal) of Chapter 66 (Solid Waste).
5. Discussion on the first reading of Ordinance 06-20-17 (5) an amendment to the General Code of Ordinances Section 66-34 to 66-36 of Article II (Collection and Disposal) of Chapter 66 (Solid Waste).
6. Discussion on Resolution 2017-13 to establish the McBride Road Improvement Special Assessment District.
7. Discussion on Resolution 2017-14 to schedule the public hearing on the assessment role for the McBride Road Improvement Special Assessment District.
8. Discussion on the First Hearing on the McBride Road Improvement Special Assessment District.
9. Discussion on the Accounting Coordinator Personal Services Agreement between the Township and Carol Towles.

**PUBLIC COMMENT:**

**CLOSED SESSION:** The Township Board will go into closed session, pursuant to MCL 15.268(e), to discuss trial and/or settlement strategy involved in the pending litigation, Van Buren Twp. v. Amanda Jackson, Wayne County Circuit Case No. 15-015063.

**ADJOURNMENT:**

**NOTICE OF CLOSED SESSION**  
**OF THE**  
**CHARTER TOWNSHIP OF VAN BUREN**  
**BOARD OF TRUSTEES**  
**TO BE HELD FOLLOWING**  
**4:00 P.M.**  
**WORK STUDY SESSION**  
**ON MONDAY, JUNE 19, 2017**  
**TOWNSHIP HALL**  
**46425 TYLER ROAD**  
**BELLEVILLE, MI 48111**

**FOR THE PURPOSE OF DISCUSSING:**

**The Township Board will go into closed session, pursuant to MCL 15.268(e), to discuss trial and/or settlement strategy involved in the pending litigation, Van Buren Twp. v. Amanda Jackson, Wayne County Circuit Case No. 15-015063.**

**In accordance with the Americans with Disabilities Act, reasonable accommodations can be made with advance notice by calling the Clerk's Office 734.699.8909.**

**Posted June 19, 2017.**

# Charter Township of Van Buren

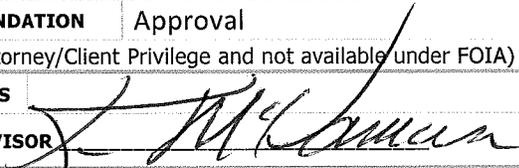
## REQUEST FOR BOARD ACTION

Agenda Item: \_\_\_\_\_

**WORK STUDY: JUNE 19, 2017**  
**1<sup>ST</sup> READING DATE: JUNE 20, 2017**  
**2<sup>ND</sup> READING DATE: JULY 18, 2017**

	Consent Agenda	New Business <b>X</b>	Unfinished Business	Public Hearing
<b>ITEM (SUBJECT)</b>	First reading of Ordinance 06-20-17(1) to discuss an approval of an amendment to Article II (Municipal Civil Infractions) of Chapter 1 (General Provisions).			
<b>DEPARTMENT</b>	Police Department			
<b>PRESENTER</b>	Lt. Charles Bazy / Angela Mannarino			
<b>PHONE NUMBER</b>	(734) 699-8930			
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>				

### Agenda topic

<b>ACTION REQUESTED</b>	
First reading of Ordinance 06-20-17(1) to discuss an approval of an amendment to Article II (Municipal Civil Infractions) of Chapter 1 (General Provisions).	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
The addition of Article II (Municipal Civil Infraction) of Chapter 1 (General Provisions) provides enforcement power/remedies to the township to take action against violations and provides enforcement power in the district court, which will allow for more cost effective ordinance enforcement.	
<b>BUDGET IMPLICATION</b>	None anticipated.
<b>IMPLEMENTATION NEXT STEP</b>	If approved, after the 1 <sup>st</sup> and 2 <sup>nd</sup> reading, a notice of adoption will be placed in the newspaper and the Ordinance will go into effect.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	
<b>ATTORNEY RECOMMENDATION</b>	Approval
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	

**CHARTER TOWNSHIP OF VAN BUREN**

**COUNTY OF WAYNE**

**STATE OF MICHIGAN**

**ORDINANCE # 06-20-17(1)**

At a regular meeting of the Township Board of the Charter Township of Van Buren, Wayne County, Michigan, held in the Van Buren Township Hall within the Township, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at 7:00 p.m.

PRESENT: Trustees: \_\_\_\_\_

ABSENT: Trustee: \_\_\_\_\_

It was moved by Trustee \_\_\_\_\_ and supported by Trustee \_\_\_\_\_

the following Ordinance be adopted to add Article II of Chapter 1 (General Provisions) to read as follows:

THE CHARTER TOWNSHIP OF VAN BUREN ("Township"), COUNTY OF WAYNE, MICHIGAN ORDAINS:

**ARTICLE II. - MUNICIPAL CIVIL INFRACTIONS**

**Sec. 1-14. - Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act means Public Act No. 236 of 1961 (MCL 600.101 et seq.).

Authorized township official means a police officer or other personnel of the township authorized by this Code or any ordinance to issue municipal civil infraction citations or municipal civil infraction violation notices.

Municipal civil infraction action means a civil action in which the defendant is alleged to be responsible for a municipal civil infraction.

Municipal civil infraction citation means a written complaint or notice prepared by an authorized township official, directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

Municipal civil infraction violation notice means a written notice prepared by an authorized township official, directing a person to appear at the 34th District Court and to pay the fine and costs, if any, prescribed for the violation by the schedule of civil fines

adopted by the township, as authorized under sections 8396 and 8707(6) of the Act (MCL 600.8396, 600.8707(6)).

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-15. - Municipal civil infraction action, commencement.

A municipal civil infraction action may be commenced upon the issuance by an authorized township official of a municipal civil infraction citation directing the alleged violator to appear in court.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-16. - Citations; issuance and service.

Municipal civil infraction citations shall be issued and served by authorized township officials as follows:

- (1) The time for appearance specified in a citation shall be within a reasonable time after the citation is issued.
- (2) The place for appearance specified in a citation shall be the 34<sup>th</sup> District Court.
- (3) Each citation shall be numbered consecutively and shall be in a form approved by the state court administrator. The original citation shall be filed with the 34<sup>th</sup> District Court. Copies of the citation shall be retained by the township and issued to the alleged violator as provided by section 8705 of the Act (MCL 600.8705).
- (4) A citation for a municipal civil infraction signed by an authorized township official shall be treated as made under oath if the violation alleged in the citation occurred in the presence of the official signing the complaint and if the citation contains the following statement immediately above the date and signature of the official: "I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge and belief."
- (5) An authorized township official who witnesses a person commit a municipal civil infraction shall prepare and subscribe, as soon as possible and as completely as possible, an original and required copies of a citation.
- (6) An authorized township official may issue a citation to a person if:
  - a. Based upon investigation, the official has reasonable cause to believe that the person is responsible for a municipal civil infraction; or
  - b. Based upon investigation of a complaint by someone who allegedly witnessed the person commit a municipal civil infraction, the official has reasonable cause to believe that the person is responsible for an infraction and if the prosecuting attorney or township attorney approves in writing the issuance of the citation.

- (7) Municipal civil infraction citations shall be served by an authorized township official as follows:
- a. Except as provided by subsection (7)b of this section, an authorized township official shall personally serve a copy of the citation upon the alleged violator.
  - b. If the municipal civil infraction action involves the use or occupancy of land, a building or other structure, a copy of the citation does not need to be personally served upon the alleged violator, but may be served upon an owner or occupant of the land, building or structure by posting a copy on the land or attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first class mail to the owner of the land, building or structure at the owner's last known address.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-17. - Municipal ordinance violations bureau; creation; location; supervision; employees; rules and regulations.

Pursuant to the August 25, 1998 34th District Court Funding Unit Agreement and Mutual Release, as amended, the township will not create a municipal ordinance violations bureau pursuant to section 8396 of the Act (MCL 600.8396), as it may be amended from time to time, to accept admissions of responsibility for municipal civil infractions for which municipal ordinance violation notices have been issued and served by authorized officials, and to collect and retain civil fines for such admissions as prescribed by this Code or any ordinance as long as the August 25, 1998 34th District Court Funding Unit Agreement and Mutual Release, as amended, is in effect.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-18. - Authorized township officials.

Township police officers are authorized to enforce the provisions of this chapter, and may issue municipal civil infraction violation notices or municipal civil infraction citations for any municipal civil infraction, except where otherwise prohibited pursuant to this Code. An official who has previously been authorized to enforce any provision of this Code or any ordinance of the township, by this Code or any ordinance, shall be authorized to enforce that provision of this Code or any ordinance as a municipal civil infraction under the provisions of this article, and may issue municipal civil infraction violation notices or municipal civil infraction citations. Additionally, the township board may by resolution, authorize other persons to enforce the provisions of this chapter, including issuing municipal civil infraction violation notices or municipal infraction citations.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-19. - Municipal civil infraction violation notices.

Municipal civil infraction violation notices shall be issued and served by authorized township officials under the same circumstances and upon the same persons as provided for citations in section 28-22. In addition to any other information required by this Code or other ordinance, the notice of violation shall indicate:

- (1) The date by which the alleged violator must appear at the court;
- (2) The methods by which an appearance may be made;
- (3) The address and telephone number of the court;
- (4) The hours during which the court is open;
- (5) The amount of the fine scheduled for the alleged violation; and
- (6) The consequences for failure to appear and pay the required fine within the required time.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-20. - Appearance; payment of fines and costs.

An alleged violator receiving a municipal civil infraction violation notice shall appear at the 34<sup>th</sup> District Court and pay the specified fine and costs at or by the date specified for appearance in the municipal civil infraction violation notice. Payment shall be made payable 34th District Court. An appearance may be made by mail, in person or by representation.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-21. - Procedure if admission of responsibility not made or fine not paid.

A municipal civil infraction citation that is not paid within the prescribed time may be filed with the 34<sup>th</sup> District Court and a copy of the citation may be served by first-class mail upon the alleged violator at the alleged violator's last known address. The citation filed with the court does not need to comply in all particulars with the requirements for citations as provided by sections 8705 and 8709 of the Act (MCL 600.8705 and 600.8709), but shall consist of a sworn complaint containing the allegations stated in the municipal ordinance violation notice and shall fairly inform the alleged violator how to respond to the citation.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-22. - Civil fines.

Unless a different schedule of civil fines is provided for by any ordinance, the following schedule of civil fines, payable to the township treasurer, for admissions of responsibility by persons served with municipal ordinance violation notices, shall apply:

#### CIVIL FINES

First offense within a three-year period\* .....\$150.00

Second offense within a three-year period\* .....250.00

Third or subsequent offense within a three-year period\* .....500.00

\*Determined on the basis of the date of commission of the offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-23. - Accounting and disposition of civil fines.

The 34<sup>th</sup> District Court shall retain all municipal ordinance violation notices and shall account to the township board as directed concerning the number of admissions and denials of responsibility for municipal civil infraction notices and the amount of fines collected. The amounts collected in civil fines shall be placed in the general fund of the township.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-24. - Availability of other enforcement remedies.

Nothing in this chapter shall be deemed to require the township to initiate its ordinance enforcement activity through the issuance of a municipal ordinance violation notice. The township shall have the right to directly proceed with the issuance of a municipal civil infraction citation for any municipal civil infraction, or to take other enforcement action as authorized by law.

**State Law reference**— Municipal civil infractions, MCL 600.8701 et seq.

**Effective Date**

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

THIS ORDINANCE IS HEREBY DECLARED TO HAVE BEEN ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF VAN BUREN, COUNTY OF WAYNE, STATE OF MICHIGAN, AT A REGULAR MEETING, CALLED AND HELD ON THE \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YEAS (in favor of amendment): \_\_\_\_\_

NAYS (opposed to amendment): \_\_\_\_\_

ABSENT: \_\_\_\_\_

I hereby approve the foregoing Ordinance.

\_\_\_\_\_  
Kevin McNamara,  
Supervisor, Charter Township of Van Buren

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Leon Wright,  
Clerk, Charter Township of Van Buren

Adopted: \_\_\_\_\_  
Published: \_\_\_\_\_  
Effective: \_\_\_\_\_

**CHARTER TOWNSHIP OF VAN BUREN**

**COUNTY OF WAYNE**

**STATE OF MICHIGAN**

**ORDINANCE # -0605-2016-17(-)(1)**

At a regular meeting of the Township Board of the Charter Township of Van Buren, Wayne County, Michigan, held in the Van Buren Township Hall within the Township, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at 7:00 p.m.

PRESENT: Trustees: \_\_\_\_\_

ABSENT: Trustee: \_\_\_\_\_

It was moved by Trustee \_\_\_\_\_ and supported by Trustee \_\_\_\_\_

the following Ordinance be adopted to add Article II of Chapter 1 (General Provisions) to read as follows:

THE CHARTER TOWNSHIP OF VAN BUREN ("Township"), COUNTY OF WAYNE, MICHIGAN ORDAINS:

**ARTICLE II. - MUNICIPAL CIVIL INFRACTIONS**

~~State Law reference - Municipal civil infractions, MCL 600.8701 et seq.~~

**Sec. 1-14. - Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act means Public Act No. 236 of 1961 (MCL 600.101 et seq.).

Authorized township official means a police officer or other personnel of the township authorized by this Code or any ordinance to issue municipal civil infraction citations or municipal civil infraction violation notices.

~~Bureau means the township municipal ordinance violations bureau as established by this article.~~

Municipal civil infraction action means a civil action in which the defendant is alleged to be responsible for a municipal civil infraction.

Municipal civil infraction citation means a written complaint or notice prepared by an authorized township official, directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

Municipal civil infraction violation notice means a written notice prepared by an authorized township official, directing a person to appear at the ~~township municipal ordinance violations bureau~~ 34<sup>th</sup> District Court and to pay the fine and costs, if any, prescribed for the violation by the schedule of civil fines adopted by the township, as authorized under sections 8396 and 8707(6) of the Act (MCL 600.8396, 600.8707(6)).

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-15. - Municipal civil infraction action, commencement.

A municipal civil infraction action may be commenced upon the issuance by an authorized township official of a:

- ~~(1) A municipal civil infraction citation directing the alleged violator to appear in court; or~~
- ~~(2) A municipal civil infraction violation notice directing the alleged violator to appear at the township municipal ordinance violations bureau.~~

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-16. - Citations; issuance and service.

Municipal civil infraction citations shall be issued and served by authorized township officials as follows:

- (1) The time for appearance specified in a citation shall be within a reasonable time after the citation is issued.
- (2) The place for appearance specified in a citation shall be the 34<sup>th</sup> District Court.
- (3) Each citation shall be numbered consecutively and shall be in a form approved by the state court administrator. The original citation shall be filed with the 34<sup>th</sup> district District court. Copies of the citation shall be retained by the township and issued to the alleged violator as provided by section 8705 of the Act (MCL 600.8705).
- (4) A citation for a municipal civil infraction signed by an authorized township official shall be treated as made under oath if the violation alleged in the citation occurred in the presence of the official signing the complaint and if the citation contains the following statement immediately above the date and signature of the official: "I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge and belief."
- (5) An authorized township official who witnesses a person commit a municipal civil infraction shall prepare and subscribe, as soon as possible and as completely as possible, an original and required copies of a citation.
- (6) An authorized township official may issue a citation to a person if:

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- a. Based upon investigation, the official has reasonable cause to believe that the person is responsible for a municipal civil infraction; or
  - b. Based upon investigation of a complaint by someone who allegedly witnessed the person commit a municipal civil infraction, the official has reasonable cause to believe that the person is responsible for an infraction and if the prosecuting attorney or township attorney approves in writing the issuance of the citation.
- (7) Municipal civil infraction citations shall be served by an authorized township official as follows:
- a. Except as provided by subsection (7)b of this section, an authorized township official shall personally serve a copy of the citation upon the alleged violator.
  - b. If the municipal civil infraction action involves the use or occupancy of land, a building or other structure, a copy of the citation does not need to be personally served upon the alleged violator, but may be served upon an owner or occupant of the land, building or structure by posting a copy on the land or attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first class mail to the owner of the land, building or structure at the owner's last known address.

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

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Sec. 1-17. - Municipal ordinance violations bureau; creation; location; supervision; employees; rules and regulations.

- (a) Pursuant to the August 25, 1998 34th District Court Funding Unit Agreement and Mutual Release, as amended, ~~the township may~~ will not create a municipal ordinance violations bureau (bureau) pursuant to section 8396 of the Act (MCL 600.8396), as it may be amended from time to time, to accept admissions of responsibility for municipal civil infractions for which municipal ordinance violation notices have been issued and served by authorized officials, and to collect and retain civil fines for such admissions as prescribed by this Code or any ordinance as long as the August 25, 1998 34th District Court Funding Unit Agreement and Mutual Release, as amended, is in effect.
- (b) ~~The bureau shall be located at township hall, and shall be under the supervision and control of the code and ordinance enforcement department of the township. The code and ordinance enforcement department, subject to the approval of the township board, shall adopt rules and regulations for the operation of the bureau.~~

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-18. - Authorized township officials.

Township police officers are authorized to enforce the provisions of this chapter, and may issue municipal civil infraction violation notices or municipal civil infraction

citations for any municipal civil infraction, except where otherwise prohibited pursuant to this Code. An official who has previously been authorized to enforce any provision of this Code or any ordinance of the township, by this Code or any ordinance, shall be authorized to enforce that provision of this Code or any ordinance as a municipal civil infraction under the provisions of this article, and may issue municipal civil infraction violation notices or municipal civil infraction citations. Additionally, the township board may by resolution, authorize other persons to enforce the provisions of this chapter, including issuing municipal civil infraction violation notices or municipal infraction citations.

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

~~Sec. 1-19. - Disposition of violations; bureau limited to accepting admissions of responsibility.~~

~~The bureau may dispose only of municipal civil infraction violations for which a fine has been scheduled and for which a municipal civil infraction notice (as compared to a citation) has been issued. The bureau's authority shall be limited to accepting admissions of responsibility for municipal civil infractions and collecting and retaining civil fines and costs as result of those admissions. The bureau shall not accept payment of a fine from anyone who denies having committed the offense or who admits responsibility only with explanation, and in no event shall the bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to the alleged violation.~~

Sec. 1-2019. - Municipal civil infraction violation notices.

Municipal civil infraction violation notices shall be issued and served by authorized township officials under the same circumstances and upon the same persons as provided for citations in section 28-22. In addition to any other information required by this Code or other ordinance, the notice of violation shall indicate:

- (1) The date by which the alleged violator must appear at the bureau court;
- (2) The methods by which an appearance may be made;
- (3) The address and telephone number of the bureau court;
- (4) The hours during which the bureau court is open;
- (5) The amount of the fine scheduled for the alleged violation; and
- (6) The consequences for failure to appear and pay the required fine within the required time.

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-2420. - Appearance; payment of fines and costs.

An alleged violator receiving a municipal civil infraction violation notice shall appear at the bureau-34<sup>th</sup> District Court and pay the specified fine and costs at or by the date specified for appearance in the municipal civil infraction violation notice. Payment shall

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be made payable to the township treasurer 34th District Court. An appearance may be made by mail, in person or by representation.

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-2221. - Procedure if admission of responsibility not made or fine not paid.

~~If an authorized township official issues and serves a municipal ordinance violation notice and if an admission of responsibility is not made and the civil fine and costs, if any, prescribed by the schedule of fines for the violation are not paid at the bureau, the treasurer or other designated township employee shall notify the issuing official that the alleged violator has not admitted responsibility and/or not paid the fine and costs. A municipal civil infraction citation that is not paid within the prescribed time may be filed with the 34<sup>th</sup> District Court and a copy of the citation may be served by first-class mail upon the alleged violator at the alleged violator's last known address. The citation filed with the court does not need to comply in all particulars with the requirements for citations as provided by sections 8705 and 8709 of the Act (MCL 600.8705 and 600.8709), but shall consist of a sworn complaint containing the allegations stated in the municipal ordinance violation notice and shall fairly inform the alleged violator how to respond to the citation.~~

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State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-2322. - Civil fines.

Unless a different schedule of civil fines is provided for by any ordinance, the following schedule of civil fines, payable to the township treasurer, for admissions of responsibility by persons served with municipal ordinance violation notices, shall apply:

#### CIVIL FINES

First offense within a three-year period\* .....\$150.00

Second offense within a three-year period\* .....250.00

Third or subsequent offense within a three-year period\* .....500.00

\*Determined on the basis of the date of commission of the offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-2423. - Accounting and disposition of civil fines.

~~A designated employee~~The 34<sup>th</sup> District Court shall retain all municipal ordinance violation notices and shall account to the township board as directed concerning the number of admissions and denials of responsibility for municipal civil infraction notices and the amount of fines collected. The amounts collected in civil fines shall be placed in the general fund of the township.

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State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

Sec. 1-2524. - Availability of other enforcement remedies.

Nothing in this chapter shall be deemed to require the township to initiate its ordinance enforcement activity through the issuance of a municipal ordinance violation notice. The township shall have the right to directly proceed with the issuance of a municipal civil infraction citation for any municipal civil infraction, or to take other enforcement action as authorized by law.

State Law reference— Municipal civil infractions, MCL 600.8701 et seq.

**Effective Date**

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

THIS ORDINANCE IS HEREBY DECLARED TO HAVE BEEN ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF VAN BUREN, COUNTY OF WAYNE, STATE OF MICHIGAN, AT A REGULAR MEETING, CALLED AND HELD ON THE \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YEAS (in favor of amendment): \_\_\_\_\_

NAYS (opposed to amendment): \_\_\_\_\_

ABSENT: \_\_\_\_\_

I hereby approve the foregoing Ordinance.

\_\_\_\_\_  
Kevin McNamara,  
Supervisor, Charter Township of Van Buren

\_\_\_\_\_  
Leon Wright,  
Clerk, Charter Township of Van Buren

Adopted: \_\_\_\_\_  
Published: \_\_\_\_\_  
Effective: \_\_\_\_\_

# Charter Township of Van Buren

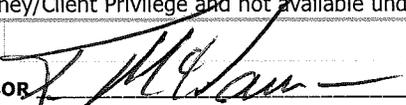
## REQUEST FOR BOARD ACTION

Agenda Item: \_\_\_\_\_

**WORK STUDY: JUNE 19, 2017**  
**1<sup>ST</sup> READING DATE: JUNE 20, 2017**  
**2<sup>ND</sup> READING DATE: JULY 18, 2017**

Consent Agenda	New Business X	Unfinished Business	Public Hearing
<b>ITEM (SUBJECT)</b>	First reading of Ordinance 06-20-17(2) to discuss an approval of the addition of Sec. 14-36 (Animal Waste) to Chapter 14 (Animals), Article II (Dogs), Division 1 (Generally).		
<b>DEPARTMENT</b>	Police Department		
<b>PRESENTER</b>	Lt. Charles Bazy		
<b>PHONE NUMBER</b>	(734) 699-8930		
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>			

### Agenda topic

<b>ACTION REQUESTED</b>	
First reading of Ordinance 06-20-17(2) to discuss an approval of the addition of Sec. 14-36 (Animal Waste) to Chapter 14 (Animals), Article II (Dogs), Division 1 (Generally).	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
The addition of Section 14-36 provides enforcement power/remedies to the township to take action against this nuisance as well as civil infraction penalties for violation.	
<b>BUDGET IMPLICATION</b>	None anticipated
<b>IMPLEMENTATION NEXT STEP</b>	If approved, after the 1 <sup>st</sup> and 2 <sup>nd</sup> reading, a notice of adoption will be placed in the newspaper and the Ordinance will go into effect.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	
<b>ATTORNEY RECOMMENDATION</b>	Approval
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	

**CHARTER TOWNSHIP OF VAN BUREN**

**COUNTY OF WAYNE**

**STATE OF MICHIGAN**

**ORDINANCE # 06-20-17(2)**

At a regular meeting of the Township Board of the Charter Township of Van Buren, Wayne County, Michigan, held in the Van Buren Township Hall within the Township, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at 7:00 p.m.

PRESENT: Trustees: \_\_\_\_\_

ABSENT: Trustee: \_\_\_\_\_

It was moved by Trustee \_\_\_\_\_ and supported by Trustee \_\_\_\_\_ the following Ordinance be adopted to add to Chapter 14 (Animals), Article II (Dogs), Division 1 (Generally) to read as follows:

THE CHARTER TOWNSHIP OF VAN BUREN ("Township"), COUNTY OF WAYNE, MICHIGAN ORDAINS:

Sec. 14-36. – Animal Waste

- (a) It shall be unlawful for any person having custody of any animal to allow, suffer or permit such animal to deposit feces on public or private property, including the public right of way, other than the property of the animal's owner or keeper, without immediately removing such feces and depositing the same in a suitable waste receptacle.
- (b) Any person having custody of any animal which deposits feces on public or private property, other than the property of the owner, shall, upon being made aware of such fact, immediately remove such feces and deposit the same in a suitable waste receptacle.
- (c) A property owner or lessee shall regularly pick up animal waste on his or her property and deposit the waste material in an appropriate receptacle or container so as not to cause animal waste to unnecessarily accumulate and thereby cause an unpleasant odor or other nuisance to adjacent properties.
- (d) Any person violating this section shall be responsible for a municipal civil infraction. The fine for violation of this section shall be one hundred fifty dollars (\$150.00) for a first offense, two hundred fifty dollars (\$250.00) for a second offense, and five hundred dollars (\$500.00) for a third or subsequent offense.

**Effective Date**

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

THIS ORDINANCE IS HEREBY DECLARED TO HAVE BEEN ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF VAN BUREN, COUNTY OF WAYNE, STATE OF MICHIGAN, AT A REGULAR MEETING, CALLED AND HELD ON THE \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YEAS (in favor of amendment): \_\_\_\_\_

NAYS (opposed to amendment): \_\_\_\_\_

ABSENT: \_\_\_\_\_

I hereby approve the foregoing Ordinance.

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Kevin McNamara,  
Supervisor, Charter Township of Van Buren

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Leon Wright,  
Clerk, Charter Township of Van Buren

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective: \_\_\_\_\_

# Charter Township of Van Buren

## REQUEST FOR BOARD ACTION

Agenda Item: \_\_\_\_\_

**WORK STUDY: JUNE 19, 2017**  
**1<sup>ST</sup> READING DATE: JUNE 20, 2017**  
**2<sup>ND</sup> READING DATE: JULY 18, 2017**

Consent Agenda	New Business <b>X</b>	Unfinished Business	Public Hearing
<b>ITEM (SUBJECT)</b>	First reading of Ordinance 06-20-17(3) to discuss an approval of the addition of Article VI (Diseased or Dangerous Trees, Shrubs or Plants) to Chapter 42 (Environment).		
<b>DEPARTMENT</b>	Police Department		
<b>PRESENTER</b>	Lt. Charles Bazy		
<b>PHONE NUMBER</b>	(734) 699-8930		
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>			

### Agenda topic

<b>ACTION REQUESTED</b>	
First reading of Ordinance 06-20-17(3) to discuss an approval of the addition of Article VI (Diseased or Dangerous Trees, Shrubs or Plants) to Chapter 42 (Environment).	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
The addition of Article VI to Chapter 42 provides enforcement power/remedies to the township to take action against these nuisances.	
<b>BUDGET IMPLICATION</b>	None anticipated
<b>IMPLEMENTATION NEXT STEP</b>	If approved, after the 1 <sup>st</sup> and 2 <sup>nd</sup> reading, a notice of adoption will be placed in the newspaper and the Ordinance will go into effect.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	
<b>ATTORNEY RECOMMENDATION</b>	Approval
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	

CHARTER TOWNSHIP OF VAN BUREN

COUNTY OF WAYNE

STATE OF MICHIGAN

ORDINANCE # 06-20-17 (3)

At a regular meeting of the Township Board of the Charter Township of Van Buren, Wayne County, Michigan, held in the Van Buren Township Hall within the Township, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at 7:00 p.m.

PRESENT: Trustees: \_\_\_\_\_

ABSENT: Trustee: \_\_\_\_\_

It was moved by Trustee \_\_\_\_\_ and supported by Trustee \_\_\_\_\_ the following Ordinance be adopted to add Article VI (Diseased or Dangerous Trees, Shrubs and Plants) to Chapter 42 (Environment) to read as follows:

THE CHARTER TOWNSHIP OF VAN BUREN ("Township"), COUNTY OF WAYNE, MICHIGAN ORDAINS:

ARTICLE VI. - DISEASED OR DANGEROUS TREES, SHRUBS AND PLANTS

Sec. 42-275. - Purpose.

The purpose of this article is to protect the public health, safety and welfare from the hazards of dangerous trees and diseased shrubs and plants.

Sec. 42-276. - Definitions.

The following terms when used in this article shall have the meanings set forth as follows:

*Branch* includes any limb, trunk, or twig of a tree, shrub or plant.

*Dangerous tree* means a tree that it is likely to fall and injure persons or property because: 1) it is cracked, split, leaning, or otherwise is physically damaged to the degree that it is likely to fall and injure persons or property; or 2) the tree has sustained deterioration or decay to the limbs, stem, or root system causing an imminent danger of falling.

*Dead* means no longer living.

*Diseased* means a disease of nature, including insect infestation, that without treatment or pruning is likely to spread to adjacent trees, shrubs, or plants and cause such adjacent trees, shrubs, or plants to become diseased.

*Imminent* means a threat is impending or about to happen.

*Owner* means a person who owns, rents, leases, or occupies any lot or parcel of land in the township upon which trees, shrubs and plants are located.

*Plant* means a photosynthetic organism that has cellulose cell walls, growing in soil or water, with leaves and sometimes flowers, lacking locomotion, and without obvious nervous or sensory organs from the kingdom classification of plantae.

*Privately owned* means under the legal or equitable control of an owner as defined above, and excludes all property owned by a public entity.

*Regulated woodland* means an area identified as a woodland on the official woodland map for the township.

*Shrub* means any form of plant life less than four and one-half (4½) feet in height.

*Stump* means that part of a tree, shrub, or plant remaining attached to the root after the trunk is cut.

*Tree* means any form of plant life at least four and one-half (4½) feet or more in height and at least four (4) inches or more in diameter. The diameter size shall be measured four and one-half (4½) feet from the base of the tree.

*Wooded area* means a relatively small area of land containing a dense collection of trees, shrubs and/or plants.

Sec. 42-277. - Imminent danger.

- (a) *Tree removal required.* The owner shall remove a dangerous tree that poses an imminent danger causing injury to persons or property from falling or blowing over due to physical damage, disease, infestation, deterioration or decay.
- (b) *Regulated woodland, wetland and/or environmental features area.* A request to remove a dangerous tree(s) located within a regulated woodland, wetland, and/or environmental features area which presents an imminent danger, shall be made in person or in writing provided to the building department. The tree(s) shall be inspected and the request approved by the ordinance department prior to removal. The removal of a dangerous tree(s) located within a regulated woodland, wetland, and/or environmental features area shall comply with all township policies and applicable ordinances. Failure to comply with the applicable ordinances may subject the owner to additional fines, fees and penalties as authorized by those applicable ordinances

Sec. 42-278. - Trimming, pruning or removal of encroachment onto public property.

The owner shall trim, prune or remove any part of a tree, shrub or plant, including any stump or branch thereof, which overhangs or encroaches onto public property.

Sec. 42-279. - Stump removal.

Unless located within a regulated woodland, wetland, or an environmental features area, the owner shall remove a stump below the surface of the ground so that the top of the stump does not project above the pre-existing surface of the ground. Further, the pre-existing surface of the ground may not be raised in order to hide or cover the stump. Within a wooded area, a wetland, or an environmental features area stumps may be left no higher than twenty-four (24) inches above grade.

Sec. 42-280. - Maintenance, treatment and removal.

- (a) *Maintenance.* It is the responsibility of the owner to maintain the trees, shrubs and plants located on the owner's property and to treat, exterminate, or remove any tree, shrub or plant that is attacked by contagious or destructive insects or diseases or parasitic vegetation.
- (b) *Regulated woodland, wetland or environmental features area.* When maintaining, treating, trimming, pruning or removing a tree, shrub or plant located within a regulated woodland, wetland and/or environmental features area, the owner shall comply with all township policies and applicable ordinances. Failure to comply with the applicable ordinances may subject the owner to additional fines, fees and penalties as authorized by those applicable ordinances.

Sec. 42-281. - Owner's cost and expense; ownership disputed.

- (a) *Cost.* The owner shall comply with this article at his or her sole cost and expense.
- (b) *Ownership disputed.* If the purported owner disputes that the tree, shrub or plant is located on his or her property, the person shall provide a signed and sealed property survey to establish that the tree, shrub or plant is not located on his or her property.

Sec. 42-282. - Notice and order of abatement.

When the township discovers a tree, stump or branch that poses an imminent danger, the township shall serve written notice, by first class mail and posting the property, upon the owner of the subject property. The notice shall describe the tree, its location, the nature of the danger and order the owner to abate the danger by trimming, pruning or removal of the tree. The notice shall specify the date for compliance by the owner not less than thirty (30) days from the date of the notice. The owner shall comply within the time period specified therein, unless the owner provides written proof to the township from an arborist, certified by the International Society of Arboriculture, or equivalent, stating that the tree, stump or branch thereof, is not dangerous and does not require trimming, pruning or removal.

Sec. 42-283. - Warrant to perform work; costs become a lien.

If the owner fails to abate the dangerous condition as noticed, the township may seek a warrant to enter upon the lot or parcel of land to abate the dangerous condition. Upon completion of the work, the township shall send a bill of all costs, including reasonable attorney fees, if any, incurred by the township to the owner by first class mail. Costs incurred as specified in the written notice shall be secured by a lien on the property. The costs shall be paid within thirty (30) days from the date of mailing the notice. The township shall have a lien upon such developed land or subdivided land for such expense, such lien to be enforced in the manner prescribed by the general laws of the state providing for the enforcement of tax liens.

Sec. 42-284. - Emergency removal.

When a dangerous tree, including a stump or branch thereof, constitutes an imminent danger to public health, safety and welfare and the delay of notification would serve to further endanger the public, the township may enter upon a lot or parcel of land, perform the work required to alleviate the danger, and assess the cost thereof to the owner. Imminent danger includes but is not limited to circumstances such as, a tree is endangering a utility pole or line, or an existing structure, home, building, street, road or highway.

Sec. 42-285. - Penalty.

*Misdemeanor.* A person who violates or fails to comply with any of the provisions of this article shall be guilty of a misdemeanor punishable by a maximum fine of five hundred dollars (\$500.00) and/or a maximum of ninety (90) days imprisonment. Each day a violation is committed, or

permitted to continue, shall constitute a separate offense and shall be treated as a separate offense.

**Effective Date**

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

THIS ORDINANCE IS HEREBY DECLARED TO HAVE BEEN ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF VAN BUREN, COUNTY OF WAYNE, STATE OF MICHIGAN, AT A REGULAR MEETING, CALLED AND HELD ON THE \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YEAS (in favor of amendment): \_\_\_\_\_

NAYS (opposed to amendment): \_\_\_\_\_

ABSENT: \_\_\_\_\_

I hereby approve the foregoing Ordinance.

\_\_\_\_\_  
Kevin McNamara,  
Supervisor, Charter Township of Van Buren

\_\_\_\_\_  
Leon Wright,  
Clerk, Charter Township of Van Buren

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective: \_\_\_\_\_

**CHARTER TOWNSHIP OF VAN BUREN**  
**Environmental Commission**  
**Wednesday-March 15, 2017**  
**MINUTES**

The meeting was called to order at 7:03 pm in the Denton Room by Chairperson Brownlee.

**ROLL CALL:**

Present: Brownlee, Jahr, Gibson, Merritt, Emekpe, White

Absent Excused: Debuck

Staff: Akers, Best, Halstead

Audience: 3

**APPROVAL OF AGENDA:**

Motion Gibson, Seconded by White to approve the March 15, 2017 agenda. Motion Carried.

**APPROVAL OF MINUTES:**

Motion Jahr, Seconded by Gibson to approve the February 15, 2017 Minutes. Motion Carried.

**COMMUNICATIONS:** The tour to US Ecology was cancelled due to weather and power outages in the Twp. The tour will be rescheduled for a later date.

**UNFINISHED BUSINESS:**

1. **Coal Tar Ordinance Changes/Conference Call with HRWC:** The Coal Tar Ordinance was presented to the Board of Trustees and passed the first reading. The second reading will be at the March 21, 2017 board meeting.
2. **Shoreline Zoning Ordinance Update:** The Shoreline Zoning Ordinance has passed the Township Board. The effective date for the general ordinance will be March 23, 2017. The Zoning Ordinance effective date will be determined based on the publication date.
3. **Proposed Ordinance Updates:** Lt. Bazy presented to the Commissioners the proposed ordinance updates. The Commissioners discussed scenarios and Lt. Bazy answered with how the definitions of the ordinance would address them. Also, commissioners asked questions and gave comment on the ordinances.

**Motion to recommend for approval Article VI of Chapter 42- Diseased or dangerous trees, plants and shrubs Jahr, Seconded by Merritt. Motion Carried**

**Motion to recommend for approval Ordinance 14-36- Animal Waste Gibson, Seconded by Jahr. Motion Carried**

**Motion to recommend for approval Ordinance 74-27 to 74-29- Removal of snow and ice from sidewalks, walks and ramps White, Seconded by Gibson. Motion Carried**

**Motion to recommend for approval Ordinance 66-30- Receptacles Merritt, Seconded by White. Motion Carried**

**Roll Call**

**YAYS: Brownlee, Gibson, Merritt, Emekpe, White**

**NAYS: Jahr**

- 4. Fifth Amendment to the Host Community Agreement:** The Commissioners were given the Host Community Agreement and other documents to look over and review. Director Ron Akers and Deputy Director Matt Best took questions and comments from the commissioners pertaining to any environmental concerns they might have. Discussed the end use of the landfill.

**NEW BUSINESS:** None

**COMMENTS:** Best mentioned the commissioners will be receiving in the mail a notice from US Ecology regarding the TENORM waste they take in. This does not affect their permit since they are already taking in TENORM waste.

Question was asked if a tour of the EQ transfer facility in Romulus could be set up. Deputy Director Best will look into setting up a tour for commissioners.

**Motion White, seconded by Merritt to adjourn at 9:11 pm.**

**MOTION CARRIED**

Respectfully submitted,

Anna Halstead, Recording Secretary

# Charter Township of Van Buren

## REQUEST FOR BOARD ACTION

Agenda Item: \_\_\_\_\_

**WORK STUDY: JUNE 19, 2017**  
**1<sup>ST</sup> READING DATE: JUNE 20, 2017**  
**2<sup>ND</sup> READING DATE: JULY 18, 2017**

Consent Agenda	New Business X	Unfinished Business	Public Hearing
<b>ITEM (SUBJECT)</b>	First reading of Ordinance 06-20-17(4) to discuss an approval of the amendment of Sec. 66-30 (Trash Receptacles) of Article II (Collection and Disposal) of Chapter 66 (Solid Waste).		
<b>DEPARTMENT</b>	Police Department		
<b>PRESENTER</b>	Lt. Charles Bazzy		
<b>PHONE NUMBER</b>	(734) 699-8930		
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>			

### Agenda topic

**ACTION REQUESTED**

First reading of Ordinance 06-20-17(4) to discuss an approval of the amendment of Sec. 66-30 (Trash Receptacles) of Article II (Collection and Disposal) of Chapter 66 (Solid Waste).

**BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)**

The amendment of the trash receptacles ordinance, Sec. 66-30, provides rules for the storage of receptacles as well as the amount and type of waste that will be picked up.

**BUDGET IMPLICATION** None anticipated

**IMPLEMENTATION NEXT STEP** If approved, after the 1<sup>st</sup> and 2<sup>nd</sup> reading, a notice of adoption will be placed in the newspaper and the Ordinance will go into effect.

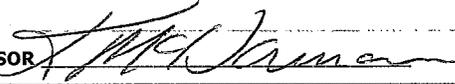
**DEPARTMENT RECOMMENDATION** Approval

**COMMITTEE/COMMISSION RECOMMENDATION**

**ATTORNEY RECOMMENDATION** Approval

(May be subject to Attorney/Client Privilege and not available under FOIA)

**ADDITIONAL REMARKS**

**APPROVAL OF SUPERVISOR** 

**CHARTER TOWNSHIP OF VAN BUREN**

**COUNTY OF WAYNE**

**STATE OF MICHIGAN**

**ORDINANCE # 06-20-17 (4)**

At a regular meeting of the Township Board of the Charter Township of Van Buren, Wayne County, Michigan, held in the Van Buren Township Hall within the Township, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at 7:00 p.m.

PRESENT: Trustees: \_\_\_\_\_

ABSENT: Trustee: \_\_\_\_\_

It was moved by Trustee \_\_\_\_\_ and supported by Trustee \_\_\_\_\_ the following Ordinance be adopted to amend Sec. 66-30 (Receptacles) of Chapter 66 (Solid Waste), Article II (Collection and Disposal):

THE CHARTER TOWNSHIP OF VAN BUREN ("Township"), COUNTY OF WAYNE, MICHIGAN ORDAINS:

Sec. 66-30. - Receptacles.

- (a) *Provision by owners or occupants.* The owners or occupants of every building where garbage or waste accumulates and in case of a multiple dwelling, as defined in section 2 of Act No. 167 of the Public Acts of Michigan of 1917 (MCL 125.402, MSA 5.2772), as amended, the owners, lessees, or agent shall cause to be provided for such building, and keep clean and in place, proper receptacles. Receptacles that are badly broken or otherwise fail to meet the requirements of this article may be classified as rubbish and, after due notice to the users, be disposed of as rubbish.
- (b) *Garbage and rubbish.* Receptacles for garbage and rubbish shall be portable, and shall be securely tied, watertight plastic bags, or shall be of watertight metal or plastic with tightfitting covers to prevent the disturbances of their contents by cats and dogs and to prevent propagation of rats and flies or other insects or vermin and equipped with pails or handles for easy handling.
- (c) *Recycling.* Recycling receptacles shall be plastic bins issued by Waste Management or shall be of metal or plastic with covers to prevent scattering of the contents by the wind and to prevent the propagation of vermin and equipped with pails or handles for easy handling. The combined weight of any container and its contents shall not exceed 50 pounds.

- (e) *Yard waste.* Receptacles for yard waste shall be paper compost bags or plastic or metal with covers to prevent scattering of the contents by the wind and to prevent the propagation of vermin. Yard waste receptacles must be clearly marked as such. Yard waste shall not be disposed of in plastic bags. Yard waste will be picked up seasonally per Van Buren Township guidelines.
- (f) *Location.* All garbage, rubbish, recycling, yard waste and their respective receptacles (whether they or not they have waste in them) shall be stored outside of the public view. A person may satisfy this requirement by storing all garbage, rubbish, recycling, yard waste and their respective receptacles in the person's garage. A person choosing not to store all or part of the garbage, rubbish, recycling, yard waste and their respective receptacles in the person's garage may otherwise satisfy this requirement by storing the garbage, rubbish, recycling, yard waste and their respective receptacles in the person's rear yard provided the person also meets the following requirements. The garbage, rubbish, recycling, yard waste and their respective receptacles stored in the person's rear yard must be stored such that the garbage, rubbish, recycling, yard waste and their respective receptacles are not visible from the street adjacent to the person's front yard. All garbage, rubbish, recycling, yard waste and their respective receptacles shall not be stored in the alley except that in the case of existing structures which extend to the alley line, receptacles for waste may be placed in a public alley. No person shall disturb the contents of any waste receptacle or leave the receptacles or contents in a condition other than as this article provides. All receptacles shall be maintained in a sanitary condition.
- (g) *Standards for placing garbage, rubbish, recycling, yard waste and their respective receptacles for the curbside collection of waste.* Any person placing waste and receptacles out for the curbside collection of the waste must comply with all of the following requirements:
- (1) All receptacles must comply with the requirements of this section.
  - (2) Unless a waste receptacle is a ninety-six (96) gallon receptacle issued by Waste Management, the maximum volume of waste in any one (1) receptacle shall be thirty-two (32) gallons. If the waste is not contained in a receptacle, the maximum volume of waste bundled or packaged together shall be thirty-two (32) gallons.
  - (3) The maximum weight of waste in any one (1) receptacle shall be fifty (50) pounds. If the waste is not contained in a receptacle, the maximum weight of waste bundled or packaged together shall be fifty (50) pounds. Bundled brush must also not exceed three (3) feet in length or eighteen (18) inches in circumference.
  - (4) Waste and receptacles shall be placed curbside for the collection of waste no earlier than 4:00 p.m. on the day prior to the regularly scheduled collection.
  - (5) No person shall place more than thirty (30) receptacles for curbside collection per week.

(6) Receptacles shall be retrieved from curbside no later than 8:00 p.m. on the day on which the waste was collected. After being retrieved, receptacles shall be stored out of public view as required by subsection (f) of this section.

(h) Penalties for violation of ordinance prohibiting litter, trash and rubbish, improper disposal of residential waste and recyclables; abandoned materials, property and vehicles. A violation of this section shall be deemed to be a municipal civil infraction. The following civil fines shall apply in the event of a determination of responsibility for a violation of any portion of this article:

(1) First offense. The civil fine for a first offense violation shall be in an amount of \$150.00, plus cost and other sanctions, for each offense. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay civil fines, 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 article.

(2) Second offense. The civil fine for a second offense violation shall be in an amount of \$300.00, plus cost and other sanctions, for each offense. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay civil fines, 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 article.

(3) Third or subsequent offenses. Any person, firm, or corporation who violates any of the provisions of this article for a third or subsequent time shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00, or by imprisonment for a period of not to exceed 90 days, or by both such fine and imprisonment.

(4) Continuing offenses. Each day that a violation continues to exist shall constitute a separate offense.

(5) Remedies not exclusive. In addition to any remedies provided for in this article, any equitable or other remedies available may be sought. The district judge shall also be authorized to impose costs, damages and expenses as provided by law.

**State Law reference**— Receptacles for ashes, garbage and rubbish, MCL 125.478, MSA 5.2850.

**Effective Date**

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

THIS ORDINANCE IS HEREBY DECLARED TO HAVE BEEN ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF VAN BUREN, COUNTY OF WAYNE, STATE OF MICHIGAN, AT A REGULAR MEETING, CALLED AND HELD ON THE \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YEAS (in favor of amendment): \_\_\_\_\_

NAYS (opposed to amendment): \_\_\_\_\_

ABSENT: \_\_\_\_\_

I hereby approve the foregoing Ordinance.

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Kevin McNamara,  
Supervisor, Charter Township of Van Buren

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Leon Wright,  
Clerk, Charter Township of Van Buren

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective: \_\_\_\_\_

Sec. 66-30. - Receptacles.

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(a) *Provision by owners or occupants.* The owners or occupants of every building where garbage or waste accumulates and in case of a multiple dwelling, as defined in section 2 of Act No. 167 of the Public Acts of Michigan of 1917 (MCL 125.402, MSA 5.2772), as amended, the owners, lessees, or agent shall cause to be provided for such building, and keep clean and in place, proper receptacles. Receptacles that are badly broken or otherwise fail to meet the requirements of this article may be classified as rubbish and, after due notice to the users, be disposed of as rubbish.

(b) *Garbage and rubbish.* Receptacles for garbage and rubbish shall be portable, and shall be securely tied, watertight plastic bags, or shall be of watertight metal or plastic with tightfitting covers to prevent the disturbances of their contents by cats and dogs and to prevent propagation of rats and flies or other insects or vermin and equipped with pails or handles for easy handling.

(c) *Rubbish Recycling.* Rubbish Recycling receptacles shall be securely tied plastic bags bins issued by Waste Management or shall be of metal or plastic with covers to prevent scattering of the contents by the wind and to prevent the propagation of vermin and equipped with pails or handles for easy handling wood or metal with covers to prevent scattering of the contents by the wind and to prevent the propagation of vermin. The combined weight of any rubbish container and its contents shall not exceed 50 pounds.

(e) *Yard waste.* Receptacles for yard waste shall be paper compost bags or plastic or metal with covers to prevent scattering of the contents by the wind and to prevent the propagation of vermin. Yard waste receptacles must be clearly marked as such. Yard waste shall not be disposed of in plastic bags. Yard waste will be picked up seasonally per Van Buren Township guidelines.

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(d) *Location.* All receptacles garbage, rubbish, recycling, yard waste and their respective receptacles (whether they or not they have waste in them) shall be stored outside of the public view. A person may satisfy this requirement by storing all garbage, rubbish, recycling, yard waste and their respective receptacles in the person's garage. A person choosing not to store all or part of the garbage, rubbish, recycling, yard waste and their respective receptacles in the person's garage may otherwise satisfy this requirement by storing the garbage, rubbish, recycling, yard waste and their respective receptacles in the person's rear yard provided the person also meets the following requirements. The garbage, rubbish, recycling, yard waste and their respective receptacles stored in the person's rear yard must be stored such that the garbage, rubbish, recycling, yard waste and their respective receptacles are not visible from the street adjacent to the person's front yard. shall be located within a reasonable distance of the property line and All garbage, rubbish, recycling, yard waste and their respective receptacles shall not be stored in the alley except that in the case of existing structures which extend to the alley line, receptacles for waste may be placed in a public alley. No person shall disturb the contents of any waste receptacle or leave the receptacles or contents in a condition other than as this article provides. All receptacles shall be maintained in a sanitary condition.

(c) *Standards for placing garbage, rubbish, recycling, yard waste and their respective receptacles for the curbside collection of waste.* Any person placing waste and receptacles out for the curbside collection of the waste must comply with all of the following requirements:

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(1) All receptacles must comply with the requirements of this section.

(2) Unless a waste receptacle is a ninety-six (96) gallon receptacle issued by Waste Management, the maximum volume of waste in any one (1) receptacle shall be thirty-two (32) gallons. If the waste is not contained in a receptacle, the maximum volume of waste bundled or packaged together shall be thirty-two (32) gallons.

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(3) The maximum weight of waste in any one (1) receptacle shall be fifty (50) pounds. If the waste is not contained in a receptacle, the maximum weight of waste bundled or packaged together shall be

fifty (50) pounds. Bundled brush must also not exceed three (3) feet in length or eighteen (18) inches in circumference.

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(4) Waste and receptacles shall be placed curbside for the collection of waste no earlier than 4:00 p.m. on the day prior to the regularly scheduled collection.

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(5) No person shall place more than thirty (30) receptacles for curbside collection per week.

(6) Receptacles shall be retrieved from curbside no later than 8:00 p.m. on the day on which the waste was collected. After being retrieved, receptacles shall be stored out of public view as required by subsection (f) of this section.

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(h) Penalties for violation of ordinance prohibiting litter, trash and rubbish, improper disposal of residential waste and recyclables; abandoned materials, property and vehicles. A violation of this section shall be deemed to be a municipal civil infraction. The following civil fines shall apply in the event of a determination of responsibility for a violation of any portion of this article:

(1) First offense. The civil fine for a first offense violation shall be in an amount of \$150.00, plus cost and other sanctions, for each offense. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay civil fines, 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 article.

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(2) Second offense. The civil fine for a second offense violation shall be in an amount of \$300.00, plus cost and other sanctions, for each offense. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay civil fines, 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 article.

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(3) Third or subsequent offenses. Any person, firm, or corporation who violates any of the provisions of this article for a third or subsequent time shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00, or by imprisonment for a period of not to exceed 90 days, or by both such fine and imprisonment.

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(4) Continuing offenses. Each day that a violation continues to exist shall constitute a separate offense.

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(5) Remedies not exclusive. In addition to any remedies provided for in this article, any equitable or other remedies available may be sought. The district judge shall also be authorized to impose costs, damages and expenses as provided by law.

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**State Law reference—** Receptacles for ashes, garbage and rubbish, MCL 125.478, MSA 5.2850.

# Charter Township of Van Buren

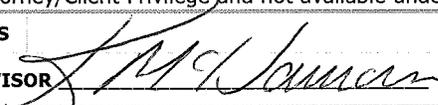
Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**WORK STUDY: JUNE 19, 2017**  
**1<sup>ST</sup> READING DATE: JUNE 20, 2017**  
**2<sup>ND</sup> READING DATE: JULY 18, 2017**

Consent Agenda	New Business <input checked="" type="checkbox"/>	Unfinished Business	Public Hearing
<b>ITEM (SUBJECT)</b>	First reading of Ordinance 06-20-17(5) to discuss an approval of the amendment of Sec. 66-34 to 66-36 of Article II (Collection and Disposal) of Chapter 66 (Solid Waste).		
<b>DEPARTMENT</b>	Police Department		
<b>PRESENTER</b>	Lt. Charles Bazy		
<b>PHONE NUMBER</b>	(734) 699-8930		
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>			

### Agenda topic

<b>ACTION REQUESTED</b>	
First reading of Ordinance 06-20-17(5) to discuss an approval of the amendment of Sec. 66-34 to 66-36 of Article II (Collection and Disposal) of Chapter 66 (Solid Waste).	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
The addition of the storage container ordinances, Sec. 66-34 to 66-36, provides rules for the rules for the placement and time limit for the containers as well as penalties for violation of the article and remedies available to the township.	
<b>BUDGET IMPLICATION</b>	None anticipated
<b>IMPLEMENTATION NEXT STEP</b>	If approved, after the 1 <sup>st</sup> and 2 <sup>nd</sup> reading, a notice of adoption will be placed in the newspaper and the Ordinance will go into effect.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	
<b>ATTORNEY RECOMMENDATION</b>	Approval
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	

**CHARTER TOWNSHIP OF VAN BUREN**

**COUNTY OF WAYNE**

**STATE OF MICHIGAN**

**ORDINANCE # 05-16-17(5)**

At a regular meeting of the Township Board of the Charter Township of Van Buren, Wayne County, Michigan, held in the Van Buren Township Hall within the Township, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at 7:00 p.m.

PRESENT: Trustees: \_\_\_\_\_

ABSENT: Trustee: \_\_\_\_\_

It was moved by Trustee \_\_\_\_\_ and supported by Trustee \_\_\_\_\_ the following Ordinance be adopted to amend Sec. 66-34 to 66-36 of Article II (Collection and Disposal) of Chapter 66 (Solid Waste) to read as follows:

THE CHARTER TOWNSHIP OF VAN BUREN ("Township"), COUNTY OF WAYNE, MICHIGAN ORDAINS:

Sec. 66-34. - Temporary portable storage containers and construction refuse containers.

Temporary storage containers and construction refuse containers used on site for the purpose of moving, renovation, and other temporary activities, shall be subject to the following requirements:

(a) *General requirements.*

- (1) In all zoning districts, any temporary storage container or construction refuse container shall be located in an approved area of a single-family residential driveway. In the case of a multiple-family, attached condominium, or non-residential development, any temporary storage container shall be located in an approved area of the site or parking lot as shown on a site layout plan submitted with the building permit plans for the proposed work.
- (2) In no case shall the temporary storage container be located in a public right-of-way and shall not obstruct public sidewalks. The container shall not obstruct, impair, or impede the use and enjoyment of adjoining property.
- (3) The temporary storage container shall be clearly identified with the container owner's name and phone number on the container.

(b) *Time limit.*

- (1) On single-family residential lots or parcels, use of a temporary portable storage or refuse container is limited to seven days. A permit from the building department is required for a time limit more than seven days. The permit may be issued for a period not to exceed 30 days and said permit must state an expiration date.
- (2) For multiple-family, condominium, and non-residential developments, portable storage or refuse containers shall be issued in conjunction with the permit for the proposed construction and shall be removed prior to issuance of an occupancy permit or completion of the permitted construction or renovation.

Sec. 66-35. - Penalty for violation of article.

Any person violating this article shall be responsible for a municipal civil infraction. The fine for violation of this section shall be one hundred fifty dollars (\$150.00) for a first offense, two hundred fifty dollars (\$250.00) for a second offense, and five hundred dollars for a third or subsequent offense (\$500.00). Each day that a violation of this article is continued or permitted to exist without compliance shall constitute a separate offense punishable upon a finding of responsibility in the manner prescribed in this section.

Sec. 66-36. - Declaration of nuisance.

- (a) Any disposal or transporting of garbage or rubbish in the township in violation of any provisions of this article is hereby declared to be a nuisance per se, and the person committing such violation shall be judged guilty of maintaining a nuisance per se.
- (b) The township supervisor or any member of the township board or the township ordinance enforcement officer shall institute any appropriate action or proceedings in law or equity to prevent, restrain, correct or abate any such nuisance.
- (c) The rights and remedies provided in this section are hereby declared to be cumulative and in addition to all other remedies provided by law.

**Effective Date**

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

THIS ORDINANCE IS HEREBY DECLARED TO HAVE BEEN ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF VAN BUREN, COUNTY OF WAYNE, STATE OF MICHIGAN, AT A REGULAR MEETING, CALLED AND HELD ON THE \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YEAS (in favor of amendment): \_\_\_\_\_

NAYS (opposed to amendment): \_\_\_\_\_

ABSENT: \_\_\_\_\_

I hereby approve the foregoing Ordinance.

\_\_\_\_\_  
Kevin McNamara,  
Supervisor, Charter Township of Van Buren

\_\_\_\_\_  
Leon Wright,  
Clerk, Charter Township of Van Buren

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective: \_\_\_\_\_

Sec. 66-34. - Temporary portable storage containers and construction refuse containers.

Temporary storage containers and construction refuse containers used on site for the purpose of moving, renovation, and other temporary activities, shall be subject to the following requirements:

(a) General requirements.

- (1) In all zoning districts, any temporary storage container or construction refuse container shall be located in an approved area of a single-family residential driveway. In the case of a multiple-family, attached condominium, or non-residential development, any temporary storage container shall be located in an approved area of the site or parking lot as shown on a site layout plan submitted with the building permit plans for the proposed work.
- (2) In no case shall the temporary storage container be located in a public right-of-way and shall not obstruct public sidewalks. The container shall not obstruct, impair, or impede the use and enjoyment of adjoining property.
- (3) The temporary storage container shall be clearly identified with the container owner's name and phone number on the container.

(b) Time limit.

- (1) On single-family residential lots or parcels, use of a temporary portable storage or refuse container is limited to seven days. A permit from the building department is required for a time limit more than seven days. The permit may be issued for a period not to exceed 30 days and said permit must state an expiration date.
- (2) For multiple-family, condominium, and non-residential developments, portable storage or refuse containers shall be issued in conjunction with the permit for the proposed construction and shall be removed prior to issuance of an occupancy permit or completion of the permitted construction or renovation.

Sec. 66-3435. - Penalty for violation of article.

Any person violating this article shall be responsible for a municipal civil infraction. The fine for violation of this section shall be one hundred fifty dollars (\$150.00) for a first offense, two hundred fifty dollars (\$250.00) for a second offense, and five hundred dollars for a third or subsequent offense (\$500.00). Each day that a violation of this article is continued or permitted to exist without compliance shall constitute a separate offense punishable upon a finding of responsibility in the manner prescribed in this section.  
~~who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished as provided in section 1-13. Each day that a violation of this article is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this section.~~

~~(Ord. No. 5-9-67, § 1, eff. 6-16-67; Ord. No. 5-16-89, eff. 5-25-89)~~

Sec. 66-3536. - Declaration of nuisance.

- (a) Any disposal or transporting of garbage or rubbish in the township in violation of any provisions of this article is hereby declared to be a nuisance per se, and the person committing such violation shall be judged guilty of maintaining a nuisance per se.
- (b) The director, if one is appointed, or any member of the township board or the township enforcement officer shall institute any appropriate action or proceedings in law or equity to prevent, restrain, correct or abate any such nuisance.
- (c) The rights and remedies provided in this section are hereby declared to be cumulative and in addition to all other remedies provided by law.

~~(Ord. No. 5-9-67, §§ 2-4, eff. 6-16-67; Ord. No. 5-16-89, eff. 5-25-89)~~

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

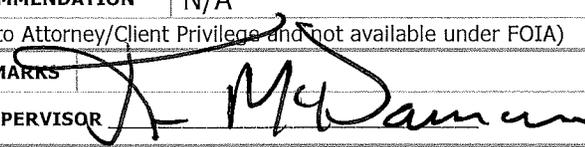
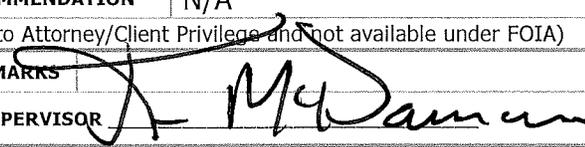
**WORK STUDY MEETING DATE: 06/19/17**

**BOARD MTG. DATES: 06/20/17**

Consent Agenda \_\_\_\_\_ **New Business**  X  Unfinished Business \_\_\_\_\_ Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	Resolution 2017-13 to establish the McBride Road Improvement Special Assessment District.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers, Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	
To consider approval of Resolution 2017-13 which is a resolution to establish the McBride Road Improvement Special Assessment District.	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
<p>After the scheduled public hearing the next step in the Special Assessment District (SAD) process is to adopt a resolution which establishes the Special Assessment District. This resolution essentially does the following:</p> <ul style="list-style-type: none"> <li>A. Approves the cost estimates for the project.</li> <li>B. Designates the boundaries of the district.</li> <li>C. Confirms the petition for sufficiency.</li> <li>D. Identifies the amount to be specially assessed to the SAD.</li> <li>E. Directs the Supervisor and Assessing Officer to prepare the Special Assessment Roll.</li> </ul> <p>Please feel free to contact me with any additional questions.</p>	
<b>BUDGET IMPLICATION</b>	None
<b>IMPLEMENTATION NEXT STEP</b>	If approved the Township Board will take action to schedule a 2 <sup>nd</sup> public hearing for the assessment roll.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	N/A
<b>ATTORNEY RECOMMENDATION</b>	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	

**PA 188 of 1954 Proceedings  
RESOLUTION 2017-13**

**RESOLUTION TO ESTABLISH THE  
MCBRIDE ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT**

WHEREAS, the Township Board received Petitions signed by more than 62% of the total lineal frontage of the proposed Special Assessment District described hereinafter, and accordingly determined to proceed under the provisions of 1954 PA 188, as amended, to accept plans and estimates of cost together with a proposed Special Assessment District for assessing the costs of the matching funds for the Wayne County Local Road Initiative program for the paving and improvement of necessary structures and other work incidental thereto of McBride Road between Quirk Road and Beck Road in the Township and to schedule a public hearing upon the same for this date, and

WHEREAS, the plans, estimates of cost and proposed Special Assessment district were filed with the Township Clerk for public examination and Notice of the within hearing upon the same was published and mailed in accordance with law and statute provided as shown by Affidavits pertaining thereto on file with the Township Clerk, and

WHEREAS, in accordance with the aforesaid Notices, a hearing was scheduled on Tuesday June 20, commencing at 7:00 p.m. and all persons given the opportunity to be heard in the matter, and

WHEREAS, as a result of the foregoing, the Township Board believes the project to be in the best interests of the Township and of the district proposed to be established therefor;

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. That this Township Board does hereby determine that the Petitions for the MCBRIDE ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT were properly signed by the record owners of land whose frontage constitutes more than 62% of the total frontage upon the proposed improvement.
2. That this Township Board does hereby approve the estimate for the MCBRIDE ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT as presented and the estimate of costs for the completion thereof of first year of a local share of \$185,407.00.
3. That this Township Board does hereby create, determine and define as a Special Assessment District to be known as the MCBRIDE ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT within which the costs of such improvements shall be assessed according to benefits, the following described area within said township:

83-062-01-0112-000; 83-062-01-0113-000; 83-062-01-0114-000; 83-062-01-0115-000;  
83-062-01-0116-000; 83-062-01-0117-000; 83-062-01-0118-000; 83-062-01-0119-000;  
83-062-01-0120-000; 83-062-01-0121-000; 83-062-01-0122-000; 83-062-01-0123-000;  
83-062-01-0124-000; 83-062-01-0125-000; 83-062-01-0126-000; 83-062-01-0127-000;  
83-062-01-0105-000; 83-062-01-0106-000; 83-062-01-0107-000; 83-062-01-0108-000;  
83-062-01-0111-000; 83-062-01-0128-000; 83-062-01-0129-000; 83-062-01-0130-000;  
83-062-01-0131-000; 83-062-01-0132-000; 83-062-01-0133-000; 83-063-01-0066-000;  
83-063-01-0067-000; 83-063-01-0001-000; 83-063-99-0002-000; 83-063-99-0001-000;

83-062-01-0109-002; 83-062-01-0109-001;

4. That on the basis of the foregoing, this Township Board does hereby direct the supervisor and assessing officer to make a special assessment roll in which shall be entered and described all the parcels of land to be assessed with the names of the respective owners thereof if known, and a total amount to be assessed against each parcel of land as follows:

- A. For parcel 83-063-99-0001-000, also known as, 47097 McBride Road which is owned by Van Buren Public Schools, the assessment shall be at \$90,000 as specified in the agreement between Van Buren Public Schools and the Charter Township of Van Buren dated May 25, 2017 and the Van Buren Public Schools Resolution Authorizing a Special Assessment Agreement dated February 27, 2017.
- B. The remaining parcels within district shall be assessed upon a unit basis with each parcel assessed for 1/33 share of the remaining sum to be levied against the parcels of land in the Special Assessment District.

When the same has been completed, the Supervisor or Assessing Officer shall affix thereto his/her certificate stating that it was made pursuant to this Resolution and that in making such assessment roll, she has, according to her best judgment, conformed in all respects to the directions contained in this resolution and the applicable state statutes.

5. That all Resolutions and parts of Resolutions insofar as they conflict with the provisions of the within Resolutions be and the same are hereby rescinded.

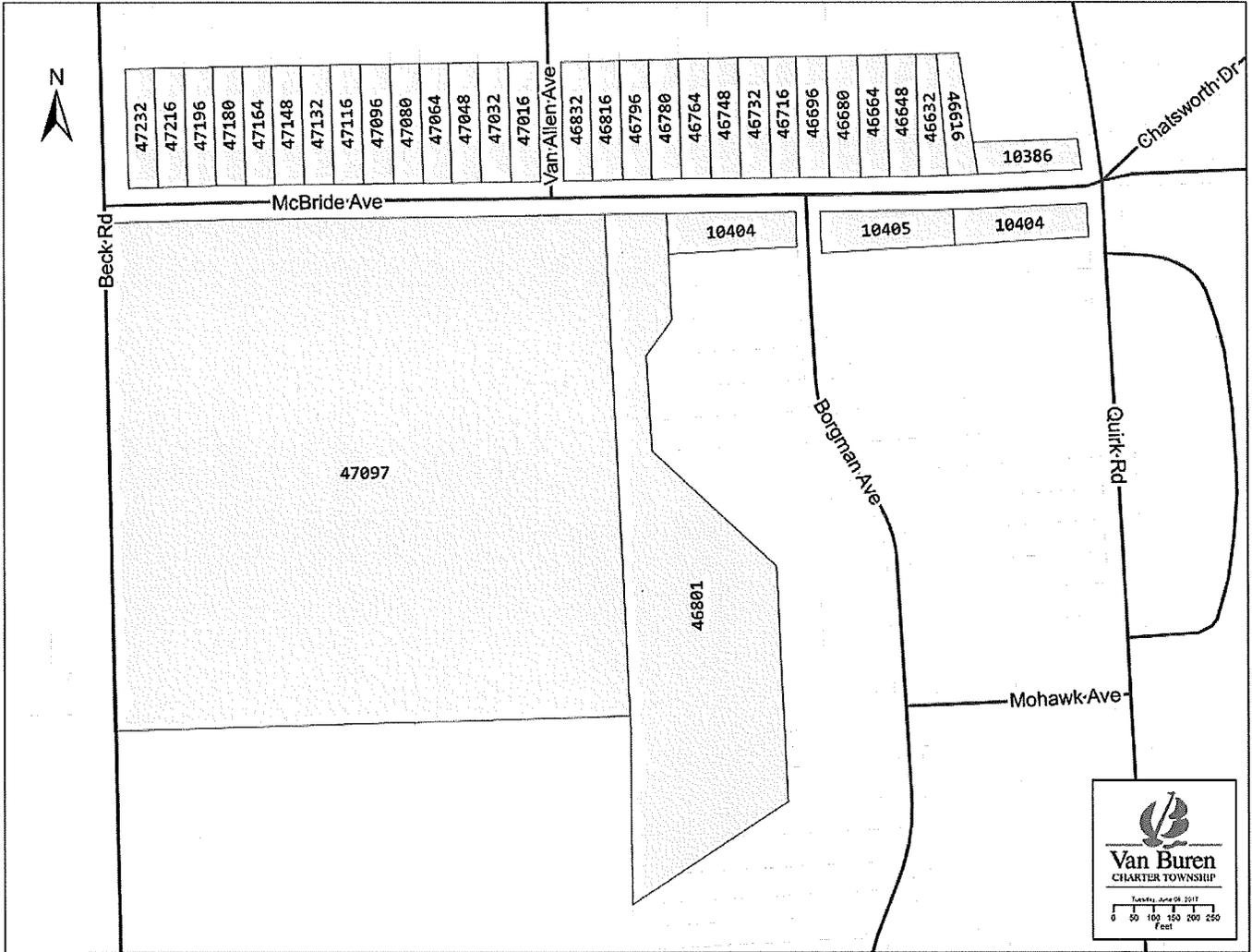
CERTIFICATE

I, Leon Wright, the duly elected and acting clerk of the Charter Township of Van Buren, hereby certify that the foregoing constitutes a true copy of an excerpt of the Minutes of a regular meeting of the Township Board, Wayne County, Michigan, held on June 20, 2017, at which meeting members were present as indicated in said minutes and voted as therein set forth; that said meeting was held in accordance with the Open Meeting Act of the State of Michigan, and the foregoing Excerpt contains all material pertinent to the McBride Road Improvement Special Assessment District.

\_\_\_\_\_  
Leon Wright, Township Clerk

\_\_\_\_\_  
Date

SPECIAL ASSESSMENT DISTRICT AREA MAP FOR MCBRIDE ROAD IMPROVEMENTS



# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**WORK STUDY MEETING DATE: 06/19/17**

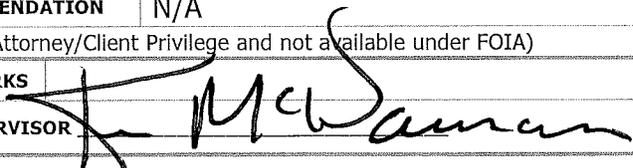
**BOARD MTG. DATES: 06/20/17**

Consent Agenda \_\_\_\_\_ **New Business**  X  Unfinished Business \_\_\_\_\_ Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	Resolution 2017-14 to schedule a hearing on the assessment roll for the McBride Road Improvement Special Assessment District.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers, Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	To consider approval of Resolution 2017-14 which is a resolution to schedule a hearing on the assessment roll for the McBride Road Improvement Special Assessment District.
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	<p>After the Special Assessment District (SAD) is established the next step in the process is to and adopt a resolution which schedules the public hearing for the assessment roll which the Township Assessor will prepare in time for the notices to be mailed and published in the paper. This resolution essentially does the following:</p> <ul style="list-style-type: none"> <li>A. Indicates that the annual payment for the single family properties is estimated at \$578.22 per year (plus interest) for a five (5) year period to pay the costs of the special assessment.</li> <li>B. Indicates that the Special Assessment Roll will be prepared and filed with the Township Clerk by July 6, 2017. This is the first day the public hearing notice will be published in the newspaper.</li> <li>C. Schedules the Public Hearing for July 18, 2017 which is the next available Township Board meeting.</li> <li>D. Authorizes the Township to publish the required public hearing notices.</li> </ul> <p>Please feel free to contact me with any additional questions.</p>

<b>BUDGET IMPLICATION</b>	None
<b>IMPLEMENTATION NEXT STEP</b>	See attached letter.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	N/A
<b>ATTORNEY RECOMMENDATION</b>	N/A (May be subject to Attorney/Client Privilege and not available under FOIA)
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	

**PA 188 of 1954 Proceedings  
RESOLUTION 2017-14**

**RESOLUTION TO SCHEDULE A HEARING ON THE ASSESSMENT ROLL FOR THE  
MCBRIDE ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT**

WHEREAS, the Supervisor and Assessing Officer of the Township, in accordance with Resolution of the Township Board and the laws and statutes pertinent thereto, shall prepare a special assessment roll in the total amount of first year \$187,407.00. Annual payments are estimated as follows:

- A. For parcel 83-063-99-0001-000, also known as, 47097 McBride Road which is owned by Van Buren Public Schools, the \$90,000 assessment shall be paid in full at the time the Charter Township of Van Buren approves preliminary engineering to commence for the Project as specified in the Agreement between Van Buren Public Schools and the Charter Township of Van Buren dated May 25, 2017.
- B. For the remaining parcels in the MCBRIDE ROAD IMPROVEMENTS SPECIAL ASSESSMENT DISTRICT annual payments are estimated at \$578.22 per year, per parcel for five (5) years plus interest, based upon a unit basis with each parcel assessed for 1/33 of the remaining estimated costs.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

- 1. That said special assessment roll shall be filed with the Township Clerk and shall be available for public examination during regular working hours of regular working days from Thursday July 6, 2017 until the public hearing upon the same and shall further be examined at such public hearing.
- 2. That the Township Board shall meet at 7:00 p.m. on Tuesday July 18, 2017 at the Van Buren Township Hall located at 46425 Tyler Rd, Van Buren Township, Michigan, within the Township, to review such special assessment roll and hear any objections thereto.
- 3. That the Township Clerk shall cause Notice of such hearing and the filing of such assessment roll to be published twice in the Belleville Independent, a newspaper of general circulation in the Township prior to the date of the hearing with the first publication being not less than ten (10) days prior to the hearing and shall further cause Notice of such hearing to be mailed by First Class Mail to all owners of or persons interested in property within the MCBRIDE ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT as shown on the current assessment roll of the Township also at least ten (10) days prior to said hearing, all in accordance with law and statute provided.
- 4. All Resolutions and parts of Resolutions insofar as they conflict with the provisions of the within Resolution are hereby rescinded.

CERTIFICATE

I, Leon Wright, the duly elected and acting clerk of the Charter Township of Van Buren, hereby certify that the foregoing constitutes a true copy of an excerpt of the Minutes of a regular meeting of the Township Board, Wayne County, Michigan, held on June 20, 2017, at which meeting members were present as indicated in said minutes and voted as therein set forth; that said meeting was held in accordance with the Open Meeting Act of the State of Michigan, and the foregoing Excerpt contains all material pertinent to the McBride Road Improvement Special Assessment District.

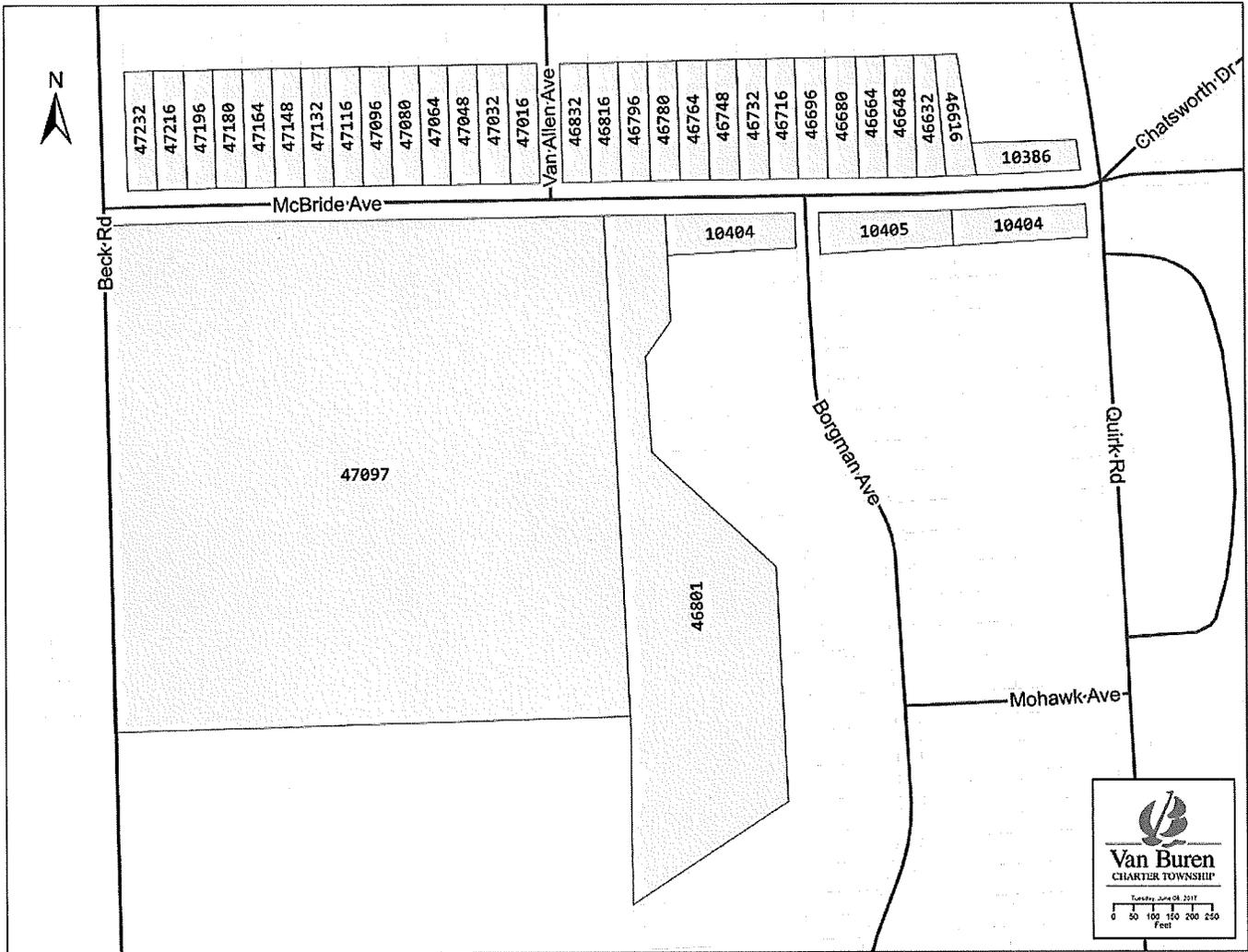
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Leon Wright, Township Clerk

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Date

SPECIAL ASSESSMENT DISTRICT AREA MAP FOR MCBRIDE ROAD IMPROVEMENTS



**Van Buren**  
 CHARTER TOWNSHIP  
 Tuesday, June 24, 2014  
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# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR Kevin McNamara	CLERK Leon Wright	TREASURER Sharry A. Budd	
TRUSTEE Sherry A. Frazier	TRUSTEE Kevin Martin	TRUSTEE Reggie Miller	TRUSTEE Paul D. White

June 14, 2017

Township Board of Trustees  
46425 Tyler Road  
Van Buren Township, MI 48111

RE: Schedule for the McBride Road Improvement Special Assessment District Establishment and Project Construction

Honorable Trustees,

The following is the projected schedule for the establishment of the McBride Road Improvement Special Assessment District and a tentative schedule for the process until construction.

- June 06 – Set 1<sup>st</sup> public hearing for June 20<sup>th</sup>.
- June 08<sup>th</sup> & June 15<sup>th</sup> – Notices for 1<sup>st</sup> public hearing are published in newspaper.
- First class mailings are sent at least ten (10) days prior to hearing.
- June 20<sup>th</sup> – 1<sup>st</sup> Public hearing is held; district is approved, and the 2<sup>nd</sup> public hearing is set.
- July 6<sup>th</sup> & July 13<sup>th</sup> – Notices for 2<sup>nd</sup> public hearing are published in newspaper.
- First class mailings are sent at least ten (10) days prior to hearing
- July 18<sup>th</sup> - 2<sup>nd</sup> Public hearing is held, the assessment roll is set, and the Township will authorize Engineer to resume preliminary engineering.
- Mid-August - Preliminary Engineering completed
- Mid-September – Bid Opening
- October – Contract Award
- Late Fall/Early Spring - Construction

If you have any questions or would like to discuss this further, please contact me.

Sincerely,

Ron Akers, AICP  
Director of Planning and Economic Development

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

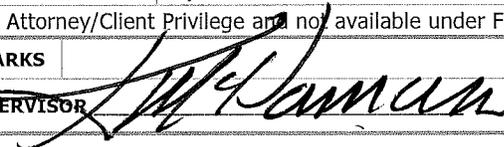
**WORK STUDY MEETING DATE: 06/19/17**

**BOARD MTG. DATES: 06/20/17**

Consent Agenda \_\_\_\_\_ New Business \_\_\_\_\_ Unfinished Business \_\_\_\_\_ **Public Hearing X**

<b>ITEM (SUBJECT)</b>	First hearing on the McBride Road Improvement Special Assessment District.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers, Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	
To receive comment from the first hearing on the McBride Road Improvement Special Assessment District.	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
A public hearing was scheduled at the June 6, 2017 Township Board meeting to receive comment on the establishment of the Special Assessment District for the McBride Road Improvement Project. Public hearing notices were placed in the Belleville Independent on June 8 & June 15 and public hearing notices were mailed to all of the legal owners who had frontage on McBride Road. I have attached the public hearing notice to this request and I have attached the supporting material presented on June 6, 2017 as well.	
<b>BUDGET IMPLICATION</b>	None
<b>IMPLEMENTATION NEXT STEP</b>	After comment is received, board will take action to establish the special assessment district and schedule the 2 <sup>nd</sup> public hearing.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	N/A
<b>ATTORNEY RECOMMENDATION</b>	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	

**PA 188 of 1954 Proceedings  
NOTICE OF PUBLIC HEARING**

**CHARTER TOWNSHIP OF VAN BUREN  
WAYNE COUNTY, MICHIGAN**

**TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF VAN BUREN, WAYNE COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:**

PLEASE TAKE NOTICE that as a result of Petitions of property owners within the Township signed by the record owners of land whose property constitutes more than 50% of the total linear foot frontage of the hereinafter described Special Assessment District and the Township Board of the Charter Township of Van Buren proposes to pave and improve the necessary structures and other work incidental thereto of McBride Road between Quirk Road and Beck Road and to create a special assessment for raising funds for 20 % of total project cost (the balance of funding coming from Wayne County) thereof by special assessment against the properties benefited therein.

PLEASE TAKE FURTHER NOTICE that the District within which the foregoing improvements are proposed to be constructed and within which the cost thereof is proposed to be assessed is more particularly described in the map and includes parcels:

83-062-01-0112-000; 83-062-01-0113-000; 83-062-01-0114-000; 83-062-01-0115-000;  
83-062-01-0116-000; 83-062-01-0117-000; 83-062-01-0118-000; 83-062-01-0119-000;  
83-062-01-0120-000; 83-062-01-0121-000; 83-062-01-0122-000; 83-062-01-0123-000;  
83-062-01-0124-000; 83-062-01-0125-000; 83-062-01-0126-000; 83-062-01-0127-000;  
83-062-01-0105-000; 83-062-01-0106-000; 83-062-01-0107-000; 83-062-01-0108-000;  
83-062-01-0111-000; 83-062-01-0128-000; 83-062-01-0129-000; 83-062-01-0130-000;  
83-062-01-0131-000; 83-062-01-0132-000; 83-062-01-0133-000; 83-063-01-0066-000;  
83-063-01-0067-000; 83-063-01-0001-000; 83-063-99-0002-000; 83-063-99-0001-000;  
83-062-01-0109-002; 83-062-01-0109-001;

PLEASE TAKE FURTHER NOTICE that the Township Board has received plans showing the improvements and locations thereof together with an estimate of the total costs of such construction in the approximate amount of \$927,035 and has placed the same on file with the Township Clerk, and has passed a Resolution tentatively declaring its intention to make such improvement and to create the aforementioned Special Assessment District to supply the required 20% matching funds for the total project and has further tentatively found the Petitions for the improvement to be in compliance with statutory requirements.

PLEASE TAKE FURTHER NOTICE that said plans, Special Assessment District information and Petitions may be examined at the office of the Township Clerk from the date of this notice until and including 4 PM on the date of the public hearing hereon and may further be examined at such public hearing.

PLEASE TAKE FURTHER NOTICE that a public hearing upon such Petitions, Plans, District and Estimate of Cost will be held at the Van Buren Township Hall at 46425 Tyler Road, Van Buren Township, Michigan, commencing at 7:00 p.m. on June 20, 2017 .

At such hearing, the Township Board will consider any written objections to any of the foregoing matters which might be filed with said Board at or prior to the time of said hearing as well as any revisions, corrections, amendments, or changes to said plans, estimates and costs or to said Special Assessment District.

All interested persons are invited to be present at the aforesaid time and place and to submit comments concerning any of the foregoing.

Leon Wright, Township Clerk  
Charter Township of Van Buren  
46425 Tyler Road  
Van Buren Township, Michigan 48111



PA 188 of 1954 PROCEEDINGS

AFFIDAVIT OF MAILING

I, Ron Akers, being first duly sworn, depose and say that I personally prepared for mailing and mailed by first class mail, on Friday, June 9, 2017, a Notice of Hearing, a true copy of which is attached hereto and made a part hereof, to each owner of or party in interest in property located within the McBride Road Improvement Special Assessment District as described in the attached notice, whose name appears on the last local tax assessment records for ad valorem tax purposes, which has been reviewed by the local Board of Review as supplemented by any subsequent changes in the names or the addresses of such owners or parties listed thereon; that I personally checked each envelope against the list of such owners or parties in interest shown by said tax assessment roll and that each envelope was properly addressed to each such owner or party in interest as shown on said tax assessment roll; that each such envelope had contained therein the appropriate notice of the aforesaid hearing, was securely sealed, with postage fully prepaid thereon for first class mail delivery, and was properly addressed; that I personally placed all of said envelopes in a United States Post Office receptacle in Van Buren Township, Michigan, on said date; that said notice referred to a hearing scheduled for March 11, 2008, before the Charter Township of Van Buren Township Board.

*Ron Akers*  
Signature :

Ron Akers, Director of Planning + Economic Development  
Name & Title (printed)

Subscribed and sworn to before me this 9 day of June, 2017.

*K.A. Adams*  
Notary Public  
Wayne County, Michigan

My Commission Expires: 9/25/19

K.A. ADAMS  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Sep 25, 2019  
ACTING IN COUNTY OF Wayne

**PA 188 of 1954 Proceedings**  
CERTIFICATE REGARDING VERIFICATION OF RECORD OWNERS

To: Township Clerk and Township Board,  
Charter Township of Van Buren,  
Wayne County, Michigan

Dear Officials:

This is to certify that I, Kevin McNamara, the Supervisor of the Charter Township of Van Buren, Wayne County, Michigan have directed Linda Stevenson, the Township Assessing Coordinator to check the attached petition for matching local funds for road improvements to McBride Avenue under Wayne County's Local Partnering Initiatives program for local roads and we hereby certify that said petition has been signed by record owners of 63.0 % of the total frontage within the boundaries as shown on the petition.

We hereby certify that the road frontage equals 4,806.38 lineal feet. The total signed by record owners within the proposed district equals 3007.27 lineal feet.

We hereby certify that the listing of record owners for the proposed assessment roll and all assessment records have been verified through records available as of May 26, 2017 within the area as set forth in said petition and is hereto attached.

Respectfully submitted,



Kevin McNamara  
Township Supervisor



Linda Stevenson  
Assessing Coordinator

### McBride SAD Summary

Address	Property Status	Signed Petition?	For Sale?	Front Footage	Estimated Total Cost	Estimated Annual Cost Over 5 Years (Not Including Interest)
46716 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
46732 MCBRIDE AVE	Rental	N	N	75	\$2,891.12	\$578.22
46748 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46764 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46780 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46796 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46816 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46832 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
47016 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47092 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
47048 MCBRIDE AVE	Bank	N	N	75	\$2,891.12	\$578.22
47064 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47080 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47096 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47116 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
47132 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
10386 QUIRK RD	Owner-Occupied	Y	N	265	\$2,891.12	\$578.22
46616 MCBRIDE AVE	Owner-Occupied	N	N	75.1	\$2,891.12	\$578.22
46632 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46648 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
46696 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47148 MCBRIDE AVE	Church	Y	N	75	\$2,891.12	\$578.22
47164 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47180 MCBRIDE AVE	Bank	N	N	75	\$2,891.12	\$578.22
47196 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
47216 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47232 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
10404 QUIRK RD	Owner-Occupied	Y	N	340.27	\$2,891.12	\$578.22
10405 BORGMAN AVE	Owner-Occupied	N	N	340.27	\$2,891.12	\$578.22
10404 BORGMAN AVE	Owner-Occupied	N	N	330.26	\$2,891.12	\$578.22
46801 MCBRIDE AVE	Rental	N	Y	153.48	\$2,891.12	\$578.22
47097 MCBRIDE AVE	School	Y	N	1277	\$90,000.00	\$18,000.00
46680 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
46664 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
Total Linear Feet		4806.38		School District Contribution		\$90,000.00
Project Cost		\$185,407.00		Homeowner Cost		\$95,407.00
Cost Per Linear Foot		\$38.58		Number of Single Family Homes		33
				Estimated Cost per Homeowner		\$2,891.12

Petition Summary	Total	Number Signed Petition	Percentage	Number Did Not Sign Petition	Percentage
Parcels Adjacent to Road	34	18	52.9%	16	47.1%
Owner Occupied Homes	28	16	57.1%	12	42.9%
Rental Properties	2	0	0.0%	2	100.0%
Bank Owned Properties	2	0	0.0%	2	100.0%
School Properties	1	1	100.0%	1	100.0%
Church Owned Properties	1	1	100.0%	0	0.0%
<b>Total Percentage of frontage of McBride Road represented on petition</b>	<b>62.6%</b>				

TECHNICAL MEMORANDUM

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**Wayne County Local Partnering Initiative for Township Roads**

**Prepared For:** Mr. Ron Akers, Director of Planning and Economic Development

**Prepared By:** David M. Nummer, PE

**Date:** January 5, 2016

Wayne County has made available a pool of funds that may be used by Wayne County Townships to repair, resurface, or reconstruct local roads. The available funding for each community is based upon population. For Van Buren Township, the available funding for construction in 2016 is \$750,000. In order to take advantage of this funding, the Township must submit an application which includes the following information:

- The project must meet eligibility requirements
- Detailed scope of the project
- Engineer's estimate of cost
- Statement certifying that the Township has the capital to front the costs of the project
- Acknowledgement that the Township's Contractor must comply with permit requirements including insurance and bonds

The proposed project for 2016 is to pave McBride Avenue from Quirk Road to Beck Road. McBride Avenue is an existing gravel road that serves the adjacent residential properties and provides access to North Middle School.

A map showing the project area is attached as Exhibit A.

Project Eligibility

The proposed project includes road improvements to McBride Avenue. McBride Avenue is a residentially zoned street that is under the jurisdiction of Wayne County. As local streets they are not eligible for Federal aid.

Detailed Project Scope

McBride Avenue was originally constructed as a gravel subdivision street in the 1950's. The existing roadway widths are approximately 27 feet wide with open ditches. The existing gravel surface is rough with numerous potholes. See attached photos.

The proposed project includes paving the roadway and excavating ditches where necessary. The roadway section will be constructed in accordance with Wayne County standard detail L-2, "Typical (SAD) HMA Local Road over Existing Aggregate" with the exception that we will maintain the existing 27 foot width. For purposes of cost estimating, we have assumed a pavement section consisting of 1½ inch HMA wearing course and 3 inches HMA base course on top of existing aggregate base. Other project work will include minor ditching, relocation of mailboxes (if required), restoration of the disturbed areas of the right-of-way, mobilization, traffic control, and other associated work items.

### Engineer's Estimate of Cost

The total project cost is estimated at \$882,890.13. This includes construction cost, engineering and contingency. A detailed cost estimate is attached as Exhibit B.

### Township Acknowledgements

Van Buren Township certifies that they have the capital assets necessary to complete the project, including the 20% local match. Furthermore, the Township understands that this funding from Wayne County will be in the form of a reimbursement after the project has been completed. The reimbursement amount will be the project cost less the 20% local match, with a maximum reimbursement amount of \$750,000.

The Township will be responsible for contracting the work and administering the construction contract. An interagency agreement with Wayne County will be necessary to clearly define the duties and responsibilities of each party. The Township understands that this project will require a permit from Wayne County and that the Contractor for the project will be subject to any permit requirements including providing insurance and bonds as required by Wayne County.

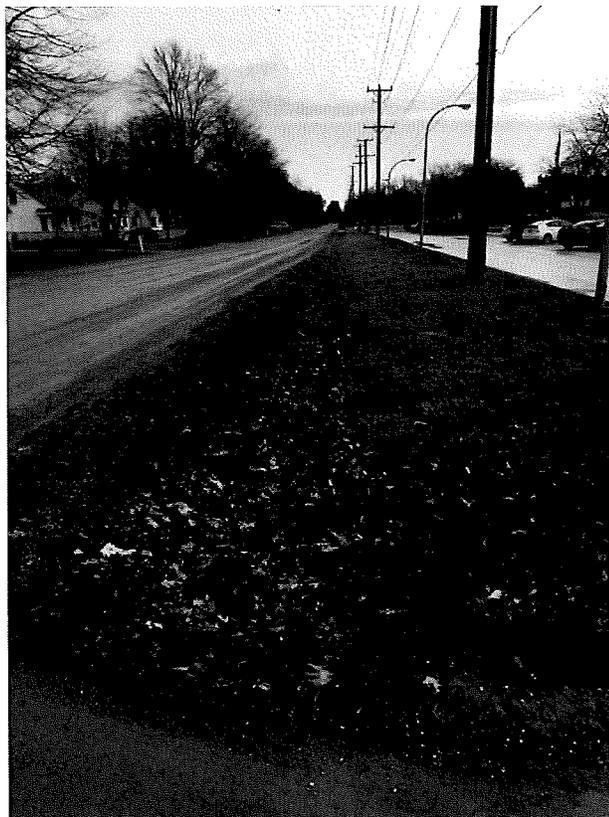
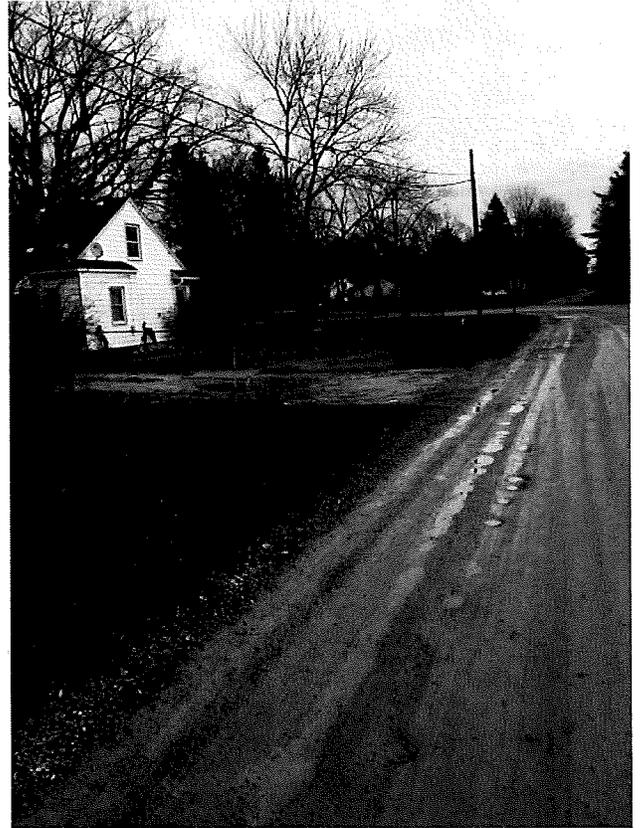
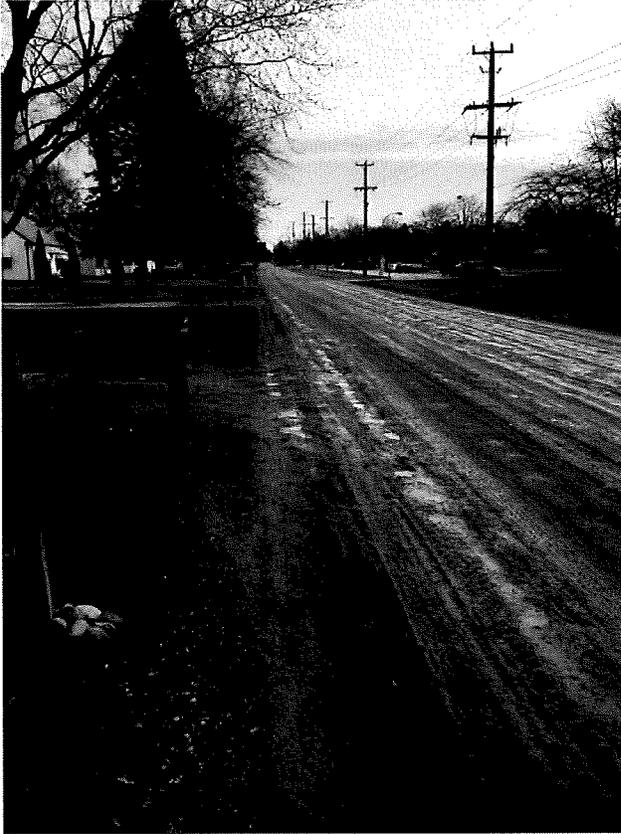
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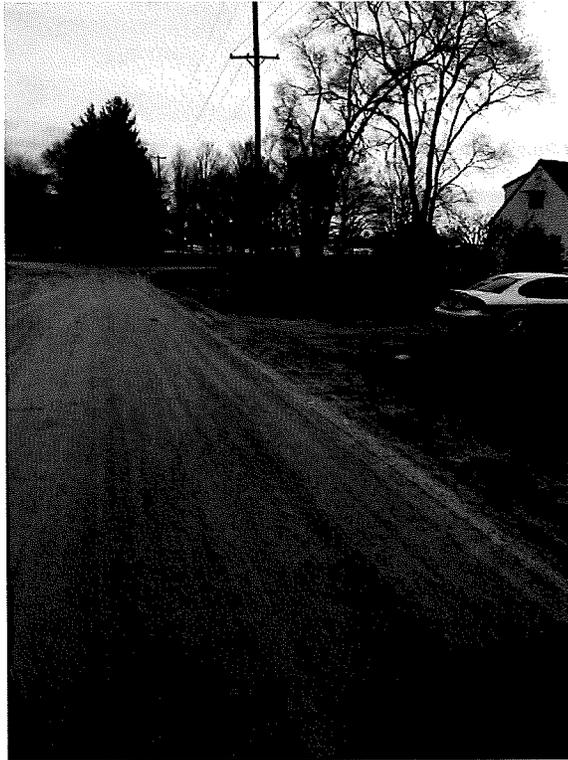
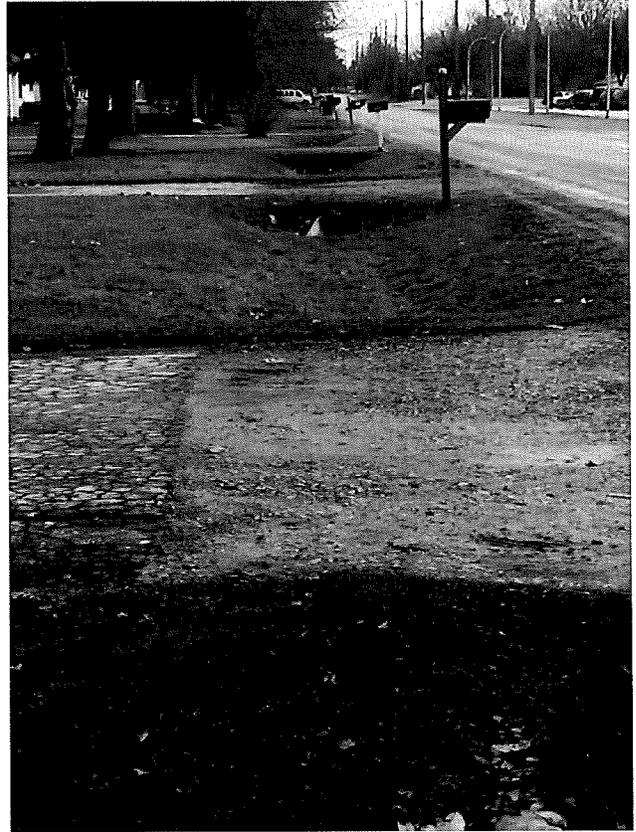
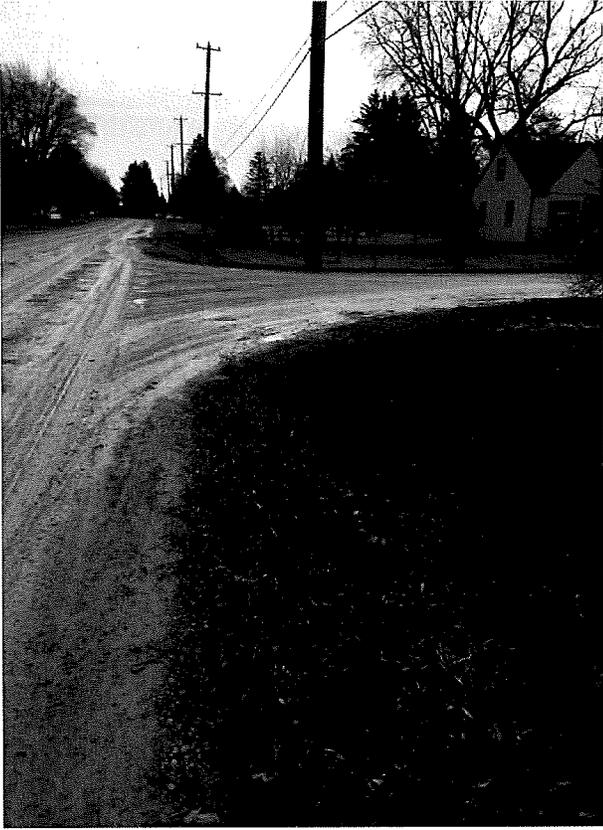
VBN 1020-15T

[Local Road Partnering Tech Memo.docx](#)

Enclosures:

- Existing Condition Photos
- Exhibit A – Project Area Map
- Exhibit B – Engineer's Estimate of Probable Construction Cost
- Wayne County Standard Detail L-2







Project Area

Google Earth

94

Interstate 94 Service Dr  
Detroit Industrial Exp  
Interstate 94 Service Dr

Van Buren Charter Town

Belleville Rd

Village Green Dr  
Green Ln

Sunflower Dr N  
20 S Google

Borgman Ave

Mahawk St

Wayne County 4-H Fair Grounds

Van Allen St

McBridge Ave

Clayton St

Edicott St

Sage Cr

West Cr

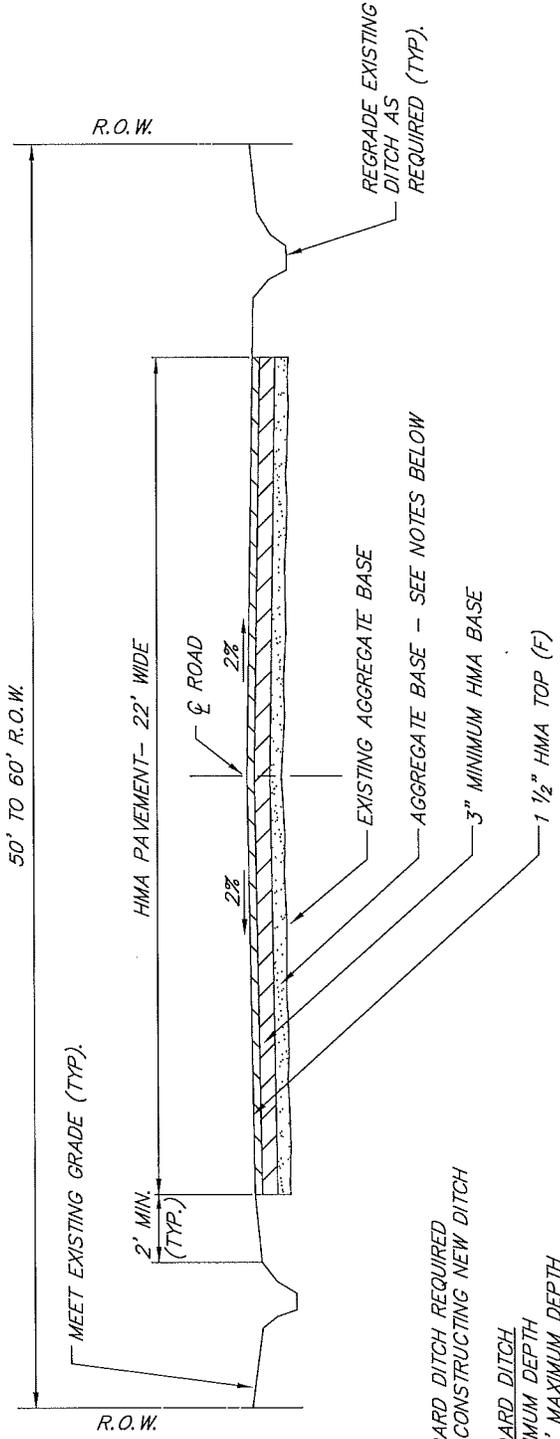
Leake Crest Dr

Dewitt Rd

WADE TRIM  
Prelim cost Est.

SUBJECT McBride Paving  
JOB NO.  
CLIENT: Van Buren Township  
DATE: January 5, 2016  
Bid Date:

PAY ITEM NUMBER	DESCRIPTION	QUANTITY	UNIT	Unit Cost	Eng. Est.
1	Scarify, regrade, and add 3" 21AA agg	8,500	Syd	\$10.00	\$85,000.00
2	Pavement Remove, Butt Joint	50	Syd	\$20.00	\$1,000.00
3	Bituminous Drives, Remove	1,125	Sft	\$2.25	\$2,531.25
4	Concrete Drives, Remove	1,125	Sft	\$3.00	\$3,375.00
6	12" CMP Drive Culverts Including end sections	5	Each	\$1,000.00	\$5,000.00
6	Ditching	1200	LF	\$125.00	\$150,000.00
7	Subgrade Undercut and 21AA Backfill	100	Cyd	\$57.00	\$5,700.00
8	Embankment	200	Cyd	\$13.00	\$2,600.00
9	Maintenance Aggregate	100	Ton	\$23.00	\$2,300.00
10	Aggregate Bleeder	2	Each	\$1,000.00	\$2,000.00
11	Bituminous Leveling Course, LVSP	2200	Ton	\$80.00	\$176,000.00
12	Bituminous Wearing Course, LVSP 20AAA	750	Ton	\$80.00	\$60,000.00
13	Agg Surface Course, 6", Drives	125	Syd	\$5.00	\$625.00
14	Bituminous Drives, LVSP	50	Ton	\$190.00	\$9,500.00
15	Concrete Drive, 6 inch	125	Syd	\$93.00	\$11,625.00
16	Relocate Mailbox, with New Post	27	Each	\$170.00	\$4,590.00
17	Miscellaneous Sign Type B, Perm	100	Sft	\$15.00	\$1,500.00
18	Restoration with 4 inches Topsoil, Seed Fertilizer and Mulch	10,120	Syd	\$12.50	\$126,500.00
19	Traffic Maintenance and Control	1	L.S.	\$12,000.00	\$12,000.00
20	Audio/Video Route Survey	1	L.S.	\$1,200.00	\$1,200.00
21	Inspector Days	\$700.00	\$/Day	23	\$16,100.00
				<b>Total</b>	<b>\$679,146.25</b>
(Items 1 thru 20)				Contingency/Engineering/CE 30%	\$203,743.88



- STANDARD DITCH REQUIRED WHEN CONSTRUCTING NEW DITCH
- STANDARD DITCH
- 1' MINIMUM DEPTH
- 2' 1/2' MAXIMUM DEPTH
- 2' DITCH BOTTOM
- 1:3 MAXIMUM SIDE SLOPES
- 12" MIN. COVER OVER DRIVE CULVERTS.

**NOTES:**

THIS TYPICAL CROSS SECTION IS TO BE USED FOR SPECIAL ASSESSMENT DISTRICT (SAD) LOCAL ROAD PROJECTS ONLY.

THE THICKNESS OF THE PROPOSED AGGREGATE BASE WILL BE AS DETERMINED BY THE WAYNE COUNTY ENGINEER.

IF NEW AGGREGATE BASE COURSE IS UTILIZED, THEN SUBGRADE UNDERDRAIN ON BOTH SIDES OF THE ROADWAY WILL BE REQUIRED OR EXTEND AGGREGATE SUBGRADE TO FACE OF DITCH AS DETERMINED BY THE WAYNE COUNTY ENGINEER.

RIGHT-OF-WAY RESTORATION SHALL CONSIST OF EITHER SEED MIX THIN AND MULCH OVER 3" OF TOPSOIL OR SOD OVER 2" OF TOPSOIL.

DITCH MAY BE ENCLOSED AS DIRECTED BY THE WAYNE COUNTY ENGINEER

USE BOND COAT SS-1h BETWEEN EACH HMA LIFT AT A RATE OF 0.05 GAL/SYD

WORK THIS SHEET WITH THE GENERAL NOTES ON RS-1.

REVISION DATE: 08/01/07
DIRECTOR OF ENGINEERING
DIVISION PERMIT ENGINEER

WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES  
 ENGINEERING DIVISION/PERMIT OFFICE  
 PERMIT STANDARDS  
**TYPICAL (SAD) HMA LOCAL ROAD OVER EXISTING AGGREGATE  
 OPEN SHOULDER**

SCALE NOT TO SCALE
<b>L-2</b>
SHEET 1 OF 1

NOTE: THIS IS NOT A LEGAL ENGINEERING DOCUMENT BUT AN ELECTRONIC DUPLICATE. THE ORIGINAL SIGNED COPY FOR PUBLICATION IS KEPT ON FILE AT THE WAYNE COUNTY ENGINEERING OFFICES.

## Akers, Ron

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**From:** Nummer, David <DNummer@WadeTrim.com>  
**Sent:** Wednesday, June 7, 2017 2:21 PM  
**To:** Akers, Ron  
**Subject:** McBride Paving Project

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

In March of 2016 Wade Trim provided an Estimate of Probable Construction Cost for the paving of McBride Avenue from Beck Road to Quirk Road. It is our understanding that the project may go to construction this year. Since the project has been delayed a year for construction we would recommend that the estimated cost be increased by 5% to account for changes in construction industry costs and for inflation.



**David M. Nummer**, Professional Engineer  
25251 Northline Road, PO Box 10, Taylor, MI 48180  
734.947.2793 office | 734.947.9726 fax

Engineering | Landscape Architecture | Operations | Planning | Sciences | Surveying



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Please consider the environment before printing this message.

This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged and/or confidential under applicable law. If you are not the intended recipient, please notify the sender by electronic mail or telephone and delete the original message without making any copies; any unauthorized viewing, copying, disclosure or distribution of this information may be subject to legal restriction and penalty.

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

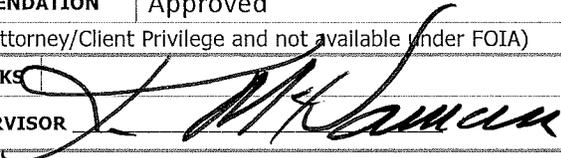
**Work Study: June 19, 2017**  
**Board Meeting Date:**

## REQUEST FOR BOARD ACTION

	Consent Agenda	New Business x	Unfinished Business	Public Hearing
<b>ITEM (SUBJECT)</b>	Accounting Coordinator			
<b>DEPARTMENT</b>	Clerk's Office			
<b>PRESENTER</b>	Clerk Wright			
<b>PHONE NUMBER</b>	734.699.8908			
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	Carol Towles			

### Agenda topic

<b>ACTION REQUESTED:</b>	
To consider approval of Accounting Coordinator Personal Service Agreement between Carol Towles and the Township, and authorize Supervisor McNamara and Clerk Wright to execute the agreement.	
<b>BACKGROUND -- (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
Carol Towles has been selected for consideration as the Accounting Coordinator which will replace Vern Morse who will retire on July 5, 2017 after 20 years of service. Carol too has 20 years of service under her belt as the bookkeeper and backup for payroll. Over her tenure she has proven to be knowledgeable in accounting matters, responsible, hardworking, dependable and most importantly very well versed in Township policy for salaried and union employees alike.	

<b>BUDGET IMPLICATION</b>	Increase in annual wage
<b>IMPLEMENTATION NEXT STEP</b>	Execution of Personal Services Agreement
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	N/A
<b>ATTORNEY RECOMMENDATION</b>	Approved
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	



## CHARTER TOWNSHIP OF VAN BUREN JOB DESCRIPTION

**Position Title:** Accounting Coordinator

### **Position Summary**

Under the general supervision of the Township Clerk, the position will coordinate, and direct activities of workers engaged in general accounting and fund accounting tasks under the supervision of the township Clerk or his/her designee. Accounting Coordinator will be responsible for monitoring and maintaining a complete set of records of the financial transactions of the township. Employee will be responsible for coordination of annual audit and will assist in budget preparation. This individual may also be called upon to assist other departments in performing tasks requiring the same level of skill and ability.

### **Essential Job Functions, Duties and Responsibilities**

An employee in this position may be called upon to perform any or all of the following essential job functions, duties and responsibilities. These examples are intended to describe the general nature and level of work to be performed by an employee assigned this classification and are not to be construed as an exhaustive list of all job duties performed in this position.

- Coordinates, instruct and directs activities of workers engaged in keeping accounts and records or performing such as bookkeeping activities as recording disbursements, expenses and tax payments.
- Recommends hiring, firing, disciplining, transferring, suspending, training and/or promoting of accounting personnel.
- Coordinates and monitors financial transactions of all funds including General, Water and Sewer, Community Development Block, French Landing Dam, capital improvement, current tax, drug forfeiture, DDA, landfill, Bemis road, Hannan road and Museum.
- Prepares all financial records and reports including but not limited to monthly an annual budgetary reports, monthly and annual expense distribution reports, quarterly wage statement reports, and monthly pension reports.
- Reconcile and balance accounts, deposits, and receipts with financial institutions or appropriate officers.
- Reconcile payroll check listing, update payroll system and monitor individual COBRA payments.
- Post daily cash receipt reports and reconcile daily cash receipts.
- Post annual budget or budget amendments.
- Monitor capital outlay accounts, general fixed assets and water and sewer fixed accounts.
- Post water and sewer depreciation
- Coordinate with Treasurer's office for monitoring of administrative fees, delinquent personal property taxes, current tax fund, uncollectable receivables and revenue accounts.
- Complete all appropriate reports for year-end audit and provide accurate data for independent auditors.
- Perform basic arithmetic/calculator/computer function to enable the compilation of financial data as needed by the department.
- Responsible for payroll processing and reporting to appropriate federal, state and local authorities, as well as, maintaining records pertaining to employee benefits.

- Will assist in filing and the development of filing systems to track correspondence generated relative to the financial operations of the township.
- May perform miscellaneous duties such as composing and typing letters, issuing various permits, preparing agendas and licenses and other tasks from time to time as requested by the Township Clerk or his/her designee.
- May assist in answering department telephone and disbursing incoming correspondence.
- May assist in greeting visitors, ascertaining nature of business and directing visitors to appropriate person or department.
- May assist during elections and may serve as secretary to the various commissions/committees of the township.

### **Required Knowledge, Skills, Abilities and Minimum Qualifications**

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions, duties and responsibilities of the position.

- Bachelor's degree with major in Accounting, Business Administration, related field or work experience in the accounting field will substitute for a degree.
- Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessments, meeting quality standards for services, and evaluation of customer satisfaction.
- Knowledge of Township Policy and Procedures, agency rules, and political process.
- Minimum 5 years' experience

### **Physical Abilities and Work Environment**

While performing the duties of this job, with or without reasonable accommodations, the employee is frequently required to talk or hear. The employee must have normal sight and vision and be able to identify and distinguish colors. The employee is frequently required to read paper documents and view information on a computer screen. The employee frequently is required to stand and walk. The employee is frequently required to use hands to finger, handle or feel. The employee is frequently required to reach with hands and arms above the employee's head or at ninety degrees to the employee's shoulders. The employee is frequently required to climb and descend stairs and ladders. The employee is frequently required to squat, bend, stoop, kneel, crouch or crawl. The employee must occasionally exert up to 20 pounds of force and be able to lift and/or move items of up to fifty (50) pounds.