



AGENDA
Committee on Public Safety
Thursday, June 20, 2019 @ 3:30 p.m.
City Council Conference Room, 10th Floor

Council Member Wood, Chair
Council Member Spitzley, Vice Chair
Council Member Hussain, Member

- 1. Call to Order**
- 2. Roll Call**
- 3. Minutes**
 - June 6, 2019
- 4. Public Comment on Agenda Items**
- 5. Discussion:**
 - A.) RESOLUTION – Appointment; Aaron I Milton; At-Large Member of the Board of Police Commissioners; Term to Expire June 30, 2023
 - B.) RESOLUTION –Code Compliance Request: Make Safe Demolish Extension:3815 Marion
 - C.) RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendments to Chapter 664, Section 664.01; Conduct Breach of Peace; Municipal Infraction
 - D.) RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendments to Chapter 658, Section 658.04; Clarification on Blocking, Crowding or Obstructing Passage
 - E.) RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendments to Chapter 658, Section 658.05; Regulating Conduct of Telecommunications
 - F.) DISCUSSION: Update - Walnut Park LPD Sub Station
 - G.) DISCUSSION: City Attorney Update - 3801 Walton
 - H.) DISCUSSION: Parking Ordinance; Chapter 404, Section 404.12
- 6. Other**
- 7. Adjourn**

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MINUTES

Committee on Public Safety
Thursday, June 6, 2019 @ 3:30 p.m.
City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting was called to order at 3:30 p.m.

ROLL CALL

Council Member Carol Wood, Chair
Council Member Patricia Spitzley, Vice Chair
Council Member Adam Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney – arrived at 3:32 p.m.
Joseph Abood, Chief Deputy City Attorney- arrived at 3:32 p.m.
Jodi LeBombard, Ingham County Animal Control
Barb Davidson, 911 Dispatch Interim Director
Bruce Gaukel, 911 Dispatch
Lt. Backus, LPD
Scott Sanford, Code Compliance
Teri Morton, Deputy Ingham County Controller
Helen Hansens
Maryellen Purificato
Rachel White
Andy Kilpatrick, Public Service Director

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MAY 16, 2019. MOTION CARRIED 3-0.

Public Comment

No public comment at this time.

DISCUSSION/ACTION

DISCUSSION: Animal Control w/LPD, Ingham County and Dispatch

Ms. Hansens stated she was present to look for clarification on which department addresses complaints for violent dogs, she then provided her past experience with an incident. Council Member Wood noted to Ms. Hansens that the City does have an ordinance for unleashed dogs, unless in a fenced in yard and on leash means to have it under control, with a ticket offense up to \$500 per incident. The goal of the meeting today she stated was to determine the procedures in place so Council can articulate to the public what steps, who to call per type

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of complaint. Council Member Spitzley asked if Ms. Hansens filed a complaint with the Prosecutors Office and it was confirmed, however she had not spoken to them recently to find out the status. Lt. Backus confirmed that LPD typical response is a drive thru and a medical response is sent out also. They do a drive through to determine if the dog is still at large and any further danger to the public. Council Member Wood noted that with the complaint by Ms. Hansens she was asked by 911 if she needed medical attention and she told them no, and Ms. Hansens confirmed that, but that she was also told an officer would be sent out and they weren't. Lt. Backus confirmed that the LPD policy for a dog bite is to contact animal control, on days when animal control is not available, and it is not LPD primary charge, they do have a dog snare method but the officers do not have extensive training on that. In the case of a call of a dog bite when animal control is working, Lt. Backus confirmed they (animal control) does come out and use their protocol to address the situation. Council Member Wood asked if after an incident if the information goes to the City Attorney so they can issue a ticket. Lt. Backus stated they process with animal control, however anything with unleashed, or unlicensed dogs does get forwarded onto the City Attorney. In the case of an aggressive, or aggressive manner it could potentially be sent to the Prosecutor's office Mr. Smiertka clarified the City ordinances which is not a ticket, but with a police report for a complaint warrant for a misdemeanor of \$500, or if there is a dog at large and a person can file a police report and if they know the owner this can be filed to start the process. Lt. Backus confirmed he would forward the information from today onto the LPD, and Ingham County was asked to follow up on Ms. Hansen's case with the prosecutors. Ms. LeBombard acknowledged that sometimes it is "merky" if the LPD is to start the charge and then the County pursue at their end. Council Member Spitzley agreed the process needed clarity and they need to repair the disconnect in the case of after-hours and weekends. Ms. Morton added that Animal Control recently requested additional funds of \$22,000 for their FY2020 budget to be used for on call hours, so they are hopeful it will get approved. If it does it will more than likely not start until January 2020. Ms. Hansens noted to the group that it appears the 911 Dispatch did not tell the officer to come to her house, so there was a disconnect there. Ms. Davidson explained to Ms. Hansens the 911 policy is for a dog bite or dog at-large is (1) to find out who the at-large dog belongs to and if it is still at-large, then make contact with the victim. So to Ms. Davidson it was not unusual for the LPD to drive through the neighborhood because they were more than likely looking for an aggressive dog that was still at-large. She then did also apologize for no contact by an officer, but encouraged her and all present that if they call 911 Dispatch and are told or ask for someone to come to their home, if they do not arrive to definitely call 911 Dispatch back. Council Member Hussain asked if during typical business hours if there is an aggressive or unleashed dog who do they call, and were told 911, and for a barking dog it is LPD. During regular business hours a complaint on a loose dog would go to Animal Control. Council Member Wood asked Ms. LeBombard asked if during business hours and Animal Control is called to a loose do if they pick it up and return it directly to the owner, and also if they could educate their officers on the City leash ordinance. Ms. LeBombard confirmed that if they locate the owner they give them a verbal warning if there is no aggression, then provide a warning and a letter for the second violation, then with the third violation they send to the prosecutor. She also agreed to distribute the City brochures if they could be provided to her. Council Member Wood asked Mr. Smiertka if the OCA gets the information can they or do they send out letters. Mr. Smiertka confirmed they do if it is something the City can address. If it is a dog roaming on a regular basis they can write something under the City Ordinances but will still need a police report and the complainant to sign the complaint. Council Member Spitzley asked what the owner could be charged with if the dog does bite. Lt. Backus stated under State law, if the owner brings the animal out to attack, that is criminal, and Mr. Smiertka confirmed a dog bite itself is a civil action. Ms. LeBombard noted at the County level with the prosecutor it is a misdemeanor.

Ms. Boak stated she would email the leash ordinance flyer to Ms. LeBombard.

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It was summarized for the group that LPD officer are or will be made aware that if the complainant knows where the dog lives they can file a police report and file a complaint with the City Attorney office. Lastly, Ms. LeBombard was asked to follow up with Ms. Hansens on her case with the County Prosecutor.

RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 3005 Herrick Drive

Mr. Sanford outlined the timeline and values on the home. It was red tagged on 9/1/2017, Demolition Board made their determination on 2/28/2019 for 60 day make safer or demolish, and the SEV came in at \$38,000 with an estimate of repairs at \$78,000. Mr. Sanford also confirmed they have not received any contact or communication from the owners. They have signed for all the paperwork that is sent to them, but not contacted the offices.

MOTION BY COUNCIL MEMBER HUSSAIN TO SET THE SHOW CAUSE HEARING FOR 3005 HERRICK DRIVE FOR JUNE 24, 2019. MOTION CARRIED 3-0.

RESOLUTION- Set Show Cause Hearing; Make Safe or Demolish; 410 S. Francis

Mr. Sanford outlined the timeline and values of the property. It was red tagged on 6/2/2018, Demolition Board made their determination on 3/28/2019 for 30 days make safe or demolish because it was a fire damaged property. The SEV came in at \$15,600 with an estimate of repairs at \$63,095. Lastly, Mr. Sanford confirmed as with the earlier case, they have not gotten any communication or contact from the owners. Council Member Wood asked him to determine who Sunnyside of the Street LLC (listed taxpayer) was.

MOTION BY COUNCIL MEMBER HUSSAIN TO SET THE SHOW CAUSE HEARING FOR 410 S FRANCIS FOR JUNE 24, 2019. MOTION CARRIED 3-0.

Mr. Sanford informed the Committee that the property where they adopted a 60 day Make Safe and Demolish (3815 Marion) in March has been repairs with assistance from their church. He asked if he should provide a memo stating as such and asking for an extension on the make safe or demolish. Mr. Smiertka confirmed he should provide something in writing asking for an extension. Mr. Sanford confirmed he would bring to the June 20th Committee meeting for action.

Ms. White referenced two homes on Hillcrest between MLK and Pleasant Grove that appeared to be tagged, and Mr. Sanford stated he would have his officers' drive by.

Council Member Wood asked Mr. Sanford what the time allotted for tall grass was, and was told two (2) days. She then relayed a message from Ingham County Treasurer Eric Schertzing that asked for additional time on their notices. Mr. Sanford confirmed that any Land Bank homes or County Reverted homes they do not send letters to, but call them.

Council Member Hussain asked for code and legal options to enforce a dilapidated fence between West Cavanaugh Apartments and the neighboring property. Law confirmed it should be confirmed who owns it for enforcement but they can bring in both property owners and cite them both.

Council Member Spitzley inquired into the recent influx of community newspapers in the street, gutter and sidewalks. It was noted there was an ordinance that stated they can be delivered but they have to be placed on the porch, door, etc. Mr. Smiertka asked her to forward to his office any pictures.

DISCUSSION: City Attorney Update - Walnut Park LPD Sub Station

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Mr. Abood informed the Committee he spoke to Chief Yankowski who stated he has not been able to secure a date with the owner, Mr. Whitsett, on site, so Mr. Abood was not able to provide a timeline to the Committee at this time. Mr. Abood did note that the Chief informed him he felt confident the substation would be installed. Council Member Wood asked for a letter to be sent to Mr. Whitsett from the Committee stating the importance of the substation and requesting future meeting times for the Chief or LPD and them to meet on site. It was confirmed that Ms. Boak would draft the letter.

DISCUSSION: City Attorney Update - 3801 Walton

Mr. Abood confirmed they had a meeting, and Council Member Garza was not able to attend, and he apologized for not including one of this Committee members in the meeting. Mr. Kruger provided a tenant list to him and Officer Colby will be reviewing the list. The security cameras were installed but not working because Mr. Kruger stated to Law he did not know how to work them, therefore had a meeting scheduled with the security company. Council Member Wood asked if he had registered them and Council Member Hussain asked for a list of recent calls for service at the property. Mr. Smiertka referenced the letter from Mr. Kruger where it appeared he did comply, however Mr. Abood noted that Officer Colby stated to him that it appeared the owner has not complied to everything. Council Member Wood stated the topic would be on the June 20th Committee meeting, and if all things were not complied with she would be asking Law to pursue under the nuisance ordinance.

DISCUSSION: City Attorney Update - Logan Square

Mr. Abood confirmed he held a discussion with the Chief and there is no update and he did relay to the Chief the concerns on potential perceived gambling establishments or locations. The LPD confirmed they were aware of the Asian Café on the property, and the law is making sure all ordinances and State laws are being complied with. Ms. White asked about other locations of potential perceived gambling in the area, and Mr. Abood stated Law might already be aware of them, however there was nothing given to him that he can report on.

DISCUSSION: City Attorney Update - Pleasant Grove/Holmes

Mr. Abood confirmed at the last meeting there was a question into if the cameras inside were installed and operating. Mr. Abood performed a site visit prior to this meeting and counted 6-10 cameras and told they were operating and video retention 7-10 days, and stated he then asked for a glass of ice and told they do not sell those. He confirmed also that in his surprise visit the store was neat, clean and the same operator is always on site.

Ms. White asked if they were going to be forced to remove the concrete barriers. Mr. Abood acknowledged that the owners have continually stated they purchased them, cannot return them and have no ability to move them. Ms. White asked for a copy of the LPD trespass letter so she could complete it and give to other tenants, and Council Member Wood stated she would provide it to her.

DISCUSSION: Parking Ordinance; Chapter 404, Section 404.12

Mr. Abood presented Draft 2 noting he made changes based on the minutes and notes from the last meeting.

Page 2- line 18-19 added "land line"

Regarding the request for a definition for "motor vehicle" Mr. Abood clarified that the City already adopts the Michigan Vehicle Code which has it, but regarding other types of vehicles it is noted later in the draft specifics to axles.

Page 3 – line 3-5 – new language on the need for an explanation by the applicant for a need to park on the street.

Page 4 – line 8-10 was moved to page 3

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Page 5 – removed the annual fee pro-rate because the Committee determined they would not be offering a pro rate. Mr. Kilpatrick asked why they were not interested in it, and the Committee stated they did not anticipate a large fee, nor need for the work to calculate and determine the cycling of the fees for individual users.

Page 7 - lines 15-22 spoke to types of recreational vehicles and also number of permits annually or temporary for each dwelling or structure. He did clarify that the OCA recommends not using “dwelling” but consider “residential parcel”. Mr. Kilpatrick questioned how one apartment complex could only have one. Mr. Abood noted that in past discussions the Committee determined the apartment complexes should already have their own parking lots.

Page 8 – line 1-2; Committee determined that the temporary permit should be for 72 hours and they could get 4 per year.

Council Member Wood asked that discussions on enforcement be determined before the ordinance is adopted. Mr. Abood at this time acknowledged he has been in discussions with Public Service and Parking and there is new technology the City will review before the next meeting that could be implemented into this program, but also they would consider suggestions.

Council Member Wood asked Mr. Kilpatrick his understanding of the Committee intention that no permits will be issued for streets that already state “no parking” or “no parking this side”, or any other parking restrictions.

Council Member Spitzley left the meeting at 4:51 p.m.

If an issues comes up, she added they will have to go to parking to request a traffic order be written to remove the current traffic control order. Mr. Kilpatrick acknowledged his office is on the same page as the Committee on this. If they have an issues with permits being issued and creating too much parking, they will have to do a parking order to restrict.

Council Member Wood recapped the process of these changes, which includes evaluating equipment on how to issue and enforce, look into the enforcement and if there will need to be something written to only leave for parking to enforce or will allow LPD enforce. Mr. Kilpatrick noted that if the permit is visual anyone can enforce, but if they go with a scanner system not everyone will have the equipment. He then noted that currently they addressing the implementation of signage because they do not want to install thousands of signs, so have considered “Overnight Parking by Permit Only” at all the gateways to the City. Council Member Wood lastly encouraged Mr. Kilpatrick and Law to make sure once the ordinance is passed that the information be provided in all media, brochures and websites as possible.

OTHER

Council Member Hussain asked what the City could do with a property not in the City on Waverly. Council Member Wood stated they could invited the Township and County appropriate representatives into a future Committee meeting and help them write an ordinance.

Mr. Abood informed the Committee that the OCA is working on other ordinance amendments he could not be specific on at this time, but the Committee would see in the future.

ADJOURN

Adjourned at 5:00 p.m.

Submitted by Sherrie Boak, Recording Secretary

Lansing City Council

Approved as presented: _____

Boak, Sherrie

From: noreply@civicplus.com
Sent: Friday, April 5, 2019 2:12 PM
To: Plummer, Marilyn; Beason, Ross; Schraft, Matthew; Mayor Intern
Subject: Online Form Submittal: Application for Appointment to Board or Commission

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or Committee.

Certain boards, commissions or committees require appointees to be a registered elector in the City of Lansing (Charter Section 2-102) and be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

Appointees to every board, commission or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2) and not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

Lansing City Charter, Section 5-104, Ineligibility For Boards, restricts certain City employee activities on some boards: "No person holding another City office or activity employed by the City shall be eligible to be a voting member on any board."

(Section Break)

Date	4/5/2019
First Name	Aaron
Middle	I
Last Name	Milton
Other name(s) by which you have been known, including maiden names	<i>Field not completed.</i>
Date of Birth	
Address	2914 Woodview Drive
City	Lansing

State	Michigan
Zip Code	48911
Email	miltonaaron45@yahoo.com
Gender	Male
Ward	1
Precinct	Southside
Best phone number to contact you	5174103830
Last 4 digits of social security number	
In what year did you move to Lansing?	1964
Additional information regarding experience and credentials	Ordained Bishop
Occupational Background	General Motors Chaplain
Educational Background	Seminary background
Previous Appointments	<i>Field not completed.</i>
Current Appointments	<i>Field not completed.</i>
Please attach a resume if available	Bishop Milton BIO.docx
First choice for board to serve on	Mayor's Diversity Advisory Council
Second choice of a board to serve on	Martin Luther King, Jr. Commission
Third choice of a board to serve on	Ethics Board
Fourth choice of a board to serve on	Police Commissioners
Please comment briefly on why you wish to serve on a particular board or	Public service is what ministry is about. It is my goal to work with a diverse group of talented and passionate people in our community, including highly accomplished individuals in their

commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission

professional fields and very engaged citizens who are willing to do amazing things in our community. It is my goal to jointly create campaigns and make changes on issues such as community improvements.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office

Eager to work in harmony and unity to accomplish a task; good listening and communication Skills, honesty, good longstanding work Ethic, determination and Persistence, Eager and Willing to Add to what's been working and adding Knowledge Base and Skills, Problem-Solving Skills are my ultimate target and being loyal to the cause

Background Check Authorization

I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge

Aaron Milton

Date & Time

4/5/2019

Email not displaying correctly? [View it in your browser.](#)

The Man-Servant, The Shepard, The Bishop



Bishop Aaron Milton

Bishop Aaron Milton was born in Cotton Plant, Arkansas to the late Deacon Rush and Missionary Alberta Milton. He was introduced to Christ at an early age and attended Cotton Plant Church of God in Christ under the leadership of Pastor B.T. Adams. He was (15) years old when he began to transport the saints to church.

Bishop Aaron Milton has been married to First Lady Evangelist Virgie Milton for over 50 years. Together they have (9) children, (19) grandchildren; (17) great-grand grandchildren. They are adoptive parents that took the responsibility of caring for hundreds of foster children and are highly respected for being community parents.

Bishop Aaron Milton attended Cotton Plant Vocational High School and later completed his education in Lansing, Michigan. He completed the Charles Harrison Mason Theology Seminary College. He continued his education through attending the Employee Chaplaincy Training Sessions through General Motors, as well as completing the Roseville Police Academy.

Bishop Aaron Milton has an Apostolic anointing on his life. He has served in the ministry for over (50) years. He currently serves as Volunteer Chaplain at the Ingham County Sheriff's Office and served 2 years as the Lieutenant Chaplin at the Ingham County Jail. He is currently the Superintendent of Central District, Director of the non-profit organization Young Men of Stature Program and widely respected as a Community Pastor.

Bishop Aaron Milton is a retiree of Fisher Body Plant, where he faithfully served as a dedicated employee for over 35 ½ years. He was appointed as the first compensated Chaplin/EAP Representative in General Motors Corporation, where he served over 4,000 hourly and salaried workers. He served as a source of spiritual and emotional support for staff members and their families. He was best known for his kind and passionate style of ministering to employees, providing spiritual counseling and crisis intervention. He was able to build a strong relationship between employees and employers. Bishop Milton attended conferences and sat on committee panels regularly to create and develop new strategies to help serve the EAP Program. He was in charge of (12) other volunteer Chaplains and trained them to build effective relationships with the employees they serve.

Bishop Aaron Milton was called to the Ministry in 1977 under the leadership of Pastor Lloyd Wiggins at Morning Star Church of God in Christ. He received his ministry license in 1980 and served in every capacity of the church. He was later ordained as an Elder in 1982 under Bishop Seth Baily. Additionally, he served under the tutelage of his spiritual mentors, Superintendent Perry Robinson and Superintendent B.T. Rimson and was filled with the Holy Ghost under his Spiritual Father, Superintendent Non Walker.

Bishop Aaron Milton received an open vision from the Lord which said, "GATHER MY PEOPLE, MY PEOPLE ARE ON DEATH ROW!" In November of 1983, Bishop Milton and Evangelist Milton started Jesus of Nazareth Church of God in Christ originally in their home. The membership grew quickly, so they relocated to the YMCA, then to 611 Samantha Street in Lansing. "For every vision, the Lord gives provision", and with that, the membership expanded even larger. Through a miraculous wonder, God provided supernatural resources to purchase Jesus of Nazareth Church of God in Christ, 4331 Sycamore Street in Holt, Michigan. This location made history being the first African-American church congregation in Holt, Michigan. In 1986, while serving under Superintendent Non Walker, Bishop Milton he was found worthy of promotion and was appointed as the Superintendent of District 15.

Bishop Aaron Milton is a founding member along with Administrative Assistant Louis C. Hunter, Administrative Assistant Dank Tyler, and Administrative Assistant J.C. Lewis and their wives, respectively, of Southwest Michigan Fourth Ecclesiastical Jurisdiction. He served in Southwest Michigan #4 for 27 years until the recent honor of his apostolic elevation to the office of the Bishopric. He was recently recommended by First Presiding Assistant P.A. Brooks, as the Bishop and successor to the Honorable late Bishop Fred Lewis.

Bishop Aaron Milton, like Enoch, walks with God. The foundation of his ministry success is his obedience and closeness to God, and his faithfulness to sacredly discharge his ecclesiastical duties in holiness and righteousness.

Bishop Aaron Milton is a powerful preacher, praying man, a prolific kingdom servant, and a leader of leaders. Now and in the future, Bishop Milton will continue to uphold the integrity of ministry and exemplify the heart and vision of God in his leadership of the Jurisdiction and to the saints that comprise it.

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Aaron I. Milton of 2914 Woodview Drive, Lansing, MI 48911 as an At-Large Member of the Board of Police Commissioners for a term to expire June 30, 2023; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Public Safety met on June 20, 2019 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Aaron I. Milton of 2914 Woodview Drive, Lansing, MI 48911 as an At-Large Member of the Board of Police Commissioners for a term to expire June 30, 2023.



**Material Not Available at the time the
packet was published.
Please continue to check back for
updates on this document**

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of an amendment to Chapter 658, Section 658.04 to clarify the places where crowding, obstructing or blocking of passage is prohibited; and providing for warning by a law enforcement officer to cease such behavior.

The Ordinance is referred to the Committee on Public Safety

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 8, 2019 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering an amendment to Chapter 658, Section 658.04 to clarify the places where crowding, obstructing or blocking of passage is prohibited; and providing for warning by a law enforcement officer to cease such behavior

Interested Persons are invited to attend this Public Hearing

1 Section 3. Should any section, clause or phrase of this ordinance be declared to be
2 invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
3 other than the part so declared to be invalid.

4 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
5 immediate effect by City Council and shall expire May 21, 2029.

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Approved as to form:

City Attorney

Dated: _____

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of an amendment to Chapter 658, Section 658.04 to clarify the places where crowding, obstructing or blocking of passage is prohibited; and providing for warning by a law enforcement officer to cease such behavior.

The Ordinance is referred to the Committee on Public Safety

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Interested Persons are invited to attend this Public Hearing

1 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
2 inconsistent with the provisions are repealed.

3 Section 3. Should any section, clause or phrase of this ordinance be declared to be
4 invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
5 other than the part so declared to be invalid.

6 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
7 immediate effect by City Council and shall expire May 21, 2029.

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Approved as to form:

City Attorney

Dated: _____

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of an amendment to the telephone harassment ordinance in its entirety, Chapter 658, Section 658.05, by defining and regulating the conduct of telecommunications access device harassment, and to provide penalties thereof.

The Ordinance is referred to the Committee on Public Safety

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 8, 2019 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering an amendment to the telephone harassment ordinance in its entirety, Chapter 658, Section 658.05, by defining and regulating the conduct of telecommunications access device harassment, and to provide penalties thereof.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO: _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE TELEPHONE HARASSMENT ORDINANCE IN ITS ENTIRETY, SECTION 658.05 OF THE LANSING CODIFIED ORDINANCES, BY DEFINING AND REGULATING THE CONDUCT OF TELECOMMUNICATIONS ACCESS DEVICE HARASSMENT, AND TO PROVIDE PENALTIES THEREOF.

THE CITY OF LANSING ORDAINS:

That Section 658.05 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

658.05.

(A) DEFINITIONS.

(1) “TELECOMMUNICATIONS” AND “TELECOMMUNICATIONS SERVICE” MEAN ANY SERVICE LAWFULLY PROVIDED TO FACILITATE THE ORIGINATION, TRANSMISSION, RETRANSMISSION, EMISSION, OR RECEPTION OF SIGNS, DATA, IMAGES, SIGNALS, WRITINGS, SOUNDS, OR OTHER INTELLIGENCE OR EQUIVALENCE OF INTELLIGENCE OF ANY NATURE OVER ANY TELECOMMUNICATIONS SYSTEM BY ANY METHOD, INCLUDING, BUT NOT LIMITED TO, ELECTRONIC, ELECTROMAGNETIC, MAGNETIC, OPTICAL, PHOTO-OPTICAL, DIGITAL, OR ANALOG TECHNOLOGIES.

(2) “TELECOMMUNICATIONS ACCESS DEVICE” MEANS ANY OF THE FOLLOWING:

1 (i) ANY INSTRUMENT, DEVICE, CARD, PLATE, CODE,
2 TELEPHONE NUMBER, ACCOUNT NUMBER, PERSONAL IDENTIFICATION NUMBER,
3 ELECTRONIC SERIAL NUMBER, MOBILE IDENTIFICATION NUMBER, COUNTERFEIT
4 NUMBER, OR FINANCIAL TRANSACTION DEVICE.

5 (ii) ANY TYPE OF INSTRUMENT, DEVICE, MACHINE,
6 EQUIPMENT, TECHNOLOGY, OR SOFTWARE THAT FACILITATES
7 TELECOMMUNICATIONS OR WHICH IS CAPABLE OF TRANSMITTING, ACQUIRING,
8 INTERCEPTING, DECRYPTING, OR RECEIVING ANY TELEPHONIC, ELECTRONIC,
9 DATA, INTERNET ACCESS, AUDIO, VIDEO, MICROWAVE, OR RADIO
10 TRANSMISSIONS, SIGNALS, TELECOMMUNICATIONS, OR SERVICES, INCLUDING
11 THE RECEIPT, ACQUISITION, INTERCEPTION, TRANSMISSION, RETRANSMISSION,
12 OR DECRYPTION OF ALL TELECOMMUNICATIONS, TRANSMISSIONS, SIGNALS, OR
13 SERVICES PROVIDED BY OR THROUGH ANY CABLE TELEVISION, FIBER OPTIC,
14 TELEPHONE, SATELLITE, MICROWAVE, DATA TRANSMISSION, RADIO, INTERNET
15 BASED OR WIRELESS DISTRIBUTION NETWORK, SYSTEM, OR FACILITY, OR ANY
16 PART, ACCESSORY, OR COMPONENT, INCLUDING ANY COMPUTER CIRCUIT,
17 SECURITY MODULE, SMART CARD, SOFTWARE, COMPUTER CHIP, PAGER,
18 CELLULAR TELEPHONE, PERSONAL COMMUNICATIONS DEVICE, TRANSPONDER,
19 RECEIVER, MODEM, ELECTRONIC MECHANISM OR OTHER COMPONENT,
20 ACCESSORY, OR PART OF ANY OTHER DEVICE THAT IS CAPABLE OF
21 FACILITATING THE INTERCEPTION, TRANSMISSION, RETRANSMISSION,

1 DECRYPTION, ACQUISITION, OR RECEPTION OF ANY TELECOMMUNICATIONS,
2 TRANSMISSIONS, SIGNALS, OR SERVICES.

3 (B) No person shall, by means or use of a ~~telephone~~, TELECOMMUNICATIONS
4 ACCESS DEVICE disturb or tend to disturb the peace, quiet or privacy of any other person or
5 family by repeated and continued ~~telephone messages~~ COMMUNICATIONS intended to harass
6 or disturb the person or family to whom the ~~call~~ COMMUNICATION is directed; or by a single
7 ~~call~~ COMMUNICATION or repeated ~~calls~~ COMMUNICATIONS, use obscene, profane, indecent
8 or offensive language, or suggest any lewd or lascivious act; or attempt to extort money or other
9 thing of value from any person or family; or threaten any physical violence or harm to any person
10 or family, or repeatedly and continuously ~~ring~~ CONTACT the ~~telephone~~
11 TELECOMMUNICATIONS ACCESS DEVICE(S) of any person or family with intent to disturb
12 or harass them. However, the use of ~~the telephone~~ TELECOMMUNICATIONS ACCESS
13 DEVICES for the purpose of requesting payment of debts or obligations in a legal manner or for
14 other legitimate business purposes shall not constitute a violation hereof.

15 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
16 inconsistent with the provisions hereof are hereby repealed.

17 Section 3. Should any section, clause or phrase of this ordinance be declared to be
18 invalid, the same shall not affect the validity of the ordinance as a whole, or any part
19 thereof other than the part so declared to be invalid.

20 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
21 immediate effect by City Council and shall expire May 21, 2029.

22

DRAFT #4
June 4, 2019
Approved as to form:

City Attorney

Dated: _____

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 404 OF THE LANSING CODIFIED ORDINANCES BY CREATING SECTION 404.12 TO PROVIDE FOR CREATION OF OVERNIGHT STREET PARKING ZONES IN PRIMARILY RESIDENTIAL DISTRICTS; TO PROVIDE FOR HOURS OF USE FOR OVERNIGHT STREET PARKING ZONES; TO PROVIDE FOR APPLICATION, PERMITTING, AND PAYMENT RATES FOR OVERNIGHT STREET PARKING ZONES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 404 of the Lansing Code of Ordinances of the City of Lansing is hereby amended to add Section 404.12 as follows:

404.12 – PERMIT FOR OVERNIGHT STREET PARKING IN PRIMARILY RESIDENTIAL DISTRICTS

OVERNIGHT PERMIT PARKING ZONE REGULATIONS AND RESTRICTIONS, INCLUDING LOCATION, TIME PERIODS, AND OFFICIAL SIGNAGE, SHALL BE ESTABLISHED BY ORDINANCE AND CONFIRMED BY ISSUANCE OF TRAFFIC CONTROL ORDERS IN COMPLIANCE WITH UTC R28.1153 (RULE 153). THE CITY ISSUANCE OF PERMITS FOR OVERNIGHT PARKING ON STREETS SHALL BE IN ACCORDANCE WITH THIS SECTION. A PERSON ISSUED A PERMIT UNDER THIS SECTION SHALL COMPLY WITH ALL THE TERMS, CONDITIONS AND RESTRICTIONS OF THE PERMIT AS PROVIDED IN THIS SECTION.

(A) ADMINISTRATION

1 PERMITTING FOR THE OVERNIGHT STREET PARKING PROGRAM SHALL BE UNDER
2 THE SUPERVISION AND ADMINISTRATIVE CONTROL OF THE OFFICE OF THE
3 PARKING MANAGER, INCLUDING PREPARATION OF FORMS, RECEIPT OF
4 APPLICATIONS, ISSUANCE OF PERMITS, AND COLLECTION OF FEES. THE PARKING
5 MANAGER SHALL WORK WITH THE PUBLIC SERVICE DEPARTMENT TO
6 FACILITATE TEMPORARY SUSPENSION OF PERMITS AND / OR ACCOMMODATE
7 PARKING DURING SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES.

8 (B) APPLICATION

9 A PERSON REQUESTING AN OVERNIGHT STREET PARKING PERMIT FOR A MOTOR
10 VEHICLE SHALL FIRST FULLY AND ACCURATELY PROVIDE A COMPLETED CITY
11 APPLICATION FORM AND, UPON REQUEST, SUPPLY THE CITY WITH SUPPORTING
12 SUPPLEMENTAL DOCUMENTATION. THE APPLICATION FORM SHALL REQUIRE AT
13 A MINIMUM THE FOLLOWING INFORMATION:

- 14 1. THE NAME OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE
15 TO BE PERMITTED;
- 16 2. THE PRIMARY RESIDENTIAL ADDRESS OF THE OWNER OR OPERATOR
17 OF THE MOTOR VEHICLE;
- 18 3. THE EMAIL ADDRESS AND CELL PHONE NUMBER AND/OR LAND LINE
19 PHONE NUMBER OF THE OWNER OR OPERATOR OF THE MOTOR
20 VEHICLE TO BE USED FOR CONTACT IN CASE OF TEMPORARY
21 SUSPENSION FOR SNOW REMOVAL, EMERGENCY OR CONSTRUCTION
22 PURPOSES;

1 4. THE MOTOR VEHICLE'S MAKE, MODEL, VEHICLE IDENTIFICATION
2 NUMBER, AND LICENSE PLATE REGISTRATION NUMBER;

3 5. AN EXPLANATION BY THE APPLICANT OF THE NEED TO PARK ON A
4 RESIDENTIAL STREET WITHIN THE ZONE BETWEEN THE HOURS OF 2
5 A.M. AND 5 A.M.

6 SUPPORTING SUPPLEMENTAL DOCUMENTATION INCLUDES, BUT IS NOT LIMITED
7 TO:

8 1. AN EXECUTED LEASE OR OTHER REASONABLE PROOF EVIDENCING
9 THAT THE PERMIT APPLICANT'S PRIMARY RESIDENCE DWELLING
10 UNIT OR ADDRESS IS WITHIN THE ZONE FOR WHICH THE PERMIT IS
11 SOUGHT.

12 2. THE CURRENT, VALID REGISTRATION FOR THE MOTOR VEHICLE FOR
13 WHICH THE PERMIT IS BEING APPLIED;

14 a. IF THE APPLICANT FOR AN OVERNIGHT STREET PARKING
15 PERMIT IS THE OWNER OF THE VEHICLE SOUGHT TO BE
16 REGISTERED AND HIS/HER PERMANENT RESIDENCE IS AT THE
17 ADDRESS FOR WHICH THE PERMIT IS SOUGHT, THEN SAID
18 VEHICLE SHALL BE REGISTERED AT THE PERMANENT
19 ADDRESS AND SHALL HAVE VALID STATE OF MICHIGAN
20 MOTOR VEHICLE PLATES; OR

21 b. IF THE APPLICANT FOR ~~AAN~~ OVERNIGHT STREET PARKING
22 PERMIT HAS HIS/HER PERMANENT RESIDENCE AT THE
23 ADDRESS FOR WHICH THE PERMIT IS SOUGHT BUT THE

1 VEHICLE UNDER HIS/HER CONTROL INDICATES ANOTHER
 2 ADDRESS OF RESIDENCE FOR THE OWNER OF SAID VEHICLE,
 3 THE APPLICANT SHALL BE REQUIRED TO CERTIFY THAT SAID
 4 VEHICLE IS KEPT BY THE APPLICANT AND ONLY AT THE
 5 ADDRESS FOR WHICH THE PERMIT IS REQUESTED AND THAT IT
 6 WILL NOT BE KEPT AT ANY OTHER LOCATION FOR THE
 7 DURATION OF THE PERMIT'S VALIDITY.

8 ~~3.1. AN EXPLANATION BY THE APPLICANT OF THE NEED TO PARK ON A~~
 9 ~~RESIDENTIAL STREET WITHIN THE ZONE BETWEEN THE HOURS OF 2~~
 10 ~~A.M. AND 5 A.M.~~

11 THE PARKING MANAGER IS NOT REQUIRED TO GRANT A PERMIT TO ANY
 12 APPLICANT.

13 (C) ANNUAL PERMIT

14 THE ISSUANCE OF AN ANNUAL OVERNIGHT STREET PARKING PERMIT IS SUBJECT
 15 TO ALL THE FOLLOWING REQUIREMENTS:

- 16 1. THE ANNUAL PERMIT IS VALID ONLY FOR THE MOTOR VEHICLE FOR
 17 WHICH IT IS ISSUED;
- 18 2. THE ANNUAL PERMIT SHALL DISPLAY THE MOTOR VEHICLE'S
 19 LICENSE PLATE NUMBER AND EXPIRATION DATE, AND THE ZONE
 20 WHERE THE PERMIT IS VALID;
- 21 3. THE ANNUAL PERMIT SHALL BE A STICKER THAT IS NOT EASILY
 22 REMOVED, AND MUST BE AFFIXED IN A VISIBLE PLACE ON THE

1 FRONT DRIVER SIDE WINDSHIELD OF THE PERMITTED MOTOR
2 VEHICLE;

3 4. THE ANNUAL PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY
4 DISPLAYED ON THE VEHICLE, WHEN PARKED IN THE DESIGNATED
5 ZONE WHERE THE RESIDENT LIVES;

6 5. THE ANNUAL FEE FOR ANY OVERNIGHT STREET PARKING ZONE
7 PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND SHALL BE
8 FOR THE PERIOD OF JULY 1, UNTIL JUNE 30 OF THE NEXT YEAR;

9 6. AN ANNUAL PERMIT IS ONLY VALID FOR AS LONG AS THE OWNER OR
10 OPERATOR OF THE PERMITTED MOTOR VEHICLE CONTINUES TO
11 HAVE AS HIS OR HER PRIMARY RESIDENCE THE ADDRESS THAT IS
12 WITHIN THE DESIGNATED OVERNIGHT STREET PERMIT PARKING
13 ZONE;

14 7. THE ANNUAL FEE SHALL BE PAID AT THE BEGINNING OF THE PERMIT
15 YEAR OR WHEN THE APPLICATION IS GRANTED, EXCEPT THAT A
16 PAYMENT PLAN MAY BE SET UP AT THE DISCRETION OF THE
17 PARKING MANAGER; ~~THE ANNUAL FEE MAY BE PRO-RATED BY~~
18 ~~MONTH IF THE APPLICANT APPLIES IN THE MIDDLE OF THE PERMIT~~
19 ~~YEAR OR CAN ONLY SHOW CONTINUED RESIDENCE IN THE~~
20 ~~OVERNIGHT STREET PERMIT PARKING ZONE FOR LESS THAN THE~~
21 ~~REMAINING PERMIT YEAR;~~

22 8. A REPLACEMENT ANNUAL PERMIT MAY BE ISSUED ONLY IF ALL OR
23 PART OF THE ORIGINAL PERMIT IS PRODUCED AT THE TIME THAT A

1 REPLACEMENT PERMIT IS APPLIED FOR, OR IF PROOF OF THEFT OF
2 THE VEHICLE IS DEMONSTRATED TO THE SATISFACTION OF THE
3 PARKING MANAGER;

4 9. THE FEE FOR ANY REPLACEMENT ANNUAL PERMIT SHALL BE SET BY
5 RESOLUTION OF CITY COUNCIL.

6 (D) TEMPORARY PERMIT

7 TEMPORARY OVERNIGHT STREET PARKING PERMITS MAY BE ISSUED BY THE
8 OFFICE OF THE PARKING MANAGER IF IT IS DETERMINED THAT CAPACITY EXISTS
9 WITHIN THE APPLICANT'S ZONE. TEMPORARY PERMITS FOR PERSONS WHO DO
10 NOT LIVE IN THE APPLICANT'S ZONE, AND THEIR VEHICLES, MUST BE APPLIED
11 FOR BY AN APPLICANT WITHIN THE ZONE WHO IS WILLING TO SPONSOR THE
12 PERSON WHO WILL USE THE TEMPORARY PERMIT. THE ISSUANCE OF ~~ANA~~
13 TEMPORARY OVERNIGHT STREET PARKING PERMIT IS SUBJECT TO ALL THE
14 FOLLOWING REQUIREMENTS:

- 15 1. THE TEMPORARY PERMIT IS VALID ONLY FOR A PERIOD OF 72 HOURS;
- 16 2. THE TEMPORARY PERMIT SHALL DISPLAY THE ADDRESS OF THE
17 APPLICANT AS WELL AS THE START DATE AND END DATE OF THE 72
18 HOUR PERIOD;
- 19 3. THE TEMPORARY PERMIT SHALL BE A HANGTAG WITH ALL
20 RELEVANT INFORMATION FILLED IN PRIOR TO ITS ISSUANCE AND
21 MUST BE HUNG FROM THE REAR VIEW MIRROR OF THE VEHICLE;

1 4. THE TEMPORARY PERMIT IS VALID ONLY WHEN VISIBLY AND
2 PROPERLY DISPLAYED ON THE VEHICLE, WHEN PARKED IN THE
3 DESIGNATED ZONE WHERE THE APPLICANT LIVES;

4 5. THE FEE FOR ANY TEMPORARY OVERNIGHT STREET PARKING ZONE
5 PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND MUST BE
6 PAID PRIOR TO ISSUANCE OF THE TEMPORARY PERMIT.

7 (E) CONDITIONS ON THE PERMIT AND PERMIT HOLDER

8 THE USE AND VALIDITY OF AN OVERNIGHT STREET PARKING ZONE PERMIT IS
9 SUBJECT TO ALL THE FOLLOWING CONDITIONS:

10 1. A PERMIT MAY BE USED ONLY IN THE OVERNIGHT STREET PARKING
11 PERMIT ZONE FOR WHICH IT HAS BEEN ISSUED;

12 2. A PERMIT MAY BE USED ONLY BY THE PERMIT HOLDER TO WHOM IT
13 IS ISSUED;

14 3. A PERMIT SHALL NOT BE ISSUED FOR ~~TRAILERS OR~~
15 ~~BOATS~~ RECREATIONAL VEHICLES, MOBILE HOMES, TRAILERS,
16 ~~BOATS, OR MOTOR VEHICLES WITH MORE THAN TWO AXLES;~~

17 ~~4. NO MORE THAN [???] PERMITS SHALL BE GRANTED PER EACH~~
18 ~~RESIDENTIAL ADDRESS WITHIN A PERMIT ZONE;~~

19 ~~4. NO MORE THAN ONE ANNUAL PERMIT AND ONE TEMPORARY PERMIT~~
20 ~~MAY BE GRANTED PER EACH DWELLING OR STRUCTURE [note: a~~
21 ~~“dwelling” includes an apartment within a “structure”; consider using “residential~~
22 ~~parcel” if trying to limit proliferation by houses converted to multiunit apartments?]~~

1 WITHIN A PERMIT ZONE AT ANY GIVEN TIME; NO MORE THAN [?]

2 TEMPORARY PERMITS MAY BE GRANTED PER CALENDAR YEAR;

3 5. A PERMIT SHALL NOT GUARANTEE OR RESERVE TO THE HOLDER A
4 PARKING SPACE IN THE PERMIT ZONE;

5 6. A PERMIT SHALL NOT EXEMPT THE HOLDER FROM THE OBSERVANCE
6 OF ANY PARKING OR TRAFFIC REGULATION OR ORDINANCE, OTHER
7 THAN THE SPECIFIED OVERNIGHT PARKING RESTRICTION;

8 7. THE CITY MAY TEMPORARILY SUSPEND A PERMIT FOR SNOW
9 REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES;

10 8. A PERMIT SHALL BE COMPLETELY REMOVED FROM A VEHICLE UPON
11 ITS EXPIRATION OR TERMINATION;

12 9. A PERMIT HOLDER MAY NOT TRANSFER A PERMIT TO ANY OTHER
13 PERSON OR VEHICLE;

14 10. IN THE EVENT A VALID ANNUAL PERMIT HOLDER SELLS, TRANSFERS,
15 OR OTHERWISE DISPOSES OF THE MOTOR VEHICLE FOR WHICH A
16 PERMIT IS GRANTED, THE PERMIT SHALL TERMINATE
17 AUTOMATICALLY;

18 11. AN ANNUAL PERMIT HOLDER WHO DESIRES TO TRANSFER THEIR
19 VALID PERMIT TO A DIFFERENT VEHICLE MUST MAKE A
20 SUPPLEMENTAL APPLICATION TO THE PARKING MANAGER
21 INDICATING THE CHANGE IN VEHICLE, AND MUST TURN IN ALL OR A
22 PART OF THE ORIGINAL PERMIT AS PROOF THAT IT HAS BEEN

1 REMOVED FROM THE MOTOR VEHICLE FOR WHICH THE PERMIT WAS

2 PREVIOUSLY GRANTED;

3 12. IF A PERMIT HOLDER COMMITS THREE PARKING VIOLATIONS IN THE
4 OVERNIGHT PARKING ZONE FOR WHICH THE PERMIT HAS BEEN
5 ISSUED, THE PERMIT, UPON REVIEW, MAY BE REVOKED BY THE
6 PARKING MANAGER;

7 13. IF A PERMIT HOLDER VIOLATES ANY OF THE CONDITIONS IN THIS
8 SECTION, THE PERMIT SHALL AUTOMATICALLY BECOME VOID AND
9 BE TERMINATED AND REVOKED WITHOUT NOTICE.

10 (F) OVERNIGHT STREET PARKING ZONE 1

11 1. [DESCRIBE THE STREETS IN THE ZONE]

12 (G) OVERNIGHT STREET PARKING ZONE 2

13 1. [DESCRIBE THE STREETS IN THE ZONE]

14 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
15 inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and
16 void and of no effect.

17 Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid,
18 the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the
19 part so declared to be invalid.

20 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
21 immediate effect by City Council.