



CITY COUNCIL ACTION REPORT

DATE: December 16, 2009

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
R. Brent Savidant, Acting Planning Director

SUBJECT: Amendment to Chapter 3 - Administrative Service

On the December 21, 2009 City Council agenda, there is a proposed amendment to the Zoning Ordinance to establish a Zoning Administrator position and define the responsibilities for administration and enforcement of the Zoning Ordinance (ZOTA 241).

The proposed amendment to Chapter 3, Administrative Service, authorizes the Zoning Administrator to enforce the provisions of the Zoning Ordinance and other Chapters in the City Code related to blight, nuisance and land use. The amendments provide the Zoning Administrator with the authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the listed chapters of the City Code.

City Management recommends approval of the proposed amendments to Chapter 3, Administrative Service.

Approved as to form and legality:

Lori Grigg Bluhm, City Attorney

Attachments:

1. Draft Chapter 3 Amendments.

Prepared by RBS/MFM

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CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 3 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 3 of the Code of the City of Troy.

Section 2. Amendment

1.141(10) The Zoning Administrator, or his/her designee, shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 16: Garbage and Rubbish

Chapter 34: Sidewalks and Driveway Approaches

Chapter 39: Zoning

Chapter 47: House Trailers and Trailer Courts

Chapter 61: Temporary Merchant Business

Chapter 64: Gasoline Stations

Chapter 67: Dances and Dance Halls

Chapter 69: Miscellaneous Licensed Businesses

Chapter 73: Drive-In Restaurant

Chapter 76: Adult Use Businesses Licenses

Chapter 79: General Building Regulations

Chapter 82: Property Maintenance Regulations

Chapter 82-A: Rental and Dwelling Inspection and Enforcement

Chapter 82-B: Dangerous Buildings

Chapter 83: Fences

[Chapter 85: Signs](#)

[Chapter 88: Nuisances](#)

[Chapter 93: Fire Prevention](#)

[Chapter 97: Coin-Operated Amusement Devices and Arcades](#)

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on _____, 2009.

Louise E. Schilling, Mayor

Tonni Bartholomew, City Clerk