

# Southgate City Council Agenda

## Council Chambers

14400 Dix-Toledo Rd., Southgate, Michigan 48195

Wednesday February 3, 2021

WEB MEETING @ <https://us02web.zoom.us/j/87219229563>

CALL-IN @ + 1-312-626-6799 Passcode: 87219229563

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### 6:30pm **Work Study Session**

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1. Proclamation for Congenital Heart Defect Awareness
2. Officials Reports
3. Discussion of Agenda Items

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### 7:00 pm **Regular Meeting**

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#### *Pledge of Allegiance*

**Roll Call:** Colovos, Farrah, George, Graziani, Rauch, Rollet, Zamecki.

**Minutes:**

1. Work Study Session Minutes dated January 20, 2021
2. Regular City Council Meeting Minutes dated January 20, 2021

*Motion to enter into closed session: Grondin vs City of Southgate, et al./ Case No. 20-12519*

#### **Scheduled Persons in the Audience:**

#### **Consideration of Bids:**

1. Letter from Mayor; Re: Purchase of Copper Tubing Page 7

#### **Scheduled Hearings:**

#### **Communications "A" –**

1. Memo from Director of Public Safety; Re: Retirement/Purchase of K9 Kyro Page 11
2. Memo from Deputy Assessor; Re: March Board of Review 2021 Page 13
3. Memo from Esther Graves; Re: Council Resolution – 2021 Poverty Guidelines Page 14
4. Memo from Administrator; Re: Grondin vs City of Southgate, et al./ Case No. 20-12519 Page 26

#### **Communications "B" – (Receive and File)**

#### **Ordinances:**

1. Second Reading & Adoption of Ordinance Amendment "Hotel, Motel and Extended Stay Hotel; License and Regulation Ordinance" Page 27

#### **Old Business:**

#### **New Business:**

#### **Unscheduled Persons in the Audience:**

**Claims & Accounts: Warrant #1418 \$995,110.07**

#### **Adjournment:**



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**Janice M. Ferencz, City Clerk**

City Council

## **Work Study Session**

January 20, 2021

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*An Informal Meeting of the Council of the City of Southgate was held on January 20, 2021 at 6:30 P.M (Due to the Covid-19 virus, this meeting was via Zoom in accordance with Governor Whitmer's executive order).*

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Present: Bill Colovos, John Graziani, Mark Farrah, Phil Rauch, Chris Rollet, Dale Zamecki

Absent: \*Karen George, \*excused

Also Present: Mayor Joseph G. Kuspa, City Attorney Brandon Fournier, Assistant City Administrator/Finance Director David Angileri, City Clerk Janice Ferencz, City Engineer John Hennessey, Public Safety Director Joseph Marsh, Police Chief Mark Mydlarz, Fire Chief Marc Hatfield, Acting DPS Director Kevin Anderson, Building Inspections Director Bob Casanova and Parks & Recreation Director Julie Goddard.

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*Discussed the following agenda items:*

- Waive Bid / Purchase of CPR Compression Device
- Extension for Joint Crack Sealing Program 2021-2023
- Extension for Spray Patch Repair
- Contract Extension with Carlisle / Wortman
- Recommendation for hosted email exchange
- Receive/File appointment to Municipal Employee Civil Service Commission
- 1<sup>st</sup> reading ordinance amendment "hotel/motel and extended stay hotel; license and regulation
- Ordinance amendment to rezone property located at 16600 Fort Street

This meeting ended at 6:48 pm.

# City of Southgate

## Regular City Council Meeting

### January 20, 2021

A Regular Meeting of the Council of the City of Southgate was held on Wednesday, January 20, 2021 and was called to order at 7:00 PM by Council President John Graziani (**DUE TO COVID-19 VIRUS, THIS MEETING WAS HELD VIA ZOOM, IN ACCORDANCE WITH PUBLIC ACT 254 OF 2020.**)

**This meeting began with the Pledge of Allegiance, followed by roll call.**

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Present: Bill Colovos, John Graziani, Mark Farrah, Phil Rauch, Chris Rollet; Dale Zamecki

Absent: \*Karen George, \*excused

Also Present: Mayor Joseph G. Kuspa, City Attorney Brandon Fournier, Assistant City Administrator/Finance Director David Angileri, City Clerk Janice Ferencz, City Engineer John Hennessey, Public Safety Director Joe Marsh, Police Chief Mark Mydlarz, Fire Chief Marc Hatfield, Acting DPS Director Kevin Anderson, Building Inspections Director Bob Casanova and Parks & Recreation Director Julie Goddard.

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### **Minutes:**

Moved by Colovos, supported Zamecki, RESOLVED, that the minutes of the City Council Work Study Session dated January 6, 2021 be approved as presented. Carried unanimously.

Moved by Zamecki, supported by Farrah, RESOLVED, that the minutes of the Regular City Council Meeting dated January 6, 2021 be approved as presented. Carried unanimously.

### **Communications "A":**

1. Letter from Mayor; Re: Purchase of CPR Compression Device moved by Zamecki, supported by Colovos, RESOLVED THAT the Southgate City Council hereby waives the bid procedure and awards purchase of a CPR Compression Device to Stryker Medical (P.O. Box 93308, Chicago, IL 60673-3308) in the amount of \$13,704.42. BE IT FURTHER RESOLVED THAT adequate funds are available in the Fire Department Budget for this purchase.

Motion carried unanimously.

2. Letter from Mayor; Re: Joint Crack Sealing Program 2021-2023 moved by Farrah, supported by Rauch, RESOLVED THAT the Southgate City Council extends the current contract for Joint Crack Sealing Program for the 2021-2023 seasons to Michigan Joint Sealing, Inc. (28830 W. 8 Mile, Farmington Hills, MI 48336) at the current contract pricing of \$.80/lft. BE IT FURTHER RESOLVED THAT sufficient funds are available in the Major and Local Street Fund under ACT 51 Transportation Expenditures to cover costs for this project.

Motion carried unanimously.

3. Letter from Mayor; Re: Spray Patch Repair moved by Zamecki, supported by Rollet; RESOLVED THAT the Southgate City Council hereby extends the current contract for Spray Patch Repair for the 2021 season with Highway Maintenance & Construction Co. (P. O. Box 74411, Romulus, MI 48174-0411) at the current pricing of \$365 per ton. BE IT FURTHER RESOLVED THAT adequate funds are budgeted in the Major and Local Street Funds to cover the cost of this contract.

Motion carried unanimously.

## Regular City Council Meeting January 20, 2021

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4. Memo from Administrator; Re: Contract Extension with Carlisle / Wortman moved by Colovos, supported by Zamecki; RESOLVED THAT the Southgate City Council hereby extends the current contract for Planning Consultant for the 2021 calendar year with Carlisle/Wortman Associates, Inc. (117 North First Street, Suite 70, Ann Arbor, MI 48104).

Motion carried unanimously.

5. Memo from Administrator; Re: Recommendation for hosted email exchange moved by Farrah, supported by Rollet; RESOLVED THAT the Southgate City Council concurs with the Administration's recommendation to upgrade the email system and go to a cloud based system through Microsoft Outlook and award this purchase from Expert Technology Services (12450 Nixon, Riverview, MI 48195) in the amount of \$7,020 plus a recurring cost of approximately \$720 per month. BE IT FURTHER RESOLVED THAT funds are available in the Police Department Account for this purchase.

Motion carried unanimously.

### **Communications "B":**

1. Memo from Deputy City Clerk; Re: Appointment to Municipal Employees Civil Service Commission moved by Rauch, supported by Zamecki; RESOLVED THAT the Southgate City Council hereby receives/files communications regarding appointment to the Municipal Employees Civil Service Commission.

Motion carried unanimously.

### **Ordinances:**

1. Councilman Farrah gave the first reading of an ordinance amendment "Hotel, Motel, and Extended Stay Hotel; License and Regulation Ordinance"
2. Moved by Farrah, supported by Zamecki, RESOLVED THAT the Southgate City Council hereby waives the first reading and gives the second reading to adopt of an ordinance amendment to conditionally rezone property located at the 16600 Fort Street from M-1 (Light Industrial) to C-2 (General Business. BE IT OTHERWISE known as Ordinance no. 1015.

Motion carried unanimously.

**Regular City Council Meeting**  
**January 20, 2021**

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**Claims and Accounts:**

Moved by Farrah, supported by Rauch, RESOLVED, that Claims and Accounts be paid as outlined on Warrant # 1417 in the amount of \$3,728,754.63.

Motion carried unanimously.

**Adjournment:**

Moved by Colovos, supported by Rauch, RESOLVED THAT this Regular Meeting of the Southgate City Council be adjourned at 7:10 P.M. Carried unanimously.

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John Graziani  
Council President

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Janice M. Ferencz  
City Clerk

# PROCLAMATION

**WHEREAS**, the health and well-being of congenital heart patients is of paramount importance; and

**WHEREAS**, each year in the United States, more than 40,000 babies are born with a congenital heart defect; and

**WHEREAS**, the medical community has identified congenital heart defects as the leading cause of birth defect-related deaths; and

**WHEREAS**, medical research can provide more identifiable means of the origins and symptoms of congenital heart defects; and

**WHEREAS**, there is no cure for congenital heart defects, and it is a lifelong disease requiring ongoing specialized care; and

**WHEREAS**, fewer than 10% of adults with congenital heart disease are receiving recommended care; and

**WHEREAS**, it is crucial that individuals planning a family, fetal clinicians, obstetric physicians, pediatricians, and all those in the medical field have a greater understanding of the potential for congenital heart defects; and

**WHEREAS**, Congenital Heart Defect Awareness Week provides the opportunity for patients and families affected by this condition to share their experiences and knowledge, so that the general public may be aware of how this defect affects our lives.

**NOW, THEREFORE, I, JOSEPH G. KUSPA**, Mayor of the City of Southgate, do hereby proclaim February 7-14, 2021 as

## **Congenital Heart Defect Awareness Week**

in the City of Southgate, and encourage all residents to learn more about Congenital Heart Disease.

GIVEN UNDER MY HAND AND SEAL  
This 3<sup>rd</sup> day of February, two-thousand and twenty-one.

Joseph G. Kuspa, Mayor



JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

JAMES E. DALLOS  
*Treasurer*



## City of Southgate

- CITY COUNCIL -

JOHN GRAZIANI  
*Council President*

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

January 26, 2021

To the Honorable  
City Council  
Southgate, Michigan 48195

Re: Bid for Purchase of Copper Tubing

Ladies and Gentlemen:

Bids for the Purchase of Copper Tubing were received and reviewed by the administration. It is recommended by DPS Director and I concur, that the bid be awarded to Core and Main LP, Canton, Michigan, they are the lowest bidder and meet all specifications.

Adequate funds are available in the Water and Sewer fund to cover costs associated with this purchase.

Your favorable consideration of this matter is requested.

Sincerely,



Joseph G. Kuspa  
Mayor

JGK/law

JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

JAMES E. DALLOS  
*Treasurer*



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CHRISTOPHER P. ROLLET

### MEMORANDUM

**TO:** The Honorable Mayor and City Council

**FROM:** David Angileri, Assistant City Administrator/Finance Director 

**DATE:** January 26, 2021

**RE:** Bid Recommendation for Copper Tubing

I have reviewed the above with the Acting DPS Director and concur with his recommendation to award this bid to, Core and Main LP, Canton, Michigan in the amount of \$2,803.80.

Adequate funds are available in the Water and Sewer Department Budget for this purchase.



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From the Desk of:  
Kevin Anderson  
Acting Director, D.P.S.  
January 20, 2021

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To: David Angileri  
Finance Director

Re: Bid Recommendation for Copper Tubing

I respectfully request to award the bid for Copper Tubing to Core and Main LP, 4901 Dewitt, Canton, MI 48188. They are our current contractor and have provided excellent service to the city. They are also the lowest bidder for this contract.

Core and Main LP 4901 Dewitt Canton, MI 48187 (734) 398-5950
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If you have any questions, please contact me.

Sincerely,

Kevin Anderson



KA/sd

Bid Tabulation attached

**City of Southgate**  
14719 Schafer Court  
Southgate, MI 48195  
(734) 258-3076

Department of Public Services  
Bid Tabulation – Copper Tubing

**Due & Opened: January 15, 2021**

Company	Bid Amount
<b>Core and Main LP</b>	<b>\$2803.80</b>
<b>Decima LLC</b>	<b>\$3863.20</b>
<b>Blue Water Industrial Supply INC.</b>	<b>\$3335.00</b>

# MEMO

To: Honorable Mayor Kuspa

From: Joseph Marsh, Director of Public Safety

Re: Request for K9 Kyro to be purchased by Lt. Brent Newsted

Date: January 24, 2021

Dear Mayor,

Effective January 24, 2021, with the recent promotion of Brent Newsted to Patrol Lieutenant, Lt. Newsted has requested to take police K9 Kyro out of full police service. Lt. Newsted's new responsibilities as a shift commander will prohibit him for using Kyro in a working capacity. Lt. Newsted and Kyro have been partnered since May 5<sup>th</sup>, 2014 and during this time their **Team** effort has resulted in numerous arrests, the confiscation of vehicles, cash, and narcotics. Lt. Newsted and Kyro have also engaged in many community related events and built strong relationships with our community partners. Lt. Newsted's professional dedication has enhanced the image of this Department and K-9 units everywhere, while making our community a safer place to live

As is customary when a police canine retires, the police administration is recommending that pursuant to Section 210.07 of the City Ordinances – Sale or Donation of Property, the City Council pass a resolution approving the sale of Kyro to Lt. Newsted's family effective February 3, 2021, in the amount of \$1.00. I am requesting for this matter to be placed on the February 3<sup>rd</sup> Council Meeting agenda.

Sincerely,



Joseph L. Marsh  
Director of Public Safety

cc: Mayor, Finance Director, City Administrator, Public Safety Commission (7), file

## David Angileri

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**From:** Joseph Marsh  
**Sent:** Thursday, January 21, 2021 4:20 PM  
**To:** Dustin Lent; David Angileri  
**Cc:** Mark Mydlarz  
**Subject:** 120 - Request to Mayor regarding K9 Kyro  
**Attachments:** 120 - Request to Mayor regarding K9 Kyro.doc

Good Afternoon,

We have spoken with Sgt. Newsted whom will be promoted to Lieutenant on Sunday, January 24, 2021. Sgt. Newsted is requesting to take Kyro out of service and we agree given that Newsted's new role will primarily consist of inside duties. Please see the attached request regarding Kyro.

Please let me know if you have any questions.



Joseph Marsh  
Director of Public Safety  
Southgate Police Department  
14710 Reaume Parkway  
Southgate, MI 48195  
Office (734) 258-3046 \* Fax (734) 284-0540

### NOTICE-CONFIDENTIAL INFORMATION

The information in this communication is privileged and strictly confidential. It is intended solely for use by the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, any dissemination, distribution, copying or other use of the information contained in this communication is strictly prohibited. If you have received this communication in error, please first notify the sender immediately and then delete this communication from your records completely.

JOSEPH G. KESPA  
Mayor  
JANICE M. FERRELL  
City Clerk  
JAMES E. DALLOS  
Treasurer



## City of Southgate

CITY COUNCIL  
JOHN GRAZIANO  
Council President  
MARK FARRAH  
KAREN GEORGE  
BILL COLOVOS  
DALE W. ZAMECKI  
PHILIP RAUCH  
CHRISTOPHER ROLLETT

### MEMORANDUM

TO: David Angileri, Finance Director  
FROM: Esther Graves, Deputy City Assessor *EG*  
DATE: January 20, 2021  
RE: March Board of Review – 2021

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This communication is to request that City Council approve the following dates for the 2021 March Board of Review:

Tuesday, March 2<sup>nd</sup> from 9 AM until 7 PM  
Tuesday, March 9<sup>th</sup> from 12 PM until 9 PM  
Tuesday, March 16<sup>th</sup> from 9 AM until 7 PM

The following date may be utilized if necessary:

Thursday, March 18<sup>th</sup> from 9 AM until 7 PM

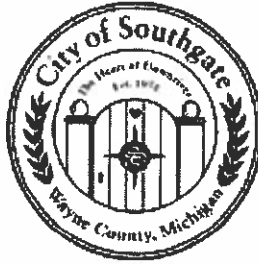
The Board of Review will meet each day for up to ten hours per day with a one hour and 30 min break, if possible. Appointments will be scheduled 5-10 people per hour. Additionally, petitioners will be given the opportunity to appeal by mail if they are unable to appeal in person. Proper COVID protocol will be followed.

In addition, please also approve each Board of Review member's compensation at \$200.00 per day, with \$100.00 per half day. This office also requests that additional expenses be set at \$100.00 per day.

**JOSEPH G. KUSPA**  
*Mayor*

**JANICE M. FERENCZ**  
*City Clerk*

**JAMES E. DALLOS**  
*Treasurer*



## City of Southgate

- CITY COUNCIL -

**JOHN GRAZIANI**  
*Council President*

**MARK FARRAH**

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**DALE W. ZAMECKI**

**PHILLIP J. RAUCH**

**CHRISTOPHER P. ROLLET**

To: David Angileri, Finance Director

From: Esther Graves, Deputy City Assessor

Date: January 29, 2021

Re: Council Resolution – 2021 Poverty Guidelines

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The purpose of this communication is to request that the City Council adopt the enclosed resolution and approve the 2021 Poverty Exemption Guidelines, Policy & Application.

Thank you for your consideration.

## Poverty Exemption Policy

### PURPOSE:

The purpose of this policy is to establish guidelines to be used by the Board of Review in determining whether a homeowner is eligible for a poverty exemption from property taxes.

### SCOPE:

The poverty exemption policy applies to qualified low-income individuals who own homesteads in the City of Southgate. The policy limits the length of poverty exemptions to one year.

### POLICY:

The Board of Review shall use the following guidelines to determine if a property owner qualifies for a poverty exemption from property taxes:

1. Exemptions will be granted to owners of homesteads only. Property must be granted at least a 50% homestead exemption from the State of Michigan.
2. Per, MCL 211.7u(3), the application for consideration must be received by the Assessor's Office at least one day prior to the last session of the Board of Review. The application can be made by mail, if received one day prior to the last session of the Board of Review.
3. All applicants must file a claim with the Board of Review on a form prescribed by the State Tax Commission. The application must be filled out in its entirety and all requested documentation must be attached. If an area does not apply to the applicant, "N/A" must be used. If the application is not complete or requested documentation is not included, the Board of Review will deny the exemption. All pages included with this application must be returned when the application is submitted for review.
4. Per MCL 211.7u(7), a person who files a claim for Poverty exemption IS NOT prohibited from also appealing the assessment on the property to the Board of Review in the same year.
5. The poverty threshold for eligibility for a poverty exemption is the Federal income standards established by the United States Office of Management and Budget for the previous calendar year. To be eligible for a poverty exemption from property taxes, the income of the property owner (household) must be less than the poverty threshold for the number of persons within the household.

6. All income and assets for persons in the household are reported in accordance with a form prescribed by the State Tax Commission.
  - a. Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence must be included with the application including any property tax credit returns. The tax returns may be from the current or preceding tax year. If any person in the household is not required to file federal or state tax returns, the included affidavit, form 4988, must be completed by each person that does not file taxes.
  - b. The most recent statement for all bank accounts, investments, IRAs, CDs, 401Ks, money market, annuities, etc. The statement submitted must be complete with no missing pages and submitted for all persons residing in the home.
  - c. Proof of income/assets from the Social Security Administration, Veterans Administration, Medicare, Medicaid, Bridge Card, and any College/University scholarships for all persons residing in the home.
  - d. The most recent mortgage statement of the primary residence under review, including any reverse mortgages.
  - e. If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.
7. Maximum total allowed assets, including amounts in banking/investment accounts may not exceed the amount of the federal poverty guideline for the number of persons in the household. The Asset Level does not include the primary residence for which exemption is being sought. It does include, but is not limited to:
  - a. A second home, additional land not associated with the primary residence, or other buildings other than the primary residence being sought for exemption.
  - b. Vehicles and other recreational vehicles such as motor homes, campers, ATVs, boats, and motorcycles.
  - c. Jewelry, antiques, artwork, equipment, and other personal property of value.
  - d. Bank accounts, stocks, bonds, and investments. This also includes the money received from the sale of stocks, bonds, investments, cars, and houses unless a person is in the specific business of selling such property.
  - e. Withdrawals of bank accounts and borrowed money.
  - f. Gifts, loans, lump-sum inheritances, and one-time insurance payments.
  - g. Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
  - h. Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.



- i. The total interest income in all accounts (checking, savings, CDs, IRAs, 401Ks, money market, annuities, etc.)
  - j. The applicant shall not have ownership interest in any real estate other than the primary residence being considered for exemption.
8. Applicants that meet the income and asset qualifications will have the taxable value reduced by 50% for the current year.
9. Poverty exemptions shall be granted for one year only. The property owner must apply every year in order to receive an exemption.

**EFFECTIVE DATE:** March 1, 2021

## City of Southgate Application for Poverty Exemption For 2021

### GUIDELINES AND INSTRUCTIONS FOR POVERTY EXEMPTION

- If granted an exemption, it is for the current year only. The Poverty exemption is intended to be a temporary form of assistance.
- Per, MCL 211.7u(3), the application for consideration must be received by the Assessor's Office at least one day prior to the last session of the Board of Review. Board of Review dates are posted annually and may also be found at [www.southgatemi.org](http://www.southgatemi.org) or by calling (734) 258-3007. This application can be made by mail, if received one day prior to the last session of the Board of Review.
- The application must be filled out in its entirety and all requested documentation must be attached. If an area does not apply to the applicant, "N/A" must be used. If the application is not complete or requested documentation is not included, the Board of Review will deny the exemption. All pages included with this application must be returned when the application is submitted for review.
- Per MCL 211.7u(7), a person who files a claim for Poverty exemption IS NOT prohibited from also appealing the assessment on the property to the Board of Review in the same year.

### **Required Documentation to be Attached to Poverty Exemption Application**

- Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence must be included with the application including any property tax credit returns. The tax returns may be from the current or preceding tax year. **If any person in the household is not required to file federal or state tax returns, the included affidavit, form 4988, must be completed by each person that does not file taxes.**
- The most recent statement for all bank accounts, investments, IRAs, CDs, 401Ks, money market, annuities, etc. The statement submitted must be complete with no missing pages and submitted for all persons residing in the home.
- Proof of income/assets from the Social Security Administration, Veterans Administration, Medicare, Medicaid, Bridge Card, and any College/University scholarships for all persons residing in the home.
- The most recent mortgage statement of the primary residence under review, including any reverse mortgages.
- If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.

### **Common Reasons for Denial of Poverty Exemption Application**

Below are common reasons (but not an exhaustive list) of why a claim for Poverty Exemption is denied:

- Failure to fill out all areas of the application, including "N/A" in areas not applicable to the applicant or signing the application.
- Failure to include State and Federal Income taxes or property tax credit returns for current or one preceding year for all persons residing in the home. **Please note that the property tax credit returns are required to be filed with this application. Property tax credit returns (such as Michigan 1040CR) can still be filed with the State of Michigan even if the applicant does not file income taxes.**
- Failure to include complete banking/investment account and mortgage statements for all persons residing in the home. All pages must be submitted.

## **INCOME GUIDELINES FOR POVERTY EXEMPTION**

*This amount published annually by the US Dept. of Health and Human Services*

*\* Per Michigan State Tax Commission Bulletin number 17 of 2020,  
"Procedural changes for 2021," October 20, 2020*

<b><u>Number in Family</u></b>	<b><u>Income</u></b>
1 member	\$ 12,760
2 members	\$ 17,240
3 members	\$ 21,720
4 members	\$ 26,200
5 members	\$ 30,680
6 members	\$ 35,160
7 members	\$ 39,640
8 members	\$ 44,120
For each additional person	\$ 4,480

**According to the US Census Bureau, "income" includes:**

- Money, wages, and salaries before any deductions
- Net receipts from non-farm self-employment. (These are receipts from a person's own business, professional enterprise, or partnership, after deductions for business expenses.)
- Net receipts from farm self-employment. (The same provisions as above for self-employment.)
- Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments and public assistance.
- Alimony, child support, and military family allotments.
- Private pensions, governmental pensions, and regular insurance or annuity payments.
- College or university scholarships, grants, fellowships, and assistantships.
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

## **ASSET LEVEL GUIDELINES FOR POVERTY EXEMPTION**

*The Asset Level does not include the primary residence for which exemption is being sought. It does include, but is not limited to:*

- A second home, additional land not associated with the primary residence, or other buildings other than the primary residence being sought for exemption.
- Vehicles and other recreational vehicles such as motor homes, campers, ATVs, boats, and motorcycles.
- Jewelry, antiques, artwork, equipment, and other personal property of value.
- Bank accounts, stocks, bonds, and investments. This also includes the money received from the sale of stocks, bonds, investments, cars, and houses unless a person is in the specific business of selling such property.
- Withdrawals of bank accounts and borrowed money.
- Gifts, loans, lump-sum inheritances, and one-time insurance payments.
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.
- The total interest income in all accounts (checking, savings, CDs, IRAs, 401Ks, money market, annuities, etc.)
- The applicant shall not have ownership interest in any real estate other than the primary residence being considered for exemption.

**Maximum total allowed assets, including amounts in banking/investment accounts may not exceed the amount of the federal poverty guideline for the number of persons in the household. See above for what is considered an asset.**

**Poverty Exemption Worksheet**  
**Copy Provided to Applicant After Board of Review Meeting**

Parcel Number: \_\_\_\_\_

Year: \_\_\_\_\_

Property Address: \_\_\_\_\_ Applicant's Name: \_\_\_\_\_

**For Board of Review Use Only - Do Not Write Below This Line**

*Staff - Initial next to all requirements as it relates to the application/applicant.*

Does the applicant appear as taxpayer of record of property in question?	Yes _____	No _____
If not, has documentation proving ownership been provided?	Yes _____	No _____
Are all areas on the application complete with either an answer or "N/A"?	Yes _____	No _____
Are all pages of the guidelines/application included with the applicants submission?	Yes _____	No _____
Does the applicant reside at the property in question?	Yes _____	No _____
Are copies of the Federal and State income tax returns and property tax credits forms for the current of preceding year attached for all persons residing in the household?	Yes _____	No _____
If not, is the affidavit stating the person is not required to file income taxes completed?	Yes _____	No _____
If home was purchased within in past 2 years of date of this application, is closing statements provided?	Yes _____	No _____
Is a copy of the most current mortgage statement, including a reverse mortgage if applicable, attached?	Yes _____	No _____
Are copies of the most recent bank/investment statements for all residing in the household attached with all pages included?	Yes _____	No _____

a.	<b>Taxable value on roll</b>	\$ _____	
b.	<b>Number of people in household</b>	_____	
c.	<b>Total household income from information provided</b>	\$ _____	
d.	<b>Income limit based on number of people in household as established by guidelines</b>	\$ _____	
e.	<b>Total assets of household</b>	\$ _____	
f.	<b>Does applicant meet all asset and income guidelines as established?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	If no, reason must be provided by the Board of Review below.
g.	<b>If yes, multiply line "a" by 50% (0.50)</b>	\$ _____	
_____	Appeal Denied		_____ Reduction Granted
_____	1. Does not qualify based on guidelines		<b>Taxable Value</b>
_____	2. Application not complete, missing information		As on Roll \$ _____
_____	3. Did not furnish proper documentation		Revised \$ _____
_____	4. Other: _____		
_____	_____		

Initials of Board Members: \_\_\_\_\_

Date: \_\_\_\_\_

## Poverty Exemption Affidavit

This form is issued under authority of Public Act 206 of 1993, MCL 211.7u.

**INSTRUCTIONS:** When completed, this document must accompany a taxpayer's Application for Poverty Exemption filed with the supervisor or the board of review of the local unit where the property is located. MCL 211.7u provides for a whole or partial property tax exemption on the principal residence of an owner of the property by reason of poverty and the inability to contribute toward the public charges. MCL 211.7u(2)(b) requires proof of eligibility for the exemption be provided to the board of review by supplying copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit returns, or by filing an affidavit for all persons residing in the residence who were not required to file federal or state income tax returns for the current or preceding tax year.

I, \_\_\_\_\_, swear and affirm by my signature below that I reside in the principal residence that is the subject of this Application for Poverty Exemption and that for the current tax year and the preceding tax year, I was not required to file a federal or state income tax return.

Address of Principal Residence: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Person Making Affidavit

\_\_\_\_\_  
Date

## Application for MCL 211.7u Poverty Exemption

This form is issued under the authority of the General Property Tax Act, Public Act 206 of 1893, MCL 211.7u.

MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893, provides a property tax exemption for the principal residence of persons who, by reason of poverty, are unable to contribute toward the public charges. This application is to be used to apply for the exemption and must be filed with the Board of Review where the property is located. This application may be submitted to the city or township the property is located in each year on or after January 1.

To be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding all members residing within the household, and 3) include all required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

<b>PART 1: PERSONAL INFORMATION — Petitioner must list all required personal information.</b>				
Petitioner's Name			Daytime Phone Number	
Age of Petitioner	Marital Status	Age of Spouse	Number of Legal Dependents	
Property Address of Principal Residence		City	State	ZIP Code
<input type="checkbox"/> Check if applied for Homestead Property Tax Credit		Amount of Homestead Property Tax Credit		
<b>PART 2: REAL ESTATE INFORMATION</b>				
List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the Board of Review meeting.				
Property Parcel Code Number		Name of Mortgage Company		
Unpaid Balance Owed on Principal Residence	Monthly Payment	Length of Time at this Residence		
Property Description				
<b>PART 3: ADDITIONAL PROPERTY INFORMATION</b>				
List information related to any other property owned by you or any member residing in the household.				
<input type="checkbox"/> Check if you own, or are buying, other property. If checked, complete the information below.			Amount of Income Earned from other Property	
1	Property Address	City	State	ZIP Code
	Name of Owner(s)	Assessed Value	Date of Last Taxes Paid	Amount of Taxes Paid
2	Property Address	City	State	ZIP Code
	Name of Owner(s)	Assessed Value	Date of Last Taxes Paid	Amount of Taxes Paid

<b>PART 4: EMPLOYMENT INFORMATION — List your current employment information.</b>					
Name of Employer					
Address of Employer		City	State	ZIP Code	
Contact Person		Employer Telephone Number			
<b>PART 5: INCOME SOURCES</b>					
List all income sources, including but not limited to: salaries, Social Security, rents, pensions, IRAs (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, or any other source of income, for all persons residing at the property.					
Source of Income			Monthly or Annual Income (indicate which)		
<b>PART 6: CHECKING, SAVINGS AND INVESTMENT INFORMATION</b>					
List any and all savings owned by all household members, including but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments, for all persons residing at the property.					
Name of Financial Institution or Investments	Amount on Deposit	Current Interest Rate	Name on Account	Value of Investment	
<b>PART 7: LIFE INSURANCE — List all policies held by all household members.</b>					
Name of Insured	Amount of Policy	Monthly Payments	Policy Paid in Full	Name of Beneficiary	Relationship to Insured
<b>PART 8: MOTOR VEHICLE INFORMATION</b>					
All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed.					
Make	Year	Monthly Payment	Balance Owed		

**PART 9: HOUSEHOLD OCCUPANTS** — List all persons living in the household.

First and Last Name	Age	Relationship to Applicant	Place of Employment	\$ Contribution to Family Income

**PART 10: PERSONAL DEBT** — List all personal debt for all household members.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balance Owed

**PART 11: MONTHLY EXPENSE INFORMATION**

The amount of monthly expenses related to the principal residence for each category must be listed. Indicate N/A as necessary.

Heating	Electric	Water	Phone
Cable	Food	Clothing	Health Insurance
Garbage	Daycare	Car Expense (gas, repair, etc.)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	



**NOTICE:** Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year must be submitted with this application. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year.

**PART 11: POLICY AND GUIDELINES ACKNOWLEDGMENT**

The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines used for the granting of exemptions under MCL 211.7u. In order to be eligible for the exemption, the applicant must meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit so long as the alternative guidelines do not provide income eligibility requirements less than the federal guidelines. The policy and guidelines must include, but are not limited to, the specific income and asset levels of the claimant and total household income and assets. The combined assets of all persons must not exceed the limits set forth in the guidelines adopted by the local assessing unit.

The applicant has reviewed the applicable policy and guidelines adopted by the city or township, including the specific income and asset levels of the claimant and total household income and assets.

**PART 12: CERTIFICATION**

I hereby certify to the best of my knowledge that the information provided in this form is complete, accurate and I am eligible for the exemption from property taxes pursuant to Michigan Compiled Law, Section 211.7u.

Printed Name	Signature	Date
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**This application shall be filed after January 1, but before the day prior to the last day of the local unit's December Board of Review.**

**Decision of the March Board of Review may be appealed by petition to the Michigan Tax Tribunal by July 31 of the current year. A July or December Board of Review decision may be appealed to the Michigan Tax Tribunal by petition within 35 days of decision. A copy of the Board of Review decision must be included with the petition.**

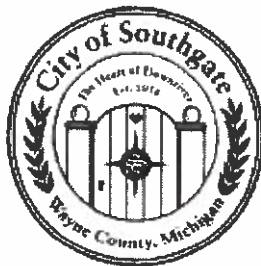
Michigan Tax Tribunal  
 PO Box 30232  
 Lansing MI 48909

Phone: 517-335-9760  
 E-mail: [taxtrib@michigan.gov](mailto:taxtrib@michigan.gov)

**JOSEPH G. KUSPA**  
*Mayor*

**JANICE M. FERENCZ**  
*City Clerk*

**JAMES E. DALLOS**  
*Treasurer*



## City of Southgate

- CITY COUNCIL -

**JOHN GRAZIANI**  
*Council President*

**MARK FARRAH**

**KAREN E. GEORGE**

**BILL COLOVOS**

**DALE W. ZAMECKI**

**PHILLIP J. RAUCH**

**CHRISTOPHER P. ROLLET**

### Memorandum

To: Honorable City Council Members

From: Dustin Lent, City Administrator

Date: January 28, 2021

Re: Grondin vs. City of Southgate, et al./Case No. 20-12519 US District Court/Honorable Stephanie Dawkins Davis

As previously discussed at this evenings closed session, the Administration respectfully requests authorization to the City to resolve this with retirement and release agreement executed by all the parties.

Please do not hesitate to contact me with any additional questions.

JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

JAMES E. DALLOS  
*Treasurer*



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CHRISTOPHER P. ROLLET

### Memorandum

To: Honorable City Council Members

From: Dustin Lent, City Administrator

Date: January 12, 2021

Re: Second Reading & Adoption of Ordinance Amendment- "Hotel, Motel, and Extended Stay Hotel; License and Regulation Ordinance"

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The State of Michigan currently provides little regulatory oversight of facilities that provide overnight accommodations. With this local ordinance the City can ensure that local hotels, motels and extended stay hotels meet minimum housing standards and that all guests have a safe and pleasant experience in Southgate.

This revised ordinance will enhance our ability to enforce and protect the health, safety, and welfare of guests staying in hotels/motels and extended stay hotels in Southgate.

This language would replace the current language in Chapter 832 and remove the language in 1289.06 and 1289.07

The Administration recommends City Council's favorable consideration.

I look forward to City Council's questions and comments.

## ORDINANCE 832

“AN ORDINANCE TO LICENSE AND REGULATE HOTELS, MOTELS, AND EXTENDED STAY HOTELS WHICH ARE ENGAGED IN THE BUSINESS OF PROVIDING ROOMS FOR LODGING OR SLEEPING PURPOSES TO TRANSIENT GUEST; TO PROVIDE A PROCEDURE FOR OBTAINING A LICENSE TO OPERATE WITH THE REVIEW NECESSARY TO DETERMINE SUITABILITY OF AN APPLICANT FOR THE LICENSE AND SUITABILITY OF THE BUSINESSES FOR THEIR INTENDED USE; TO REGULATE THE OPERATON OF THE BUSINESSES SO AS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE AND PREVENT THE MAINTENANCE OF A PUBLIC NUISANCE OR THE USE OF THE BUSINESSES FOR ILLEGAL ACTIVITY INCLUDING, BUT NOT LIMITED TO, PROSITITUTION OR THE SALE OR USE OF NARCOTICS; TO PROVIDE FOR A HEARING IN THE EVENT OF REFUSAL, SUSPENSION OR REVOCATION OF A LICENSE; AND TO PROVIDE MINIMUM RULES AND REGULATIONS WITH RESPECT TO THE OPERATION OF THESE BUSINESSES; TO PROVIDE THE CITY OF SOUTHGATE WITH THE AUTHORITY TO IMPOSE REASONABLE CONDITIONS UPON THE ISSUANCE OF ANY LICENSE.”

### **THE CITY OF SOUTHGATE ORDAINS:**

**Short Title:** This ordinance shall be known and may be cited as the “Hotel, Motel, and Extended Stay Hotels License and Regulation Ordinance.”

**Definitions:** For the purposes of this ordinance, the following terms shall be deemed to have the meanings hereafter set forth.

- A. ACCOMMODATION(S): The room or other space provided to transient guests for lodging or sleeping, including furnishings and other accessories therein.
- B. HOTEL AND/OR MOTEL: A building or group of buildings containing units (a bedroom, closet and a bathroom) or rooms, which provide for accommodations for transient persons for compensation for periods of thirty (30) consecutive days or less.
- C. EXTENDED STAY HOTEL: A building or group of buildings containing units (a bedroom, closet and a bathroom) or rooms, which provide for accommodations for temporary residence by persons for non-transient extended stays or stays longer than 30 days.
- D. LICENSED ESTABLISHMENT: Any premises licensed pursuant to this ordinance.
- E. TRANSIENT: A person lodging for compensation in any hotel, motel or tourists home for a period of thirty (30) consecutive days or less.

Section 832.01 **License Required:** No person, firm, corporation or other entity shall operate a hotel, motel, and extended stay hotel within the City of Southgate without first having obtained an annual license for that purpose. Any annual license, whenever issued, shall expire December 31 following the date of issuance, unless sooner suspended or revoked pursuant to this ordinance or for any other reason. The City may impose reasonable conditions upon the issuance of any license, including but not limited to those minimum conditions referenced with this ordinance or any other applicable ordinance of the City of Southgate.

Section 832.02 **Business Plan of Operation Compliance.** Applicants for a license and all Licensees shall comply with all applicable Federal, State and City regulations and this general policy, and shall submit a comprehensive, written plan of operation which must be approved. Failure of such compliance or variance from the plan presented may result in the building department to not renew a license or in revocation of the license. All Plans of Operation or changes there to shall be subject to the approval of the Building Department.

Section 832.03 **License Review:** The building department may undertake a review of any license to determine whether or not the license should be renewed, suspended or revoked.

Section 832.04 **Application for License:** Every applicant for a license to operate a licensed establishment shall file an application with the building department office upon a form provided by the City of Southgate and pay a non-refundable application fee. Such fee shall be set by resolution of the City Council and may be amended from time to time. The application shall contain the following information:

- A. The name, residences address and telephone number of each applicant.
  1. If the applicant is a corporation, the name, residence address and telephone number of each of the officers and directors of said corporation and of each stockholder owning more than ten percent (10%) of the stock of the corporation if that individual is or will be involved in the management and/or operation of the hotel, motel or tourist home, the address of the corporation itself, and the name and address of a resident agent in Wayne County, Michigan. The applicant shall also provide documentation that the corporation is in good standing in the state of incorporation.
  2. If the applicant is a partnership, the name of the partnership, and the name, residence address and telephone number of each of the partners having ten percent (10%) of an ownership interest if that individual is or will be involved in the management and/or operation of the hotel, motel or extended stay hotel, and the name, address and telephone number of a resident agent in Wayne County, Michigan.

3. If the applicant owns stock or has a financial interest in any other licensed establishment under this ordinance, the name, address and telephone number of the corporation, and the name, address and telephone number of each licensed establishment
- 
- B. The history of an applicant in the operation of a licensed establishment, or similar business or occupation including, but not limited to, whether or not such person has previously operated in the City or another municipality or state under license, has had such license revoked or suspended, and the reason therefor.
  - C. Applicant'(s) social security number, driver's license number or state ID, and date of birth.
  - D. Business, occupation, or employment of the applicant for the three (3) years immediately preceding the date of application, including the name, address and telephone number of any and all employers.
  - E. All criminal convictions in the preceding ten (10) years, other than traffic violations, including the dates of convictions, nature of the crime, and place convicted.
  - F. Authorization for the City of Southgate, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application. The application shall give such additional information and identification necessary to discover the truth of the matters required to be set forth in the application.
  - G. A statement concerning the proposed rates to be charge by the establishment.
  - H. The application shall be signed and sworn to by the applicant.
  - I. The Successful applicant shall coordinate and schedule, in conjunction with the Fire Chief and the Chief Building Inspector, or their designee(s), Timely inspections of the licensed premises not less than annually and shall acquiesce, in writing, to such other inspection(s) as may be deemed appropriate in the sole discretion of the Fire Chief and the Chief Building Inspector, or their designee(s).

Section 832.05 **Investigation:** Upon receipt of such application, the City Building Department shall refer same as follows:

- A. To the Police Chief or his/her designated representative, who shall investigate and determine whether the person making application for such license is of

suitable character to conduct or maintain such a business in the City of Southgate. The Police Chief or his/her designated representative shall forward to the City Building Department the results of such investigation along with a recommendation concerning whether or not the license should be granted.

1. The phrase "of suitable character" as used in this ordinance for the purpose of licensing shall be construed to mean the propensity on the part of the person to serve the public in the licensed are in a fair, lawful, honest and open manner.
  2. In making his/her determination, the Police Chief or his/her designated representative shall consider:
    - (a) Penal History. All of the applicant's convictions in the preceding ten (10) years, other than traffic violations, the reasons therefor and the demeanor of the applicant subsequent to his/her release.
    - (b) License and Permit History. The license and permit history of the applicant; whether such applicant is previously operating in this City or State or in another municipality or state under a license or permit has had such license or permit revoked or suspended, the reasons therefor.
    - (c) Other Information. The Police Chief may consider any other information and documentation, which he/she considers relevant to make a determination as to whether the applicant is of suitable character.
  3. The Police Chief or his/her designated representative shall complete his/her investigation and determination within thirty (30) days of being provided with the application.
  4. If an applicant is found to be unqualified for a license for any reason, the applicant shall be furnished by the City Building Department with a statement containing information as to the basis for this determination.
- B. If the investigation by the Police Chief or his/her designated representative does not evidence a lack of suitable character, the City Building Department shall then refer the application to the Chief Building Inspector, Fire Chief or their designated representatives, who shall cause a thorough inspection of the premises to be made to ensure that all pertinent provisions of State law and local ordinances are being complied with. The results of such inspections shall be returned to the applicant within thirty (30) days of the date the application was referred.

**Section 832.06 License-Refusal, Suspension, Revocation or Non-Renewal:**

A license requested under this ordinance may be refused by the City Building Department or his/her designated representative, and any license issued under the provisions of this ordinance may be suspended by the City of Southgate, for cause. The term "cause" as used in this ordinance shall include the doing or omitting of any act, or permitting any condition to exist for which a license is issued, or upon any premise used in connection therewith, which act, omission or condition is contrary to the health, safety and welfare of the public, is unlawful, irregular or fraudulent in nature, is unauthorized or beyond the scope of the license issued, or is forbidden by this ordinance or any applicable law. Cause shall include, but not be limited to:

- A. Fraud or material misrepresentation in the application for license.
- B. Fraud or material misrepresentation in the operation of the licensed business.
- C. Any material violation of this ordinance or of the regulations authorized herein.
- D. Any violation of Federal or State law, or local ordinance which creates a risk to the health, safety or welfare of the transients or to the community, or brings into question whether the Licensee is suitable to operate the business.
- E. Conducting the business in an unlawful manner or in a such manner as to constitute maintenance of a nuisance upon or in connection with the licensed premises. For purposes of this ordinance, "nuisance" shall be given the normal and customary meaning, and shall include, but not be limited to, the following:
  - 1. Existing violations of building, electrical, mechanical, plumbing, zoning, health, fire or other applicable regulatory codes.
  - 2. A pattern or practice of patron conduct which is in violation of the law and/or interferes with the health, safety and welfare of the residential and/or commercial properties in the area.
  - 3. Failure to maintain the grounds and exterior of the licensed premises, including litter, debris or refuse blowing or being deposited upon adjoining properties.
- F. Failure by the Licenses to permit the inspection of the licensed premises by the City's agents or employees in connection with the enforcement of this ordinance.
- G. Failure of the Licensee to pay personal property taxes, other City obligations, and real property taxes by February 14 of each year arising from their use and occupancy of the property. A Licensee who does not own the real property is not responsible for the payment of the real property taxes unless the lease requires such payment.



Section 832.07 **Revocation of License:** Each establishment licensed pursuant to this ordinance shall be operated and maintained in accordance with all applicable laws and regulations of the City of Southgate and the State of Michigan. Upon violation of this ordinance pursuant to Section 832.06, after notice and hearing, the City of Southgate may revoke such license.

Section 832.08 **Procedure for Recommendation on Non-Renewal, Revocation or Suspension:**

- A. Before taking any action concerning non-renewal, revocation or suspension of license the City Administrator, or his/her designated representative, shall serve the Licensee by registered return receipt, mailed at least ten (10) days prior to hearing the Notice of Hearing, which notice shall contain the following:
1. Date, time and place of hearing.
  2. Notice of the proposed action.
  3. Reasons for the proposed action.
  4. Names of witnesses known at the time who will testify.
  5. A statement that the Licensee may be represented by legal counsel, present evidence, testimony and confront and cross-examine adverse witnesses.
  6. A statement requiring the Licensee to notify the Southgate City Attorney's Office at least three (3) days prior to the hearing date if Licensee intends to contest the proposed actions, and to provide the names of witnesses known at that time who will testify on the licensee's behalf.
- B. Upon completion of the hearing, the City Administrator, or his/her designated representative shall submit to the Licensee a written statement of its Findings and Determination within thirty (30) days.
- C. During the procedure for non-renewal, revocation or suspension, the Licensee will be permitted to continue to operate until such time as the findings and determination is served upon the licensee by mail or otherwise ordered by a court.

Section 832.09 **License Refusal; Hearing** any person whose initial request for a license is refused shall have a right to a hearing before the City Council, provided a written request thereof is filed with the City Administrator within ten (10) days following such refusal. The City Council shall have the right to affirm and sustain any refusal to issue a license, or the City Council may grant any license.

Section 832.10 **Rules and Regulations:** The following rules, regulations and conditions shall be observed by each Licensee under this ordinance:

- A. All accommodations must afford easy and unobstructed access to a hall or passageway to the outdoors.
- B. In every hotel, motel or extended stay hotel hereafter erected, all accommodations shall be in compliance with the MBC Michigan Building Code, ICC National Property Maintenance Code, International Fire Code and/or all applicable Building Codes in the City of Southgate.
- C. Rooms must be kept clean and free from dirt, vermin, garbage and rubbish.
- D. Clean sheets, pillowcases and towels must be provided before a guest may occupy a bed previously occupied by another registered guest.
- E. The cooking of food in or upon the premises is prohibited, other than in a kitchenette facility in compliance with applicable codes and regulations, and approved by the proper authorities designated in those codes and regulations. The use of hotplates or similar equipment which can be utilized to heat or cook food is specifically prohibited. A notice to this effect shall be conspicuously posted in each accommodation.
- F. A register shall be provided and maintained on the premises near the main entrance and shall be submitted, upon demand, to any official or police officer of the City of Southgate. The register shall contain the following information:
  - 1. The correct name and address of every guest, renting or occupying a room, including but not limited to non-paying minors and/or dependents. The guest shall furnish proof of identity by showing a valid driver's license or similar identification, and provide a date of birth.
  - 2. Each guest with a motor vehicle on the site shall provide the make, year and model of the motor vehicle, as well as the license plate number.
  - 3. The date and time of arrival and date of departure of every guest, and the number of the days each guest has been at the establishment during the calendar year.
  - 4. Where two persons occupy the same room and at least one of the persons is a minor, the relationship of said person shall be noted on the register.
- G. No Licensee shall knowingly permit any accommodations and/or other location on the premises to be used for an unlawful purpose.

- H. All Licensees shall permit free access by the Chief Building Inspector, Fire Marshal, Chief of Police, or their representatives' at all reasonable times.
- I. Accommodations shall not be made available for a period in hourly increments nor shall any accommodation be made available more than one time during the eighteen (18) hour period of 12:00 noon to the following morning at 6:00a.m. The right to occupy any accommodation shall not be assigned or transferred. No transient shall obtain accommodations at any establishment for more than thirty (30) consecutive days, except as provided in Section 832.11.
- J. Occupancy of a room shall not exceed more than two (2) persons for every one (1) bed with a maximum of 4 per bedroom.
- K. The Rules and Regulations (Section 832.10, 832.12, 832.13 of this ordinance) shall be conspicuously displayed with the License at each registration area.
- L. Each room of every establishment shall receive daily housekeeping/cleaning and inspection.
- M. Additional security requirements:
  1. A Video Surveillance System (VSS) must be installed within one year of the effective date of this ordinance. All VSS shall have no less than one camera dedicated to each register or check-out stand, entrance/exit, interior hallway and lobby, swimming pool area, exercise facility, loading dock, and parking lots or areas designated for customer and/or employee parking use. Recording must be backed up and kept for a minimum of 30 days and shall be submitted, upon demand, to any official or police officer of the City of Southgate.
  2. Exterior doors (other than lobby doors) must be secured from the outside between the hours of 9:00pm and 6:00am.
- N. Any accumulations of snow shall be removed from the licensed establishment in a timely manner and such snow removed from parking lots and all other areas of the licensed establishment shall not be placed on adjacent public easements, sidewalks, or on or near a fire hydrant.
- O. Each occupied lodging room shall have a working telephone with access to 911 emergency services.

Section 832.11 **Requirements for extended stay hotels:** Longer term occupancy of accommodations may be permitted in a licensed extended stay hotel, subject to the following limitations:

- A. Each Unit shall be a minimum of 300 square feet in area, exclusive of bathroom, closet, or balcony space.
- B. Minimum of one thousand (1,000) square feet for recreational use by guest.
- C. A registration lobby staffed on a 24 hour daily basis shall be provided.
- D. Stays greater than one hundred twenty (120) days at an Extended-Stay Hotel prohibited except when:
  - 1. A written contract or documented agreement exists between an extended-stay and a business, corporation, firm or government agency.
  - 2. Documentation, consistent with HIPPA privacy rules, confirms a hotel guest is considered family or caring for a patient admitted in a local hospital.
  - 3. Where a hotel guest has been relocated from their home by a natural disaster, fire or other documented displacement.
- E. Occupancy limits shall be established for each unit based on available sleeping space and fire safety to be approved by the Fire Marshall.
- F. Daily or weekly services for each dwelling unit of linen change, towel change, soap change, and general clean-up shall be provided.
- G. A Minimum of six secured parking spaces shall be developed immediately adjacent to the loading/unloading zone for resident use.
- H. The Licensee shall provide a report to the City on a quarterly basis (January 1<sup>st</sup>, April 1<sup>st</sup>, July 1<sup>st</sup>, and October 1<sup>st</sup> of each calendar year) of the number of accommodations being utilized in excess of thirty (30) consecutive days. Said quarterly report shall include:
  - 1. The correct name and address of every guest renting or occupying an accommodation, including but not limited to, non-paying minors and/or dependents.
  - 2. The date and time of arrival and date and time of departure of every guest who has utilized an accommodation in excess of thirty (30) consecutive days.
  - 3. A description of the specific accommodation, including the dimensions of the accommodation, the existence of a kitchenette and available appliances, the existence of a bathroom, the number of beds, and a description of any other appliances or facilities available in the specific accommodation.

Section 832.12 **Reporting false information:** It shall be a violation of the ordinance for any registered guest in any hotel, motel or extended stay hotel or to give any false

information. Knowing or having reasonable cause to believe such information to be false, the Licensee or his employee shall notify the Police Department of such fact, and failure to do so shall be grounds for revocation of the license.

Section 832.13 **No Smoking:** Smoking is prohibited in all indoor areas of hotels and motels, including lobbies, common areas, conference and meeting rooms, private offices, hallways, elevators, stairs, restrooms, pool areas, and 100% of guest rooms. Smoking is also prohibited within 20 feet of all entry doors.

Section 832.14 **Reporting of Fires:** Each Licensee under this ordinance shall cause the Fire Department of the City of Southgate to be immediately notified when a fire occurs within his establishment. Any person therein who discovers such a fire shall immediately notify the person in charge of the place of registration.

Section 832.15 **No Assignment of License:** No License granted pursuant to this ordinance may be assigned, transferred or otherwise utilized by any other person or entity other than the Licensee.

Section 832.16 **Penalties:** Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding Five-hundred (\$500.00) dollars or be imprisoned for a period not exceeding ninety (90) days, or be both so fined and imprisoned, in the discretion of the Court.

Section 832.17 **Severability:** If any Section, subsection, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 832.18 **Repealer:** All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 832.19 **Effective Date:** This ordinance shall take effect sixty (60) days after the final passage thereof.

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Joseph G. Kuspa, Mayor

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Jan Ferencz, City Clerk