

EXECUTIVE ORDER NO. 2022-05

TO: ALL BOARDS, COMMISSIONS, DEPARTMENT DIRECTORS, AGENCY HEADS, CITY COUNCIL MEMBERS, AND THE CITY CLERK

SUBJECT: EXTENSION OF MORATORIUM ON APPLICATIONS FOR PERMITS, LICENSES, AND/OR APPEALS FOR NEW OR EXPANDED JUNKYARDS, SCRAP TIRE PROCESSING AND RECYCLING FACILITIES, SCRAP TIRE STORAGE FACILITIES, USED TIRE SALES AND SERVICE, AND TOW SERVICE STORAGE YARDS

DATE: SEPTEMBER 27, 2022

The City of Detroit issued Executive Order No. 2019-1, effective April 1, 2019, to address the increase in the establishment and/or expansion of junkyards, scrap tire processing and recycling facilities, scrap tire storage facilities, minor and major motor vehicle repair, and used car sales lots. Subsequent Executive Orders extended the moratorium imposed by Executive Order 2019-1 until August 30, 2022, as well as added used tire sales and service, and towing service storage yards to its scope. Under Chapter 50 of the 2019 Detroit City Code, ‘*Zoning*,’ the term “junkyard” includes junk dealers, scrap iron and metal processors, and automobile dismantling and wrecking yards. Regulation and enforcement of these businesses has been a challenge for the City of Detroit due to an overconcentration of such uses and lack of compliance with zoning, property maintenance, and licensing standards, in addition to evidence of criminal activity furthered or condoned by some of these operations. Even if permitted, some of these businesses have illegally intensified the services offered such as presenting more used cars for sale than allowed or expanded a business onto neighboring property without permission. At the same time, such uses that have been abandoned can leave vacant, blighted buildings and contaminated land on commercial corridors. Finally, these uses can present deleterious effects on neighboring residential districts, resulting in excessive blight, traffic, noise, crime, and environmental concerns requiring excessive enforcement resources, due to more frequent neighborhood complaints and quality of life issues.

Due to the Covid-19 global pandemic and the City’s need to divert resources to comprehensively address it on behalf of Detroit residents, the goals of Executive Order 2019-1 have not yet been met, and the concerns remain. In 2019, the City launched a massive enforcement initiative, ticketing and closing hundreds of illegal businesses, however, the work continues as there are many more operating without the required inspection, permit or license. The City is currently drafting and pursuing proposed changes to the Detroit City Code pertaining to junkyards, scrap tire processing and recycling facilities, scrap tire storage facilities, minor and major motor vehicle repair, used car sales lots, used tire sales and service, and towing service storage yards. The identified revisions will include legislative corrections and new regulations to limit overconcentration, increase compliance with property maintenance, zoning, and licensing standards, decrease crime, eradicate visual blight, and curtail illegal business operations.

The proposed new zoning regulations have been heard by the City Planning Commission and forwarded for finalization and approval as to form before being submitted to City Council for consideration. The ordinance enactment process and public hearing requirements will extend the City's required time to consider and enact these regulations beyond the current expiration date of the moratorium authorized by Executive Order 2022-03, being September 30, 2022.

The moratorium first imposed by Executive Order 2019-1 was extended by Executive Order 2022-01 until August 1, 2022, and then by Executive Order 2022-03 until September 30, 2022. Therefore, it is ordered that the moratorium extended by Executive Order No. 2022-03 is extended until December 31, 2022. During such time, no City department may accept an application for a new permit, license or to appeal a denied application to establish or expand a junkyard, scrap tire processing and recycling facility, scrap tire storage facility, minor or major motor vehicle repair, used car sales lot, used tire sales and service, or a towing service storage yard--to give the City the continued opportunity to implement its compliance strategy with newly available resources; and to review draft language, hold the required public hearings, and enact improved regulations for such land uses in the City. This Order shall not be construed to prohibit the annual renewal of legally established existing business licenses or certificates of compliance required by the City Code for applicable uses included herein, which shall continue.

Pursuant to the powers vested in me by the 1963 Michigan Constitution and by the 2012 Detroit City Charter, I, Michael E. Duggan, Mayor of the City of Detroit, issue this Executive Order. This Executive Order 2022-05 supersedes Executive Order No. 2022-03, and this Order is effective September 30, 2022.



Michael E. Duggan
Mayor