SUMMARY

AN ORDINANCE to amend Chapter 9 of the 1984 Detroit City Code, Buildings and Building Regulations; Article II, Building Code; by adding Section 9-2-5; to provide that persons delinquent in payment of fines, fees or costs imposed by the Department of Administrative Hearings are not eligible to apply for a building permit, a certificate of use and occupancy or a variance, with exceptions.

CITY CLERK 2016 MRY 18 and 10137 V 14-0524 (by 180)

1	BY COUNCIL MEMBER:		
2	AN ORDINANCE to amend Chapter 9 of the 1984 Detroit City Code, Buildings and Building		
3	Regulations; Article II, Building Code; by adding Section 9-2-5; to provide that persons delinquent in		
4	payment of fines, fees or costs imposed by the Department of Administrative Hearings are not eligible		
5	to apply for a building permit, a certificate of use and occupancy or a variance, with exceptions.		
6	IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:		
7	Section 1. Chapter 9 of the 1984 Detroit City Code is amended by adding Section 9-2-5, to		
8	read as follows:		
9	CHAPTER 9. BUILDINGS AND BUILDING REGULATIONS		
10	ARTICLE II. BUILDING CODE		
11	Sec. 9-2-5. Persons ineligible to apply for building permit, certificate of use and occupancy		
12	or variance; exceptions.		
13	(a) A person is not eligible to apply for a building permit, a certificate of use and		
14	occupancy, certificate of compliance, or a variance if the person or the owner of the affected or		
15	proposed building or structure is delinquent in paying a civil fine, costs, or a justice system		
16	assessment imposed by the Department of Administrative Hearings.		
17	(b) Subsection (a) does not apply to an application for a building permit if the work		
18	authorized under the building permit will correct, in whole or in part, the blight violation that was		
19	the subject of the delinquent payment referred to in subsection (a).		
20	(c) Subsection (a) does not apply to an applicant if the applicant became the owner of		
21	the property by foreclosure or by taking a deed in lieu of foreclosure and is one of the following:		
22	(1) A government-sponsored enterprise as defined in 2 USC 622(8), or the Michigan		
23	State Housing Development Authority created under the state housing development		
24	authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c; or		

1	(2)	A linancial institution as defined in section 4(c) of the Michigan strategic fund act,	
2		1984 PA 270, MCL 125.2004; or	
3	(3)	A mortgage servicer as defined in section 1a of the mortgage brokers, lender and	
4		servicers licensing act, 1987 PA 173, MCL 445.1651a, that is subject to the	
5		mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL	
6		445.1651 to 445.1684.	
7	<u>(4)</u>	A credit union service organization that is organized under the laws of this state or	
8		the United States.	
9	Secs. 9-2- <u>56</u>	- 9-2-10. Reserved.	
10	Section	on 2. This ordinance is hereby declared necessary to preserve the public peace, health,	
11	safety, and we	lfare of the People of the City of Detroit.	
12	Section	on 3. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.	
13	Section	on 4. In the event this ordinance is passed by two-thirds (2/3) majority of City Council	
14	Members serving, it shall be given immediate effect and become effective upon publication in		
15	accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed by		
16	less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective or		
17	the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with Section		
18	4-118 of the 2	012 Detroit City Charter.	

Approved as to form:

Melvin B. Hollowell Corporation Counsel