

ORDINANCE NO. 24-16**ORDINANCE NO. 24-16****CHAPTER 9****ARTICLE II**

By Council Member Ayers:

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.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 9 of the 1984 Detroit City Code, is amended by adding Sections 9-2-5, to read as follows:

CHAPTER 9. BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. BUILDING CODE

Sec. 9-2-5. Persons ineligible to apply for building permit, certificate of use and occupancy or variance; exceptions.

(a) A person is not eligible to apply for a building permit, a certificate of use and occupancy, certificate of compliance, or a variance if the persons or the owner of the affected or proposed building or structure is delinquent in paying a civil fine, costs, or a justice system assessment imposed by the Department of Administrative Hearings.

(b) Subsection (a) does not apply to an application for a building permit if the work authorized under the building permit will correct, in whole or in part, the blight violation that was the subject of the delinquent payment referred to in subsection (a).

(c) Subsection (a) does not apply to an applicant if the applicant became the owner of the property by foreclosure or by taking a deed in lieu of foreclosure and is one of the following:

(1) A government-sponsored enterprise as defined in 2 USC 622(8), or the Michigan State Housing Development Authority created under the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c; or

(2) A financial institution as defined in section 4(c) of the Michigan strategic funds act, 1984 PA 270, MCL 125.2004; or

(3) A mortgage servicer as defined in section 1a of the mortgage brokers, lender and servicers licensing act, 1987 PA 173, MCL 445.1651a, that is subject to the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684.

(4) A credit union service organization that is organized under the laws of this state or the United States.

Sec. 9-2-6 - 9-2-10. Reserved.

Section 2. This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the people of the City of Detroit.

Section 3. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 4. In the event this ordinance is passed by two-thirds (2/3) majority of City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed by less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective on the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with Section 4-118 of the 2012 Detroit City Charter.

(J.C.C.p) May 31, 2016
Passed: June 14, 2016
Approved: June 16, 2016
Published: August 1, 2016
Effective: August 1, 2016

JANICE M. WINFREY
City Clerk

