

ORDINANCE NO. 80- 806

AN ORDINANCE TO AMEND CITY CHARTER, CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING CODE, DIVISION 1, ADOPTION OF STATE CONSTRUCTION CODE, SUBDIVISION 2, ACCESSIBILITY STANDARDS, BY ADDING SECTION 9-17.12, PARKING LOT MAINTENANCE PERMIT REQUIRED.

THE CITY OF WARREN ORDAINS:

SECTION 1. That the Code of Ordinances of the City of Warren, Michigan, is hereby amended by adding CHAPTER 9, ARTICLE II, DIVISION 1, SUBDIVISION 2, SECTION 9-17.12, creating a PARKING LOT MAINTENANCE PERMIT REQUIREMENT.

IS HEREBY ADDED TO READ AS FOLLOWS:

SUBDIVISION 2. – ACCESSIBILITY STANDARDS

Sec. 9-17.12. – Parking lot maintenance permit required.

(a) No parking lot shall be paved, seal coated, or striped (including expansion or reconstruction) unless a parking lot maintenance permit is first issued by the Engineering Division.

(b) Definitions. For the purpose of this section, the following definitions shall apply:

Accessibility Requirements means the requirements set forth in Public Act 1 of 1966, MCL 125.1351, 125.1356; the 2015 Michigan Building Code, including the International Code Council (ICC)/American National Standards Institute (ANSI) A117.1-2009 (ICC/ANSI), in addition to all other applicable Michigan barrier-free design standards.

Curb means the placement of concrete material to form a curb or other protection against damage to adjoining properties, streets, sidewalks, or greenbelts.

Expansion means the extension of the existing boundaries of the pavement, sealcoating, or striping on a property.

Grade is the incline and level of the pavement for the proper drainage of water.

Pave means the placement of materials on the ground for the purposes of providing vehicular access or parking, including, but not limited to, gravel, concrete, bituminous material, crushed stone, tile, or brick pavers.

Parking lot means any part of any yard or premises for the purposes of providing vehicular access or parking.

Reconstruct means to rebuild, repair, or restore pavement, sealcoating, or striping layout, which legally exists at the time of adoption of this provision.

Seal coat means a protective coating on the pavement to provide a layer of protection from UV rays, vehicle fluids, oil, and water.

Stripe means bright blue painted durable lines on the pavement to provide clearly marked areas for organized traffic flow, such as arrows for entrances, exits, and directional flow; for fire lanes; and for parking spaces, accessible parking spaces, van accessible parking spaces, passenger loading zones, and other spaces as required by the most recently adopted Michigan Building Code, the Accessibility Standards of §§ 9-17.2 – 9-17.11; and the Parking District standards of Article XVI of Appendix A.

- (c) Site plan review. All work that expands the configuration of a parking lot or curb, or changes the parking lot grade or striping (including the addition or elimination of parking spaces), or alters the existing storm sewer, shall be reviewed pursuant to the site plan review process set forth in §22.16-, and shall conform to the accessibility requirements as defined in this subsection.
- (d) Permit application. An application for a parking lot maintenance permit shall include an accurate plot plan of the parcel for which the parking lot maintenance permit is sought showing:
 - (1) The dimension of the parcel.
 - (2) The location and dimensions of any building, sign, or other structure on the parcel.
 - (3) The description of the scope of work and the location of the parking lot on the parcel.
 - (4) If milling and resurfacing, the existing grade and any proposed regrade.
 - (5) The nature of the materials for the proposed pavement, reconstruction, sealcoating, or striping.
- (e) A restriping plan shall be submitted with all applications for a parking lot maintenance permit.
- (f) Permit issuance. The parking lot maintenance permit shall:
 - (1) Identify the parcel of property upon which the proposed work is to be done.
 - (2) Specifically describe the area of the parking lot and the area upon which the proposed work is to be done.
 - (3) Specifically describe the work to be done.
 - (4) Be posted in a conspicuous place on the parking lot during the work.
 - (5) Not be issued, unless all parking, access facilities, and signs on the property meet the most recently adopted Michigan Building Code, the Accessibility Standards of §§ 9-17.2 – 9-17.11; and the Parking District standards of Article XVI of Appendix A.

- (g) Non-conforming paving. A parking lot maintenance permit may be issued to reconstruct a curb, pavement, or striping layout, which legally exists at the time of adoption of this provision. When such work can feasibly be done in greater conformity with the most recently adopted Michigan Building Code, the Accessibility Standards of §§ 9-17.2 – 9-17.11; and the Parking District standards of Article XVI of Appendix A., the Engineering Division shall so require in the parking lot maintenance permit. In determining such feasibility, the following provisions shall apply:
- (1) The reconstruction shall not increase or extend any existing non-conformity;
 - (2) The reconstruction shall not cause or permit a change in the occupancy or use of the property; and
 - (3) The reconstruction shall not increase the number of parking spaces provided on the property.
- (h) Parking lot inspection. Before any parking lot maintenance permit shall be issued under this Ordinance, and after the work described in the parking lot maintenance permit is completed, an inspection shall be made by the Engineering Division.
- (i) Parking lot maintenance permit inspection fees. Before any parking lot maintenance permit shall be issued under this Ordinance, and after the work described in the parking lot maintenance permit is completed, an inspection fee shall be paid in an amount fixed by a schedule established by resolution of the City Council.

SECTION 2. This Ordinance shall take effect on September 4, 2023.

I HEREBY CERTIFY that the foregoing Ordinance No. 80 - 806 was adopted by the Council of the City of Warren at its meeting held on August 15, 2023.

SONJA BUFFA
City Clerk

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