

SUMMARY

This Ordinance amends Chapter 43 of the 2019 Detroit City Code, *Streets, Sidewalks and Other Public Places*, Article III, *Opening, Closing, Extending, Widening, Vacating, Naming and Renaming of Streets*, Subdivision B, *Procedure for Installation of Secondary Street Signs Through Petition*, by amending Section 43-3-52, *Procedure*, Section 43-3-54, *Duties of the Legislative Policy Division to prepare report, notify petitioner*, Section 43-3-55, *Public hearing*, Section 43-3-61, *Procedure for City Council initiative*, Section 43-3-63, *Duties of the Legislative Policy Division to prepare report regarding assignment of secondary streets sign through City Council initiative*, and Section 43-3-64, *Public hearing regarding assignment of secondary street sign through City Council initiative*, to provide new timelines for the secondary street sign process and public hearing requirements as well as new payment submission requirements.

1 **BY COUNCIL MEMBER _____ :**

2 **AN ORDINANCE TO AMEND** Chapter 43 of the 2019 Detroit City Code, *Streets,*
3 *Sidewalks and Other Public Places*, Article III, *Opening, Closing, Extending, Widening, Vacating,*
4 *Naming and Renaming of Streets*, Subdivision B, *Procedure for Installation of Secondary Street*
5 *Signs Through Petition*, by amending Section 43-3-52, *Procedure*, Section 43-3-54, *Duties of the*
6 *Legislative Policy Division to prepare report, notify petitioner*, Section 43-3-55, *Public hearing,*
7 Section 43-3-61, *Procedure for City Council initiative*, Section 43-3-63, *Duties of the Legislative*
8 *Policy Division to prepare report regarding assignment of secondary streets sign through City*
9 *Council initiative*, and Section 43-3-64, *Public hearing regarding assignment of secondary street*
10 *sign through City Council initiative*, to provide new timelines for the secondary street sign process
11 and public hearing requirements as well as new payment submission requirements.

12 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**

13 **THAT:**

14 **Section 1.** Chapter 43 of the 2019 Detroit City Code, *Streets, Sidewalks and Other Public*
15 *Places*, Article III, Division 3, Subdivision, B be amended by amending Sections 43-3-52, 43-3-
16 54, 43-3-55, 43-3-61, 43-3-63, and 43-3-64, to read as follows:

17 **CHAPTER 43. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

18 **ARTICLE III. OPENING, CLOSING, EXTENDING, WIDENING,**

19 **VACTING, NAMING, AND RENAMING OF STREETS AND**

20 **ASSIGNING SECONDARY NAMES TO STREETS**

21 **DIVISION 3. SECONDARY NAMING OF STREETS**

22 **Subdivision B. Procedure of Installation of Secondary Street Sign through Petition**

23

1 **Sec. 43-3-52. Procedure.**

2 (a) A petition for a secondary street sign shall be filed with the Office of the City
3 Clerk. Upon receipt and review of the petition, the Clerk's office shall assign a petition number
4 to the petition.

5 (b) The petitioner shall provide the following as an attachment to the petition:

6 (1) Information pertaining to the proposed honoree, including a biography, honors
7 received, contributions to the local, state, national or international community, and
8 other information that is sufficient to accurately assess the satisfaction of the criteria
9 provided in Section 43-4-41 of this Code;

10 (2) A letter of concurrence from either the proposed honoree's surviving spouse or
11 living descendants, if any such persons are practically accessible and able to
12 provide such letter of concurrence;

13 (3) The proposed location for the installation of the secondary street sign consistent
14 with Section 43-3-42 of this Code; and

15 (4) Information that is sufficient to accurately assess the appropriateness of the
16 secondary street sign for the proposed location; ~~and~~.

17 (c) Upon receipt of a petition for a secondary street sign, the Office of the City Clerk
18 shall assign a petition number to the petition and report receipt of the petition to the City Council.
19 The petitioner shall then take a copy of the numbered petition to the Legislative Policy Division.

20 (d) A non-refundable application fee shall be charged for the administration,
21 processing, issuance, and enforcement of the petition under this division. Payment of the
22 application fee shall be made payable to "City of Detroit," and submitted to the Legislative Policy
23 Division along with a numbered copy of the petition following its review by the Office of the City

1 Clerk. The Legislative Policy Division shall issue a receipt to the petitioner following the
2 submission of the petition and the fee. In accordance with Section 9-507 of the Charter, the
3 Legislative Policy Division shall establish, subject to the approval of the City Council through
4 adoption of a resolution, the amount of the application fee.

5 (e) Petitions for secondary street signs shall be submitted to, and accepted by, the
6 Office of the City Clerk from ~~July 1st~~ January 1st until ~~December 31st~~ June 30th of each calendar
7 year.

8 **Sec. 43-3-54. Duties of the Legislative Policy Division to prepare report, notify petitioner.**

9 (a) Between the dates of ~~January 1st~~ July 31st and ~~April 30th~~ August 31st of the calendar
10 year ~~immediately following the calendar year~~ in which the petition for a secondary street sign was
11 filed with the Office of the City Clerk, but after submission of the report referenced in Section 43-
12 3-53(b) of this Code, the Legislative Policy Division shall review all documentation submitted by
13 the petitioner, and prepare and submit a report of its findings as to whether the proposed secondary
14 street sign meets the following criteria:

- 15 (1) The proposed honoree positively reflects or exemplifies the cultural, social,
16 economic, or political history of the City, state, nation, or world;
- 17 (2) The proposed honoree was a resident of the City for a cumulative time of not less
18 than ten years;
- 19 (3) The proposed honoree either has been deceased for a period of not less than five
20 years, or is otherwise eligible for an exception to such requirement pursuant to
21 Section 43-3-41(c)(3) of this Code; and
- 22 (4) The proposed location of the secondary street sign bears a clear association with a
23 site, building, structure, or event directly related to the proposed honoree.

1 (b) Upon finding that all of the criteria listed in Subsection (a) of this section are met,
2 the Legislative Policy Division shall issue to the City Council a recommendation in favor of the
3 proposed secondary street sign and submit a resolution for consideration by the City Council that
4 includes:

- 5 (1) A description of the historical significance of the proposed honoree:
- 6 (2) The appropriateness of the location where the secondary street sign is proposed to
7 be installed; and
- 8 (3) The requirement that the cost of designing, producing, and erecting the sign shall
9 be paid, in advance, to the street fund by the petitioner requesting the secondary
10 street sign.

11 (c) If the Legislative Policy Division determines that any of the criteria listed in
12 Subsection (a) of this section are not met, its report to the City Council shall so indicate. The
13 Legislative Policy Division shall provide written notification to the petitioner that the petition does
14 not meet the requirements for City Council approval.

15 **Section 43-3-55. Public hearing.**

16 (a) Upon receipt of the report from the Legislative Policy Division, the City Council
17 shall adopt a resolution scheduling the time and place of a public hearing.

18 (b) The public hearing shall be scheduled for a date between the months of September
19 and November of the calendar year ~~immediately following the calendar year~~ in which the petition
20 for a secondary street sign was filed with the Office of the City Clerk.

21 (c) Notice of the public hearing shall be:

- 1 (1) Provided to the owners and occupants of real property within 300 linear feet
- 2 of the proposed intersection abutting such street to be assigned a secondary
- 3 street sign at least five calendar days prior to the public hearing; and
- 4 (2) Published in a newspaper of general circulation at least five calendar days
- 5 prior to the date fixed for the public hearing.

6 **Subdivision C. Procedure for Installation of Secondary Street Sign**
7 **Through City Council Initiative**

8 **Sec. 43-3-61 Procedure for City Council initiative.**

9 (a) The City Council may adopt, on its own initiative and in accordance with the
10 requirements of this subdivision, a resolution that assigns a secondary street sign based upon
11 criteria set forth in Section 43-3-41 of this Code without following the procedures that are set forth
12 in the Subdivision B of this division.

13 (b) Any member of the City Council may propose one secondary street sign for
14 consideration by forwarding a request to the Legislative Police Division.

15 (c) The City Council member shall provide the following as an attachment to the
16 request:

- 17 (1) Information pertaining to the proposed honoree, including biography, honors
- 18 received, contributions to the local, State, national or international community, and
- 19 other information that is sufficient to accurately assess the satisfaction of the criteria
- 20 provided in Section 43-4-41 of this Code;
- 21 (2) A letter of concurrence from the proposed honoree, the proposed honoree's spouse
- 22 or surviving spouse, or any living descendants of the proposed honoree, if any such
- 23 persons are practically accessible and able to provide such letter of concurrence;

- 1 (3) If the proposed honoree is alive, or has been deceased for a period of less than five
2 years and does not satisfy the criteria provided in Section 43-3-41(c)(3)a of this
3 Code, three separate letters of concurrence from at least three Council members,
4 including the City Council member who submitted the request, describing the
5 particular circumstances that justify exempting the proposed honoree from the
6 requirement that an honoree be deceased for a period of not less than five years, as
7 provided in Section 43-3-41(c)(3) of this Code;
- 8 (4) The proposed location for the installation of the secondary street sign consistent
9 with Section 43-3-42 of this Code;
- 10 (5) Information that is sufficient to accurately assess the appropriateness of the
11 secondary street sign for the proposed location; and
- 12 (6) Proof of payment of the application fee described in Subsection (d) of this section.
- 13 (d) A non-refundable application fee shall be charged for the administration,
14 processing issuance, and enforcement of the request under this division. Payment of the application
15 fee shall be made payable to ~~“City Treasurer,”~~ “the City of Detroit,” and submitted to the
16 Legislative Policy Division. In accordance with section 9-507 of the Charter, the Legislative Policy
17 Division shall establish, subject to the approval of the City Council through adoption of a
18 resolution, the amount of the application fee.
- 19 (e) Requests submitted pursuant to this section may be forwarded to the Legislative
20 Policy Division from ~~July 1st~~ January 1st until ~~December 31st~~ June 30th of each calendar year.
- 21 (f) Upon expiration of the 21-day comment period, the Legislative Policy Division
22 shall make a written report summarizing the comments and objections, if any, regarding the
23 request, and forward the report to the City Council.

1 **Sec. 43-3-63 Duties of the Legislative Policy Division to prepare report regarding assignment**
2 **of secondary streets sign through City Council initiative.**

3 (a) Between the dates of ~~January 1st~~ July 1st and ~~April 31st~~ August 31st of the calendar
4 year ~~immediately following the calendar year~~ in which the request for a secondary street sign was
5 forwarded to the Legislative Policy Division, but after submission of the report referenced in
6 Section 43-3-62(c) of this Code, the Legislative Policy Division shall review all documentation
7 submitted by the City Council Member requesting the secondary street sign, and prepare and
8 submit a report of its findings as to whether the proposed secondary street sign does or does not
9 meet the following criteria:

- 10 (1) The proposed honoree positively reflects or exemplifies the cultural, social,
11 economic, or political history of the City, state, nation, or world;
- 12 (2) The proposed honoree was a resident of the City for a cumulative time of not less
13 than ten years;
- 14 (3) The proposed honoree either has been deceased for a period of not less than five
15 years, or is otherwise eligible for an exception to such a requirement pursuant to
16 Section 43-3-41(c)(3) of this Code; and
- 17 (4) The proposed location of the secondary street sign bears a clear association with a
18 site, building, structure, or event directly related to the proposed honoree.

19 (b) Upon finding that all of the criteria listed in Subsection (a) of this section are met,
20 the Legislative Policy Division shall issue to the City Council a recommendation in favor of the
21 proposed secondary street sign, and submit a resolution for consideration by the City Council that
22 includes:

- 23 (1) A description of the historical significance of the proposed honoree;

1 (2) The appropriateness of the location where the secondary street sign is
2 proposed to be installed; and

3 (3) The requirement that the cost of designing, producing, and erecting the sign
4 shall be paid, in advance, to the street fund by the City Council member
5 requesting the secondary street sign.

6 (c) If the Legislative Policy Division determines that any of the criteria listed in
7 Subsection (a) of this section are not met, its report to the City Council shall so indicate.

8 **Sec. 43-3-64. Public hearing regarding assignment of secondary street sign through City**
9 **Council initiative.**

10 (a) Upon receipt of the report from the Legislative Policy Division, the City Council
11 shall adopt a resolution scheduling the time and place of a public hearing.

12 (b) The public hearing shall be scheduled for a date between the months of September
13 and November of the calendar year ~~immediately following the calendar year~~ in which the request
14 for a secondary street sign was forwarded to the Legislative Policy Division.

15 (c) Notice of the public hearing shall be:

16 (1) Provided to the owners and occupants of real property within 300 linear feet
17 of the proposed intersection abutting such street to be assigned a secondary
18 street sign at least five calendar days prior to the hearing; and

19 (2) Published in a newspaper of general circulation at least five calendar days
20 prior to the date scheduled for the hearing.

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

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

1 repealed.

2 **Section 4.** In the event this ordinance is passed by a two-thirds majority of City Council
3 Members serving, it shall be given immediate effect and become effective upon publication in
4 accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is passed
5 by less than a two-thirds majority of City Council Members serving, it shall become effective on
6 the 30th day after enactment in accordance with Section 4-118(2) of the 2012 Detroit City Charter.

Approved as to form:



Conrad L. Mallett
Corporation Counsel