



LAW DEPARTMENT

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March 27, 2024

Detroit City Council
1340 Coleman A. Young
Municipal Center
Detroit, Michigan 48226

Re: Amendment of Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, Article VIII, *Streetcar System*, to comport with state law.

Honorable City Council:

The Law Department has prepared an ordinance proposed by Councilmember Coleman A. Young II. This ordinance would amend Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, Article VIII, *Streetcar System*, by:

1. Repealing Division 1, *Generally*, Section 47-8-2, *Enforcement*, and Section 47-8-2, *Use restrictions; exclusion*, and also repealing Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-11, *Obstructing streetcars*, Section 47-8-12, *Unauthorized access to streetcar system*, Section 47-8-13, *Boarding streetcar without payment of legal fare*, Section 47-8-14, *Misuse of streetcar kiosks, or of ticket vending or ticket validating equipment*, Section 47-8-15, *Use of streetcar system for non-transit purposes*, Section 47-8-16, *Impeding or hindering employees of the streetcar system*, Section 47-8-17, *Unlawful to obstruct rail tracks or property of the streetcar system*, Section 47-8-18, *Skateboards, in-line skates, roller-skates, bicycles, or similar*, Section 47-8-19, *Equipment use*, Section 47-8-20, *Activation of the emergency stop device except in an emergency*, Section 47-8-21, *Streetcar doors; interference with proper operations*, Section 47-8-22, *Order to leave streetcar or streetcar system facilities*, Section 47-8-23, *Failure to vacate elderly and disabled priority seating*, Section 47-8-24, *Smoking and spitting prohibited*, 47-8-25, *Drinking and eating; exception*, Section 47-8-26, *Playing of radios or other electronic devices on streetcar system prohibited; exception; playing of musical instruments prohibited; excessive or unnecessary noise prohibited*, Section 47-8-27, *Animals prohibited; exception for service animal*, Section 47-8-28, *Shopping carts prohibited*, Section 47-8-29, *Oversize packages prohibited*, and Section 47-8-30, *Disposal of solid waste and deposit of bodily discharge prohibited*; Section 47-8-31, *Advertising*, Section 47-8-32, *Building construction and improvement*, and Section 47-8-33, *No fireworks or unauthorized firearms*, and repealing the entirety of Division 3, *Parking and driving near streetcar system*, comprised of Section 47-8-51, *Blocking the streetcar system rail tracks*, Section 47-8-52, *Driving on streetcar rail tracks*, and Section 47-8-53, *Impeding a transit vehicle; towing*;

2. Amending Division 1, Generally, Section 47-8-1, *Definitions*;
3. Restating and renumbering, Division 1, *Generally*, Section 47-8-2, *Use restrictions; exclusions*; Article Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-14, *Equipment use*, Section 47-8-15, *Activation of the emergency stop device except in an emergency*, Section 47-8-20, *No fireworks or unauthorized firearms*, Section 47-8-26 *Playing of radios or other electronic devices on streetcar system prohibited; exception; playing of musical instruments prohibited; excessive or unnecessary noise prohibited*, , Section 47-8-18, *Advertising*, Section 47-8-31, *Advertising*, Section 47-8-19, *Building construction and improvement*, and Section 47-8-20, *No fireworks or unauthorized firearms*;
4. Amending and renumbering Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-11, *Misuse of streetcar kiosks, or of ticket vending or ticket validating equipment*, Section 47-8-13, *Skateboards, in-line skates, roller skates, bicycles, or similar*, Section 47-8-16, *Streetcar doors; interference with proper operations*; Section 47-8-17, *Playing of radios or other electronic devices on streetcar system prohibited; exception playing of musical instruments prohibited; excessive or unnecessary noise prohibited*; and
5. Adding Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-12, *Vandalism of streetcar system*;

This comprehensive update to Chapter 47 brings the City Code into compliance with state law by repealing and amending the various sections and divisions detailed above to avoid conflict with state level preemption through the Motor Vehicle Code.

We are available to answer any questions that you may have concerning this proposed ordinance.

Respectfully submitted,

Jordan D. Miller

Jordan Miller
Assistant Corporation Counsel
Municipal Section

Enclosure

cc: Malik Washington, City Council Liaison

SUMMARY

This ordinance amends Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, Article VIII, *Streetcar System*, by :

1. Repealing Division 1, *Generally*, Section 47-8-2, *Enforcement*, and Section 47-8-2, *Use restrictions; exclusion*, and also repealing Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-11, *Obstructing streetcars*, Section 47-8-12, *Unauthorized access to streetcar system*, Section 47-8-13, *Boarding streetcar without payment of legal fare*, Section 47-8-14, *Misuse of streetcar kiosks, or of ticket vending or ticket validating equipment*, Section 47-8-15, *Use of streetcar system for non-transit purposes*, Section 47-8-16, *Impeding or hindering employees of the streetcar system*, Section 47-8-17, *Unlawful to obstruct rail tracks or property of the streetcar system*, Section 47-8-18, *Skateboards, in-line skates, roller-skates, bicycles, or similar*, Section 47-8-19, *Equipment use*, Section 47-8-20, *Activation of the emergency stop device except in an emergency*, Section 47-8-21, *Streetcar doors; interference with proper operations*, Section 47-8-22, *Order to leave streetcar or streetcar system facilities*, Section 47-8-23, *Failure to vacate elderly and disabled priority seating*, Section 47-8-24, *Smoking and spitting prohibited*, 47-8-25, *Drinking and eating; exception*, Section 47-8-26, *Playing of radios or other electronic devices on streetcar system prohibited; exception; playing of musical instruments prohibited; excessive or unnecessary noise prohibited*, Section 47-8-27, *Animals prohibited; exception for service animal*, Section 47-8-28, *Shopping carts prohibited*, Section 47-8-29, *Oversize packages prohibited*, and Section 47-8-30, *Disposal of solid waste and deposit of bodily discharge prohibited*; Section 47-8-31, *Advertising*, Section 47-8-32, *Building construction and improvement*, and Section 47-8-33, *No fireworks or unauthorized firearms*, and repealing the entirety of Division 3, *Parking and driving near streetcar system*, comprised of Section 47-8-51, *Blocking the streetcar system rail tracks*, Section 47-8-52, *Driving on streetcar rail tracks*, and Section 47-8-53, *Impeding a transit vehicle; towing*;
2. Amending Division 1, *Generally*, Section 47-8-1, *Definitions*;
3. Restating and renumbering, Division 1, *Generally*, Section 47-8-2, *Use restrictions; exclusions*; Article Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-14, *Equipment use*, Section 47-8-15, *Activation of the emergency stop device except in an emergency*, Section 47-8-20, *No fireworks or unauthorized firearms*, Section 47-8-26 *Playing of radios or other electronic devices on streetcar system prohibited; exception; playing of musical instruments prohibited; excessive or unnecessary noise prohibited*, , Section 47-8-18, *Advertising*, Section 47-8-31, *Advertising*, Section 47-8-19, *Building construction and improvement*, and Section 47-8-20, *No fireworks or unauthorized firearms*;
4. Amending and renumbering Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-11, *Misuse of streetcar kiosks, or of ticket vending or ticket validating equipment*, Section 47-8-13, *Skateboards, in-line skates, roller skates, bicycles, or similar*, Section 47-8-16, *Streetcar doors; interference with proper operations*; Section 47-8-17, *Playing of radios or other electronic devices on streetcar system prohibited; exception playing of musical instruments prohibited; excessive or unnecessary noise prohibited*; and
5. Adding Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-12, *Vandalism of streetcar system*; to bring the City Code into compliance with state law.

1 **BY COUNCILMEMBER** _____ :

2 **AN ORDINANCE to amend** Chapter 47 of the 2019 Detroit City Code, *Transportation*
3 *for Hire*, Article VIII, *Streetcar System*, by :

- 4 1. Repealing Division 1, *Generally*, Section 47-8-2, *Enforcement*, and Section 47-8-2, *Use*
5 *restrictions; exclusion*, and also repealing Division 2, *Unlawful conduct on or near the*
6 *streetcar system*, Section 47-8-11, *Obstructing streetcars*, Section 47-8-12, *Unauthorized*
7 *access to streetcar system*, Section 47-8-13, *Boarding streetcar without payment of legal*
8 *fare*, Section 47-8-14, *Misuse of streetcar kiosks, or of ticket vending or ticket validating*
9 *equipment*, Section 47-8-15, *Use of streetcar system for non-transit purposes*, Section 47-
10 *8-16, Impeding or hindering employees of the streetcar system*, Section 47-8-17, *Unlawful*
11 *to obstruct rail tracks or property of the streetcar system*, Section 47-8-18, *Skateboards,*
12 *in-line skates, roller-skates, bicycles, or similar*, Section 47-8-19, *Equipment use*, Section
13 *47-8-20, Activation of the emergency stop device except in an emergency*, Section 47-8-21,
14 *Streetcar doors; interference with proper operations*, Section 47-8-22, *Order to leave*
15 *streetcar or streetcar system facilities*, Section 47-8-23, *Failure to vacate elderly and*
16 *disabled priority seating*, Section 47-8-24, *Smoking and spitting prohibited*, 47-8-25,
17 *Drinking and eating; exception*, Section 47-8-26, *Playing of radios or other electronic*
18 *devices on streetcar system prohibited; exception; playing of musical instruments*
19 *prohibited; excessive or unnecessary noise prohibited*, Section 47-8-27, *Animals*
20 *prohibited; exception for service animal*, Section 47-8-28, *Shopping carts prohibited*,
21 Section 47-8-29, *Oversize packages prohibited*, and Section 47-8-30, *Disposal of solid*
22 *waste and deposit of bodily discharge prohibited*; Section 47-8-31, *Advertising*, Section
23 *47-8-32, Building construction and improvement*, and Section 47-8-33, *No fireworks or*

1 *unauthorized firearms*, and repealing the entirety of Division 3, *Parking and driving near*
2 *streetcar system*, comprised of Section 47-8-51, *Blocking the streetcar system rail tracks*,
3 Section 47-8-52, *Driving on streetcar rail tracks*, and Section 47-8-53, *Impeding a transit*
4 *vehicle; towing*;

5 2. Amending Division 1, Generally, Section 47-8-1, *Definitions*;

6 3. Restating and renumbering, Division 1, *Generally*, Section 47-8-2, *Use restrictions*;
7 *exclusions*; Article Division 2, *Unlawful conduct on or near the streetcar system*, Section
8 47-8-14, *Equipment use*, Section 47-8-15, *Activation of the emergency stop device except*
9 *in an emergency*, Section 47-8-20, *No fireworks or unauthorized firearms*, Section 47-8-
10 26 *Playing of radios or other electronic devices on streetcar system prohibited; exception*;
11 *playing of musical instruments prohibited; excessive or unnecessary noise prohibited*, ,
12 Section 47-8-18, *Advertising*, Section 47-8-31, *Advertising*, Section 47-8-19, *Building*
13 *construction and improvement*, and Section 47-8-20, *No fireworks or unauthorized*
14 *firearms*;

15 4. Amending and renumbering Division 2, *Unlawful conduct on or near the streetcar system*,
16 Section 47-8-11, *Misuse of streetcar kiosks, or of ticket vending or ticket validating*
17 *equipment*, Section 47-8-13, *Skateboards, in-line skates, roller skates, bicycles, or similar*,
18 Section 47-8-16, *Streetcar doors; interference with proper operations*; Section 47-8-17,
19 *Playing of radios or other electronic devices on streetcar system prohibited; exception*
20 *playing of musical instruments prohibited; excessive or unnecessary noise prohibited*; and
21 5. Adding Division 2, *Unlawful conduct on or near the streetcar system*, Section 47-8-12,
22 *Vandalism of streetcar system*; to bring the City Code into compliance with state law.

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

1 *Emergency* means any unforeseen or sudden circumstance or combination of
2 circumstances including, but not limited to, fire, accident, utility emergency, crime, hazardous
3 material incident, arson, rescue or any other emergency situation, which requires Fire Department
4 or Police Department personnel to respond to such an event for purposes of providing fire, law
5 enforcement, emergency medical care, or related support services in order to prevent or minimize
6 risk, hazard, injury, or loss of life or property that may result in a threat to public health and safety.

7 *Fare medium* means a ticket, token, smart card, pass, coupon, transfer, electronic ticket or
8 other medium sold or distributed by the streetcar system operator, or its authorized agent, for use
9 in gaining entry to or riding a streetcar.

10 *M-1 RAIL* means that Michigan nonprofit corporation named "M-1 RAIL", Corporate
11 Identification Number 70205A, formed November 21, 2007 under the Michigan Nonprofit
12 Corporations Act, being MCL 450.2101 *et seq.*, pursuant to Section 509 of the Recodified Tax
13 Increment Financing Act. being MCL 125.45099 ~~of the Nonprofit Street Railway Act, being MCL~~
14 ~~472.9~~, with the primary purpose of acquiring, owning, constructing, furnishing, equipping,
15 completing, operating, improving, and maintaining a street railway system principally within the
16 City of Detroit.

17 *M-2 RAIL* means that Michigan nonprofit corporation named "M-2 RAIL", Corporate
18 Identification Number 71348G, formed May 10, 2013, under the Michigan Nonprofit Corporations
19 Act, being MCL 450.2101 *et seq.*, as a supporting organization to M-1 Rail with the primary
20 purpose to support and carry out the tax-exempt purposes of M-1 Rail by holding title to, leasing,
21 and managing the property of M-1 Rail.

22 ~~*Nonprofit Street Railway Act* means the Michigan Nonprofit Street Railway Act, being~~
23 ~~MCL 472.1 *et seq.*~~

1 *Overhead catenary system* means a system of poles and overhead wires, including contact
2 wire and charging bars, which supply traction power to the streetcar system.

3 ~~*Proof of fare payment* means a fare medium valid for the place or time at, or the manner
4 in, which it is used. Where using a reduced fare or group fare medium, proof of fare medium
5 payment includes proper identification demonstrating the person's eligibility for the reduced or
6 group fare.~~

7 *Recodified Tax Increment Financing Act* means the Michigan Recodified Tax Increment
8 Financing Act, being MCL 125.4101 et seq.

9 ~~*Service animal* means, as likewise defined in Section 1 of the Michigan Collars, Harnesses,
10 and Leashes on Dogs in Public Places Act, being MCL 752.61:~~

11 ~~(1) — As defined in 28 CFR 36.104, any dog that is individually trained to do work or
12 perform tasks for the benefit of an individual with a disability, including a physical,
13 sensory, psychiatric, intellectual, or other mental disability. Other species of
14 animals, whether wild or domestic, trained or untrained, are not service animals or
15 the purposes of this definition. The work or tasks performed by a service animal
16 must be directly related to the individual's disability. Examples of work or tasks
17 include, but are not limited to, assisting individuals who are blind or have low
18 vision with navigation and other tasks, alerting individuals who are deaf or hard of
19 hearing to the presence of people or sounds, providing non-violent protection or
20 rescue work, pulling a wheelchair assisting an individual during a seizure, alerting
21 individuals to the presence of allergens, retrieving items such as medicine or the
22 telephone, providing physical support and assistance with balance and stability to
23 individuals with mobility disabilities, and helping persons with psychiatric and~~

1 neurological disabilities by preventing or interrupting impulsive or destructive
2 behaviors. The crime deterrent effects of an animal's presence and the provision of
3 emotional support, well-being, comfort, or companionship do not constitute work
4 or tasks for the purposes of this definition; and

5 (2) ~~A miniature horse that has been individually trained to do work or perform tasks as~~
6 described in 28 CFR 36.104 for the benefit of a person with a disability.

7 ~~Station means a passenger station constructed and operated as part of the streetcar system.~~

8 ~~Streetcar means a streetcar vehicle~~ a car other than a railroad train for transporting persons
9 or property operated on stationary rails, including a streetcar operated as part of a street railway
10 system.

11 ~~Streetcar operational licenses means the areas identified in the Construction, Operations~~
12 ~~and Maintenance Agreement as occupied by the streetcar system, including all tracks and the space~~
13 ~~extending four feet beyond the outer edge of the streetcar tracks, and all elements of the overhead~~
14 ~~catenary system and the space extending ten feet beyond any element of the overhead catenary~~
15 ~~system and the traction power substations and the poles, wires, and underground cabling or wiring~~
16 ~~of the streetcar system that make up or power the overhead catenary system.~~

17 ~~Streetcar system means the streetcar public transportation system to be owned, constructed,~~
18 ~~furnished, equipped, completed, operated, improved and maintained by M-1 RAIL and M-2 RAIL~~
19 ~~pursuant to the Nonprofit Street Railway Act Recodified Tax Increment Financing Act, including~~
20 ~~all rail tracks, stations, street cars, track drainage, catenary, wiring, conduits, cabling, electrical~~
21 ~~lines, traction power poles, traction power substations, streetcar traffic signal equipment, electric~~
22 ~~current protection equipment, switches and other functionally related and appurtenant equipment~~

1 and facilities, as the streetcar system may be extended, expanded or supplemented, whether by M-
2 1 RAIL, M-2 RAIL or any other party.

3 *Streetcar system operator* means the owner or operator of a streetcar system as well as any
4 agent or contractor retained to operate the streetcar system.

5 *Streetcar track* means a stationary rail owned by a street railway that is part of a street
6 railway system.

7 **~~Sec. 47-8-2. Enforcement.~~**

8 (a) ~~Any peace officer or, in accordance with Section 1-1-10 of this Code, other person~~
9 ~~authorized by the Chief of Police, including without limitation any security or law enforcement~~
10 ~~personnel employed by the Detroit Transportation Corporation or Wayne State University, has the~~
11 ~~authority:~~

12 (1) ~~To detain and issue a citation; or~~

13 (2) ~~To refuse entrance to streetcar or station or any property owned, operated or~~
14 ~~controlled by the streetcar system; or~~

15 (3) ~~To require departure from a streetcar or any property owned, operated, or controlled~~
16 ~~by the streetcar system of any person who:~~

17 a. ~~Violates any provision of this article; or~~

18 b. ~~Has been issued a notice of exclusion; or~~

19 (4) ~~To authorize and direct the towing or other removal of any bicycle, motorcycle,~~
20 ~~scooter, automobile, van, truck or other vehicle that is parked, standing, unloading~~
21 ~~or otherwise obstructing the operation of a streetcar or the streetcar system in~~
22 ~~violation of any provision of this article.~~

23 (b) ~~Any manager, superintendent or operator of a streetcar system has the authority:~~

1 ~~(1) To refuse entrance to a streetcar or station or any property owned, operated or~~
2 ~~controlled by the streetcar system; or~~

3 ~~(2) To require departure from a streetcar or property owned, operated or controlled by~~
4 ~~the streetcar system of any person who:~~

5 ~~a. Violates any provision of this article or the Nonprofit Street Railway Act;~~

6 ~~or~~

7 ~~b. Has been issued a notice of exclusion. REPEALED.~~

8 **Sec. 47-8-2. Use restrictions; exclusion.**

9 (a) Any person who is convicted of violating any provision of this article resulting in
10 a fine, as provided for in Section 47-1-2 of this Code, may be prohibited from riding on the
11 streetcar running as part of the streetcar system until the sanction is fully paid.

12 (b) Any person who is convicted of violating any provision of this article more than
13 two times, as provided for in Section 47-1-2 of this Code, within a 12-month period may be
14 prohibited from riding on the streetcar system or entering upon the streetcar system for 90 calendar
15 days.

16 (c) Any person who poses a serious continuing risk to the public or transit facility may
17 be immediately removed from a streetcar or station and the person may be prohibited from using
18 the streetcar system or entering upon the streetcar system for a period not to exceed 90 calendar
19 days.

20 (d) Any person who is convicted under state law of assaulting or committing a battery
21 against a streetcar system employee who is acting in the scope of his or her employment may be
22 prohibited from riding on the streetcar system or entering upon the streetcar system for a minimum
23 of one year.

1 ~~(3) Interfere with the collection or verification of fares, fail to carry proof of fare~~
2 ~~payment, or fail or refuse to show proof of fare payment upon proper request.~~

3 ~~(b) Any person who assists with or knowingly permits or facilitates another person to~~
4 ~~commit an offense described in Subsection (a) of this section shall be equally guilty of that offense~~
5 ~~under this section. REPEALED.~~

6 ~~**Sec. 47-8-14. Misuse of streetcar kiosks, or of ticket vending or ticket validating equipment.**~~

7 ~~No person shall:~~

8 ~~(1) Deface, injure, tamper with, break or destroy, or impair the usefulness of any~~
9 ~~streetcar system kiosk, monitor, video screen, artwork, alignment device, sign,~~
10 ~~display, ticket vending machine, or ticket validating machine; or~~

11 ~~(2) Remove any coin box or the money content from the kiosk, ticket vending machine,~~
12 ~~or streetcar system property; or~~

13 ~~(3) Open or remove the contents of coin box or the money content without lawful~~
14 ~~authority. REPEALED.~~

15 ~~**Sec. 47-8-15. Use of streetcar system for non-transit purposes.**~~

16 ~~No person shall:~~

17 ~~(1) Enter or remain upon, occupy or use a station for purposes other than waiting for~~
18 ~~or boarding the next arriving streetcar, disembarking, or purchasing a fare medium~~
19 ~~for a streetcar. A person is in violation of this section only after having occupied a~~
20 ~~station for a period of time that exceeds that which is necessary to wait for, purchase~~
21 ~~a fare medium for, board, or disembark from a streetcar or other designated public~~
22 ~~transportation vehicle using a designated shared station; or~~

1 ~~(b) — No person shall lie down on the floor of a streetcar.~~

2 ~~(c) — No person shall lie across the seats of a streetcar in a manner which inhibits the~~
3 ~~proper use of seats provided for waiting or boarding riders.~~

4 ~~(d) — No person shall hang onto the exterior of any part of a streetcar while the streetcar~~
5 ~~is in motion. REPEALED.~~

6 ~~**Sec. 47-8-22. Order to leave streetcar or streetcar system facilities.**~~

7 ~~No person shall refuse to leave a street car or any other part of the streetcar system upon~~
8 ~~proper direction or order of an agent, employee or other designated security representative of the~~
9 ~~operator of the streetcar system. REPEALED.~~

10 ~~**Sec. 47-8-23. Failure to vacate elderly and disabled priority seating.**~~

11 ~~No person shall fail to vacate seats on a streetcar designed for use by individuals with~~
12 ~~disabilities when requested to do so by a peace officer, enforcement agent, agent, employee or~~
13 ~~designee of the streetcar system. REPEALED.~~

14 ~~**Sec. 47-8-24. Smoking and spitting prohibited.**~~

15 ~~No person shall smoke any substance, use an e-cigarette, carry lighted tobacco, or spit~~
16 ~~within or upon any streetcar or station of the streetcar system. REPEALED.~~

17 ~~**Sec. 47-8-25. Drinking and eating; exception.**~~

18 ~~No person shall eat or drink or carry an open container of food or beverage on the streetcar~~
19 ~~system or in any area of a station, except, that this section shall not apply to children under 3 years~~
20 ~~of age. REPEALED.~~

21 ~~**Sec. 47-8-26. Playing of radios or other electronic devices on streetcar system prohibited;**~~
22 ~~**exception; playing of musical instruments prohibited; excessive or unnecessary noise**~~
23 ~~**prohibited.**~~

1 (a) ~~No person shall play any radio or other electronic audio or video playback device~~
2 ~~within any streetcar or area of any station without using earphones or earbuds.~~

3 (b) ~~No person shall play any musical instrument within any streetcar, or area of any~~
4 ~~station.~~

5 (c) ~~No person shall make excessive or unnecessary noise, including boisterous,~~
6 ~~disruptive or unreasonably loud conduct, within any streetcar or area of any station that may cause~~
7 ~~annoyance to the public, streetcar personnel, fare enforcement agents or peace officers.~~

8 REPEALED.

9 ~~**Sec. 47-8-27. Animals prohibited; exception for service animal.**~~

10 ~~No person shall bring, carry or transport any animal on a streetcar or in any area of the~~
11 ~~station with the exception of a service animal as defined in Section 47-8-1 of this Code.~~

12 REPEALED.

13 ~~**Sec. 47-8-28. Shopping carts prohibited.**~~

14 ~~No person shall bring or carry a commercial shopping cart aboard any streetcar or within a~~
15 ~~station. REPEALED.~~

16 ~~**Sec. 47-8-29. Oversize packages prohibited.**~~

17 ~~No person shall bring or carry aboard a streetcar any package or article of a size which~~
18 ~~cannot be positioned in a way that allows entry and exit through doors and passage in aisles of a~~
19 ~~streetcar. REPEALED.~~

20 ~~**Sec. 47-8-30. Disposal of solid waste and deposit of bodily discharge prohibited.**~~

21 (a) ~~No person shall dispose of garbage, papers, gum, refuse or other forms of trash~~
22 ~~within the streetcar system except in receptacles provided for such purpose.~~

1 ~~(a) — No person shall deposit, blow, or spread any bodily discharge on any part of the~~
2 ~~streetcar system. REPEALED.~~

3 ~~**Sec. 47-8-31. Advertising.**~~

4 ~~Unless authorized in writing by a representative of the owner or operator of the streetcar~~
5 ~~system, no person shall post or distribute commercial signs, advertisements, literature, circulars,~~
6 ~~pictures, sketches, drawings, handbills, or any other form of printed or written commercial matter~~
7 ~~or material anywhere on or within the streetcar system, including on or within any streetcar,~~
8 ~~catenary pole, alignment pole, or station. REPEALED.~~

9 ~~**Sec. 47-8-32. Building construction and improvement.**~~

10 ~~(a) — No person shall construct or cause to be constructed any permanent or temporary~~
11 ~~buildings or structures, including signs, banners, utility connections, or any improvements,~~
12 ~~modifications or additions to any such buildings or structures, or any paving, excavations, removal~~
13 ~~of soil or fill material within 50 feet of the streetcar system without first obtaining a permit from~~
14 ~~the Department of Public Works.~~

15 ~~(b) — Where the construction work activity will take place within 10 feet of the streetcar~~
16 ~~system or within 25 feet of the overhead catenary system of the streetcar system, the permit must~~
17 ~~contain an enhanced permit endorsement from the Department of Public Works.~~

18 ~~(c) — The Department of Public Works may issue a permit subject to conditions the~~
19 ~~department deems necessary to protect the health and safety of the public and the integrity of the~~
20 ~~streetcar system including, but not limited to, requirements that the applicant provide proof of~~
21 ~~adequate liability coverage and follows safety protocol as identified by the Department of Public~~
22 ~~Works.~~

1 ~~(d) The City shall have the right to issue an immediate stop work order on any party~~
2 ~~performing work without a permit or in violation of an issued permit.~~

3 ~~(e) Each day that a violation continues shall constitute a separate violation.~~

4 REPEALED.

5 **~~Sec. 47-8-33. No fireworks or unauthorized firearms.~~**

6 ~~No person shall possess or carry any fireworks or like incendiary devices, or carry any~~
7 ~~firearm, on a streetcar or in a station unless such person is a peace officer or otherwise is authorized~~
8 ~~by law to carry such fireworks or firearm. REPEALED.~~

9 **Sec. 47-8-11. Misuse of streetcar kiosks, or of ticket vending or ticket validating equipment.**

10 No person shall:

11 (1) Deface, injure, tamper with, break or destroy, or impair the usefulness of any
12 streetcar system kiosk, monitor, video screen, artwork, alignment device, sign,
13 display, ticket vending machine, or ticket validating machine; or

14 (2) Remove any coin box or the money content from the kiosk, ticket vending machine,
15 or streetcar system property; or

16 (3) Open or remove the contents of coin box or the money content without lawful
17 authority; or

18 (4) Use or offer for passage any fraudulent transfer, ticket, pass, payment token or other
19 fare medium.

20 **Sec. 47-8-12. Vandalism of streetcar system.**

21 No person shall tamper with, deface, destroy, place graffiti on, disfigure, or vandalize any
22 property of the streetcar system.

23 **Sec. 47-8-13. Skateboards, in-line skates, roller-skates, bicycles, or similar.**

1 No person shall ride a skateboard, in-line skates, roller-skates, bicycle, or similar device at
2 a station, upon a streetcar, or directly upon the streetcar tracks.

3 **Sec. 47-8-14. Equipment use.**

4 Other than an authorized individual, no person shall operate any streetcar system
5 equipment except where such equipment is designed for use by the public.

6 **Sec. 47-8-15. Activation of the emergency stop device except in an emergency.**

7 No person shall activate the "emergency stop" device of a streetcar in the absence of an
8 emergency.

9 **Sec. 47-8-16. Streetcar doors; interference with proper operations.**

10 (a) No person shall extend any portion of his or her body or any item through any door
11 or window of a streetcar while it is in motion.

12 (b) No person shall lie down on the floor of a streetcar.

13 (c) No person shall lie across the seats of a streetcar in a manner which inhibits the
14 proper use of seats provided for waiting or boarding riders.

15 (d) No person shall hang onto the exterior of any part of a streetcar while the streetcar
16 is in motion.

17 **Sec. 47-8-17. Playing of radios or other electronic devices on streetcar system prohibited;**
18 **exception; playing of musical instruments prohibited; excessive or unnecessary noise**
19 **prohibited.**

20 (a) No person shall play any radio or other electronic audio or video playback device
21 within any streetcar or area of any station without using earphones or earbuds.

22 (b) No person shall play any musical instrument within any streetcar. ~~or area of any~~
23 station.

1 (c) The streetcar system operator may issue a permit for a person to play live music
2 within a station pursuant to MCL 257.791g.

3 (d) No person shall make excessive or unnecessary noise, including boisterous,
4 disruptive or unreasonably loud conduct, within any streetcar or area of any station that may cause
5 annoyance to the public, streetcar personnel, fare enforcement agents or peace officers.

6 **Sec. 47-8-18. Advertising.**

7 Unless authorized in writing by a representative of the owner or operator of the streetcar
8 system, no person shall post or distribute commercial signs, advertisements, literature, circulars,
9 pictures, sketches, drawings, handbills, or any other form of printed or written commercial matter
10 or material anywhere on or within the streetcar system, including on or within any streetcar,
11 catenary pole, alignment pole, or station.

12 **Sec. 47-8-19. Building construction and improvement.**

13 (a) No person shall construct or cause to be constructed any permanent or temporary
14 buildings or structures, including signs, banners, utility connections, or any improvements,
15 modifications or additions to any such buildings or structures, or any paving, excavations, removal
16 of oil or fill material within 50 feet of the streetcar system without first obtaining a permit from
17 the Department of Public Works.

18 (b) Where the construction work activity will take place within 10 feet of the streetcar
19 system or within 25 feet of the overhead catenary system of the streetcar system, the permit must
20 contain an enhanced permit endorsement from the Department of Public Works.

21 (c) The Department of Public Works may issue a permit subject to conditions the
22 department deems necessary to protect the health and safety of the public and the integrity of the
23 streetcar system including, but not limited to, requirements that the applicant provide proof of

1 adequate liability coverage and follows safety protocol as identified by the Department of Public
2 Works.

3 (d) The City shall have the right to issue an immediate stop work order on any party
4 performing work without a permit or in violation of an issued permit.

5 (e) Each day that a violation continues shall constitute a separate violation.

6 **Sec. 47-8-20. No fireworks or unauthorized firearms.**

7 No person shall possess or carry any fireworks or like incendiary devices, or carry any
8 firearm, on a streetcar or in a station unless such person is a peace officer or otherwise is authorized
9 by law to carry such fireworks or firearm.

10 **Secs. 47-8-~~21~~—47-8-50. Reserved.**

11 **~~DIVISION 3. PARKING AND DRIVING NEAR STREETCAR SYSTEM~~ REPEALED**

12 **~~Sec. 47-8-51. Blocking the streetcar system rail tracks.~~**

13 ~~No person shall:~~

14 ~~(1) Enter upon or remain upon the streetcar system rail track so as to create a hazard to~~
15 ~~that person or interfere with the passage of the streetcar vehicle; or~~

16 ~~(2) Operate a bicycle, motorcycle, scooter, automobile, van, truck or other vehicle in a~~
17 ~~manner with the intent to delay or impede a streetcar; or~~

18 ~~(3) Fail to obey a request to not enter, cross, travel upon or stand upon the streetcar~~
19 ~~system rail track, where the order is given by a peace officer, a streetcar system~~
20 ~~enforcement agent, a streetcar system superintendent or manager, or any other~~
21 ~~person authorized by the Chief of Police. REPEALED.~~

22 **~~Sec. 47-8-52. Driving on streetcar rail tracks.~~**

1 ~~(a) The driver of any bicycle, motorcycle, scooter, automobile, van, truck, or other~~
2 ~~vehicle proceeding upon any streetcar rail tracks in front of a streetcar shall remove such vehicle~~
3 ~~from the rail tracks as soon as practical after a signal from the operator of such streetcar.~~

4 ~~(b) When a streetcar has lawfully entered and is crossing an intersection, no driver of~~
5 ~~a bicycle, motorcycle, scooter, automobile, van, truck, or other vehicle shall drive upon or across~~
6 ~~the streetcar rail tracks within the intersection in front of such streetcar.~~

7 ~~(c) The driver of a bicycle, motorcycle, scooter, automobile, van, truck, or other~~
8 ~~vehicle upon overtaking and passing a streetcar shall not turn in front of such streetcar so as to~~
9 ~~interfere with or impede its movement. REPEALED.~~

10 ~~Sec. 47-8-53. Impeding a transit vehicle; towing.~~

11 ~~A peace officer or any other person authorized by the Chief of Police, may order a bicycle,~~
12 ~~motorcycle, scooter, automobile, van, truck, or other vehicle towed when the vehicle is impeding~~
13 ~~the operation of a streetcar or is otherwise parked or standing in violation of any provision of this~~
14 ~~article. REPEALED.~~

15 ~~Secs. 47-8-54 — 47-8-70. Reserved.~~


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

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

20 **Section 4.** In the event this ordinance is passed by two-thirds (2/3) majority of City
21 Council Members serving, it shall be given immediate effect and become effective upon
22 publication in accordance with Section 4-118 of the 2012 Detroit City Charter. Where this
23 ordinance is passed by less than a two-thirds (2/3) majority of City Council Members serving, it

- 1 shall become effective on the thirtieth (30) 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