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BILL ANALYSIS

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House Bill 4868 (Substitute H-2 as passed by the House)
Sponsor: Representative Coleman Young
House Committee: Intergovernmental, Urban, and Regional Affairs
Senate Committee: Local, Urban and State Affairs

Date Completed: 3-3-08

CONTENT

The bill would amend the Home Rule City Act to add right-of-way signage and dangerous building ordinance violations to the list of ordinance violations that a city may designate as blight violations.

Under the Act, a city that has a population of at least 7,500 and is located in any county, or a city that has a population of at least 3,300 and is located in a county with a population of at least 2.0 million, may establish an administrative hearings bureau to adjudicate and impose sanctions for violations of the charter or ordinances designated in the charter or ordinance as blight violations.

A city that establishes an administrative hearings bureau must establish by ordinance the jurisdiction of the bureau for adjudicating alleged blight violations, making determinations of responsibility, and imposing sanctions upon those found responsible for a violation. The bureau and its hearing officers do not have the authority to impose a penalty of incarceration and may not impose a civil fine greater than \$10,000. The city may designate only a violation of any of the following types of ordinances as a blight violation:

- Zoning.
- Building or property maintenance.
- Solid waste and illegal dumping.
- Disease and sanitation.
- Noxious weeds.
- Vehicle abandonment, inoperative vehicles, vehicle impoundment, and municipal vehicle licensing.

Under the bill, a city also could designate the following types of ordinances as a blight violation:

- Right-of-way signage, which would mean the placement of signage in a right-of-way without a proper permit from the city.
- An ordinance that was substantially the same as Sections 138 to 142 of the Housing Law of Michigan.

(Sections 138 to 142 of the Housing Law prohibit any owner or agent of an owner from keeping or maintaining any dwelling or part of a dwelling that is a dangerous building. Under the sections, a "dangerous building" is a building or structure that has one or more defects or is in a certain condition described in the Law, including noncompliance with a fire

code, damaged by fire, wind, flood, neglect, or vandalism, or in such a condition that part of the building or structure is likely to fall or collapse because of dilapidation, deterioration, or faulty construction.)

Currently, a city may institute an action in a court of competent jurisdiction for the collection of a judgment imposed by an order under the Act for a blight violation. The bill would refer to "circuit court" instead of "a court of competent jurisdiction".

MCL 117.4q & 117.4r

Legislative Analyst: Craig Laurie

FISCAL IMPACT

The bill would have no fiscal impact on State revenue or expenditure. Local unit revenue could increase to the degree that additional fines were imposed and/or changes resulting from the bill improved property values. Local unit expenses could rise to the extent that additional costs were incurred to address the larger array of potential blight violations.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.