



City Council Meeting
7:00 p.m., Monday, June 5, 2023
City Council Chambers
23600 Liberty Street
Farmington, MI 48335

MEETING AGENDA

1. **Roll Call**
2. **Approval of Agenda**
3. **Public Comment**
4. **Public Safety Annual Report, Public Safety Director Bob Houhanisin**
5. **EMS update**
6. **Waste Management Solid Waste Collection one year extension**
7. **Consideration to approve license agreement for use and maintenance of public right of way for outdoor seating, paving improvements, and landscape elements**
8. **Resolution to review bicentennial steering committee**
9. **Board and Commission Appointments**
10. **Second reading of ordinance to amend chapter 29, Nuisances, Article III- Littering and Distribution of Handbills, Section 19-65 Distributing on Handbills**
11. **Second reading of ordinance to amend chapter 22 Solicitors**
12. **Other Business**
13. **Public Comment**
14. **Council Comment**
15. **Adjournment**

The City will follow its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 474-5500, ext. 2218 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Farmington City Council Staff Report	Council Meeting Date: June 5, 2023	Item Number 6
Submitted by: Charles Eudy, Superintendent		
Agenda Topic: Waste Management Solid Waste Collection 1 year extension		
Proposed Motion: Move to approve a one (1) year solid waste collection extension with Waste Management for solid waste collection including trash, yard waste, and recycling.		
Background: <p>Earlier this year, City Administration and Waste Management representatives met to review the Waste Management solid waste collection performance as per last year's contract extension describes. The contract extension allows for the City of Farmington to request Waste Management to provide rates for a second year extension. The solid waste industry is still suffering from inadequate staffing, competitive markets, and a drop in recycling revenue.</p> <p>Waste Managements performance over the last 12 months has been on par with their performance prior to other RRRASOC communities leaving Waste Management. Waste Management has reorganized routes, adjusted staffing, and endured a transition of management personnel. Route Supervisors have improved their communication with Public Works advising of delays or equipment failures. When Waste Management provides information of delays or breakdowns, that information is shared on social media with the residents.</p> <p>The current proposal includes a minor rate increase from \$171.00 to \$179.52 annually per household - which is less than the contract extension allows per the Consumer Price Index (CPI), - minor changes to the number of items permitted for trash collection, but no changes to the recycling or yard waste collections.</p> <p>If the City of Farmington is considering moving to the Cart/Cart Plus trash collection in the future, Waste Management is requesting a longer duration contract to offset the upstart expense of the carts. Moving to the Cart/Cart Plus trash collection will help alleviate staffing shortages and employee productivity. If the City of Farmington determines it is committed to moving to the Cart/Cart Plus system, Waste Management will provide public education material to the City of Farmington to inform the residents.</p> <p>City Administration and Mike Csapo at RRRASOC recommend accepting Waste Management's proposal extending the service contract and additional year with the described contract modifications.</p>		
Materials: 4/24/2023 Meeting highlights Waste Management Contract Extension Proposal		

Waste Management/City of Farmington
Contract Extension Meeting
4/24/2023 9:00 AM
23600 Liberty Street

Chantell LaForest, Waste Management

Doug Reams, Waste Management

David Murphy, City Manager

Chuck Eudy, Public Works

Josh Leach, Public Works

- No plans for carts with a 1 year renewal.
- WM would like to secure a 5 year contract prior to providing carts. A 3 year is possible but would be reflected in the rates.
- 96 gallon carts when moved to carts.
- 30-60 day change over period to change size cart.
- No fee to swap during the 30-60 day period.
- Recycling rates could increase an additional 20% by using trash carts.
- WM to roll out App.
- Trucks will be equipped with 9 cameras to monitor collections.
- Public Works to continue to advise residents 2 bulk items per collection and encourage residents to contact WM when there is a large clean out.
- WM to provide Farmington with bagster information to be placed on social media.
- WM to provide images and sizes of carts to City of Farmington to be placed on social media when we are ready.
- Possible display at Farmers Market later in the fall?
- WM to provide back door service requirements to DPW.
- Farmington is one of the few communities not using trash carts in SE Michigan



Monday, April 24, 2023

David M. Murphy
Manager, City of Farmington
23600 Liberty St
Farmington, MI 48335

WM is proud to be the City of Farmington's service provider and grateful for your continued partnership.

While the U.S. economy has made significant strides toward stabilization, the adverse impacts of the COVID-19 pandemic continue to pose significant challenges to the environmental services industry. Alongside the inflated cost of doing business and ongoing battle to recruit and retain talent, supply chain disruptions resulting in limited access to critical materials and equipment have substantially increased our cost to service your community.

To combat such obstacles, WM has instituted the following across the company:

- **Automation.** By leveraging new technologies to phase out manual collection, we have reduced labor costs, diversified the talent pools we can hire from and increased safety and service efficiencies.
- **Limitations.** In communities with unlimited service, WM has introduced reasonable limitations to solid waste and bulk collection. When coupled with education and strategic communications, we have seen great success phasing out manual collection with automation.
- **Green and Gold Teams.** Comprised of highly-skilled drivers and laborers, WM's Green and Gold Teams are dedicated to providing relief in the wake of disasters or supporting significant service transitions, such as the start of a new contract.

WM recognizes that change takes time. Please find a one-year contract extension proposal below for your review and consideration, which will grant the time necessary to partner with the City of Farmington in its journey to automated collection.

Renewal Proposal

- For the contract period starting July 1, 2023 and concluding June 30, 2024, the City of Farmington will be subject to a rate of \$14.94 per household.
- The scope of services will change slightly, allowing for collection of up to five bags of solid waste and two bulk items per household per week. Recycling and seasonal yard waste will remain unlimited.
- In collaboration with the City of Farmington, opportunities to inform key decisionmakers of the benefits of automation and other WM technologies will be identified and coordinated,

WM is deeply committed to providing best-in-class service to our customers and the communities we call home. Thank you for the opportunity to continue providing high-quality service for the City of Farmington. If you have any questions, please contact me directly.

Sincerely,

A handwritten signature in cursive script that reads "Chantell LaForest".

Chantell LaForest
Public Sector Representative, WM Great Lakes Area
clafores@wm.com | 248.534.0152

Farmington City Council Staff Report	Council Meeting Date: June 5, 2023	Reference Number 7
Submitted by: Kevin Christiansen, Planning and Building Department Director		
Description Consideration to approve License Agreement for Use and Maintenance of Public Row for Outdoor Seating, Paving Improvements, and Landscape Elements .		
Requested Action Motion to approve License Agreement for Use and Maintenance of Public Row for Outdoor Seating, Paving Improvements, and Landscape Elements		
<p>Background</p> <p>In connection with its recently approved site plan for an outdoor seating area within the City's public right-of-way adjacent to their existing commercial building, the City is seeking to enter into a License Agreement with Cannelle Farmington to allow the use of the public right-of-way subject to certain conditions, including ongoing maintenance of the licensed right-of-way area, the provision of insurance with respect to the right-of-way area, and the requirement to indemnify the City for damages or injuring occurring within the licensed area. Attached is a copy of the draft License Agreement and support materials, including the approved site plan.</p>		
Agenda Review		
Department Head	Finance/Treasurer	City Attorney
City Manager		

LICENSE AGREEMENT FOR USE AND MAINTENANCE OF PUBLIC ROW FOR OUTDOOR SEATING, PAVING IMPROVEMENTS, AND LANDSCAPE ELEMENTS

Agreement made this _____ day of November, 2022, by and between the CITY OF FARMINGTON, a Michigan municipal corporation ("City"), whose address is 23600 Liberty Street, Farmington, MI, 48335, and _____, ("Licensee"), whose address is _____, Farmington, MI 48____, with regard to the property described as:

Benefitting Parcel Description

[insert legal description of parcel that will be served by the right-of-way use]

Known as:

Address:

Parcel Identification No.

Described as:

(the "Property")

RECITALS

A. The City is the owner of public right-of-way adjacent to the Property in the location shown in the attached and incorporated Exhibit A that is proposed for use for outdoor seating (the "Licensed Area").

B. Licensee is the owner of the Property, which is being developed for use as a bakery with outdoor seating and landscape elements which proposed is to extend into the right-of-way as shown on Exhibit A.

C. Licensee also seeks to make certain improvements to the paved sidewalk area within the Licensed Area to improve the appearance and functionality of the paving so that it is consistent with the site planned use for outdoor seating.

E. The City is willing to authorize the use and maintenance of the Licensed Area consistent with the site plan shown in Exhibit A for the purpose of paving improvements and the installation, operation, use and maintenance of landscaping and an outdoor seating area consistent with the approved site plan in a condition that is acceptable to the City.

NOW, THEREFORE, the Parties agree as follows:

1. The City, as an accommodation to the Licensee, hereby grants to Licensee a License to occupy and use the Licensed Area area shown in Exhibit A for the purpose of installing paving and landscaping improvements and operating, using and maintaining a fenced in outdoor seating area for use in connection with the bakery use of the Property.

2. License shall be required to undertake all required on-going maintenance of the Licensed Area to ensure that it is kept in a safe, clean and attractive manner, including but not limited to removal of trash, watering and replacing landscape elements, repairing broking fencing, tables and/or other improvements to the seating area. Keeping the paved areas free of snow, ice and debris. In the event that the Licensee shall at any time fail to carry out the responsibilities above, and/or in the event of a failure to preserve and/or maintain such areas or facilities in reasonable order and condition, the City may serve written notice upon the Licensee, setting forth the deficiencies in maintenance and/or preservation. Notice shall also set forth a demand that the deficiencies be cured within a stated reasonable time period. In the event that the deficiencies are not cured, the City may, but is not required to, enter into the Licensed Area and undertake maintenance, repair or replacement of the Licensed area to eliminate trash, debris or safety hazards. Licensee shall be responsible for the payment of costs incurred by the City, including the cost of notices by the City an reasonable legal fees incurred by the City, plus an administrative fee in the amount of 25% of the total of all costs and expenses incurred, shall be paid by the Developer and/or Association. In the discretion of the City, such costs and expenses may be collected by suit initiated against the Licensee and, in such event, the Licensee shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit.

3. Either party may terminate this Agreement at any time by giving written notice to the other specifying the proposed date of termination, such notice to be given not less than thirty (30) days before its improvements, not including paving repairs or improvements, by the date specified in such notice for the date of termination. The City may remove such improvements, at the Licensees expense, if they are not removed in accordance the date set forth in the Notice of termination. Licensee shall be responsible for all costs associated with such removal, including any costs and attorneys' fees incurred by the City in securing such removal or collecting from the Licensee the costs associated with such removal.

4. Upon completion of the paving improvements, Licensee shall provide record drawings in a form acceptable to the City of the location of any construction related materials placed within the Licensed Area as a result of this specific license agreement. The City retains the right to complete any additional paving repairs or replacements, or installation of other improvements as determined by the City within its discretion, at any time during the term of this License.

5. Licensee shall indemnify and hold the City harmless from and against all liability for personal injuries, property damage, or for loss of life or property resulting from, or in any way connected with its use of the Licensed Area, including the condition or use of the premises covered by this license, and/or any means of ingress to or egress from such premises, except liability caused solely by the negligence of the City, its agents, officers or employees. Licensee may be responsible for all damages to City-owned improvements or City-owned property of any kind caused by or in any way related to Licensee's use of the Licensed Premises, including but not limited to City-owned paving, utilities, and storm sewer requiring repair or replacement as a result of Licensee's use, maintenance, repair, replacement, and/or removal of its improvements, as determined by the City.

6. Licensee shall procure and maintain so long as the license is in effect comprehensive general liability insurance or program of self-insurance, to protect from claims for damages because of bodily injury or death and from claims for injury or destruction of property including loss of use resulting therefrom, any and all of which may arise out of or result from the Licensee's use of the Licensed Area. The limits of liability for bodily injury including accidental death shall be \$1,000,000.00 per occurrence. The limits of liability for property damage shall be \$1,000,000.00 per occurrence. The policy shall include general aggregate coverage in the amount of \$2,000,000. The policy shall name the City as an additional insured with respect to the Licensed Area. Licensee shall require all contractors installing improvements within the Licensed Area to include the same coverage with respect to the City.

6. This Agreement and attached and incorporated Exhibits shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

7. Any modification of this Agreement, the Exhibits, or additional obligation(s) assumed by either party in connection with this Agreement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

8. Any notice provided for or concerning this Agreement, Exhibits shall be in writing and shall be deemed sufficiently given when sent by certified or registered mail if sent to the respective address of each party as set forth at the beginning of this Agreement.

9. This Agreement does not grant or convey an interest in any property to Licensee.

10. This License Agreement and its Exhibits are to be recorded as a revocable license/easement located within the public right-of-way adjacent to the benefitting property. This License Agreement will run with the land until termination as set forth herein. The Licensee shall record this Agreement with the Oakland County Register of Deeds prior to the issuance of the required right-of-way permit and/or any other necessary or associated construction permits for the improvements that are the subject of this License.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed on the date indicated below.

[signatures contained on next page]

CITY OF FARMINGTON

By: David Murphy
Its: City Manager

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this ____ day of November, 2022, by David Murphy, as the City Manager of the City of Farmington.

Notary Public
Oakland County, Michigan
My Commission Expires: _____

LICENSEE

By:
Its:

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this ____ day of November, 2022, by _____, as the _____ of _____.

Notary Public
Oakland County, Michigan
My Commission Expires: _____

Drafted by:
Thomas R. Schultz
Rosati Schultz Joppich & Amtsbuechler PC
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331-3550

Return to:
Charles Eudy – DPW Superintendent
City of Farmington
33720 Nine Mile Road
Farmington, Michigan 48335

EXHIBIT A

DESCRIPTION OF THE IMPROVEMENTS / APPROVED SITE PLAN



City of Farmington CivicSight Map

MAP LEGEND:

- CITY BOUNDARY
- / RIVERS-STREAMS
- MULTITENANTBUILDING (Type)
 - BUILT
 - PROPOSED
 - COMM_INDUST BLDGS
 - RAPHAEL STREET(POLY)2
 - RAPHAEL STREET(POLY)
 - PARCELS
 - ROADS OUTSIDE FARMINGTON
 - RIGHTOFWAY
 - MULTITENANTPAVING
 - ROW EXTEND
 - / LOT HISTORY
- OPEN WATER (FEATUERTYP)
 - DetentionPond
 - StreamRiver
 - LakePond
 - Channel
 - SwampMarsh

2017 AERIAL PHOTOS (Image)

Map Scale: 1 inch = 30 feet

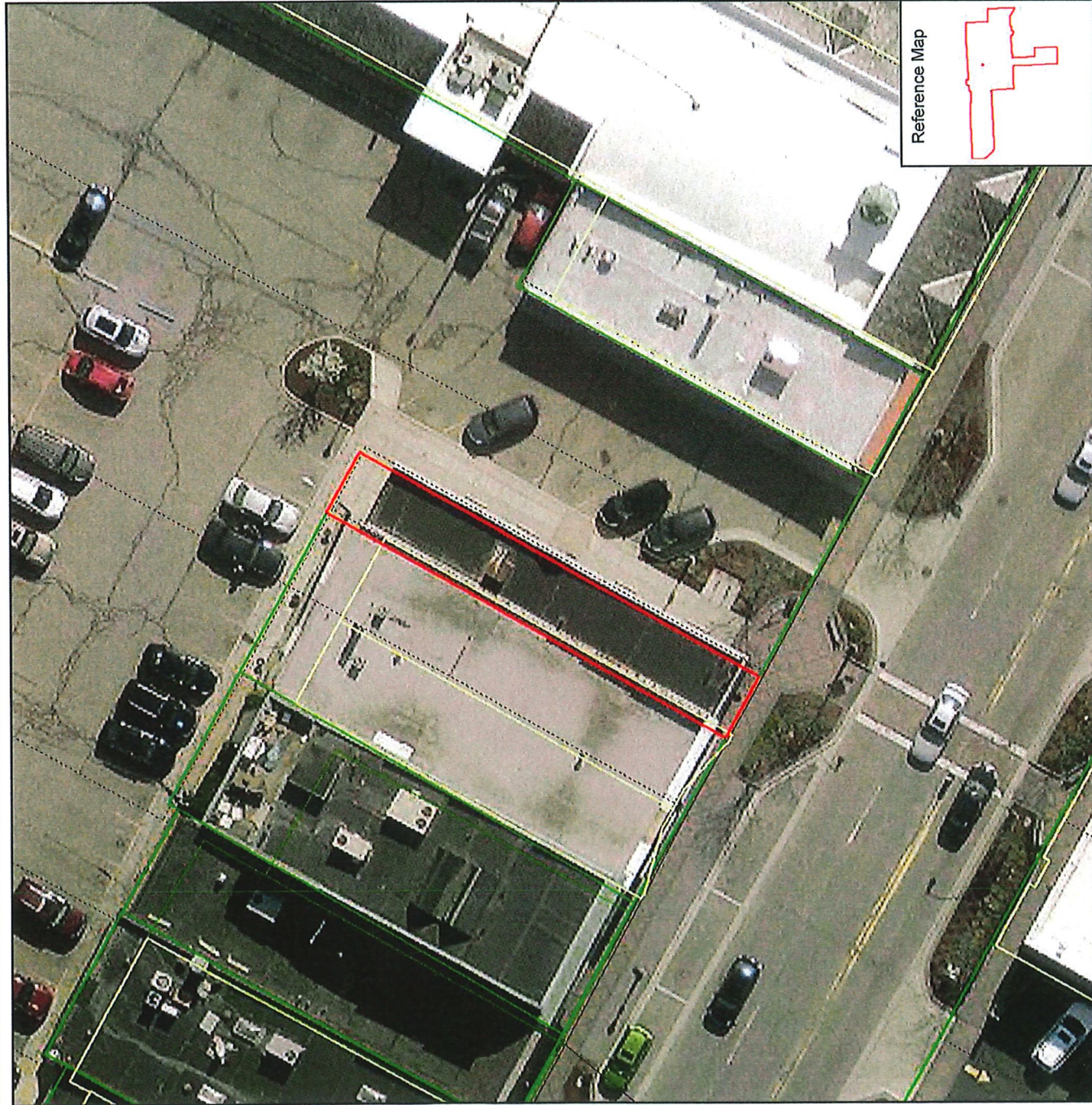
Map Date: 5/05/2023

Data Date: October 30, 2020

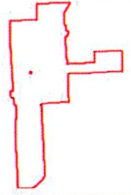
Sources: City of Farmington, Oakland County GIS Utility, River's Edge GIS, LLC.



Disclaimer:
Note: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information. Once again, USE AT YOUR OWN RISK !!!



Reference Map



DRAFT

FARMINGTON PLANNING COMMISSION PROCEEDINGS
23600 Liberty Street
Farmington, Michigan
May 8, 2023

Chairperson Majoros called the meeting to order in Council Chambers, 23600 Liberty Street, Farmington, Michigan, at 7:00 p.m. on Monday, April 10, 2023.

ROLL CALL

Present: Crutcher, Kmetzo, Majoros, Mantey, Perrot, Westendorf, Waun
Absent: None

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Kevin Christiansen; Recording Secretary Bonnie Murphy, Brian Belesky, Director of Media Specialist, Brian Golden, Media Specialist; Beth Saarela, City Attorney

APPROVAL OF AGENDA

MOTION by seconded by to approve the agenda.
Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

A. April 10, 2023 Minutes

MOTION by , seconded by , to approve the items on Consent Agenda.
Motion carried, all ayes.

OUTDOOR SEATING SITE PLAN REVIEW – CANNELLE FARMINGTON, 33304 GRAND RIVER

North side of gr and part of ore of downwon a

Chairperson Majoros introduced this item and turned it over to staff.

Director Christiansen stated the City has received site plan for outdoor seating at address CBD outdoor reciew and recc app by DDA = DDa rewend and recommended at their 4-18-23 meeting. No changes regarding bldg. dimensions copy of sit eplan and Utdoor seting area = Kickstart and clothese encounters

See property in question - east side adjacent only an ingress
See angled parked cars adjacent to where outdoor seating is proposed public right of way
any action with respect to site plan subsequent ot hat and approval there are agreements necessary between Canelle and COF – outdoor seating to west – those all within the right of way for gr

City of Farmington Planning Commission

May 8, 2023

Page 2

Dda had opp review in these items to be identified and provide to applicant couple elements related to plan color of concrete - bike rack -

Application move to site plan for outdoor seating see canelle and proposed outdoor seating - key in lower right hand corner - herringbone pattern on gr right of way

Steal thunder of applicant

Material board for outdoor seating area - planting pots urns umbrella and fencing - consistent with fencing throughout downtown

Turned it back to Maj

Maj invited the Petitioner to podium

Burt Koseck - landscape archite and owner not here

Kevin is passing out something that will help understand what is being proposed -

Approved bldg. renovation

In front of DDA few weeks ago

Page 1 shows images on left are existing conditions on right what is proposed

Gr has diamond shaped pavers red and black - no work proposed to make changes abutting it will fi

2 = this area right here raised curb landscape zone - mostly mulch and dirt does have public - l

3- east view brick pavers remain the same - current concrete will be replaed all new - charcoal color integrate nicely

Raised planter area reconfigure that into simple rectangle current tree comes down replace with new tree platning , tree platings direotr remain bike rak is proposed to shift along gr streetside parking barrier free ramp to west of that

Outdoor seating zone table foo

Majoros rendering is more upp to date

Koseck - packet had bunch this is most current

Up against bldg. two top dining generally placed in front of windows

Tall planter pots in lieu of bollards

Trash receptacle

Two tone one in this zone lot 4 north lot

Images of type of furniture proposed metal to look like bamboo chairs

One single umbrella cantilevere railing

City of Farmington Planning Commission

May 8, 2023

Page 3

Maj thanked pet

Opens up for questions for pet or staff – appreciate all the work looks nice

Syndicare an alcohol – majoros cutoff

Christ – establishments that serve are required to be in defined area and changed over time – serve alcohol have those that don't have table service does not have to do that

Can somebody sit in their seats yes if they are participants in the syndicate –

Majoros is there a boundary

Christ – all open streetscape

Maj – Friday – trash was going strong two on a Tuesday seems good on a Friday something to think about forefront of operations – three entities involved with day to day night to night use of

Depend on business owners to police dda has close relationship

Second entity is public works – has resp for trash pick up and helping to maintain in conjunction with dda – porters that they have retained that deal with that – third is business owners need to be mindful

Maj natural congregation –

Christ – when we have events – all of that a lot of focus on

Maj trash cans – metal jammed their hands down

Christ accessibility by unwanted elements

Opens floor

Westendorf sidewalk along seating area is not getting any wider wondering cars with planters there are those parking spaced sized that the cars hang over the sidewalks

Christ replied that's correct no change but drop off curb repurposing – attempt to separate with planter pots – need for adjustment we'll deal with it

Back of vehicles right

Koseck – with planters 5 ft clear zone for peds and tables

Westendorf directory board is being relocated currently board is offset out of the walkway going by photo on first page now in the walkway

Koseck within the planter the directory is so you can approach the curb not in ped sidewalk

City of Farmington Planning Commission

May 8, 2023

Page 4

Perrot you mentioned trash and who maintains the space the city clarifies and provides guidelines ut the furniture is owned by the pet

Christ what is part of outdoor seating is theirs – what you see here the director, bike rack, waste receptacle coach ights = dda elements – pet is the owner of the furniture – if it gets in state of

Perrot – go back to the planters discussion pet referreed to them as bollards am I understanding

Koseck it's a planter but they will be bolted to the sidewalk tall enough above the bumoer

Christ you can see that example on their material board of planters solidly affixed

Koseck may bee other change that happens in this area retail or something inside the parking lot orth side of parking lot we wanted to only make changes it's not a forever thing but be beautiful but adaptable to change over time

MOTI by waun adres as submitted crutcher all in favor – motion carries

LEGION SQUARE – PRELIMINARY PUD REVIEW AND REQUEST TO SCHEDULE PUBLIC HEARING: CERVI CONSTRUCTION, AMERICAN LEGION HALL, 31775 GRAND RIVER AVENUE

Major intro and turns it over to christ –

Commissioner waun recues herself from podium

Director christ is prelim pud plan review an drequest to schedule for the former al hall 2-13-23 preapp conf on proposed pud for redevelopment no oaction taken at that meeting. Conceptual site plan bldge elevation aerial photos copy of staff report and approve dminutes – pud

May 4, 2023 and pud engineering May 5, 2023

App is here to prent pre lim plan and request sheduleing of public hearing

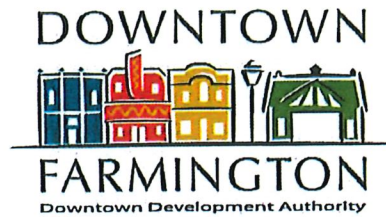
Aerial photo – subject prop – brookdale condos to west and dolphin centr adjacent to east residential area Sherwood and shaw east and south

Off brookdale – platted lots of record from brookdale

See development on north side of gr as well

See subject tprper bounded in red lb

There are three residential properties that but east prop boundary to rear yards and structurcs and one that has frontage on Sherwood that has its west property boundary



DDA Design Committee Meeting
7:30AM, Tuesday, April 18, 2023
City Hall Conference Room
Farmington, MI 48335

MINUTES

1. Attendance

Claire Perko, Brian Golden, Steve Schneemann, Ken Crutcher, Kate Knight, Jess Westendorf

Others Present: Bert Koseck & Matt Knio (Cannelle)

2. Approval of February 9, 2023 DDA Design Committee Minutes

Approved

Motion by Perko, second by Golden to move Cannelle streetscape improvement to item number 3 on the agenda. Motion passes unanimously.

3. Overview of outdoor seating plan for Cannelle by Bert Koseck.

Design committee reviewed outdoor seating plan presented by Cannelle.

- Discussion of bike rack relocation to streetscape in front of Eye Spy for more prominent visibility
- Design committee recommends dark charcoal colored concrete.
- Relocate honey locust tree to the SE corner of the patio area.
- Relocate kiosk to bench location across the sidewalk.

4. Pocket Park Update and Next Steps

Warren construction to complete the work with Willson Swykert as a sub-contractor to gain efficiencies with Streetscape project. Grissim Metz is working on site grading as we speak to address accessibility to the site and neighboring businesses.

Committee discussed planter corner condition near Farmington Road entrance to Sipp and plant material.

5. Project Juniper

Design committee recommends to move forward with Grissim Metz proposal to spec replacement options.

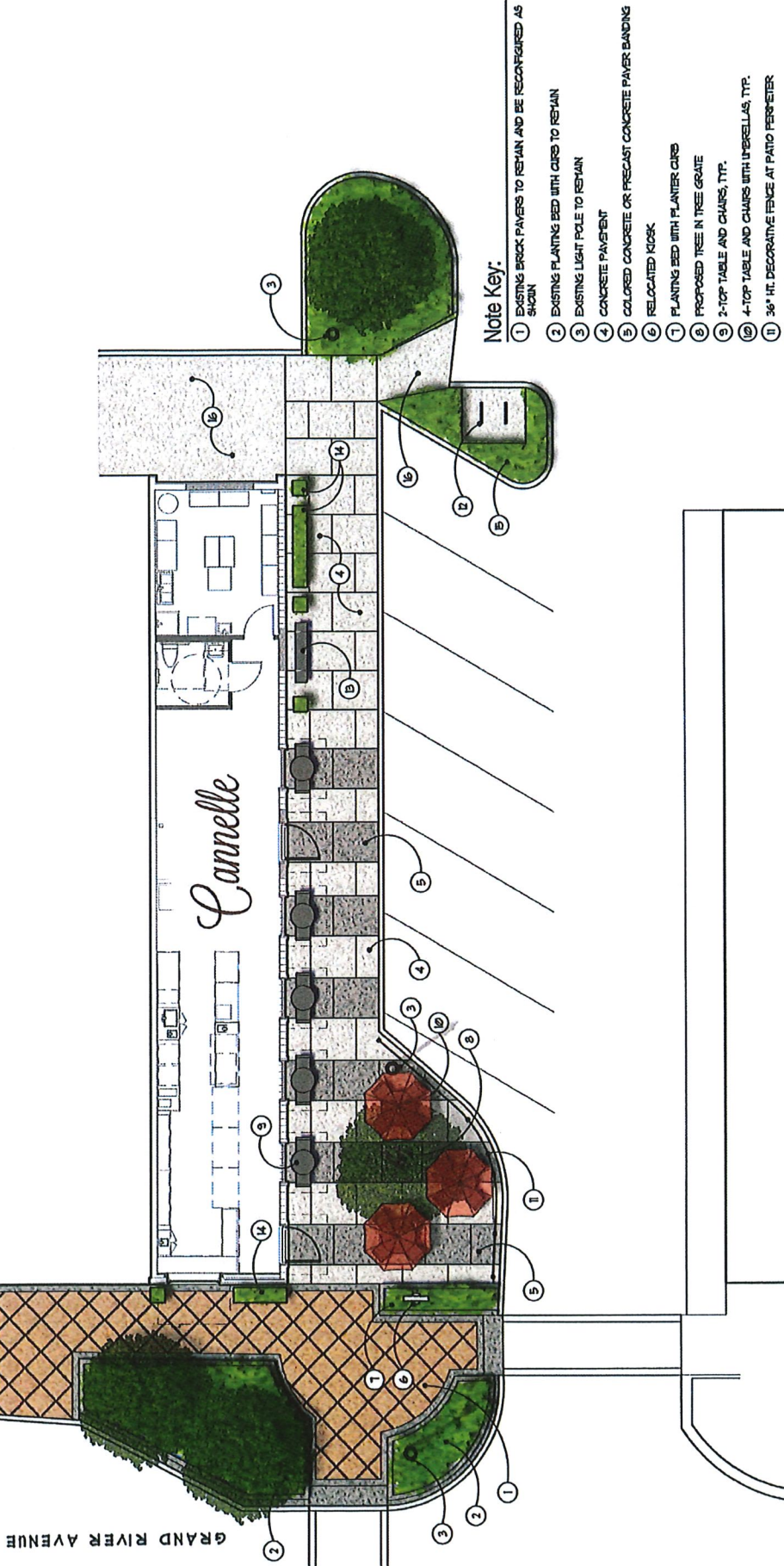
6. Other Business

None

7. Streetscape Update and Walkthrough

Discussion of Streetscape progress and sidewalk slope in select areas.

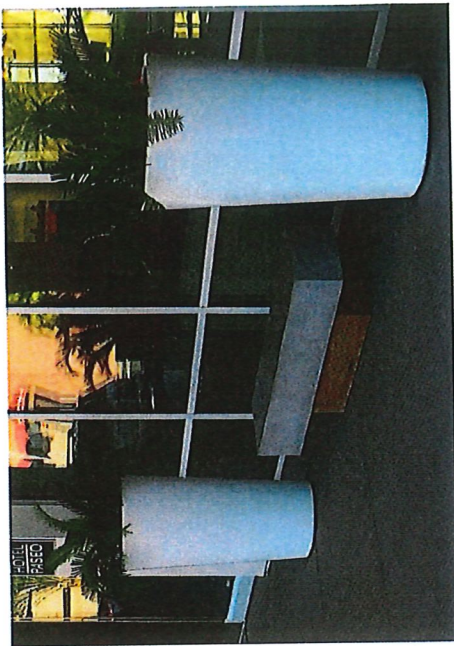
8. Adjourn



Note Key:

- 1 EXISTING BRICK PAVERS TO REMAIN AND BE RECONFIGURED AS SHOWN
- 2 EXISTING PLANTING BED WITH CURB TO REMAIN
- 3 EXISTING LIGHT POLE TO REMAIN
- 4 CONCRETE PAVEMENT
- 5 COLORED CONCRETE OR PRECAST CONCRETE PAVEMENT BANDING
- 6 RELOCATED KIOSK
- 7 PLANTING BED WITH PLANTER CURB
- 8 PROPOSED TREE IN TREE GRATE
- 9 2-TOP TABLE AND CHAIRS, TYP.
- 10 4-TOP TABLE AND CHAIRS WITH UMBRELLAS, TYP.
- 11 36" HT. DECORATIVE FENCE AT PATIO PERIMETER
- 12 RELOCATED BIKE RACKS ON CONCRETE PAD
- 13 PROPOSED BENCH
- 14 PROPOSED PLANTER, TYP.
- 15 PROPOSED CURBED PARKING LOT ISLAND
- 16 EXISTING CONCRETE TO REMAIN





PLANTER POTS (COLOR: BLACK)

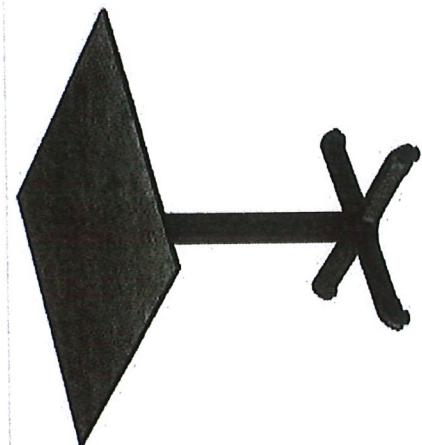
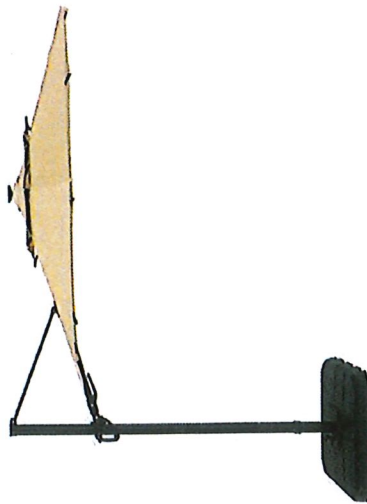


TABLE AND CHAIRS DINING SET (COLOR: BLACK)

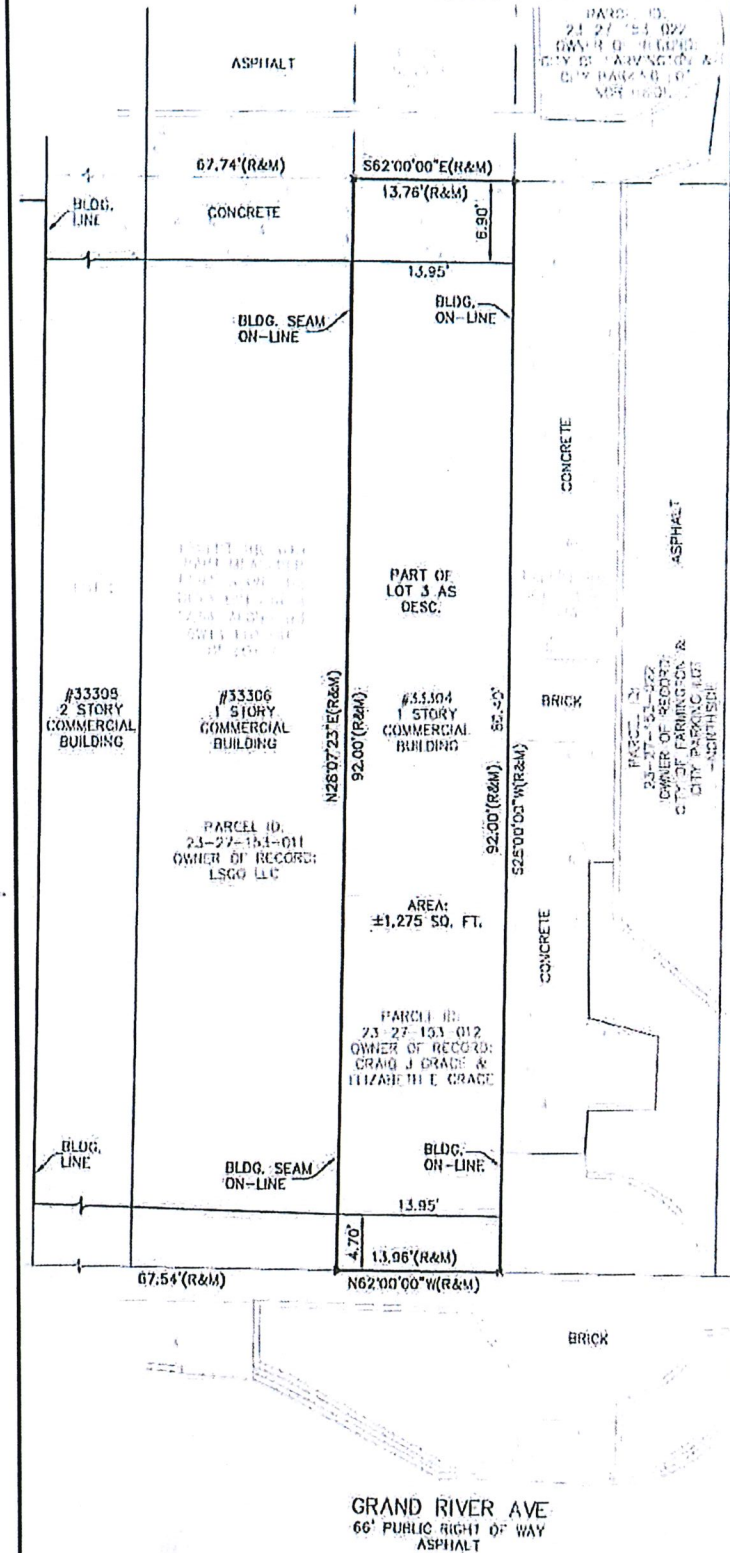


GUARDRAIL/ FENCE TO MATCH CITY STANDARD



UMBRELLAS

BOUNDARY SURVEY



SCALE 1"=10'



PROPERTY DESCRIPTION:

LAND SITUATED IN THE CITY OF FARMINGTON, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

LOT 3, BLOCK 2, EXCEPT THE SOUTHEASTERLY 18.50 FEET, ALSO EXCEPT THE WESTERLY PART MEASURED 17.97 FEET ALONG THE NORTHEASTERLY LOT LINE AND 17.54 FEET ALONG THE SOUTHWESTERLY LOT LINE, ALSO EXCEPT THE NORTHEASTERLY 108 FEET, DAVIS ADDITION TO VILLAGE OF FARMINGTON, A SUBDIVISION AS RECORDED IN LIBER 2 OF PLATS, PAGE 36, OAKLAND COUNTY RECORDS.

LEGEND

- x SET X-CUT
- ▲ SET MAGNAL
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE MARGIN OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

Anthony T. Sycko, Jr.

ANTHONY T. SYCKO, JR., P.S.
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE NO. 47976



REVISED MAY 29, 2019 - ADDED ADD'L PARTY TO CERT.

KEM-TEC PROFESSIONAL ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES

A GROUP OF COMPANIES

Eastpointe	Detroit	Ann Arbor	Grand Blanc
(800) 255-7777	(313) 758-0577	(248) 994-0838	(810) 694-0001
FAX (508) 772-1049	FAX (508) 772-4040	FAX (734) 994-0667	FAX (810) 694-3555

www.kemtecagroupofcompanies.com

CERTIFIED TO: SPLIT ROCK VENTURES, LLC, TITLE CONNECT, LLC, AND FIRST AMERICAN TITLE INSURANCE COMPANY

FIELD SURVEY: DF KC	DATE: MAY 23, 2019
DRAWN BY: MRJ	SHEET: 1 OF 1
SCALE: 1" = 10'	JOB NO.: 19-01536

- NOTES:**
1. ALL EXISTING PAVING TO ADAPT TO NEW PAVING.
 2. ALL NEW PAVING TO BE 4" CURB TO MATCH EXISTING.
 3. RELOCATED WALK ON CONCRETE FOOTING.
 4. FINISH 3/4" HIGH MATCH CITY STANDARD.
 5. SET TO CONCRETE.
 6. WALKWAYS.
 7. PLASTER POLE BELT TO CONCRETE ANNUAL FINISHES BY OWNER.
 8. 4" ORANGE COLORED CONCRETE FINISHES BY OWNER.
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Plant List

Plant Name	Quantity	Notes
1. Planting Bed/Tree with CURB TO REMAIN		
2. BRICK PAVING TO REMAIN		
3. LIGHT POLE TO REMAIN		
4. CONCRETE TO REMAIN		
5. CONCRETE TO BE REMOVED		
6. BRICK PAVING TO BE REPAIRED		
7. CONCRETE CURB TO REMAIN		
8. TREE TO BE REMOVED		
9. BRICK PAVING TO BE DAMAGED AND RELOCATE		
10. PLANTING BED		
11. PLANTING BED		
12. BRICK TO REMAIN		

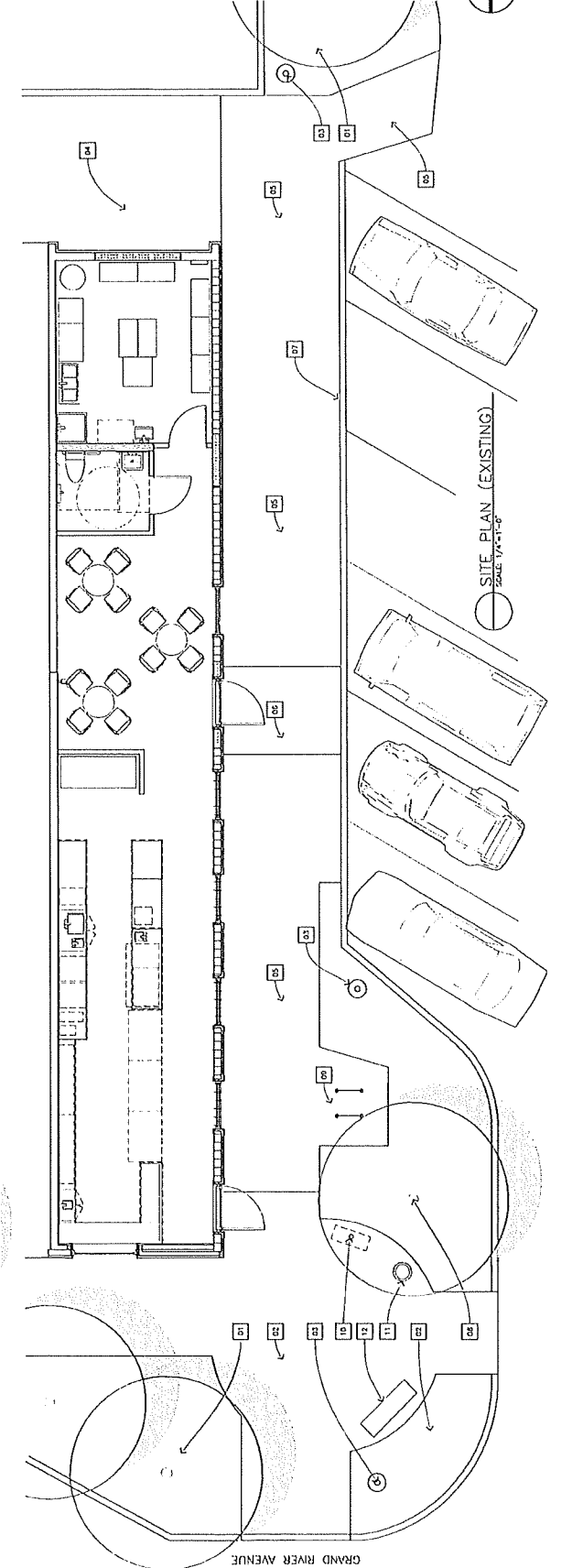
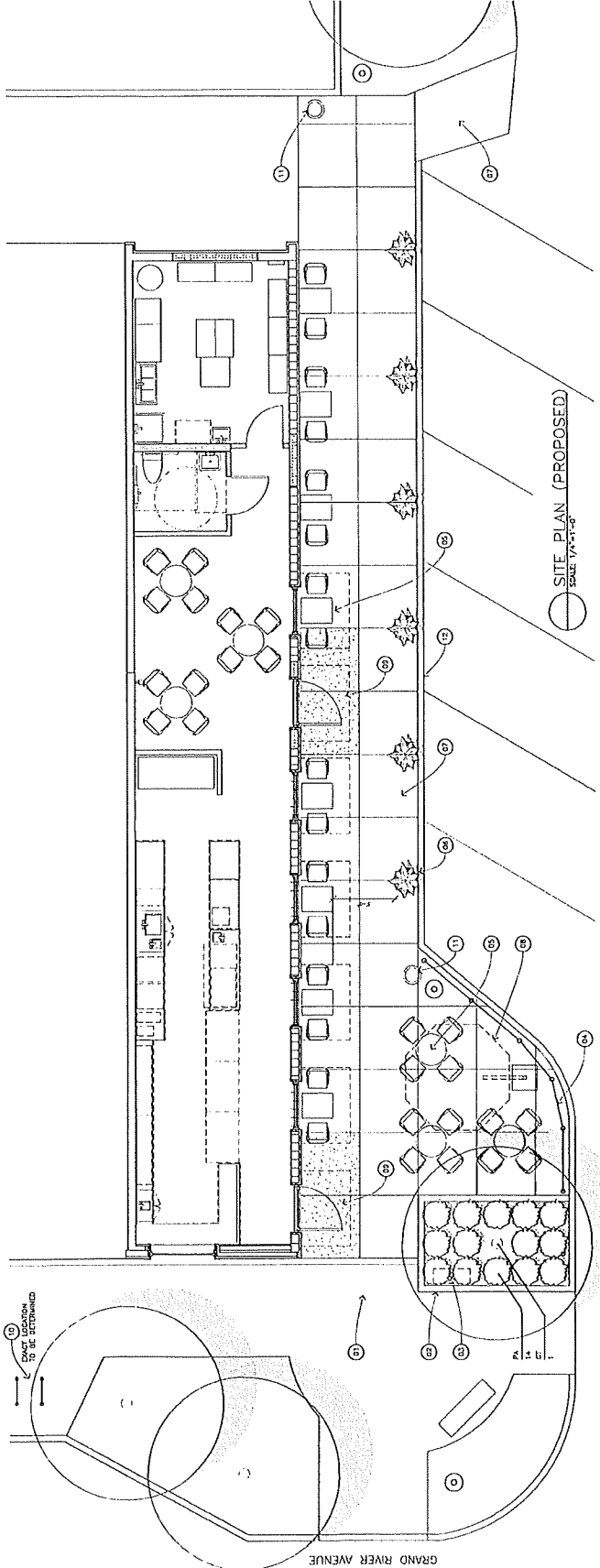
- EXISTING CONDITIONS**
1. PLANTING BED/TREE WITH CURB TO REMAIN
 2. BRICK PAVING TO REMAIN
 3. LIGHT POLE TO REMAIN
 4. CONCRETE TO REMAIN
 5. CONCRETE TO BE REMOVED
 6. BRICK PAVING TO BE REPAIRED
 7. CONCRETE CURB TO REMAIN
 8. TREE TO BE REMOVED
 9. BRICK PAVING TO BE DAMAGED AND RELOCATE
 10. PLANTING BED
 11. PLANTING BED
 12. BRICK TO REMAIN

DATE: 04/15/2020
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Name]

Client: **Carmelle Farmington**
 15001 Capital Blvd., Ste. 4
 Cary, NC 27513
 Phone: 919.471.7110
 Fax: 919.471.7111

**PROPOSED
 SITE IMPROVEMENTS**

SITE PLAN



1. EXACT LOCATION TO BE DETERMINED

Farmington City Council Staff Report	Council Meeting Date: June 2, 2023	Item Number 8
Submitted by: Mayor Pro Tem Joe LaRussa		
Agenda Topic:		
Proposed Motion: Move to approve a resolution establishing the Farmington Bicentennial Steering Committee		
Background: At the May 15 City Council Meeting, Mayor Pro Tem Joe LaRussa proposed establishing a Bicentennial Steering Committee to plan a way to celebrate and recognize Farmington's 200 th year.		
Materials:		

CITY OF FARMINGTON

OAKLAND COUNTY, MICHIGAN

**RESOLUTION ESTABLISHING FARMINGTON
BICENTENNIAL STEERING COMMITTEE**

At a meeting of the City Council of the City of Farmington, Oakland County, Michigan, held on the ____ day of _____, 2023, at the City Hall, 23600 Liberty Street, Farmington, Michigan 48335.

The following resolution was offered by _____ and supported by _____.

WHEREAS, Farmington was settled in 1824 by Arthur Power, a Quaker from Farmington, New York; and

WHEREAS, 2024 marks the bicentennial of the founding of our City; and

WHEREAS, in order to properly mark the moment, a celebration needs to be planned, and such planning should be broad-based and inclusive.; and

WHEREAS, an appropriate tool for such planning would be a steering committee tasked with organizing different discussions and assembling for City Council’s consideration various recommendations to properly celebrate this event; and

WHEREAS, such a Committee shall be established in the first instance for a period of time from _____, 2023, to July 31, 2024.

NOW, THEREFORE, the City Council finds as follows:

1. The Committee to be known as the “Bicentennial Steering Committee” is hereby established.

2. The Committee shall have eight (8) members, appointed by the Mayor with the approval of Council, plus _____, who shall serve as the Council liaison.

3. The Committee shall determine the number of times it shall meet regularly, and shall be charged with performing the following functions:

- Recommend to Council elements of a bicentennial celebration;
- Recommend to Council calendar of the elements (i.e., what things happen when);
- Recommend to Council critical resources/relationships needed to execute celebration elements.

4. All meetings of the Committee shall be open to the public, in compliance with the Michigan Open Meetings Act. The Committee shall, at its first meeting following adoption of this resolution, choose a chairperson and a secretary from among its members, and shall meet regularly as necessary to complete its task, and shall keep a record of its meetings, information, findings, and determinations.

AYES:

NAYS:

ABSTENTIONS:

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

I, MARY MULLISON, the duly-qualified Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Farmington at a duly-called meeting held on _____ day of _____, 2023, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed by official signature this _____ day of _____, 2023.

MARY MULLISON
Clerk, City of Farmington

Farmington City Council Staff Report	Council Meeting Date: June 5, 2023	Item Number 9
Submitted by: Melissa Andrade, Assistant to the City Manager		
Agenda Topic: Board and Commission Appointments		
Proposed Motion: <ol style="list-style-type: none"> 1. Historical Commission: Appoint _____ to the Farmington Historical Commission for a term ending March 31, 2026 2. Beautification Committee: Appoint _____ to serve a term on the Farmington Beautification Committee ending June 30, 2025 3. Emergency Preparedness Committee: Appoint _____ to the Farmington/Farmington Hills Emergency Preparedness Committee for a term ending February 1, 2025. 4. Emergency Preparedness Committee, alternate: Appoint _____ to the Farmington/Farmington Hills Emergency Preparedness Committee as an alternate for a term ending February 1, 2025. 		
Background: Last month council interviewed five candidates who are interested in serving on the city boards and commission. The candidates and their desired commission include: <ul style="list-style-type: none"> • Mike DeMott: Beautification Committee • Dr. Harrison Igwe: Had interviewed for Board of Review, on his application he selected Board and Review and Historical Commission, but said he'd serve anywhere needed. • Stefanie Messina: Library Board and Beautification (Library seat just became available last week, so has not yet been posted) • Bruce Poterfield: Historical Commission • Cassandra Williams: Beautification and Emergency Preparedness Commission The openings on the boards and commissions include: <ul style="list-style-type: none"> • One on Beautification, term ending 6/30/2025 • One on Historical, term ending 3/31/2026 • Two on Emergency Preparedness Commission, one being an alternate seat, both terms end 2/1/2025. <ul style="list-style-type: none"> ○ <i>Effective June 1, there is also a vacancy on the Library Board due to Board Member Megan Stryd not seeking reappointment. HOWEVER, this seat just became available, so it should be posted for a couple of weeks before we fill it.</i> 		
Materials: Megan Stryd letter		

On Apr 7, 2023, at 3:10 PM, Megan Stryd <megstryd@gmail.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mayor and City Council members,

I want to say thank you for the opportunity to serve in the Library Board. It has been a pleasure to serve the community alongside so many committed trustees.

I also want to let you know that I will not be seeking reappointment this June. My hope is that the board will reflect the demographics of our community.

I am thankful for you and the City Council and all you do to serve our wonderful community.

Thanks again for this wonderful opportunity.

Best,

Megan Stryd

Farmington City Council Staff Report	Council Meeting Date: June 5, 2023	Item Number 10
Submitted by: Bob Houhanisin, Public Safety Director		
Agenda Topic: Second Reading and adoption of Ordinance to Amend Chapter 29, Nuisances, Article III-Littering and Distribution of Handbills, Section 19-65 Distributing on Handbills		
Proposed Motion: Move to approve an ordinance to amend the City of Farmington City Code of Ordinances, Chapter 29 Nuisances, Article III-Littering and Distribution of Handbills, Section 19-65 Distributing on Handbills, to add language to permit handbills containing political, charitable, religious, or other ideology.		
Background: Section 19-56 in Chapter 29, Nuisances in the Farmington Code of Ordinances currently prohibits depositing handbills on a sidewalk, street, or public place. It permits a person to pass out handouts to any person willing to accept it. The proposed amendment will clarify that the City permits the placing of a handbill securely on a door or door handle, if the handbill contains a political, charitable, religious, or other ideology message. This additional language recognizes First Amendment rights to express these types of messages. City administration is recommending approval of the Ordinance amendment.		
MATERIALS: OCA-Nuisance Handbills Nuisance Handbills redlined changes		

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C-____-2023

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON CHAPTER 29, "NUISANCES," ARTICLE III-LITTERING AND DISTRIBUTION OF HANDBILLS, SECTION 19-65 DISTRIBUTING HANDBILLS, FOR THE PURPOSE OF UPDATING THE ORDINANCE TO INDICATE THAT HANDBILLS REGARDING POLITICAL, CHARITABLE, RELIGIOUS OR OTHER IDEOLOGY, MAY BE LEFT SECURLY ATTACHED TO A FRONT DOOR.

THE CITY OF FARMINGTON ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington City Code, Chapter 29, "Nuisances", Article III-Littering and Distribution of Handbills, Section 19-67 Handbills, is hereby amended to read as follows:

Sec. 19-65. - Distributing *handbills*.

No person shall throw or deposit any *handbill* in or upon any sidewalk, street or other public place within the city; provided that it shall not be unlawful on any sidewalk, street or public place within the city for any person to hand out or distribute, without charge to the receiver thereof, any *handbill* to any person willing to accept it. However, *handbills* regarding political, charitable, religious or other ideology, may be left at a front door, if securely attached to the door or door handle.

Section 2 of Ordinance. Severability.

If any section, clause or provision of this ordinance shall be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 3 of Ordinance. Repealer

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4 of Ordinance. Effective Date.

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Farmington.

Ayes:
Nays:
Abstentions:
Absent:

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held of the ____ day of _____, 2023, the original of which is on file in my office.

Mary Mullison, City Clerk
City of Farmington

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C-____-2023

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON CHAPTER 29, "NUISANCES," ARTICLE III-LITTERING AND DISTRIBUTION OF HANDBILLS, SECTION 19-65 DISTRIBUTING HANDBILLS, FOR THE PURPOSE OF UPDATING THE ORDINANCE TO INDICATE THAT HANDBILLS REGARDING POLITICAL, CHARITABLE, RELIGIOUS OR OTHER IDEOLOGY, MAY BE LEFT SECURELY ATTACHED TO A FRONT DOOR.

THE CITY OF FARMINGTON ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington City Code, Chapter 29, "Nuisances", Article III-Littering and Distribution of Handbills, Section 19-67 Handbills, is hereby amended to read as follows:

Sec. 19-65. - Distributing *handbills*.

No person shall throw or deposit any *handbill* in or upon any sidewalk, street or other public place within the city; provided that it shall not be unlawful on any sidewalk, street or public place within the city for any person to hand out or distribute, without charge to the receiver thereof, any *handbill* to any person willing to accept it. However, handbills regarding political, charitable, religious or other ideology, may be left at a front door, if securely attached to the door or door handle

Farmington City Council Staff Report	Council Meeting Date: June 5, 2023	Item Number 11
Submitted by: Mary Mullison, City Clerk		
Agenda Topic: Second Reading and Adoption of Ordinance to Amend Chapter 22 Solicitors		
Proposed Motion: Move to approve an ordinance to amend the City of Farmington City Code of Ordinances, Chapter 22 Solicitors to clarify the requirements for solicitors, peddlers and canvassers in a manner that does not interfere with or burden the exercise of constitutional rights.		
Background: <p>Chapter 22 currently uses the term soliciting for activities that are more appropriately classified as activities of a peddler, a person peddling materials for sale. These types of activities will continue to require a license from the city. A solicitor is defined in the proposed amendment as a person who is making requests for charitable, religious, or political organizations, while a canvasser will be defined as someone seeking to educate or request support for political candidates and initiatives or for charitable or religious organizations. The activities of a solicitor and a canvasser have constitutional rights which the ordinance amendment will address. This amendment is recommended to update Chapter 22 to provide procedural requirements for peddlers, solicitors and canvassers in a manner that does not unlawfully interfere with First Amendment or other constitutional rights.</p> <p>City administration is recommending approval of the Ordinance amendment.</p>		
MATERIALS: OCA-Peddlers Solicitors Canvassers 051023 Farmington Peddlers Ordinance redlined changes 051023		

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C-____-2023

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON CHAPTER 22, “SOLICITORS,” FOR THE PURPOSE OF UPDATING THE ORDINANCE TO INCLUDE *PEDDLERS* AND *CANVASSERS*

THE CITY OF FARMINGTON ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington City Code, Chapter 22, “*Solicitors*,” is hereby amended and restated in its entirety to read as follows:

FARMINGTON Chapter 22 – *SOLICITORS, PEDDLERS AND CANVASSERS* [1]

Sec. 22-1. - Purpose.

The city council has determined that it is in the best interest of the city to enact an ordinance, as set out in this chapter, regulating organizations and persons *peddling*, *soliciting* and *canvassing* in the city and the enactment of this chapter being necessary to promote and protect the public safety of those persons *peddling*, *soliciting* and *canvassing* as well as those persons in the city being approached by *peddlers*, *solicitors* and *canvassers* in a manner that does not unlawfully interfere with or burden the exercise of First Amendment or other constitutional rights. To those ends, this chapter defines and provides procedural requirements for *peddlers*, *solicitors* and *canvassers*, with licensing regulations intended to (i) deter persons with criminal or fraudulent intent from posing as legitimate *peddlers*; (ii) provide a minimal amount of basic information necessary to the city and its public safety department to allow efficient and effective performance of governmental, law enforcement and crime prevention functions; and (iii) provide city residents with a right to know if persons coming upon their property are in compliance with those regulations.

Sec. 22-2. - Definitions.

The following words and terms shall have the following definitions for the purposes of this chapter:

- (a) *Canvass* or *canvassing*: To enter upon private property, without a prior invitation or appointment, to inform, educate, advocate, petition, secure petition signatures, request or enlist support or opposition, or to convey any other message regarding religion, philosophy, ideology, politics, including parties, candidates, initiatives

and issues, charitable organizations or other cause or issue, including the distribution or handbills, flyers or other materials.

- (b) *Person*: An individual, organization, group, association, partnership, corporation, trust, business entity or any combination of the above.
- (c) *Peddling material*: Printed or similar materials including, but not limited to, labels, posters, brochures, flyers, pamphlets, magazines, booklets, books and other like items used in the course of and for the purpose of *peddling*.
- (d) *Peddler*:
 1. A person who travels either by foot, automobile, motor truck or other means of conveyance from place to place, from house to house or within a public right-of-way. It does not include a person who conducts such activities at a social gathering within a home at the invitation of the owner or occupant of the home.
 2. A person who hires, leases, uses or occupies any building, structure, hotel, room, shop or any other place for the sole purpose of exhibiting samples or *peddling* material and taking orders for future delivery, except for retail stores registered under chapter 8 of the Code.
 3. The word *peddler* shall include, but not be limited to the word *hawker*.
- (e) *Solicit or soliciting*: A request by or on behalf of a charitable, religious, or political organization to any person in the city for the payment, delivery, donation, pledge or commitment of money, credit, financial assistance, membership, property, goods, services or other thing of value, on the representation that what is requested will be used for charitable purposes of the religious or political organization.

Sec. 22-3. - Prohibited activities.

The following acts or activities shall be prohibited:

- (a) Fixed stands prohibited. No *peddler* shall establish a fixed stand and/or store for *solicitation* upon any street, road, highway, lane, sidewalk, driveway, alley or publicly owned property.
- (b) Street and curb *solicitation* prohibited. No *peddler* shall on more than three (3) days per calendar year peddle and/or operate or maintain any place of sales on any street, road, highway and/or lane and/or be permitted to use the sidewalks, curbs, road's edge, alleys and/or driveways for *peddling* in any manner that requires the person wishing to respond to the *peddler*, when engaged in the transaction, to be located within the limits of the streets, roads, highways and/or lanes of the city. All *peddlers soliciting* on any street, road, highway and/or lane shall wear a safety vest approved by the city and shall also obtain a peddler license as required by this chapter.

- (c) Obstruction prohibited. No *peddler* shall obstruct any street, road, highway, lane, alley, sidewalk or driveway. No *peddler* shall engage in *peddling* on any street, alley or public place after they have been requested to desist by any public safety officer of the city because of congested or dangerous traffic conditions. No *peddler* may *peddle* within an area that has been closed by the City for a special event unless a special permit is issued in accordance with standards established by city council.
- (d) Prohibition of entry upon private property expressly requesting no *peddling* or *solicitation*. No *peddler* shall enter upon and/or call upon a place of residence or business within the city after having been expressly notified by the occupant of the place of residence or business or by a sign posted on the door facing the street of the residence or business that no *peddling* or *solicitation* is desired.
- (e) Prohibition of harassment or creation of nuisance. No *peddler* shall threaten or harass any resident of the city in the course of their *peddling* or in any way engage in any conduct which is or would tend to create a nuisance, such as but not limited to shouting, crying out, blowing horns, ringing bells or use of any other device to attract the attention of the public.
- (f) No door-to-door *peddling* or *soliciting* shall take place within the City during the hours of 8:00 p.m. and 10:00 a.m. local time.

Sec. 22-4. - License required.

No person shall be a *peddler* in the city without first obtaining a license therefor. An application for a license shall be made to the city clerk. In the event that the application is made by an organization, group, association, partnership, corporation, trust, business entity or any combination of the above, an application must be made for each agent or employee who shall be engaging in the act of *peddling*. Upon certification by the city's public safety department to the city clerk that the information required in [section 22-6](#) has been verified, after investigation and after receipt of payment for applicable fees, the license shall be issued by the city clerk. The license shall be in the licensee's possession and be displayed in a prominent manner so the license is visible to the public while conducting activities permitted by this chapter. Failure to display the license conspicuously and constantly while engaged in the registered activity shall be sufficient cause for suspension or revocation of such license. The term of a license shall not exceed one (1) year from the date of issuance.

Sec. 22-5. - Exempt persons.

The following persons shall be exempt from the licensing requirements of this chapter, but shall be subject to the other provisions herein:

- (a) Persons engaged in the occupation of distribution of newspapers.
- (b) Persons engaged in *soliciting* for an educational, charitable, religious, political, or youth organization.
- (c) Veterans exempt from local license requirements under state law.

- (d) An individual or organization entering upon private property to inform, educate, advocate, petition, secure petition signatures, request or enlist support or opposition, or to convey any other message regarding religion, philosophy, ideology, politics, including parties, candidates, initiatives and issues, charitable organization, or other cause or issue, by verbal, written or other forms of communication, including the distribution of written materials, without requesting money or other types of financial assistance.
- (e) A *peddler* traveling on an established route at the request of their customers or sales persons making a sales call to an established business.
- (f) City public safety personnel *peddling* or *soliciting* on behalf of a valid charitable police or fire association project.
- (g) City merchants and representatives engaging in year-round business with a permanent location in the city.
- (h) *Solicitations* made to a congregation or group in attendance at one location made by the person or organization inviting the individuals comprising the congregation or group.

Sec. 22-6. - License application.

A license application for a *peddler* filed hereunder shall furnish the following information:

- (a) Name and description of the applicant.
- (b) Permanent home address and full local address of the applicant.
- (c) A brief description of the nature of the *peddling* contemplated.
- (d) If the applicant is an employee of a person engaged in *peddling*, the name and address of the employer, together with the credentials establishing the exact employer/employee relationship.
- (e) The length of time the applicant intends to *peddle*.
- (f) The place where the wares, merchandise, services, items of personal property or real property are located, manufactured or produced, where such items are located at the time said application is filed and the proposed method of delivery.
- (g) Two photographs of the applicant, one photograph being a photograph taken within one hundred twenty (120) days prior to the date of filing of the application and the other photograph being from the applicant's driver's license, a copy of said driver's license to be attached to the applicant's application. The photograph which is not from the applicant's driver's license shall be at least 2" × 2" and shall show the head and shoulders of the applicant in a clear and distinguishing manner. In the event

that the applicant does not have a driver's license, then the applicant shall submit a second separate photograph with his application, said photograph being at least 2" × 2" and showing the head and shoulders of the applicant in a clear and distinguishing manner.

- (h) A statement as to whether or not the applicant has been convicted of any felony, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor.
- (i) A criminal background report of the applicant's criminal history. Such reports shall be obtained by the applicant through the Internet Criminal History Access Tool (ICHAT) for applicants residing in Michigan and/or through another state-sponsored or authorized criminal history access source for applicants who reside in other states or have resided in other states within five years prior to the date of the application. The ICHAT report must exactly match the name on the applicant's driver's license or state identification card. The applicant is responsible for all charges incurred in requesting and receiving the criminal history report and the report must be dated within thirty days of the date of the application.
- (j) The applicant's State of Michigan sales tax license number.
- (k) If the applicant will be engaging in *peddling* from or out of a motor vehicle in the streets and roads of the city, the applicant must provide information to verify that the applicant has a valid driver's license, has not been convicted of a misdemeanor or felony moving violation with the last three years, or has not been found responsible for three or more motor vehicle moving violations within the last three years. The vehicle must be brought to the city and inspected by a representative of the public safety department and must be found to meet the safety standards adopted by the city or the State of Michigan.
- (l) If the applicant will be engaging in the sale of food or beverages, a health license issued by the Oakland County Health Department.

Sec. 22-7. - Administrative fee and Term.

An administrative processing fee for a *peddler's* license shall be established by resolution of the city council and said administrative processing fee shall be paid when the application is filed with the city.

All licenses issued under this chapter shall expire within one year following the date of issuance.

Sec. 22-8. - License suspension.

A license may be suspended by the city clerk for a period not to exceed ninety (90) days upon his or her own investigation or upon certification by the city's public safety department that:
i. a licensee has provided false information on an application; or, ii. a licensee has engaged in conduct in violation of this chapter or of the criminal laws of the city, state, or United States. A

licensee shall be given written notice of the cause and term of the suspension and of the right to have such suspension reversed, modified or affirmed following a hearing to be conducted by the city manager or his designee (who shall not be a member of the city clerk's office) within three (3) business days of receipt of a written request by the licensee. At the hearing, the licensee shall have the right to hear the evidence relied upon by the clerk and the right to present evidence and witnesses on his or her behalf. After the hearing, the city manager or his designee shall issue a decision in writing and forward the same to the clerk and the licensee.

Sec. 22-9. - License revocation.

A license may be revoked by the city council upon the request of the city clerk after a hearing at which it is shown that:

- (a) A licensee has provided false information on an application; or
- (b) A licensee has violated the terms of a suspension; or
- (c) A licensee has engaged in conduct in violation of this chapter or of the criminal laws of the city, state or United States.

Reasonable written notice of the hearing not less than ten (10) days prior to the hearing date shall be given the licensee. The written notice shall be mailed by regular mail to the license holder and shall set forth the alleged violation of this chapter and also the date, time and place of the hearing before the city council. At the hearing, the license holder shall have the right to present evidence and witnesses on his behalf. After the hearing, the city council shall make its decision as to whether to suspend or revoke the license and shall put its decision and the reasons therefor in writing and forward the same to the license holder.

Sec. 22-10. - Penalty.

- (a) Any person or persons violating any of the provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00) plus costs of prosecution or by imprisonment for not more than ninety (90) days, or by both fine and costs and imprisonment in the discretion of the court.

Sec. 22-11- Indemnification

An Application for a license under this chapter shall be deemed as agreement by the applicant to observe all pertinent laws and regulations of the city and defend, indemnify, and save harmless the city from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the licensee's activities under this chapter.

Sec 22-12 No *Peddler's* Card.

The city clerk shall maintain a supply of "No *Peddlers*" cards, which will be available free of charge for residents who wish to display one at their door.

Sec 22-13 Posted Property.

A *peddler* shall not engage in *peddling* in any neighborhood or building that has a privately posted “no *peddling*”, “no *soliciting*”, “no trespassing” sign or similar notice posted at the entrance of the neighborhood or building. Any outdoor sign must comply with all applicable requirements of the City code.

Sec 22-14 Voluntary notification from *solicitors* and *canvassers*

In the interests of the general public, and to protect against the potential for crime or fraud, the city requests that *solicitors* and *canvassers* voluntarily notify the city clerk’s office that *soliciting* or *canvassing* will be taking place in the city. It is further requested that the following information be voluntarily provided:

- (a) The names of the individuals who will be *soliciting* or *canvassing* in the city and the identity of the organization associated with the efforts.
- (b) A description of the type of *soliciting* or *canvassing* undertaken and the method used for conducting the *soliciting* or *canvassing*.
- (c) The dates and times and locations where the *soliciting* or *canvassing* will occur, and the hours and days thereof.

The failure of a *solicitor* or *canvasser* to provide the voluntary notification shall not be deemed a violation of this chapter.

Section 3 of Ordinance. Severability.

If any section, clause or provision of this ordinance shall be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. Repealer

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5 of Ordinance. Effective Date.

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Farmington.

Ayes:
Nays:
Abstentions:
Absent:

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held of the ____ day of _____, 2023, the original of which is on file in my office.

Mary Mullison, City Clerk
City of Farmington

FARMINGTON Chapter 22 – SOLICITORS, PEDDLERS AND CANVASSERS [1]

Sec. 22-1. - Purpose.

_____ The city council has determined that it is in the best interest of the city to enact an ordinance, as set out in this chapter, regulating organizations and persons peddling, soliciting and canvassing in the city and the enactment of this chapter being necessary to promote and protect the public safety of those persons peddling, soliciting and canvassing as well as those persons in the city being approached by peddlers, ~~solicited~~ solicitors and canvassers in a manner that does not unlawfully interfere with or burden the exercise of First Amendment or other constitutional rights. To those ends, this chapter defines and provides procedural requirements for peddlers, ~~peddlers~~solicitors and canvassers, with licensing regulations intended to (i) deter persons with criminal or fraudulent intent from posing as legitimate peddlers; (ii) provide a minimal amount of basic information necessary to the city and its public safety department to allow efficient and effective performance of governmental, law enforcement and crime prevention functions; and (iii) provide city residents with a right to know if persons coming upon their property are in compliance with those regulations.

Sec. 22-2. - Definitions.

_____ The following words and terms shall have the following definitions for the purposes of this chapter:

- (a) Canvass or canvassing: To enter upon private property, without a prior invitation or appointment, to inform, educate, advocate, petition, secure petition signatures, request or enlist support or opposition, or to convey any other message regarding religion, philosophy, ideology, politics, including parties, candidates, initiatives and issues, charitable organizations or other cause or issue, including the distribution or handbills, flyers or other materials.
- (ab) Person: An individual, organization, group, association, partnership, corporation, trust, business entity or any combination of the above.
- ~~(bc)~~ Soliciting-Peddling material: Printed or similar materials including, but not limited to, labels, posters, brochures, flyers, pamphlets, magazines, booklets, books and other like items used in the course of and for the purpose of ~~soliciting~~ peddling.
- ~~(ed)~~ Solicitor: Peddler

1. A person who ~~solicits~~ travels either by foot, automobile, motor truck or other means of conveyance from place to place, from house to house or within a public right-of-way. It does not include a person who conducts such activities at a social gathering within a home at the invitation of the owner or occupant of the home.
 2. A person who hires, leases, uses or occupies any building, structure, hotel, room, shop or any other place for the sole purpose of exhibiting samples or ~~solicit~~peddling material and taking orders for future delivery, except for retail stores registered under chapter 8 of the Code.
 3. The word ~~solicitor~~peddler shall include, but not be limited to the words ~~peddler~~ and ~~hawker~~.
- (de) ~~Solicits or soliciting: The act of offering or attempting to offer wares, merchandise, services, items of personal property, real property, either for immediate or future delivery; or the act of seeking or attempting to seek contributions either in money or services, for charitable or commercial purposes. A request by or on behalf of a charitable, religious, or political organization to any person in the city for the payment, delivery, donation, pledge or commitment of money, credit, financial assistance, membership, property, goods, services or other thing of value, on the representation that what is requested will be used for charitable purposes of the religious or political organization.~~

Sec. 22-3. - Prohibited activities.

The following acts or activities shall be prohibited:

- (a) Fixed stands prohibited. No ~~solicitor~~peddler shall establish a fixed stand and/or store for solicitation upon any street, road, highway, lane, sidewalk, driveway, alley or publicly owned property.
- (b) Street and curb solicitation prohibited. No ~~solicitor~~peddler shall on more than three (3) days per calendar year ~~solicit~~ peddle and/or operate or maintain any place of ~~solicitation~~ sales on any street, road, highway and/or lane and/or be permitted to use the sidewalks, curbs, road's edge, alleys and/or driveways for ~~solicit~~peddling in any manner that requires the person wishing to respond to the ~~solicitor~~ peddler, when engaged in the transaction, to be located within the limits of the streets, roads, highways and/or lanes of the city. All ~~solicit~~peddlers soliciting on any street, road, highway and/or lane ~~on the three (3) permitted days per calendar year~~ shall wear a safety vest approved by the city and shall also obtain a ~~solicitation~~ peddler license as required by this chapter.
- (c) Obstruction prohibited. No ~~solicitor~~peddler shall obstruct any street, road, highway, lane, alley, sidewalk or driveway. No ~~solicitor~~peddler shall engage in ~~solicit~~peddling on any street, alley or public place after they have been requested

to desist by any public safety officer of the city because of congested or dangerous traffic conditions. No ~~solicitor~~peddler may ~~solicit~~peddle within an area that has been closed by the City for a special event unless a special permit is issued in accordance with standards established by city council.

- (d) Prohibition of entry upon private property expressly requesting no peddling or solicitation. No ~~solicitor~~peddler shall enter upon and/or call upon a place of residence or business within the city after having been expressly notified by the occupant of the place of residence or business or by a sign posted on the door facing the street of the residence or business that no peddling or solicitation is desired.
- (e) Prohibition of harassment or creation of nuisance. No ~~solicitor~~peddler shall threaten or harass any resident of the city in the course of their ~~solicitation~~ peddling or in any way engage in any conduct which is or would tend to create a nuisance, such as but not limited to shouting, crying out, blowing horns, ringing bells or use of any other device to attract the attention of the public.
- (f) No door-to-door peddling or soliciting shall take place within the City during the hours of 8:00 p.m. and 10:00 a.m. local time.

Sec. 22-4. - License required.

No person shall be a ~~solicitor~~peddler and/or ~~solicit~~ in the city without first obtaining a license therefor. An application for a license shall be made to the city clerk. In the event that the application is made by an organization, group, association, partnership, corporation, trust, business entity or any combination of the above, an application must be made for each agent or employee who shall be engaging in the act of ~~solicit~~peddling. Upon certification by the ~~the~~ city's public safety department to the city clerk that the information required in section 22-6 has been verified, after investigation and after receipt of payment for applicable fees, the license shall be issued by the city clerk. The license shall be in the licenseeslicensee's possession and be displayed ~~upon request~~ in a prominent manner so the license is visible to the public while conducting activities permitted by this chapter. Failure to display the license conspicuously and constantly while engaged in the registered activity shall be sufficient cause for suspension or revocation of such license. The term of a license shall not exceed one (1) year from the date of issuance.

Sec. 22-5. - Exempt persons.

The following persons shall be exempt from the licensing requirements of this chapter, but shall be subject to the other provisions herein:

- (a) Persons engaged in the occupation of distribution of newspapers.
- (b) Persons engaged in soliciting within six (6) miles from their residence for an educational, charitable, religious, political, or youth organization, or within six (6) miles from the location of such an educational, charitable, religious or youth organization.

- (c) Veterans exempt from local license requirements under state law.
- (d) An individual or organization entering upon private property to inform, educate, advocate, petition, secure petition signatures, request or enlist support or opposition, or to convey any other message regarding religion, philosophy, ideology, politics, including parties, candidates, initiatives and issues, charitable organization, or other cause or issue, by verbal, written or other forms of communication, including the distribution of written materials, without requesting money or other types of financial assistance.
- (e) A peddler traveling on an established route at the request of their customers or sales persons making a sales call to an established business.
- (f) City public safety personnel peddling or soliciting on behalf of a valid charitable police or fire association project.
- (g) City merchants and representatives engaging in year-round business with a permanent location in the city.
- (h) Solicitations made to a congregation or group in attendance at one location made by the person or organization inviting the individuals comprising the congregation or group.

Sec. 22-6. - License application.

A license application for a peddler filed hereunder shall furnish the following information:

- (a) Name and description of the applicant.
- (b) Permanent home address and full local address of the applicant.
- (c) A brief description of the nature of the ~~solicitation~~ peddling contemplated.
- (d) If the applicant is an employee of a person engaged in ~~soliciting~~ peddling, the name and address of the employer, together with the credentials establishing the exact employer/employee relationship.
- (e) The length of time the applicant intends to ~~solicit~~ peddle.
- (f) The place where the wares, merchandise, services, items of personal property or real property are located, manufactured or produced, where such items are located at the time said application is filed and the proposed method of delivery.

- (g) Two photographs of the applicant, one photograph being a photograph taken within one hundred twenty (120) days prior to the date of filing of the application and the other photograph being from the applicant's driver's license, a copy of said driver's license to be attached to the applicant's application. The photograph which is not from the applicant's driver's license shall be at least 2" × 2" and shall show the head and shoulders of the applicant in a clear and distinguishing manner. In the event that the applicant does not have a driver's license, then the applicant shall submit a second separate photograph with his application, said photograph being at least 2" × 2" and showing the head and shoulders of the applicant in a clear and distinguishing manner.
- (h) A statement as to whether or not the applicant has been convicted of any felony, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor.
- (i) A criminal background report of the applicant's criminal history. Such reports shall be obtained by the applicant through the Internet Criminal History Access Tool (ICHAT) for applicants residing in Michigan and/or through another state-sponsored or authorized criminal history access source for applicants who reside in other states or have resided in other states within five years prior to the date of the application. The ICHAT report must exactly match the name on the applicant's driver's license or state identification card. The applicant is responsible for all charges incurred in requesting and receiving the criminal history report and the report must be dated within thirty days of the date of the application.
- (j) The applicant's State of Michigan sales tax license number.
- (k) If the applicant will be engaging in peddling from or out of a motor vehicle in the streets and roads of the city, the applicant must provide information to verify that the applicant has a valid driver's license, has not been convicted of a misdemeanor or felony moving violation with the last three years, or has not been found responsible for three or more motor vehicle moving violations within the last three years. The vehicle must be brought to the city and inspected by a representative of the public safety department and must be found to meet the safety standards adopted by the city or the State of Michigan.
- (l) If the applicant will be engaging in the sale of food or beverages, a health license issued by the Oakland County Health Department.

Sec. 22-7. - Administrative fee and Term.

An administrative processing fee for a ~~solicitor~~*peddler*'s license shall be established by resolution of the city council and said administrative processing fee shall be paid when the application is filed with the city.

All licenses issued under this chapter shall expire on ~~December 31~~ of each within one year following the date of issuance.

Sec. 22-8. - License suspension.

A license may be suspended by the city clerk for a period not to exceed ninety (90) days upon his or her own investigation or upon certification by the city's public safety department that:

- i. a licensee has provided false information on an application; or
- ii. a licensee has engaged in conduct in violation of this chapter or of the criminal laws of the city, state, or United States.

A licensee shall be given written notice of the cause and term of the suspension and of the right to have such suspension reversed, modified or affirmed following a hearing to be conducted by the city manager or his designee (who shall not be a member of the city clerk's office) within three (3) business days of receipt of a written request by the licensee. At the hearing, the licensee shall have the right to hear the evidence relied upon by the clerk and the right to present evidence and witnesses on his or her behalf. After the hearing, the city manager or his designee shall issue a decision in writing and forward the same to the clerk and the licensee.

Sec. 22-9. - License revocation.

A license may be revoked by the city council upon the request of the city clerk after a hearing at which it is shown that:

- (a) A licensee has provided false information on an application; or
- (b) A licensee has violated the terms of a suspension; or
- (c) A licensee has engaged in conduct in violation of this chapter or of the criminal laws of the city, state or United States.

Reasonable written notice of the hearing not less than ten (10) days prior to the hearing date shall be given the licensee. The written notice shall be mailed by regular mail to the license holder and shall set forth the alleged violation of this chapter and also the date, time and place of the hearing before the city council. At the hearing, the license holder shall have the right to present evidence and witnesses on his behalf. After the hearing, the city council shall make its decision as to whether to suspend or revoke the license and shall put its decision and the reasons therefore in writing and forward the same to the license holder.

Sec. 22-10. - Penalty.

- (a) Any person or persons violating any of the provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00) plus costs of prosecution or by imprisonment for not more than ninety (90) days, or by both fine and costs and imprisonment in the discretion of the court.

Sec. 22-11-- Indemnification

Application for a license under this chapter shall be deemed as agreement by the applicant to observe all pertinent laws and regulations of the city and defend, indemnify, and save harmless the city from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the licensee's activities under this chapter.

Sec 22-12 No Peddler's Card.

The city clerk shall maintain a supply of "No Peddlers" cards, which will be available free of charge for residents who wish to display one at their door.

Section 22-13 Posted Property

A peddler ~~or~~ shall not engage in peddling in any neighborhood or building that has a privately posted "no peddling", "no soliciting", "no trespassing" sign or similar notice posted at the entrance of the neighborhood or building. Any outdoor sign must comply with all applicable requirements of the City code.

Section 22-14 Voluntary notification from solicitors and canvassers

In the interests of the general public, and to protect against the potential for crime or fraud, the city requests that solicitors and canvassers voluntarily notify the city clerk's office that soliciting or canvassing will be taking place in the city. It is further requested that the following information be voluntarily provided:

- (1) The names of the individuals who will be soliciting or canvassing in the city and the identity of the organization associated with the efforts.
- (2) A description of the type of soliciting or canvassing undertaken and the method used for conducting the soliciting or canvassing.
- (3) The dates and times and locations where the soliciting or canvassing will occur, and the hours and days thereof.

The failure of a solicitor or canvasser to provide the voluntary notification shall not be deemed a violation of this chapter.