

CITY OF HUNTINGTON WOODS  
REGULAR MEETING OF THE CITY COMMISSION  
MINUTES  
Tuesday, June 20, 2017  
7:30 p.m.

Mayor Paul called the Meeting to order at 7:32 p.m.

PRESENT: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell, City Manager Sullivan and City Attorney Rosati

ABSENT: None

City Staff Present: City Clerk/Treasurer Solanskey, Finance Director Lehmann

APPROVAL OF AGENDA

Moved by Commissioner Rozell and supported by Commissioner Iversen to approve the agenda with the deletion of Item #15.

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

APPROVAL OF MINUTES

Moved by Commissioner Jenks and supported by Commissioner Iversen to approve the minutes of the Regular Meeting of May 16, 2017 and the minutes of the Study Session of June 13, 2017.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Jenks, Commissioner Iversen and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

COMMUNICATIONS

None

COUNTY COMMISSIONER AND ELECTED OFFICIAL REMARKS

County Commissioner Zack reported:

- New County Directories are available

- On August 9, 2017 Oakland County will be holding a training session on how to do business with Oakland County for those businesses that would like to be included on the County bid list
- Advantage Oakland on the Oakland County website has information on apprenticeship programs including contact information.
- The Regional Transit Authority will donate some of the Federal dollars received to the Area Agency on Aging Myride2 program expanding the service to Detroit and Wayne County.

PUBLIC PARTICIPATION

None

RESOLUTION R-41-2017

Committee to Study findings of Senior Advisory Committee

Moved by Mayor Pro Tem Olsman and supported by Commissioner Jenks to form a 5- member committee to explore the direction the City may take regarding the Senior Advisory Committee's "Housing Options for an Aging Population Report." The committee will be comprised of the Mayor, two members of Senior Advisory Committee and two members of the Planning Commission to be selected by those boards. City Manager Sullivan will be the staff liaison.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman,  
Commissioner Iversen, Commissioner Jenks and  
Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

ORDINANCE NO. 592

Peddlers, Solicitors, Canvasser and Handbills

Moved by Commissioner Rozell and supported by Commissioner Jenks to Adopt an Ordinance to Amend the City of Huntington Woods Code of Ordinances to Replace in its entirety Chapter 28, Peddlers, Solicitors, Canvassers and Handbills, and to Adopt a New Chapter 28, Articles I through VI, to regulate or address Peddlers, Solicitors, and Canvassers; and to provide for Penalties for violation thereof.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner  
Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

**CITY OF HUNTINGTON WOODS  
OAKLAND COUNTY, MICHIGAN**

**ORDINANCE NO. 592**

**AN ORDINANCE TO AMEND THE CITY OF HUNTINGTON WOODS CODE OF ORDINANCES TO REPLACE IN ITS ENTIRETY CHAPTER 28, PEDDLERS, SOLICITORS, CANVASSERS AND HANDBILLS, AND TO ADOPT A NEW CHAPTER 28, ARTICLES I THROUGH VI, TO REGULATE OR ADDRESS PEDDLERS, SOLICITORS, AND CANVASSERS; AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF.**

**THE CITY OF HUNTINGTON WOODS ORDAINS:**

**Section 1 of Ordinance. Ordinance Amendment.**

The City of Huntington Woods City Code, Chapter 28, Peddlers, Solicitors, Canvassers and Handbills, is hereby amended to read as follows:

**CHAPTER 28 PEDDLERS, SOLICITORS AND CANVASSERS.**

**ARTICLE I. PURPOSE OF ORDINANCE; DEFINITIONS.**

**Sec. 28-1. Purpose.**

The purpose of this Chapter is to provide for the public health, safety and welfare through regulations that promote public safety and help protect residents, businesses and the public from crime, fraud and undue annoyance and interference with privacy rights that can be caused by certain activities, in a manner that does not unlawfully interfere with or burden the exercise of First Amendment and other constitutional rights. To those ends, this Chapter defines and provides different procedural requirements for peddling, and general regulations applicable to all peddlers, and to solicitors and canvassers in certain situations, including peddler licensing regulations intended to: (i) deter persons with criminal or fraudulent intent from posing as legitimate peddlers and solicitors; (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 and a basis for reporting persons that are not in compliance with the these regulations to the Public Safety Department.

**Sec. 28-2. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Canvass* and *canvassing* means to enter upon private property, without any prior specific 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, by verbal, written, or other forms of communication, including the distribution of handbills, flyers, or other materials.

*Canvasser* means a person that engages in canvassing in the City without requesting or accepting the payment, delivery, donation, pledge, or commitment of money, credit, financial assistance, membership, property, goods, services, or other thing of value, and without selling or attempting to sell any property, ticket, emblem, publication, advertisement, subscription, membership, or other thing, whether of value or not.

*Charitable purpose* means a charitable, benevolent, educational, philanthropic, humane, patriotic, veterans support, religious, youth, fraternal, social, civic, conservation, recreational, or other nonprofit objective of a charitable or religious organization, or political organization. Charitable purpose does not include political campaign fundraising or nonprofit objectives of an individual.

*Charitable, religious or political organization* means a charitable, religious, political, benevolent, educational, philanthropic, humane, patriotic, fraternal, social, or civic organization, registered and in good standing under Section 501(c) of the Federal Internal Revenue Code, that solicits or obtains contributions from the public for such charitable, religious, political, benevolent, educational, philanthropic, humane, patriotic, fraternal, social, or civic organization.

*City Clerk* means the City Clerk for the City of Huntington Woods, or his or her designee.

*Director of Public Safety* means the Director of Public Safety for the City of Huntington Woods, or his or her designee.

*Parent organization* means: (1) the person or organization that a peddler is employed by or represents in the course of peddling, the principal manufacturer and distributor of goods being peddled, or the principal provider of services being peddled; or (2) a charitable, religious or political organization that a solicitor is employed by or represents in the course of soliciting in the City, or (3) such organization that sends multiple solicitors for purposes of soliciting in areas of the City on its behalf.

*Peddle and peddling* means traveling by foot or automobile from place to place or from street to street, carrying, conveying or transporting goods, wares, merchandise, including food produces, offering and exposing the same for sale or making sales and delivering articles to purchasers, or taking or attempting to take orders for the sale of goods, wares and merchandise, books or magazines, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether the subject is collecting advanced payments on such sales or not.

*Peddler* means any person engaged in peddling. The term "peddler" shall not include a person who conducts such activities at a social gathering within a home at the invitation of the owner or an occupant of the home.

*Person* means any individual, firm, partnership, corporation, company, association or joint stock association, nonprofit corporation, church, religious sect, religious denomination, society, organization or league, political party or organization, and includes any trustee, receiver, assignee, agent or other similar representative thereof.

*Public way* shall mean all areas legally open to public use such as public streets, sidewalks, roadways, highways, alleys and public parking lots.

*Solicit and soliciting* means a direct or indirect request by or on behalf of a charitable, religious, or political organization or other charitable 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 plea or representation what is requested will be used for charitable purposes of the charitable, religious, political organization, or charitable organization, and includes sales and sales offers of any property, ticket, emblem, publication, advertisement, subscription, membership, or other thing, whether of value or not, on the pleas or representation that the proceeds of the sale will be used for charitable purposes of the charitable, religious, or political organization.

*Solicitor* means any person engaged in soliciting in the City.

*Special event* shall mean any occasion including, but not limited to parades, golf tournaments, fairs, shows, exhibitions, City-wide celebrations, festivals, etc., within a specifically defined area of the City.

*Stand* shall mean any newsstand, table, bench, booth, rack, handcart, pushcart or any other fixture or device which is not required to be licensed and registered by the Department of Motor Vehicles, and is used for the display, storage or transportation of goods and/or services offered for sale by a peddler.

*Street and curb soliciting* means soliciting on any street, sidewalk, curb, road edge, alley, public parking lot and/or driveway in a manner that requires the solicitor, when engaged in the transaction, to stand within the limits of streets, sidewalks, curbs, road edges, alleys, public parking lots and/or driveways within the City.

*Street soliciting* means soliciting for charitable purposes where solicitors are allowed to be within the travelled portion of a street and areas of the street abutting the traveled portion. Street soliciting is prohibited in the City.

## **ARTICLE II. PEDDLERS.**

### **Sec. 28-3. Peddler licensing.**

- (a) No person shall be a peddler or engage in peddling in the City without first obtaining a peddler license from the City Clerk, unless such person is specifically exempt from this licensing requirement under Sec. 28-4 below.
- (b) In order to obtain a peddler license required by this Chapter, a peddler shall apply for said license upon forms prescribed and furnished by the City Clerk. The information provided by the applicant shall include all the following:
  - (1) The name of the applicant who proposes to peddle within the City, including his or her business street address, website address (if any) and telephone number, and the applicant's home address and telephone number, driver's license number and physical description including height, weight, and color of hair and eyes.
  - (2) The complete name, street address, website address (if any) and telephone number of the parent organization and where and when the parent organization was established or incorporated and the form of its organization.
  - (3) A detailed description of the type of peddling to be undertaken and the method to be used in conducting the peddling.
  - (4) The dates and times when, and locations where, peddling will occur, giving the proposed dates for the beginning and ending of such peddling and the hours of the days thereof.
  - (5) The types of goods, wares, merchandise and services to be sold or for which the peddling will be made.
  - (6) Whether the applicant or parent organization has ever been denied a license for peddling, had a license for peddling suspended or revoked, or been prohibited from peddling in the City of Huntington Woods or in any other community.
  - (7) Whether the applicant, or any officer, partner, member or director of the parent organization has been convicted of a felony or any misdemeanor within the past ten (10) years of a violation of federal, state or local laws, ordinances, or regulations reflecting adversely on the applicant's ability to conduct the business for which the license is being sought in an honest and

legal manner, including, but not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, any form of actual or threatened physical harm against another person, or any type of criminal sexual conduct, and if so, a brief description of the crime or violation, including its location and date, and an explanation of the reason therefore.

- (8) Two (2) color photographs of the applicant, one (1) being a photograph taken within sixty (60) 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 such driver's license to be attached to the applicant's application. The photograph that is not from the applicant's driver's license shall be at least two (2) inches by two (2) inches and shall show the head and shoulders of the applicant in a clear and distinguishing manner. If the applicant has not been issued a driver's license or it has been revoked, then the applicant shall submit a second separate photograph with the application, such photograph being at least two (2) inches by two (2) inches and shall show the head and shoulders of the applicant in a clear and distinguishing manner.
  - (9) The applicant's State of Michigan sales tax license number.
  - (10) 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 (5) years prior to the date of the application. The applicant is responsible for all charges incurred in requesting and receiving the ICHAT report or other criminal history report and the report must be dated within thirty (30) days of the date of the application.
  - (11) If under eighteen (18) years of age, the applicant must provide a copy of a valid work permit issued by the applicant's school, school district offices or other authorized issuing agency to the applicant for purposes of the peddling activity proposed to be undertaken in the City.
  - (12) 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 within the last three (3) years, or has not been found responsible for three (3) or more motor vehicle moving violations under the Michigan Motor Vehicle Code or local ordinances within the last three (3) years.
  - (13) If the applicant will be engaging in peddling from or out of a motor vehicle in the streets and roads of the City, the vehicle from which the peddling is to occur shall be brought to the City and inspected by a designated representative of the Public Safety Department and must be found to meet any safety standards adopted by the Public Safety Department and any standards adopted by the State of Michigan, and the Public Safety Department's checklist form signed by the designated public safety department representative verifying such compliance shall be submitted with the application.
  - (14) If the applicant will be engaging in the sale of food or beverages, a health license issued by the Oakland County Health Department. Such peddler's equipment shall be subject to inspections by the Oakland County Health Department at the time of application, as required by the state public health code.
- (c) An administrative processing and license fee for a peddler license application shall be established by resolution of the City Commission and such fee shall be paid when the

application is filed with the City. The City Commission shall also establish fees for licenses issued for special events.

- (d) The City Clerk and Director of Public Safety shall examine all peddler license applications and shall make or cause to be made such further investigation of the application or applicant as the City Clerk and/or Director of Public Safety shall deem necessary. If the City Clerk and Director of Public Safety both find the application to be complete and satisfactory in consideration of the purpose, intent and applicable provisions of this Chapter, the City Clerk shall approve and issue the license. The City Clerk may deny issuance of a license if he or she finds that:
- (1) The applicant failed to truthfully provide in his or her application the information required in this chapter;
  - (2) The applicant has engaged in a fraudulent transaction or enterprise;
  - (3) The applicant has been convicted within the past ten (10) years of a violation of federal, state or local laws, ordinances, or regulations reflecting adversely on the applicant's ability to conduct the business for which the license is being sought in an honest and legal manner, including, but not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, any form of actual or threatened physical harm against another person, or any type of criminal sexual conduct;
  - (4) The applicant is listed on any criminal sex offender registry or has any outstanding warrants for any misdemeanor or felony;
  - (5) 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 does not have a valid driver's license, has been convicted of a misdemeanor or felony moving violation within the last three (3) years, or has been found responsible for three (3) or more motor vehicle moving violations under the Michigan Motor Vehicle Code or local ordinances within the last three (3) years;
  - (6) The applicant has had a license to conduct peddling or soliciting suspended or revoked within the past ten (10) years.
- (e) A peddler license shall bear the name, address and photograph of the peddler; the date issued; the dates within which the license holder may peddle; the expiration date of the license; and a statement that the license does not constitute an endorsement by the City of the purpose or products involved or of the persons or parent organization conducting the peddling. All peddler licenses shall be signed by the City Clerk.
- (f) A peddler license shall be valid for a period of up to one hundred and twenty (120) days as determined by the City Clerk with consideration of the application, except for special events, which shall be limited to the period of the special event. Peddler licenses issued under this Chapter are nontransferable.

**Sec. 28-4. Exempt persons.**

- (a) The following shall be exempt from the licensing, registration and fee requirements of this Chapter, but shall be subject to the other sections of this Chapter:
- (1) Persons engaged in the occupation of distribution of newspapers.
  - (2) City of Huntington Woods merchants and representatives engaging in year-round business with a permanent location in the City.
  - (3) Any honorably discharged veteran who is a resident of this state and who has obtained a veteran's license from a county clerk within the state of Michigan.

- (4) Any person who proposes to sell produce which he has raised himself. Produce may only be sold on the site where it is raised.
- (5) Persons peddling or soliciting to fellow members of the peddler's or solicitor's parent organization.
- (6) Persons peddling or soliciting by telephone, email or mail.
- (7) Recognizing that the City maintains or has available to it the information otherwise required for licensing under this Chapter, City public safety personnel shall be exempt from the fee and licensing requirements set forth in this Chapter, provided the City Clerk is provided advanced notification describing the peddling activity and its duration and verification that the peddling activity is for a recognized, legitimate and valid charitable police or fire association project. Such persons shall be subject to all other regulations set forth in this Chapter.
- (8) 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 organizations, or other cause or issue, by verbal, written, or other forms of communication, including the distribution of written materials, as long as no payment or other form of financial assistance is requested or taken.
- (9) Solicitations made to a congregation or group in attendance at one location and made by the person or organization inviting the individuals composing the congregation or group.
- (10) Solicitations made over the radio, television or telephone.
- (11) Any peddler traveling on an established route at the request, express or implied, of their customers.
- (12) Salespersons calling on regularly-licensed business establishments.
- (13) The distribution of written materials where the individual distributing them does not accept payments, orders or contributions.
- (14) Persons under eighteen (18) years of age engaged in peddling or soliciting within three (3) miles of their residence for a bona fide school, charity, religious or youth organization.
- (15) Solicitors and Canvassers.

**Sec 28-5. Peddler License Renewals.**

Peddler licenses may be renewed provided an application for renewal and license fees are received by the City no later than the expiration date of the current license. Applications received after that date shall be processed as new applications. The City shall review each application for renewal to determine that the applicant is in full compliance with the provisions of this Chapter. If the City finds that the new application meets the above requirements, the City shall issue a new license.

**Sec. 28-6. Peddler License Suspension.**

- (a) The City Clerk may suspend a peddler license upon determining that any of the following circumstances exists:

- (1) The licensee failed to truthfully provide in his or her application the information required in this Chapter, or that the licensee has engaged in a fraudulent transaction or enterprise;
  - (2) The licensee has been convicted of a violation of federal, state or local laws, ordinances, or regulations reflecting adversely on the licensee's ability to conduct the business for which the license has been issued in an honest and legal manner, including, but not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, any form of actual or threatened physical harm against another person, or any type of criminal sexual conduct;
  - (3) The licensee is listed on any criminal sex offender registry or has any outstanding warrants for any misdemeanor or felony;
  - (4) If the licensee will be engaging in peddling from or out of a motor vehicle in the public ways of the City, the licensee's driver's license has been suspended or revoked or the licensee has been convicted of a misdemeanor or felony moving violation; or
  - (5) The licensee has, during peddling in the City, engaged in conduct that is contrary to the peace, privacy, safety, health and welfare of the residents, businesses and persons in the City.
  - (6) Intervention by the state or county health department due to uncorrected health or sanitation violations.
- (b) A licensee shall be given written notice of the cause and term of the suspension. A licensee shall have the right to appeal the suspension within thirty (30) days of the date of suspension. A licensee shall provide written notice and request for a reversal of the suspension, and a hearing shall be conducted by the City Commission no later than fifteen (15) days following receipt of a written request by the licensee, unless a later date is set by agreement of the licensee. At the hearing, the licensee shall have the right to hear the evidence relied upon by the City Clerk and the right to present evidence and witnesses on his or her behalf. At the hearing, or at an adjourned date, the City Commission shall determine whether to reverse, modify or affirm the suspension and shall put its decision and the reasons therefore in the form of a resolution, which the City Clerk shall forward to the licensee. The City Commission's decision may be appealed and reviewed by a court of competent jurisdiction.

**Sec. 28-7. Peddler License Revocation.**

- (a) The City Commission may revoke a peddler license upon the recommendation of the City Clerk and after a hearing at which it is shown that any of the circumstances listed in Sec. 28-6(a) (1) — (6) exists.
- (b) Reasonable written notice of the hearing shall be given to the licensee not less than ten (10) days prior to the hearing date. The written notice shall be mailed by regular mail to the license holder at the business address provided on the licensee's application and shall set forth the alleged reason or reasons for considering revocation of the license and the date, time and place of the hearing. At the hearing, the licensee shall have the right to hear the evidence relied upon by the City Clerk and the right to present evidence and witnesses on his or her behalf. At the hearing, or at an adjourned date, the City Commission shall determine whether the license should be revoked or suspended and shall put its decision and the reasons therefore in the form of a resolution, which the City Clerk shall forward to the licensee. The City Commission's decision may be appealed and reviewed by a court of competent jurisdiction.

**ARTICLE III. SOLICITORS**

**Sec. 28-8. Voluntary Notification.**

In the interest of the public, and to protect against the potential for crime or fraud, the City requests that solicitors voluntarily notify the City Clerk's Office that soliciting will be taking place the City and that the following information be voluntarily provided:

- (1) The names of the individuals who will be soliciting in the City and the identity of the organization associated with the solicitation efforts.
- (2) A description of the type of soliciting to be undertaken.
- (3) The dates and times when and locations where the soliciting will occur, giving the proposed dates for the beginning and ending of such soliciting and the hours of the days thereof.

**Sec. 28-9. Failure to provide notification; Exemption.**

The failure of a solicitor to provide the voluntary notification noted in Sec. 28-8 shall not be deemed a violation of this Chapter.

**Sec. 28-10 through Sec. 28-11. Reserved.**

**ARTICLE IV. GENERAL REGULATIONS FOR PEDDLERS/SOLICITORS/CANVASSERS**

**Sec. 28-12. Material Change to Peddler Application Information.**

- (a) While any peddler license issued pursuant to this Chapter is in effect, a peddler shall, within seven (7) calendar days, report to the City Clerk in writing any material change in any information previously provided on the application form.
- (b) It shall be a violation of this Chapter for any person knowingly to file or to cause to be filed an application for a peddler license containing one or more false statements.

**Sec. 28-13. Inferred Endorsement by the City.**

A peddler, solicitor or canvasser shall not represent that its activities or speech are endorsed by the City or by any department, officer or employee thereof.

**Sec. 28-14. Hours for Peddling.**

No peddling shall take place in the City after 8:00 p.m. or the official time of sunset, whichever is earlier, or before 10:00 a.m., prevailing time.

**Sec. 28-15. Display of Peddler License.**

While carrying on peddling in the City, a peddler shall visibly display on the exterior of his or her clothes at all times a valid peddler license issued under this Chapter and shall tender such license, upon request, to any public safety officer, City employee, or any person dealing with the peddler.

**Sec. 28-16. Obstructing Traffic.**

Notwithstanding any other provision of this Chapter to the contrary, a peddler, solicitor or canvasser shall not block, obstruct, impede or otherwise interfere with the normal flow of vehicular or pedestrian traffic upon a public highway, public parking lot, street, road, alley, drive or sidewalk or within public buildings and other public areas within the City by means of a barricade, object or device, or with his person.

**Sec. 28-17. Harassment and Noise.**

No peddler, solicitor or canvasser shall threaten or harass any resident of the City during their activities or in any way engage in any conduct that would tend to threaten the health and safety of another.

**Sec. 28-18. Misrepresentation.**

No fraudulent or misleading representations to any person shall be made in connection with any peddling, soliciting or canvassing, including, but not limited to, any misleading representation concerning the product or service involved, the purposes for which contributions solicited will be used, the name of the peddler, the trade name and nature of the parent organization, or the purposes for which the parent organization was organized.

**Sec. 28-19. Peddling on Public Property.**

- (a) Peddling is prohibited within a public right-of-way, including any street corner or intersection road, and on any highway, street, road, lane, sidewalk, driveway, alley, public parking lot any or publicly-owned property, except for peddling conducted as provided in subsections (b) and (c), below.
- (b) For special events conducted by or with the approval of the City, a peddler shall apply for a peddler's license at least thirty (30) days prior to the scheduled special event and provide the information required in this ordinance, unless exempt under this ordinance. If the peddler license is approved by the City, the term of the license shall be limited to the period of the special event. If the peddler license is approved by the City, a peddler may conduct activities only on the specific public property in the location identified and approved by the City for the special event. If the special event is to take place in any of the public parks and/or adjacent public property, roads or parking lots, a peddler license shall be obtained under this Chapter.
- (c) Peddlers of food products from a vehicle approved by the Public Safety Department may engage in peddling on residential public streets and rights-of-way only, and may not peddle on streets considered major thoroughfares or public parking lots, provided such peddlers comply with all otherwise applicable requirements of this Code, including provisions relating to noise and hours of operation, and otherwise applicable laws and regulations. In the case of ice cream trucks, the ringing of an unamplified bell is permitted so long as it does not unreasonably disturb the peace and quiet of the surrounding neighborhoods or structures.

**Sec. 28-20. Fixed Stands Prohibited; Miscellaneous.**

- (a) No peddler shall establish a fixed stand upon any street, road, highway, lane, sidewalk, driveway, alley, public parking lot or publicly-owned property.
- (b) Peddler temporary stands shall not impede access to the entrance, parking lot or driveway of any adjacent building. Such stands shall be located on private property within the City only when permission of the property owner has been obtained. Permission to be located on public property is to be obtained from the City for a special event in accordance with Sec. 28 -19.
- (d) All peddlers selling food or beverages must provide trash receptacles adjacent to or as a part of their stands.

**Sec. 28-21. Posted Property; Access to Premises Restricted.**

No peddler, solicitor, or canvasser shall enter into or upon private property that has posted a "no peddling," "no solicitation," "no soliciting", "no canvassing" or "no trespassing" sign, or similar notice.

**Sec. 28-22. Request to Leave.**



JOY SOLANSKEY, City Clerk  
City of Huntington Woods

ORDINANCE NO. 593  
Container Maintenance

Moved by Commissioner Jenks and supported by Mayor Pro Tem Olsman to Adopt an Ordinance to Amend Chapter 30, Solid Waste, Article II, Collection and Disposal, Section 30-23(e), Container Maintenance, to Provide for the Storing of Waste Materials on Private Properties Prior to Removal and to Provide for Container Maintenance: and to provide for a penalty for violation thereof.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

**CITY OF HUNTINGTON WOODS  
OAKLAND COUNTY, MICHIGAN**

**ORDINANCE NO. 593**

**AN ORDINANCE TO AMEND CHAPTER 30, SOLID WASTE, ARTICLE II, COLLECTION AND DISPOSAL, SECTION 30-23(e), CONTAINER MAINTENANCE, TO PROVIDE FOR THE STORING OF WASTE MATERIALS ON PRIVATE PROPERTIES PRIOR TO REMOVAL AND TO PROVIDE FOR CONTAINER MAINTENANCE; AND TO PROVIDE A PENALTY FOR VIOLATION THEREOF.**

**THE CITY OF HUNTINGTON WOODS ORDAINS:**

**Section 1 of Ordinance. Ordinance Amendment.**

Chapter 30, Solid Waste, Article II, Collection and Disposal, Section 30-23(e), Container Maintenance, shall be amended to read as follows:

**Sec. 30-23(e) Storage of Containers on private properties prior to removal; Container maintenance**

All Containers used for the storage of waste and recyclable materials shall be inaccessible to vermin, domestic animals, and insects, so as to prevent a nuisance. For purposes of this Section, the term "Containers" shall include waste material containers, refuse containers, recycling carts, and yard waste containers or bags.

- a. On residential properties, all refuse containers shall be covered tightly at all times to prevent the harboring of rodents and the scattering of debris. Containers shall be placed at the rear of the house. In the event the physical characteristics of the property result in the inability to place the Containers at the rear of the house, then the Containers may be placed at the side of the house no further forward than the front corner of the house. Placement at the road for pick up shall be restricted to the time period beginning 4:00 p.m. the day prior to the morning of the regularly scheduled collection by the SOCRRA contracted hauler.
- b. On non-residential premises, all Containers stored outside of the building must be stored in Containers that are emptied by either a SOCRRA contracted waste hauler or a private contracted waste hauler at intervals frequent enough to prevent development of a food source for animals, as well as prevent an overflow of items that will cause litter. The Containers shall be kept in rear or side yards at all times, unless another location has been approved in accordance with the City of Huntington Woods Code of Ordinances. Containers holding waste materials shall be covered tightly as possible, in accordance with OSHA safety regulations, to prevent the harboring of rodents and the scattering of debris.
- c. A violation of this subsection may be abated by the City pursuant to Section 30-27, or alternatively, a violation will result in a municipal civil infraction pursuant to Section 30-30.

**Section 2 of Ordinance. Repealer.**

All ordinances, parts of ordinances, or sections of the City Code in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 3 of Ordinance. Severability.**

Should any section, subdivision, clause, or phrase of this Ordinance 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. Savings.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

**Section 5 of Ordinance. Effective Date.**

This Ordinance shall be effective twenty (20) days from the date of adoption and shall be published as required by the Charter of the City of Huntington Woods.

**Section 6 of Ordinance. Enactment.**

This Ordinance is declared to have been enacted by the City Commission of the City of Huntington Woods at a meeting called and held on the 20<sup>TH</sup> day of June, 2017, and ordered to be given publication in the manner prescribed by law.

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Abstentions: None



The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-44-2017

Appoint representatives to SOCWA

Moved by Commissioner Jenks and supported by Commissioner Iversen to appoint Amy Sullivan as representative and Jay Mader as alternate to the Southeastern Oakland County Water Authority (SOCWA) Board for the fiscal year beginning July 1, 2017.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-45-2017

Asphalt Rejuvenation with Pavement Technologies

Moved by Mayor Pro Tem Olsman and supported by Commissioner Jenks that the City of Huntington Woods enter into an agreement with Pavement Technologies, 24144 Detroit Road, Westlake, OH 44144 for the application of Asphalt Rejuvenation as bid on October 28, 2016 at 0.83 per square yard. Total projected cost not to exceed \$47,778.95

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-46-2017

Lease to purchase Backhoe

Moved by Mayor Pro Tem Olsman and supported by Commissioner Rozell that the City of Huntington Woods enter into an agreement to lease the purchase of (1) John Deere A-410 as per specifications and

bids on MI-Deal Contract #071B7700090 for a total cost including interest of \$8,159.80 of \$105,839.80.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-47-2017

Replace condensing unit at the Library

Moved by Mayor Pro Tem Olsman and supported by Commissioner Jenks that the City of Huntington Woods enter into an agreement with Conti Mechanical, 6417 Center Drive, Sterling Heights, MI 48312 for a total installed cost of \$13,936.00 and that based upon the circumstances of the installation of unit #1 the purchase is construed as a sole source purchase under the provisions of Sec 2-574 (b) Exceptions to Competitive Bidding.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-48-2017

Approval of Banks, Brokers and Dealers

Moved by Commissioner Jenks and supported by Mayor Pro Tem Olsman that the following broker/dealers and Commercial Banks be utilized by the City for the investment of idle funds provided that strict compliance with the City Investment Policy is maintained.

Advisor: Robinson Capital

Brokers/Dealers – Commercial Banks:

U.S Bancorp, N.A.

Oakland County, LGIP, Investment Unit

Citigroup Global Markets, Inc.

Municipal Bond and Investors Assurance Corp.

Raymond James Financial Investment Co.  
Fifth Third Bank, N.A  
Fifth Third Securities Inc.  
Merrill, Lynch, Pierce Fenner & Smith  
Robert W. Baird & Co. Inc.  
Morgan Stanley Smith Barney LLC  
Huntington Bank N.A.  
Level One Bank  
Stifel Nicolaus and Company, Inc.  
Multi – Bank Securities, Inc.  
J.P. Chase Bank N.A.  
PrivateBankcorp Inc.  
UBS Financial Services, Inc.  
Flagstar Bank, N.A.  
First Merit Corporation  
Comerica Bank N.A. & Comerica Securities Inc.  
Chemical Financial Corporation  
PNC Bank, N.A.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-49-2017  
City Hall occupancy rating

Moved by Commissioner Iversen and supported by Mayor Pro Tem Olsman that the City of Huntington Woods establish a maximum occupancy rating for the City Hall building to be 99 persons based upon the use of the building as an assembly center under the International Code Council requirements and standards.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-50-2017  
Request for 5k Run

Moved by Mayor Pro Tem Olsman and supported Commissioner Rozell to table a request by All Community Events to hold a 5K Run benefiting ALS Association on Saturday, November 25, 2017 pending more information.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

#### RESOLUTION R-51-2017

Receive and file reports and minutes

Moved by Commissioner Iversen and supported by Commissioner Rozell to receive and file the reports and minutes:

- a. Library Advisory Board, April 17, 2017
- b. Environmental Advisory Committee, March 16, 2017
- c. BART Board, April 19, 2017
- d. Planning Commission, April 24, 2017
- e. Finance Report, April, 2017
- f. Historic District Commission, November 2, 2016

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

#### WARRANT NO. 325

Moved by Mayor Pro Tem Olsman and supported by Commissioner Jenks that the attached transfers and disbursements as listed on the Accounts Payable Distribution Report due by June 16, 2017 and paid between May 12, 2017 and June 15, 2017 on pages 1 through 12 in the amount of \$677429.94 be approved and paid, subject to full audit.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Paul, Mayor Pro Tem Olsman, Commissioner Iversen, Commissioner Jenks and Commissioner Rozell

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

#### CITY MANAGER REPORT

City Manager Sullivan reported the Run Walk Boom supporting the 4<sup>th</sup> of July activities is Saturday, June 24<sup>th</sup>. Register at the Recreation Center. The first home swim meet is Thursday, June 22<sup>nd</sup>, the pool will close for the swim meet at 4:00 pm.

#### COMMISSIONER'S REMARKS

Mayor Pro Tem Olsman mentioned an incident of dog waste appearing next to a political sign and on a child's swing in a resident yard. He considers this criminal trespassing, an example of hateful conduct and malicious destruction of property. The Run, Walk, Boom is this Saturday with funds going to the 4<sup>th</sup> of July fireworks. Happy 4<sup>th</sup> of July, hope to see everyone at the parade and fireworks.

Commissioner Jenks said if not in the parade make sure you are watching. Huntington Woods is a unique City, quality of services, programs and community involvement is at a much higher level. He will continue to bring up issues, even if it is where to put your garbage cans to set standards. Without rules, we have conflict. Happy 4<sup>th</sup> of July.

City Commissioner Iversen thanked Mayor Pro Tem Olsman for his efforts to have the fence repaired at Rackham Golf Course. Happy 4<sup>th</sup> of July.

City Commissioner Rozell had no comments.

Mayor Paul said the Men's Club Raffle Tickets are on sale. Happy Independence Day.

The Regular City Commission Meeting adjourned at 8:43 pm.

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Joy Solanskey, City Clerk

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Robert F. Paul, III, Mayor