



# CITY OF AUBURN HILLS

## Regular City Council Meeting Minutes

September 28, 2020

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**CALL TO ORDER:** Mayor McDaniel at 7:10 PM.  
**LOCATION:** Virtual Meeting, Auburn Hills, MI 48326  
Present: Mayor McDaniel, Council Members Burmeister, Kittle, Knight, Marzolf, Moniz and Verbeke  
Absent: None  
Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Mgr. of Business Development Carroll, Fire Chief Taylor, Police Chief Baker, Deputy Chief of Police Gagnon, Community Development Director Cohen, Director of Authorities Skopek, Deputy DPW Director Stahly, Mgr of Municipal Properties Torres

4 Guests

#### 4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes, September 14, 2020

**Moved by Knight, Seconded by Verbeke.**

**RESOLVED: To approve the City Council Workshop Minutes of September 14, 2020 as presented.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.119**

**Motion Carried (7 - 0)**

4b. City Council Meeting Minutes, September 14, 2020

**Moved by Verbeke, Seconded by Moniz.**

**RESOLVED: To approve the City Council Minutes of September 14, 2020 as presented.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.120**

**Motion Carried (7 - 0)**

#### 5. APPOINTMENTS AND PRESENTATIONS

#### 6. PUBLIC COMMENT

#### 7. CONSENT AGENDA

7a. Board and Commission Minutes

7a1. Tax Increment Finance Authority, September 8, 2020

7a2. Election Commission, September 16, 2020

7a3. Planning Commission, September 16, 2020

**RESOLVED: To receive and file the Board and Commission Minutes.**

7d. Motion – To adopt a resolution authorizing the Auburn Hills Downtown Development Authority (DDA) to apply to become a select community under Main Street Oakland County, and authorizing the DDA to submit the application to Main Street Oakland County in furtherance of this resolution

**RESOLVED: To adopt the attached resolution authorizing the Auburn Hills DDA to apply to become a Select community under Main Street Oakland County, and authorizing the DDA to submit the application in furtherance of this resolution. (Attachment A)**

**Moved by Kittle, Seconded by Verbeke.**

**RESOLVED: To approve the Consent Agenda Items 7a and 7d.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.121**

**Motion Carried (7 - 0)**

7b. Motion – To extend the collection services contract with Penn Credit Corporation.

Mr. Burmeister questioned whether the contract could be extended for three years instead of one year to take advantage of the 18% rate. Chief Taylor confirmed that it can only be extended one year per the original contract.

In response to a question from Mr. Kittle regarding the company's performance, Chief Taylor explained that just over \$374,000 has gone to them to collect which is an increase of 3.5% which includes the COVID months.

**Moved by Kittle, Seconded by Knight.**

**RESOLVED: To approve to exercise the option to extend the contracted service of Penn Credit Corporation for the purpose of collecting delinquent ambulance billing accounts at the rate of 18% In-house and 29% when legal action is required for an additional one (1) year from October 25, 2020 to October 24, 2021 and authorize the City Manager to sign the agreement on behalf of the City.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.122**

**Motion Carried (7 - 0)**

7c. Motion - To approve the 2021 City Council Meeting Schedule.

Council noted that a meeting is scheduled the day after Easter and the day before the election. In addition, a meeting is schedule for Martin Luther King Day. After a brief discussion, no changes were made to the proposed meeting schedule.

**Moved by Knight, Seconded by Verbeke.**

**RESOLVED: To approve the 2021 City Council Meeting Schedule.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.123**

**Motion Carried (7 - 0)**

7e. Motion – To approve the purchase of limestone material for trail surfaces.

Mr. Torres explained that the decision to use limestone on the trail surfaces was based on a review of the plans for the parks from the 1990s. There are three types crushed limestone, woodchip, footpaths.

Mr. Moniz shared his concerns regarding the possible damage to the asphalt. Mr. Torres stated that the staff at DPW had the same concerns so the logistics were discussed. It was decided that the product will be staged at DPW on Brown Road and then trucked over to avoid damage to the parking lot at Hawk Woods.

It was discussed that the all possibilities have been looked at and regardless of who delivers the materials we will still need to truck the material back and forth, therefore they are the company with the lowest bid.

Mr. Marzolf shared that he is happy to see this project being completed and stated that limestone holds up for a long time. He stated that he would be in favor of the paths being eleven feet unless trees need to be removed, then he would be in favor of a narrow path so as to not remove trees.

Ms. Verbeke shared that for safety purposes she would be in favor of the product being held at a location where it cannot be taken and the area can be better controlled.

**Moved by Verbeke, Seconded by Moniz.**

**RESOLVED: To authorize the Department of Public Works to purchase sufficient limestone material for use in rehabilitating the limestone trail surfaces at the Hawk Woods Nature Center not to exceed \$18 per ton from TKMS, Ltd.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.124**

**Motion Carried (7 - 0)**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

9a. Motion – To adopt a text amendment to Section 1813. Storage of Vehicles, Machinery, and Like Items of the Zoning Ordinance.

Mr. Cohen presented the text amendment is the result of the August 17, 2020 workshop. The issue covers the parking of commercial vehicles and recreational vehicles in residential areas. He shared that the new language provides clarity to the types of vehicles that are allowed and those that are prohibited in Section 1813 of the Zoning Ordinance. The changes taking place will bringing residents that have small self-owned businesses into compliance with the zoning ordinance without any impact.

Mr. Cohen also shared that the text amendment will prohibit recreational vehicles from being parked in the front yard. This ordinance change will allow property owners currently parking a recreational vehicle in their front yard to be "grandfathered," provided the storage is compliant with the existing ordinance standards. The grandfathered process will be decided by talking to residents and using aerial footage. Once this information has been obtained it will be placed within the GPS system and BS&A.

Ms. Verbeke questioned how this ordinance will affect those that live on a corner lot. Mr. Cohen explained that a corner lot has two front yards. He further explained that the vehicle must be parked behind the front plane that is facing the front yard.

**Moved by Moniz, Seconded by Burmeister.**

**RESOLVED: To accept the Planning Commission's recommendation and approve the enclosed Text Amendment to Section 1813. Storage of Vehicles, Machinery, and Like Items of the Zoning Ordinance. It shall be referenced as Ordinance No. 20-918. (Attachment B)**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.125**

**Motion Carried (7 - 0)**

9b. Public Hearing/Motion – To adopt an ordinance to amend Article IV, Property Maintenance, Unsafe Buildings, and Existing Structures, of Chapter 18, Buildings and Building Regulations, of the Auburn Hills City Code on second reading.

Mr. Cohen presented the text amendment to Article IV, Chapter 18. This ordinance will address the proper maintenance of all driveways and as requested by City Council, sidewalks. This ordinance will keep all driveways from having weeds growing through the cracks and causing the neighborhoods to be unsightly. It was stated that this ordinance applies to neighborhoods with an HOA, Homeowners Association.

Mayor McDaniel opened the Public Hearing at 7:54 PM.

Hearing no public comment, the Mayor closed the Public Hearing at 7:55 PM.

City Attorney Beckerleg commented on the fact that while the sidewalks are owned by the City, they are maintained by the owner of the adjacent property.

**Moved by Knight, Seconded by Verbeke.**

**RESOLVED: To adopt an Ordinance to amend Section 18-82 of Article VI. Property Maintenance, Unsafe Buildings, and Existing Structures, Division 1. Property Maintenance of Chapter 18, Buildings and Building Regulations of the Auburn Hills Code of Ordinances on Second Reading to include storage surfaces and walks leading to the front entrance of a residence. The Ordinance shall be known as Ordinance No. 20-919. (Attachment C)**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.126**

**Motion Carried (7 - 0)**

9c. Public Hearing/Motion – To adopt an Ordinance to Amend Article VI, Blight, of Chapter 34, Environment, of the Auburn Hills City Code on Second Reading.

Mr. Cohen presented the need to amend Article VI, Chapter 34 regarding blight. He explained that this was drafted to prohibit covered vehicles parked or stored in the front and side yards. This will apply to all properties in the City. The ordinance will allow one covered passenger vehicle to be parked or stored on an improved surface in the rear yard provided a fitted covering is utilized, the vehicle is currently licensed and not a junk or inoperable vehicle.

Mayor McDaniel opened the Public Hearing at 8:01 PM.

Hearing no public comment, the Mayor closed the Public Hearing at 8:02 PM.

**Moved by Moniz, Seconded by Verbeke.**

**RESOLVED: To adopt an Ordinance to amend Section 34-178 of Article VI. Blight, of Chapter 34, Environment of the Auburn Hills City Code on Second Reading. The Ordinance shall be known as Ordinance No. 20-920. (Attachment D)**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 20.09.127**

**Motion Carried (7 - 0)**

9d. Public Hearing/Motion – To adopt an ordinance amendment to Chapter 22 of the Auburn Hills City Code to regulate hotels. (second reading)

City Attorney Beckerleg presented the new ordinance amendment to Chapter 22 of the City Code. This is intended to address the current concerns and to prevent problems in the future. There are two components to this ordinance; first would require a hotel license that would need to be obtained within 180 days of adoption, with an annual renewal. The second is a list of requirements that must be met.

Mr. Moniz asked if the timeframe allows the hotel owners proper time to meet the requirements, especially the cameras. It was discussed that there is a possibility to extend the deadline but it would be beneficial to have the cameras in place by the time the license is due and to comply with all the requirements. It was discussed that cameras, for some of the hotels, can become expensive due to the amount of them that would need to be installed and then monitored. It was mentioned that cameras have become more cost effective.

Police Chief Baker stated that he is in support of cameras in hotels. He stated that when criminal activity occurs the cameras will be an asset to the situation. He stated that he will be meeting with the hotel owners or managers next week.

Mr. Kittle asked if there was a rampant problem with criminal activity in the hotels or are there just a few isolated incidents. He shared his concern with local government overreaching and that the hotel insurance should be the motivator, not government policy. He stated that he understands the situation but will not support this.

Mayor McDaniel stated that he appreciates the work that has been done and feels it is the City's responsibility to keep people safe.

Mr. Knight stated that it is a good ordinance but would like to see it be a voluntary item for a year and then if it is still a problem, then it would change. He stated he would like to defer action on it because it is moving too quickly. Mayor McDaniel responded by saying this ordinance is a list of best practices to keep not only the guest of the hotel safe but also employees. Mr. Tanghe that there has been a struggle with criminal activity for a long time. He stated that there have been situations taking place at hotels but not all hotels have this problem.

Mr. Kittle clarified that he does not diminish the work that has been done. He stated that the requirements should be coming from the hotel owners not a city ordinance. He stated that while there are some problematic hotels he would like to see all of the hotels sit and meet.

Chief Baker commented also that the criminal activity in some hotels is not equal. He stated that there are some problematic hotels and there has been an increase in crimes. He is wanting to communicate with the hotel owners and offer assistance.

Mr. Kittle shared that this item should be postponed until after the meeting with the hotel owners.

Mayor McDaniel opened the Public Hearing at 8:29 PM.

A communication was received from Nikolaus Kern, General Manager for the Embassy Suites by Hilton, expressing concern with the ordinance. Mr. Kern was also virtually present in the meeting. He stated that he was thankful for the work that has been put into this ordinance. He shared three points of concern: privacy, information that is asked to be kept in a ledger, and cameras/surveillance.

The Mayor closed the Public Hearing at 8:33 PM.

**Moved by Kittle, Seconded by Knight.**

**RESOLVED: To postpone action on this item until after the police chief has met with the rest of the hotel operators and received more consensus relative to how this impacts the other 14 hotels.**

**VOTE: Yes: Kittle, Knight,**

**No: Burmeister, Marzolf, McDaniel, Moniz, Verbeke**

**Resolution No. 20.09.128**

**Motion Failed (2 - 5)**

Mr. Knight stated that he felt this item should be delayed for obvious reasons. He did share that he appreciates the comments from Chief Baker and Mr. Tanghe.

Mayor McDaniel stated that every hotel will be notified and will have the ability to have a say. This ordinance is not meant to be heavy handed but to work with the hotels.

Mr. Burmeister shared that there is no way he cannot support this ordinance knowing what happens in the hotels.

Mr. Kittle asked if this ordinance will stop the criminal activity or if it will just make it easier for the criminals to be identified.

Chief Baker shared that there is an organization that meets frequently with the hotels and they are aware of the ordinance as well as encouraged to attend the meetings. He shared the cameras will aid in identifying criminals if needed but also will be helpful to hotel staff to stop activity before it escalates. The scheduled meeting will include discussion on the ordinance and the expectations.

Mr. Tanghe shared that the requirements in the ordinance are not costly items.

**Moved by Verbeke, Seconded by Burmeister.**

**RESOLVED: To adopt an ordinance to amend Chapter 22 – Businesses, of the Auburn Hills City code, as amended, to add a new Article VI – Hotels, to regulate hotels in the City of Auburn Hills. (Attachment E)**

**VOTE: Yes: Burmeister, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: Kittle**

**Resolution No. 20.09.129**

**Motion Carried (6 - 1)**

Ms. Verbeke left at 8:53 PM.

9e. Motion – To approve the 2021 roof replacement project.

Mr. Torres presented the results of the roof bid. In order to receive a savings, the project was scheduled to this year. He noted that Mr. Matt Verhey, representing The Garland Company, was in the virtual audience.

Mr. Knight asked for clarification on the purchase of metal roofs versus shingle roofs. Mr. Torres and Mr. Verhey explained that the life cycle for a metal roof is beneficial in the sense of a warranty and that a shingle roof does not last as long.

**Moved by Knight, Seconded by Marzolf.**

**RESOLVED: To award the 2021 roofing project at the Administration Building to Royal Roofing of Lake Orion, Michigan at a cost of \$666,374 and to award the roofing projects at the Community Center and Public Safety Building to Schena Roofing of Chesterfield, Michigan for \$634,952.85 funded as indicated and to take place in the 2021 fiscal year.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz**

**No: None**

**Absent: Verbeke**

**Resolution No. 20.09.130**

**Motion Carried (6 - 0)**

9f. Motion – To approve the purchase of a HVAC unit and HVAC equipment.

Mr. Torres presented the request for two projects regarding the purchase of HVAC units and HVAC equipment. He stated that DPW has identified eleven units that will need to be replaced in 2020. He shared that most of these units are combination units.

Mr. Kittle sought clarification on the maintenance contract with K&S. Mr. Torres clarified that this agreement was never entered into and sees the value in an agreement of this type.

Mr. Moniz commented on the recent emergency repairs made by the City and questioned if units are still working, should they be replaced. It was discussed that some of these units are over twenty years old and have been inspected. In replacing the units they will be more reliable and energy efficient.

**Moved by Moniz, Seconded by Knight.**

**RESOLVED: To approve the purchase of a 50 ton rooftop HVAC unit for the Public Safety Building and the listed HVAC equipment as indicated for \$352,845 to K&S Ventures of Rochester Hills, Michigan.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Absent: Verbeke**

**Resolution No. 20.09.131**

**Motion Carried (6 - 0)**

## **10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Kittle – Stated that he appreciates the ability to have heartfelt debates on issues that concern the City. He shared that he looks at making policy as a business owner, **homeowner, taxpayer and citizen** and applauds the work that has been put together. He shared that he received a call from a resident regarding the ordinance regarding pets and the length in which a dog can be tethered. He would like to have this ordinance reviewed to see if there are any adjustments that can be made.

Mr. Moniz – He thanked Mr. Kittle for his comments. He shared that he is hopeful that the hotel operators will get things done.

Mr. Marzolf – He complimented staff for the great activities that have been taking place at the Amphitheater during these difficult times. He shared that one of the owners the downtown establishment, Duffy's Pub, Jim Dieters passed away.

Mr. Knight – He shared the upcoming events at the amphitheater. He asked City Attorney Beckerleg for clarification on the tabling motion vs. a postponement. He is asked for a report on the Auburn Road process. Mr. Stahly stated that there is a upcoming meeting to discuss this and once the information has been received, it will be forwarded on to City Council. Mr. Knight asked for an update on the demolition

process of the Mansion. Mr. Torres stated that there are a few projects that still need to take place and then the demo will take place. Mr. Knight would like to be assured that Butler Road was made a legal road and if not, that should be done.

Mr. Burmeister – He commented that the Southeast corner of Auburn Road and I-75 had items for sale on it. It was mentioned that this was resolved.

Mayor McDaniel – He shared that the concerts in the park has been successful.

**11. CITY ATTORNEY REPORT**

**12. CITY MANAGER REPORT**

Mr. Tanghe – He commented that there was been a flurry of interest in the downtown area with new businesses and for sale homes. He stated that many of the current developments will be completed next year.

**13. ADJOURNMENT**

Hearing no objections, the Mayor adjourned the meeting at 9:27 PM.

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Kevin R. McDaniel, Mayor

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Laura M. Pierce, City Clerk



## ATTACHMENT A

RESOLUTION AUTHORIZING THE AUBURN HILLS DOWNTOWN DEVELOPMENT AUTHORITY (DDA) TO APPLY TO BECOME A SELECT COMMUNITY UNDER MAIN STREET OAKLAND COUNTY, AND AUTHORIZING THE DDA TO SUBMIT THE APPLICATION TO MAIN STREET OAKLAND COUNTY IN FURTHERANCE OF THIS RESOLUTION

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chamber at 1827 N. Squirrel Road, Auburn Hills, MI 48326 at 7:00 p.m. on the 28th day of September, 2020.

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**WHEREAS**, “Main Street America” is a highly successful economic development program that was conceived by the National Trust for Historic Preservation in 1980 and is used by over 2,000 communities. The “Main Street Approach” relies on design, organization, economic vitality, and marketing and promotion to reinvigorate commercial districts, provide jobs, and otherwise enhance communities like Auburn Hills; and

**WHEREAS**, Main Street Oakland County has been created to assist communities to develop a public-private effort to revitalize downtown areas; and

**WHEREAS**, the City of Auburn Hills desires to maintain an economically vital and vibrant downtown for its residents and visitors; and

**WHEREAS**, the City of Auburn Hills recognizes that a sustainable downtown economy contributes to the community’s economic health and prosperity; and

**WHEREAS**, the City of Auburn Hills desires to maintain a liveable, walkable downtown with opportunities to shop, work, live and play; and

**WHEREAS**, the City of Auburn Hills, in partnership with the Auburn Hills DDA, may leverage technical assistance and other resources through Main Street Oakland County to support the economic development of downtown Auburn Hills;

**NOW, THEREFORE, BE IT RESOLVED** by the Auburn Hills City Council that:

1. The City Council of the City of Auburn Hills supports and authorizes the Auburn Hills DDA to submit an application to Main Street Oakland County to become a Select Community.
2. Furthermore, the City of Auburn Hills commits to work collaboratively with the Auburn Hills DDA and Main Street Oakland County to continue to develop downtown Auburn Hills and meet the standards and principles of the Main Street Approach.
3. Furthermore, the Auburn Hills City Council will continue to work with Staff, the Auburn Hills DDA, and local stakeholders as the community moves forward in the Main Street Oakland County program.

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

STATE OF MICHIGAN)

)SS

COUNTY OF OAKLAND)

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 28th day of September, 2020.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Laura M. Pierce, City Clerk

## ATTACHMENT B

### CITY OF AUBURN HILLS COUNTY OF OAKLAND STATE OF MICHIGAN

#### ORDINANCE NO. 20-918

#### TEXT AMENDMENT TO ZONING ORDINANCE

AN ORDINANCE TO AMEND SECTION 1813.  
STORAGE OF VEHICLES, MACHINERY AND LIKE ITEMS  
OF THE AUBURN HILLS ZONING ORDINANCE NO. 372

THE CITY OF AUBURN HILLS ORDAINS

#### Section 1.

Section 1813 of Article XVIII. General Provisions of Auburn Hills Zoning Ordinance No. 372, as amended, shall read as follows:

#### SECTION 1813. STORAGE OF VEHICLES, MACHINERY AND LIKE ITEMS:

##### 1. Commercial Vehicles and Equipment:

- A. Public Property. A person shall not park or store any commercial vehicle or commercial equipment on public property located in any zoning district, including, but not limited to, public streets, stub streets, rights-of-way, bike paths, greenbelts, and planting areas between bike paths and streets, except as provided in sub-paragraph D below.
- B. Residential Districts. A person may park or store one (1) allowed commercial vehicle outside of an enclosed building in a residential zoned district as an accessory use, subject to the following conditions:
  1. Use by the Resident of the Dwelling. The allowed commercial vehicle is used as a means of transportation of a resident of the dwelling which is necessarily used in their employment, business or profession.
  2. Prohibited Commercial Vehicles. The vehicle shall not be a step/cube van; ambulance; delivery, box, flatbed, platform, refrigerator, tow, dump, fire, garbage, utility, stake, or cube truck; transport vehicle, tractor unit, cab forward, semi-tractor with or without a trailer; bus or limousine; or commercial or construction equipment, trailer, utility trailer, or any similar vehicle and equipment.
  3. Allowed Commercial Vehicles. The allowed commercial vehicle is a commercial vehicle other than as specified in paragraph B.2, above, such as pickup trucks, passenger/cargo-style vans, sport utility vehicles, passenger cars, and similar type vehicles with a single rear axle, which may also include allowed accessories. The vehicle shall be parked in the front, side, or rear yard on an improved surface per Section 1813(3). Allowed accessories shall mean equipment attached to an allowed commercial vehicle that does not extend the vehicle to more than eleven (11) feet in height or longer than twenty-two (22) feet in length including the overhang of roof top equipment. Roof accessory racks, but not side racks, shall be allowed. Pick-up truck contractor caps are allowed provided the cargo bed of the pick-up truck is not altered. A plow on the front and a spreader on the rear of a pick-up truck may be attached even if the vehicle is extended beyond twenty-two

(22) feet in length. Signage may be permitted on the vehicle provided the advertising is directly related to the vehicle's use.

4. Exception for Commercial-Related or Non-Recreational Equipment Use Utility Trailers. One (1) utility trailer utilized for commercial use and/or non-recreational equipment shall only be permitted to be parked or stored outside of an enclosed building in a residentially zoned district in the side and rear yard. Business advertising may be displayed on the utility trailer. The utility trailer shall only be parked and/or stored on an approved improved surface and shall be screened from the view of the street and adjacent properties. The City shall prepare and provide to requesting property owners a list of acceptable screening methods. The vehicle shall be setback at least ten (10) from any side and rear lot line and shall not be placed in a drainage or utility easement.

- C. Non-Residential Districts. A person shall not park or store any commercial vehicle or commercial equipment on private property in any non-residential district except as provided in subparagraph D below, or unless the vehicle or equipment is parked or stored in relation to a permitted principal or accessory use of the property. In this event, parking or storage must comply with all other City codes and ordinances.

- D. Exception. A person may park or store a commercial vehicle or commercial equipment in any zoning district, where the parking or storage is limited to vehicles or equipment used by persons engaged in the performance of a service on the adjacent or underlying property, for the period of time reasonably necessary to complete the service.

2. Parking and Storage of Recreational Vehicles in Residential Districts:

- A. Definition of Recreational Vehicle. For purposes of this section, a recreational vehicle means any vehicle self-propelled or capable of being towed and primarily designed and constructed to provide recreational uses, or to provide temporary living quarters for camping, or recreational travel, which normally would be required to be licensed by the State of Michigan. A recreational vehicle includes, but is not limited to; utility trailer utilized for recreational equipment, trailer coach; camping trailer; full-tent trailer; motor home; pickup (slide-in) camper; boat, personal watercraft, snowmobile, and all-terrain vehicle (ATV). Where recreational vehicle(s) are placed on or within a utility trailer, they will together be considered one (1) recreational vehicle.

- B. Parking and Storage Standards.

A person may park or store recreational vehicles in a residential district as an accessory use on a lot of record, subject to the following conditions:

1. Permitted Location. Recreational vehicles may be parked or stored only in the side or rear yard on an approved surface. Parking of recreational vehicles in the front yard shall be prohibited, except for temporary parking as permitted in subsection (a) below. For purposes of clarification, no part of a recreational vehicle may extend beyond the front plane of a dwelling when parked or stored in the side yard.

- a. Temporary Parking Exception. A person may park one (1) recreational vehicle on an improved surface in the driveway of a front yard for the purposes of loading, unloading, or cleaning for a period of time not to exceed forty-eight (48) hours. Temporary parking is subject to the requirements of this section. At no time shall any unmounted camper enclosure, or any boat or other recreational equipment not mounted on a utility trailer be parked or stored within any front yard.

2. Setback. Recreational vehicles shall be placed at least ten (10) feet from the side and rear lot line, with the additional restriction that recreational vehicles which exceed ten (10) feet in height shall be placed at least fifteen (15) feet from the

side and rear lot line. No recreational vehicle shall be placed in a drainage or utility easement.

3. Parking Surface and Lot Coverage The parking surface used for the outdoor parking or storage of recreational vehicles shall conform with the requirements of Sections 1813(3) and 1813(4).
4. State Licensed and Vehicle Condition. Recreational vehicles shall be owned, rented, or leased by an owner or occupant of the property on which the recreational vehicles are parked or stored and shall be currently licensed. All recreational vehicles parked and/or stored outside of an enclosed accessory structure shall be kept in a state of proper repair and secured to prevent unauthorized entry. No recreational vehicle may have its wheels removed or be affixed to the ground so as to prevent its ready removal. Temporary coverings such as tarps or cloth screens are not permitted on recreational vehicles. Fitted covers are permitted and may be used as long as they are specifically designed for the vehicle or utility trailer.
5. Visitor Parking. A property owner or occupant may permit a visitor to park a single RV on their lot subject to the requirements of this section. The maximum stay for all visitor RV's combined shall not exceed seven (7) consecutive days, not to exceed fourteen (14) days per calendar year. A RV may be temporarily connected to water and electricity during the visit. A RV shall not be connected to a sanitary sewer line at any time.
6. Living Quarters. A RV shall not be used for living quarters with the exception of visitor parking.
7. Converted Recreational Vehicles. Non-traditional recreational vehicles, including, but not limited to, converted busses, converted trucks, converted step vans/box trucks, and converted trailers shall be prohibited effective September 28, 2020, with those non-traditional recreational vehicles that existed on properties prior to September 28, 2020 having to comply with the requirements of Section 34-159 of the City Code of Ordinances.

3. Vehicle Parking on Approved Surface

A vehicle shall not be parked on the lawn of a side yard, rear yard, or front yard. A vehicle shall be parked on gravel, cement, asphalt, or brick surface, constructed in accordance with the City approved design standards and shall be kept in a proper state of repair, and maintained free of hazardous conditions. The intent of this provision is to eliminate the blighting factors associated with the indiscriminate parking of vehicles on the lawn. The City has determined that such parking is unsightly, causes the loss of ground cover and erosion, provides potential environmental hazards, and could potentially impede emergency vehicle/personnel access to a structure. Further, the parking and storage of vehicles shall not cause a nuisance, blight conditions, or detract from the character of the property or the neighboring properties.

4. Vehicle Lot Coverage in Residential Side and Rear Yards. The parking and storage of all vehicles, including the surface areas on which they are located, may occupy not more than thirty (30) percent of the combined side and rear yards of a residential property, provided that in no instance shall the area utilized for the outside storage of all vehicles in the side and rear yards exceed the square footage of the ground floor area of the main building.

Section 2. Repealer.

All 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 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Savings.

The 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 when they were commenced.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the \_\_\_ day of \_\_\_\_\_, and ordered to be given publication in a manner prescribed by the Charter of the City of Auburn Hills.

AYES:

NAYES:

ABSTENTIONS:

STATE OF MICHIGAN )

) ss.

COUNTY OF OAKLAND )

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 20-918 adopted by the Auburn Hills City Council on the \_\_\_\_\_ day of \_\_\_\_\_ the original of which is in my office.

\_\_\_\_\_  
LAURA M. PIERCE, City Clerk

## **ATTACHMENT C**

**CITY OF AUBURN HILLS  
COUNTY OF OAKLAND  
STATE OF MICHIGAN**

### **ORDINANCE NO. 20-919**

AN ORDINANCE TO AMEND ARTICLE VI. PROPERTY MAINTENANCE,  
UNSAFE BUILDINGS, AND EXISTING STRUCTURES, DIVISION 1.  
PROPERTY MAINTENANCE OF CHAPTER 18, BUILDINGS AND BUILDING  
REGULATIONS OF THE AUBURN HILLS CITY CODE, AS AMENDED

#### Section 1.

Section 18-82 of Article VI. Property Maintenance, Unsafe Buildings, and Existing Structures, Division 1. Property Maintenance of Chapter 18, Buildings and Building Regulations, as amended, shall now read as follows:

Sec. 18-82. - Outdoor or accessory improvements.

Sec. 18-82. - Outdoor or accessory improvements.

- (a) Fences shall be maintained in a workmanlike state of maintenance and repair.
- (b) For all hard-surfaced driveways, all cracks, potholes or other breaks that could be reasonably expected to result in the heaving or uplifting of the surface of the driveway shall be filled and/or repaired promptly. Driveways, storage surfaces, and walks leading to the front entrance of a residence shall be maintained in a workmanlike state of maintenance and repair and must be kept free of vegetation growing in cracks or joints. Gravel hard surface driveways, storage surfaces, and walks leading to the front entrance of a residence shall be properly maintained and redressed periodically by adding compactable stone per the City approved design standards. Gravel hard surface driveways, storage surfaces, and walks leading to the front entrance of a residence deemed by the City to be kept in a proper state of repair shall be maintained free of vegetation growing through it and not contain dirt bare spots and ruts. This requirement is not intended to prohibit properly maintained gravel hard surface ribbon driveways.
- (c) Storage sheds, freestanding garages, pole barns and other outbuildings shall be maintained in good repair and in safe, workmanlike condition.

#### Section 2. Repealer.

All 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 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Savings.

The 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 when they were commenced.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the \_\_\_ day of \_\_\_\_\_, and ordered to be given publication in a manner prescribed by the Charter of the City of Auburn Hills.

AYES:

NAYES:

ABSTENTIONS:

STATE OF MICHIGAN )

) ss.

COUNTY OF OAKLAND )

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 20-919 adopted by the Auburn Hills City Council on the \_\_\_\_\_ day of \_\_\_\_\_ the original of which is in my office.

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LAURA M. PIERCE, City Clerk



## **ATTACHMENT D**

**CITY OF AUBURN HILLS  
COUNTY OF OAKLAND  
STATE OF MICHIGAN**

**ORDINANCE NO. 20-920**

**AN ORDINANCE TO AMEND ARTICLE VI. BLIGHT  
OF CHAPTER 34, ENVIRONMENT OF THE  
AUBURN HILLS CITY CODE, AS AMENDED**

### Section 1.

Section 34-178 of Article VI. Blight, of Chapter 34, Environment of the Auburn Hills City Code, as amended, to add item (11) and shall now read as follows:

### Section 34-178 - Cause of blight or blighting factors.

It is hereby determined that the following uses, structures, vehicles, and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. No person shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in the city owned, leased, rented, or occupied by such persons:

- (1) The existence of any blighted structure or part of any blighted structure.
- (2) The storage upon any property of junk or inoperable vehicles for a period exceeding ten days, unless the vehicle is kept in a totally enclosed structure. It shall be the property owner's responsibility to demonstrate to the enforcement officer compliance with this provision if the license plate cannot be observed.
- (3) The storage or accumulation of junk, trash, rubbish, or refuse of any kind, except domestic refuse stored in approved sealed containers as not to create a nuisance, for a period exceeding ten days.
- (4) The storage upon any property of building materials unless there is in force a valid building permit issued by the city for construction upon the property and the materials are intended for use in connection with such construction. In addition, the materials must be maintained in a neat and orderly manner, elevated from ground level so as not to become a potential rat and rodent harborage and so located as not to be obnoxious to the orderly appearance of the district.
- (5) The existence of any structure or part of any structure which because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable, if a dwelling, nor useful for any other purpose for which it may have been intended.
- (6) The existence of any vacant dwelling, garage, or other outbuilding, unless such buildings are kept securely locked, windows kept glazed or neatly boarded up, and otherwise protected to prevent entrance thereto by vandals.
- (7) The existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the city unless such construction is completed within 12 months from the date of issuance of the building permit or within an extension period approved by the city council.

- (8) The existence of an abandoned vehicle.
- (9) The existence of graffiti.
- (10) The parking of a vehicle on public or private property in the city for the purpose of advertising the vehicle as being for sale or for trade, with the exception of the following:
  - a. The vehicle is legally parked on the residential property owner's premises and the vehicle is currently registered and licensed. The display shall be subject to the following provisions:
    - 1. Limited to one vehicle at a time;
    - 2. Limited to a parcel of land upon which an inhabited dwelling unit exists;
    - 3. Not overhang any sidewalk, lot line, or public right-of-way.
  - b. This provision shall not apply to properly licensed auto dealerships and properly licensed used car lots.
- (11) The parking or storage of passenger vehicles (e.g., pickup trucks, passenger/cargo-style vans, sport utility vehicles, passenger cars, and similar type vehicles) under a tarp, cloth screen, fitted cover, or similar partial or full vehicle covering material shall be prohibited in the front and side yards. One (1) covered passenger vehicle may be parked or stored on an improved surface in the rear yard provided a fitted covering is utilized, and the vehicle is currently licensed and not a junk or inoperable vehicle.

Section 2. Repealer.

All 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 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Savings.

The 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 when they were commenced.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the \_\_\_ day of \_\_\_\_\_, and ordered to be given publication in a manner prescribed by the Charter of the City of Auburn Hills.

AYES:  
NAYES:  
ABSTENTIONS:

STATE OF MICHIGAN )

) ss.

COUNTY OF OAKLAND )

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 20-920 adopted by the Auburn Hills City Council on the \_\_\_\_\_ day of \_\_\_\_\_ the original of which is in my office.

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LAURA M. PIERCE, City Clerk

## ATTACHMENT E

### CITY OF AUBURN HILLS ORDINANCE NO. 20-921

AN ORDINANCE TO AMEND CHAPTER 22 – BUSINESSES,  
OF THE AUBURN HILLS CITY CODE, AS AMENDED, TO  
ADD A NEW ARTICLE VI – HOTELS, TO REGULATE HOTELS IN  
THE CITY OF AUBURN HILLS.

THE CITY OF AUBURN HILLS ORDAINS:

#### Section 1.

Chapter 22 – Businesses, of the Auburn Hills City Code, as amended, is hereby amended to add a new Article VI – Hotels, to read as follows:

#### Sec. 22-173 – Definitions

*Accommodations* shall mean the room or other space provided to transient guests for lodging or sleeping, including furnishings and other accessories therein. Accommodations do not include food or beverage.

*City* means the City of Auburn Hills.

*Hotel* means any building and/or group of buildings or other similar place where transients or members of the public, whether travelers or not, are provided accommodations by the renting of rooms out as a business and not as an accessory use; provided that no multiple family residential dwelling or single family residential dwellings shall be included as a hotel.

*Transient guest* shall mean a person paying compensation or compensation paid on their behalf to lodge in a hotel.

#### Sec. 22-174 – License required

No person or other business entity of any sort shall operate a hotel within the City of Auburn Hills without first having obtained a license for that purpose, which license shall be issued by the City Clerk pursuant to the requirements of this Article. A license shall expire on December 31 following the date of issuance, unless sooner suspended or revoked and said license must be renewed annually by the person or business entity operating the hotel. The City may impose reasonable conditions upon the issuance of any license, including but not limited to those conditions referenced within this Article or any other applicable Ordinance of the City of Auburn Hills. Those hotels operating in the City of Auburn Hills as of the effective date of this Ordinance shall have one hundred eighty (180) days from the effective date of this Ordinance to apply for and obtain a hotel license from the City.

#### Sec. 22-175 – Application for license

Every applicant for a license to operate a hotel in the City shall file an application with the City Clerk's office upon a form provided by the City and shall pay a nonrefundable application fee. The application fee shall be set by Resolution of the City Council and may be amended from time to time. The application shall contain the following information:

- A. The name, residence address and telephone number of each applicant.
  - (1) If the applicant is a corporation, the name, residence address and telephone number of each of the officers and directors of said corporation and of each stockholder owning more than 10% of the stock of the corporation if that individual is or will be involved in the management and/or operation of the hotel, the address of the corporation itself, and the name and address of a resident agent in Oakland County, Michigan. The applicant shall also provide documentation that the corporation is in good standing in the state of incorporation.
  - (2) If the applicant is a partnership, the name of the partnership, and the name, residence address and telephone number of each of the partners having 10% of an ownership interest if that individual is or will be involved in the management and/or operation of the hotel, and the name, address and telephone number of a resident agent in Oakland County, Michigan.
  - (3) If the applicant owns stock or has a financial interest in any other hotel, the name, address and telephone number of the corporation, and the name, address and telephone number of each hotel.
- B. The history of an applicant in the operation of a hotel, or similar business or occupation, including, but not limited to, whether or not such person has previously operated in the City or another municipality or state under a license, and whether such license has been revoked or suspended, and the reason therefor.
- C. Applicant's social security number, driver's license number, if any, and date of birth.
- D. Business, occupation, or employment of the applicant for the three years immediately preceding the date of application, including the name, address and telephone number of any and all employers.
- E. All criminal convictions in the preceding 10 years, other than traffic violations, including the dates of convictions, nature of the crime, and place convicted.
- F. Authorization for the City of Auburn Hills, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application. The application shall give such additional information and identification necessary to discover the truth of the matters required to be set forth in the application or renewal, including all tax records, business records, profit/loss statements and any other financial information regarding the operation of the hotel.
- G. A statement concerning the proposed rates to be charged by the hotel.
- H. The application shall be signed and sworn to by the applicant.
- I. The successful applicant shall coordinate and schedule, in conjunction with the Police Department, Fire Department, and the Community Development Department, or their designee(s), timely inspections of the licensed hotel not less than annually.

Sec. 22-176 – Refusal, suspension, revocation or nonrenewal of.

A license requested under this Article may be refused by the City Clerk or his or her designated representative, and any license issued by the City Clerk under the provisions of this Article may be

suspended by the City Manager or his or her designated representative, and revoked or not renewed by the City Council, for cause. The term "cause" as used in this Article shall include the doing or omitting of any act, or permitting any condition to exist for which a license is issued, or upon any premises used in connection therewith, which act, omission or condition is contrary to the health, safety and welfare of the public, is unlawful, irregular or fraudulent in nature, is unauthorized or beyond the scope of the license issued, or is forbidden by this Article or any applicable law. Cause shall include, but not be limited to:

- A. Fraud or material misrepresentation in the application for license.
- B. Fraud or material misrepresentation in the operation of the licensed business.
- C. Any material violation of this Article or of the rules and regulations set forth in this Article.
- D. Any violation of federal or state law or the Auburn Hills Code of Ordinances which creates a risk to the health, safety or welfare of the transient guests or to the community, or to the public health, safety and welfare of the City, or brings into question whether the licensee is of suitable character to operate the business.
- E. Conducting the business in an unlawful manner or in such manner as to constitute a maintenance of a nuisance upon or in connection with the licensed hotel. For purposes of this chapter, "nuisance" shall be given the formal and customary meaning, and shall include, but not be limited to, the following:
  - (1) Existing violations of building, electrical, mechanical, plumbing, zoning, health, property maintenance, fire or other applicable regulatory codes.
  - (2) A pattern or practice of patron and/or transient guest conduct which is in violation of the law and/or interferes with the health, safety and welfare of the residential or commercial properties in the area.
  - (3) Failure to maintain the grounds and exterior of the licensed hotel and its premises, including litter, debris or refuse blowing or being deposited upon adjoining properties.
  - (4) Not providing proper security at the hotel and its premises or knowingly allowing transient guests, patrons of the hotel and/or their invitees to violate the law and/or failing to take the proper precautions and/or actions to prevent said violations of law.
- F. Failure by the licensee to permit the inspection of the licensed hotel by the City's agents or employees in connection with the enforcement of this Article.
- G. Failure of the licensee to timely pay personal property taxes, other City obligations, including water and sewer charges, and real property taxes from their use and occupancy of the property.

In addition, to being grounds for the City's refusal, suspension, revocation or non-renewal of a hotel license, violation of any of the items set forth in subsections A-G of this Section shall also constitute grounds, in the City's sole discretion, for the City to issue criminal citations and/or warrants to the hotel's owner, manager and/or employees, as well as to authorize the City to pursue any other legal remedies authorized by law, including bringing a civil action in the appropriate Court.

Sec. 22-177 – Authority to revoke license.

Each hotel licensed pursuant to this Article shall be operated and maintained in accordance with all applicable laws, regulations and Ordinances of the City of Auburn Hills and the State of Michigan. Upon

any violation of this Article, including, but not limited to Section 22-176 and/or Section 22-180 herein, after notice and hearing before the City Council, the City Council may revoke such license.

Sec. 24-178 – Procedure for nonrenewal, revocation or suspension.

- A. Before taking any action concerning nonrenewal, revocation or suspension of a hotel license, the City Manager, or his or her designated representative, shall serve the hotel licensee by first class mail, mailed at least 10 days prior to a hearing, with notice of hearing, which notice shall contain the following:
- (1) Date, time and place of hearing.
  - (2) Notice of the proposed action.
  - (3) Reasons for the proposed action.
  - (4) Names of witnesses known at the time who will testify.
  - (5) A statement that the licensee may be represented by legal counsel, present evidence, testimony and confront and cross-examine adverse witnesses.
  - (6) A statement requiring the licensee to notify the City of Auburn Hills Attorney's office at least three days prior to the hearing date if he, she or it intends to contest the proposed action, and to provide the names of witnesses known at the time who will testify on his, her or its behalf.
- B. Upon completion of the hearing, the City Council shall submit to the hotel licensee a written statement of its findings and determination within 60 days from the date of the hearing.
- C. During the procedure for nonrenewal, revocation or suspension, the hotel licensee will be permitted to continue to operate until such time as the City's findings and determination is served upon the licensee by mail or otherwise ordered by a court of competent jurisdiction.

Sec. 22-179 – License refusal

Any person whose initial request for a hotel license is refused by the City Clerk shall have a right to a hearing before the City Council, provided a written request therefor is filed with the City Clerk within 10 days following such refusal. The City Council shall have the right to affirm and sustain any refusal to issue a license, or the City Council may grant any license.

Sec. 22-180 – Hotel rules and regulation.

The following rules, regulations and conditions shall be observed and complied with by each hotel in the City:

- A. Hotels shall not have the condition for cause as set forth in Subsections A-G of Section 22-176 herein, existing at the hotels.
- B. All accommodations must afford easy and unobstructed access to a hall or passageway or to the outdoors.
- C. Rooms must be kept clean and free from dirt, vermin, garbage and rubbish.

- D. Clean sheets, pillow cases and towels must be provided before a transient guest may occupy a bed previously occupied by another person.
- E. The cooking of food in or upon a hotel room or hallways is prohibited, other than in a kitchenette facility in compliance with applicable codes and regulations, and approved by the proper authorities designated in those codes and regulations. The use of hotplates or similar equipment which can be utilized to heat or cook food is specifically prohibited in hotel rooms or hallways. A notice to this effect shall be conspicuously posted in each accommodation.
- F. A register shall be provided and maintained on the hotel premises in the hotel office and shall be submitted, upon demand, to any City official or police officer of the City of Auburn Hills. The register shall contain the following information subscribed in ink:
  - (1) The correct name and address of every guest, renting or occupying a room, including but not limited to nonpaying minors and/or dependents. The guest shall furnish proof of identity by showing a valid driver's license or voter registration card or similar identification, and provide a date of birth.
  - (2) Each guest with a motor vehicle on the site shall provide the make, year and model of the motor vehicle, as well as the license plate number.
  - (3) The date and time of arrival and date of departure of every guest, and the number of days each guest has been at the establishment during the calendar year.
  - (4) Where two persons occupy the same room and at least one of the persons is a minor, the relationship of said person shall be noted on the register.
- G. No hotel shall knowingly permit any accommodations and/or other location on the hotel premises including the hotel parking lot, to be used for any unlawful purpose.
- H. All hotels shall permit free access by the Police Department, Fire Department, Community Development Department or their representatives at all reasonable times.
- I. No hotel and/or its agents, servants or employees shall permit any minor under the age of 18 years of age to obtain accommodations in the hotel and no hotel and/or its agents, servants or employees shall allow any person under the age of 21 years old to consume and/or possess alcoholic beverages on the hotel premises, including its parking lot. No hotel and/or its agents, servants, or employees shall permit any person to possess and/or consume any controlled substances and/or possess any illegal firearms on the hotel premises, including its parking lot. No hotel shall allow any illegal gambling activities and/or prostitution to occur on the hotel premises, including in its parking lot.
- J. Accommodations shall not be made available for a period in hourly increments, nor shall any accommodation be made available more than one time during the eighteen-hour period of 12:00 noon on the following morning at 6:00 a.m. The right to occupy any accommodation shall not be assigned or transferred.
- K. Occupancy of a room shall be limited to the number of beds in the room, but in no event shall occupancy exceed more than two persons for every one bed.
- L. All hotels, including their exteriors, premises and parking lots, shall be properly maintained and kept in good repair at all times and all swimming pools shall be clean and functioning, all doors and locks operational, all carpet unripped and clean and all rooms free from bed bugs.



- M. Within 120 days from the effective date of this Article, all hotels in the City shall at their own cost, install at their respective hotels, a camera system, with video recording capabilities, which camera system shall clearly show the main hallways, lobbies and parking areas of the hotel and the hotel clerks at and/or near the hotel's front desk shall monitor and view the images and video shown by the camera system on a 24 hour, 7 day a week basis.
- N. All hotels shall conduct their operations in a manner that does not disturb the peace and/or result in disorderly conduct and hotels shall not permit in their hotel accommodation rooms, hallways and/or parking lots, any loud and/or disorderly parties, blind pigs, lingerie parties, pole dance parties or other similar events.
- O. All hotels, shall at their own cost, provide to their respective employees and staff basic first aid training and also basic training to enable said hotel employees and staff to be able to detect signs of alcohol and/or drug intoxication.
- P. These rules and regulations shall be conspicuously displayed in each hotel at each registration area.

Auburn Hills Police Officers and Auburn Hills Code Enforcement Officers shall have the authority to issue criminal citations to the hotel owner, hotel manager and/or hotel employees for the violation of any of the rules and regulations and other requirements set forth in this Section and/or Article and the City, in its sole discretion, is also authorized to file a civil action in the appropriate court for violations of the rules and regulations set forth in this Section and/or Article and the City may also pursue any other remedies authorized by law.

#### Sec. 22-181-Management

- A. In every hotel there shall be an office in which shall be located the headquarters of the person in charge of the hotel. A copy of the hotel license shall be posted therein and the hotel register shall at all times be kept in the office, with said register to comply with the requirements set forth in Section 22-180(F) herein.
- B. It shall be the duty of the attendant or person in charge, together with the licensee, to:
  - (1) Keep at all times a register of all guests;
  - (2) Maintain the hotel in a clean, orderly and sanitary condition at all times;
  - (3) See that the provisions of this Article are complied with and enforced and report promptly to the proper authorities, including the Auburn Hills Police Department, any violations of this Article or any other violations of law which may come to his attention;
  - (4) Report to the health officer all cases of persons or their animals on the premises affected or suspected of being affected with any communicable disease;
  - (5) Prevent the running loose of dogs, cats, or other animals or pets on the premises;
  - (6) Maintain in convenient places approved by the Fire Department fire extinguishers in good operating condition;
  - (7) Prohibit the lighting of open fires on the hotel premises, including its parking lot;

- (8) Prohibit the use of any hotel unit or suite by a greater number of occupants than that which is designed to accommodate;

Sec. 22-182 – Reporting False Information.

It shall be a violation of this Article for any person to inscribe in any hotel register or to give for the purpose of being inscribed in such register any false information. Knowing or having reasonable cause to believe such information to be false, the hotel and/or the hotel licensee or his employees shall notify the Police Department of such fact, and failure to do so shall be grounds for revocation, suspension or non-renewal of the license.

Sec. 22-183 – Reporting of Fires.

Each hotel and hotel licensee under this Article shall cause the Auburn Hills Fire Department to be immediately notified when a fire occurs within the hotel. Any person therein who discovers such a fire shall immediately notify the person in charge of the place of registration.

Sec. 22-184 – No assignment of license.

No hotel license granted pursuant to this Article may be assigned, transferred or otherwise utilized by any other person or entity other than the licensee.

Sec. 22-185 – Penalties.

Any person violating any of the provisions of this Article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding \$500 or be imprisoned for a period of up to 90 days, or be both so fined and imprisoned, in the discretion of the court.

Section 2. Repealer.

All 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 3. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. 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 when they were commenced.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

Section 6. Adoption.

