

**DETROIT CHARTER REVISION COMMISSION**  
**PROPOSAL/ISSUE REVIEW SUMMARY**

**ISSUE NUMBER:** GDS 95

**ISSUE CATEGORY:** Government Department & Services

**SOURCE:** Mayor Bing Administration  
Letter, Rec'd December 21, 2010

**RELATED CHARTER SECTIONS:** Art. 7 (Executive Branch: Programs, Services  
and Activities), Ch. 4 (Building)

**RELEVANT ORDINANCE SECTION:**

**RELEVANT LAW(S):**

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**ISSUE/PROPOSAL STATEMENT:** The former Building Department has been reorganized, assuming the functions of Safety Engineering and Environmental Affairs and being renamed the Buildings, Safety Engineering, and Environmental Department. The new Art. 7, Ch. 4 sets forth the organizational structure of the new department, elaborates on its duties and functions in some detail and notably replaces the "One Stop Service" section with a "Coordination of Services" section and relocates the function of the Board of Zoning Appeals within the jurisdiction of the Legislative Branch.

**ARTICLE 7. THE EXECUTIVE BRANCH: PROGRAMS, SERVICES AND ACTIVITIES**

**CHAPTER 4. BUILDINGS, SAFETY ENGINEERING, AND ENVIRONMENT**

**Sec. 7-401. ~~Duty under zoning law.~~ Buildings, Safety Engineering, and Environmental Department.**

~~The building department shall administer and enforce all laws, ordinances and regulations relating to the use of land ("zoning").~~

The Buildings, Safety Engineering, and Environmental Department is headed by a director who serves at the pleasure of the Mayor. The director may appoint, with the permission of the Mayor, a Deputy Director who shall serve at the pleasure of the Director.

**Sec. 7-402. ~~Applications filed under zoning law.~~ Responsibilities and duties.**

~~All applications for permits, grants, variances, waivers or exceptions of any kind under zoning laws, ordinances and regulations shall be made to the department.~~

~~The department may allow or deny permits, grants, variances, waivers and other exceptions upon the terms and conditions provided by ordinance.~~

The department shall:

1. Administer and enforce the Michigan Construction Codes, which regulate the construction and alteration of buildings in this state;

2. Administer and enforce the Detroit Zoning Ordinance, the Detroit Property Maintenance Code, and the Detroit Dangerous Buildings Ordinance to ensure the proper maintenance of existing buildings and their environments, and the elimination of blight;
3. Administer and issue business licenses that are required by the Detroit City Code;
4. Conserve and protect the natural resources of the City of Detroit in the interest of the health, safety, and welfare of the People,
5. Promote improved social and economic conditions in the City and protect limited environmental resources for the future benefit of City residents;
6. Develop and implement a coordinated and comprehensive environmental policy for the City of Detroit;
7. Administer, enforce, manage and coordinate compliance by the City of Detroit with federal, state and local environmental laws and regulations;
8. Coordinate environmental programs for protection and conservation of land, water and air resources;
9. Develop and implement programs for response to emergency conditions, which pose an immediate danger to health and safety to the people of Detroit or to the City's environment;
10. Advise, consult and cooperate with agencies of the federal, state and local governments in furtherance of the purposes of this chapter;
11. Develop and coordinate policy, programs and procedures for remediation, redevelopment and reuse of contaminated land sites in the City of Detroit;
12. Develop and coordinate policy, programs and procedures to encourage and promote innovative and competitively viable sustainable economic development in the City of Detroit consistent with protection of the environment;
13. Provide technical support and assistance to other City departments in environmental matters, including response to federal, state and local governmental enforcement activities; qualification for eligible grant moneys, and the like;
14. Develop plans and proposals for joint cooperative investigation and research with the public and with private agencies and organizations on methods for eliminating or reducing land, air and water pollution; and
15. Collect and disseminate appropriate educational literature and information, and otherwise promote education programs for the purposes of advising the general public of the necessity and methods for pollution prevention, securing public cooperation in pollution prevention measures and increasing public awareness of the importance of environmental protection and conservation of natural resources;

**Sec. 7-403. ~~Board of zoning appeals.~~ Coordination of Services.**

~~Except as otherwise provided by an ordinance, one (1) appeals board with the powers and duties that may be provided by ordinance shall be established by the city council in accordance with state law to review any decision made by the department under section 7-402 where any law, ordinance or regulation requires review by an appeals board.~~

~~The ordinance shall provide for rules governing the appeal, including the parties entitled to be heard in proceedings before the appeals board and the effect of a decision of the board, and may provide compensation for board members.~~

~~In any review proceeding, the building department shall file a written statement and may appear before the appeals board in support of its decision.~~

To the extent practicable, the department shall endeavor to create processes, which coordinate departmental services concerning development in the most efficient manner possible.

**~~Sec. 7-404. Duty under other regulatory laws.~~**

~~To the extent practicable, the department shall also administer and enforce all other laws and ordinances regulating the development, maintenance and use of real property in the city.~~

**~~Sec. 7-405. One-stop service~~**

~~To the extent practicable, the department shall, in cooperation with other agencies whose permission is required prior to development, establish a procedure and application form under which an applicant for development permission may obtain, through the department, all necessary permission.~~

**RATIONALE:** *“On May 25, 2010, the City Council approved amendment of the Executive Organization Plan to the merge the Building and Safety Engineering Department, an operating department, with the Department of Environmental Affairs, a staff department. This amendment resulted in the creation of the Buildings, Safety Engineering, and Environmental Department. These changes reflect the current status of the department and the fact that functions of the department fall within the sphere of an operating department.”-Mayor Bing Administration, Letter, Rec’d December 21, 2010.*

**ANALYSIS:**

**DISPOSITION/COMMISSION ACTION:**

**NOTES:**