

SPECIAL MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

June 30, 2015

The Council convened at 5:52 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazzy, O'Donnell, Sareini, Shooshanian, Tafelski and President of the Council Dabaja. Absent: None. A quorum being present, the Council was declared in session.

DATE : June 26, 2015  
TO : City Clerk  
FROM : City Council  
SUBJECT : Special Council Meeting

You are hereby requested to call a Special Meeting of the City Council to be held on Tuesday, June 30, 2015 at 5:45 p.m. in the Council Chambers at the Dearborn Administrative Center for the following purposes:

1. To consider and take action regarding establishing an appeal process for property maintenance violations, and
2. To consider such other items of business that may properly come before the Council in relation to the above subject matters.

S/David Bazzy  
Councilmember

S/Brian O'Donnell  
Councilmember

By O'Donnell supported by Abraham.

6-323-15. WHEREAS: At the direction of the Mayor and Council, there has been a marked increase in monitoring City of Dearborn property maintenance, and

WHEREAS: Where non-compliance with the City's property maintenance standards and nuisance ordinances continues despite education and warning, abatement by City staff or City contractors may result, and

WHEREAS: When abatement by the City occurs, the property owner is issued an invoice for services rendered and payment is expected, and

WHEREAS: The process of education, warning, abatement and payment is a fair process and should be adhered to in all but those rare instances where extraordinary circumstances and equity demand relief from payment of the invoice, and

WHEREAS: An appeal process is needed to review requests from property owners seeking relief from property maintenance invoices where there are extraordinary circumstances or a need for equitable relief, and

WHEREAS: Pursuant to C.R. 2-118-82, as amended by C.R. 8-578-85 and C.R. 8-558-07, the Tax Penalty Waiver Committee was established, consisting of the Finance Director, Corporation Counsel, and a Dearborn resident, for the purpose of considering requests for waivers of interest on overdue installment taxes, under certain conditions; therefore be it

RESOLVED: That the Tax Penalty Waiver Committee shall review property maintenance appeals; be it further

RESOLVED: That the Tax Penalty Waiver Committee may cancel and/or waive all or portions of a property maintenance invoice, including administrative charges, fees, and/or penalties generated for abatement services performed by the City when at least two of the members agree that:

1. The invoice was generated in error;

2. An error was made by the City or the City's contractor in the process of abatement; or
3. The property owner has shown the existence of extraordinary circumstances not of the property owner's making.

"Extraordinary circumstances" shall not include the inability to pay but may include unusual circumstances or events such as serious illness or accident, serious emotional or mental distress, such as death in the immediate family (parent, spouse, child or sibling) or other circumstances that could not have been avoided by reasonable action or behavior in the prevention or correction of a property maintenance violation. Appropriate documentation (e.g., doctor's note, obituary, copy of death certificate) must be submitted to the Tax Penalty Waiver Committee.

be it further

RESOLVED: That a property owner may appeal the issuance of a property maintenance invoice once per calendar year per property; be it further

RESOLVED: That a property maintenance appeal must be filed within 14 days of the date on the invoice or the right to appeal is forfeited; be it further

RESOLVED: That a property owner who wishes to appeal a property maintenance invoice must otherwise be in good standing with the City of Dearborn (e.g., no taxes are owed, no water bills are unpaid, etc.). If the property owner is not otherwise in good standing with the City, the right to appeal a property maintenance invoice is forfeited; be it further

RESOLVED: That, upon filing a property maintenance appeal, the accrual of penalties and interest will be suspended until the time a decision is reached by the Tax Penalty Waiver Committee. If the Committee denies an appeal, the property owner shall be responsible for any and all penalties and interest accrued from the date of the invoice; be it further

RESOLVED: That the Tax Penalty Waiver Committee shall compile information on the number of property maintenance appeals it has reviewed and the relief granted and the Committee shall submit a report to the Mayor and City Council in December of each year, beginning in December of 2015; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Shooshanian and Tafelski (6). No: Sareini (1). Absent: None.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 6:14 P.M.

APPROVED:

\_\_\_\_\_  
President of the Council

ATTESTED:

\_\_\_\_\_  
City Clerk

