


**Blight Regulations**



Quality of Life Violations  
City enforcement Bureau

P.A. 316 of 2003  
M.C.L. 117.4l & 117.4q

This section applies to cities only

**Blight Regulations**

### The Problem

- In mid 1990s the “municipal civil infractions” method of enforcement was adopted.
- Now communities are struggling with major backlogs (months, years) before district court hears the case.
- Court gives civil infractions a low priority.
- Civil infraction maximum penalty of \$500 is too low.

**Blight Regulations**

### Quality of Life Violations

- Several Acts: To set up an enforcement bureau for violations of ordinances which deal with quality of life.
  - Applies only to cities.

**Blight Regulations**

### Applies Only to Certain Ordinances:

- building or construction codes (including elevator, escalator, electrical, mechanical, and plumbing codes);
- zoning;
- fire prevention;
- building or property maintenance or conditions in buildings or on premises related to health and safety;
- illegal dumping and disposal of solid waste;
- noxious weeds; and
- vehicle abandonment, inoperative vehicles, and vehicle impoundment.

**Blight Regulations**

### Can Not be Used For:

- Civil infractions under the motor vehicle code, uniform traffic code, or provisions that allow for control of traffic in parking areas.
- Actions which are a crime under specifically listed statutes.
- Have jurisdiction over criminal offences, traffic infractions, municipal or state civil infractions.

**Blight Regulations**

### Administrative Hearing Bureau

- A city can set up a Bureau (by adopting an ordinance) to:
  - adjudicate,
  - impose sanctions,
  - accept admissions of responsibility for quality of life violations, and
  - collect civil fines and costs.
- Maximum civil fine of \$10,000.
- Can not impose a penalty of incarceration.
- City must bear the costs of running the Bureau.

**Blight Regulations**

### Detailed Requirements to Operate and Run Bureau

- Need a lawyer to set up the bureau and create operating procedures.
- Accused:
  - pays the fine listed on the notice of, or
  - appears before the Bureau to admit responsibility,
  - appears before the Bureau to admit responsibility with explanation,
  - appears before the Bureau to deny responsibility.
- Fail to appear: judgement made in their absence.
- Must have procedures to set aside an entry of decision and order of default.

**Blight Regulations**

### Hearing procedures are detailed in the statute.

- Accused has to have opportunity for a hearing.
  - Can be represented by counsel, present witnesses, cross-examine witnesses.
  - Formal technical rules of evidence would not apply.
- Hearing officer must be an attorney.
  - In practice in Michigan for 5+ years,
  - appointed according to a city's charter,
  - complete the training program prescribed in the statute.
- Can appeal decision to circuit court, if done within 28 days.

**Blight Regulations**

### Tie-Bared (related) Legislation

- City obtain a lien against property for quality of life violation (if fines are not paid). (HB5217 amends Home Rule City Act (M.C.L. 117.4r))
- City can set up such a Bureau. (HB5218 amends Home Rule City Act (M.C.L. 117.29))
- Bureau has court jurisdiction needed. (HB5219 amends the Revised Judicature Act (M.C.L. 600.8313))
- Zoning violation can be handled in the Bureau (HB5220 amends the City and Village Zoning Act (M.C.L. 125.587)) if the city designates zoning violations:
  - A municipal civil infraction,
  - Imposes a civil fine,
  - Designate the violation as a quality of life violation.