Southgate City Council Agenda

Council Chambers

14400 Dix-Toledo Rd., Southgate, Michigan 48195

Wednesday October 6, 2021

WEB MEETING @ https://us02web.zoom.us/j/85648967954
CALL-IN @ + 1-312-626-6799 Passcode:85648967954#

6:30pm **Work Study Session**

1. Officials Reports
2. Discussion of Agenda Items
3. Discussion of Exterior Inspections per Councilman Farrah

7:00 pm **Regular Meeting**

Pledge of Allegiance

Roll Call: Colovos, Farrah, George, Graziani, Rauch, Rollet, Zamecki.

Minutes:
1. Work Study Session Minutes dated September 15, 2021
2. Regular City Council Meeting Minutes dated September 15, 2021

Scheduled Persons in the Audience:
1. Boy Scout Troup 1783; Re: Wreath Sales Nov 26-28 and Dec 3-5, 2021 — Page 2

Consideration of Bids:
1. Letter from Mayor; Roof Replacement at the DPW — Page 4

Scheduled Hearings:

Communications "A" –
1. Resolution; Working in Unification to Support Legislative Redistricting — Page 8
2. Memo from Administrator; Re: Resolution to Manage Flood Plain Development — Page 10

Communications "B" – (Receive and File)

Ordinances:
1. Memo from Administrator; Re: Update Ordinance Chapter 1464 – Flood Plain Management — Page 14

Old Business:

New Business:
1. Letter from David Kowalsky — Page 48

Unscheduled Persons in the Audience:

Claims & Accounts: Warrant #1434 $4,341,674.64

Adjournment:

Janice M. Ferencz

Janice M. Ferencz, City Clerk

From: Amy Hirsch <ahirsch@nyxinc.com>
Sent: Tuesday, June 22, 2021 10:17 AM
To: Laura Walsh
Cc: amzito826@gmail.com; schickline1
Subject: RE: Boy Scout Troop 1783

Laura,

I may be to early requesting this, but I am writing to ask to be put on the council meeting for October so we can discuss a request to sell wreaths for Nov/Dec.

Amy Hirsch
Committee Chair for Troop 1783
248-921-9788

Laura Walsh

From: Liza Hennessy <lhennessy@mssandco.com>
Sent: Wednesday, September 29, 2021 12:02 PM
To: Laura Walsh
Cc: schickline1@aol.com
Subject: Re: Boy Scout Troop #1783 - Sgate SC Wreath Sale 2021

Laura;

I'm working on this and it shouldn't be a problem.

I'm just waiting to hear back from our insurance agent to see if I need some sort of waiver on file.

As soon as I do, I'll get back to you.

Liza

Liza Hennessy
Controller
Michael S. Sisskind & Company
30300 Northwestern Highway
First Floor
Farmington Hills, Michigan 48334
248.932.0100
248.932.1734 (fax)
lhennessy@mssandco.com

On Tue, Sep 28, 2021 at 1:48 PM Laura Walsh <lwalsh@ci.southgate.mi.us> wrote:

Hi Liza, the Boy Scouts have once again asked for permission to se l wreaths the weekends of November 26-28 and December 3-5. We will be putting it on our City Council Agenda for October 6. Do they have permission from you to sell at the Southgate Shopping Center those weekends? Please let us know. Thank you!

Laura Walsh

Administrative Assistant, Executive Offices

City of Southgate

Tele.734-258-3022

lwalsh@ci.southgate.mi.us

page 3

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer

City of Southgate

October 1, 2021

To the Honorable
City Council
Southgate, Michigan 48195

Re: Recommendation for Roof Replacement at the DPW

Ladies and Gentlemen:

It is recommended by the City of Southgate Roofing Expert, Matt Verhey, and I concur with his recommendation to award the bid to Royal Roofing, in the amount of $874,850.00 with a 10% contingency of $87,485.00 for a total cost of $962,335.00.

Funding will be available through the American Rescue Plan Act of 2021, the Coronavirus Local Fiscal Recovery funds.

Your favorable consideration of this matter is requested.

Sincerely,

Joseph G. Kuspa
Mayor

JGK/law

NORMA J. WURMLINGER MUNICIPAL BUILDING
14400 DIX-TOLEDO ROAD • SOUTHGATE, MICHIGAN 48195 • 734-258-3022 • FAX: 734-246-1414

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer

City of Southgate

MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: David Angileri, Assistant City Administrator/Finance Director

DATE: October 1, 2021

RE: Recommendation for Roof Replacement at DPW

I have reviewed the above with Matt Verhey the City of Southgate Roofing Expert, for the Roof Replacement Bids and concur with his recommendation to award this bid to, Royal Roofing, in the amount of $874,850.00plus a 10% contingency of $87,485.00 for a total cost of $962,335.00.

Funding for this bid will come from **American Rescue Plan Act of 2021** the Coronavirus Local Fiscal Recovery funds.

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GARLAND

GARLAND COMPANY, INC.

since 1895

Matt Verhey
Mobile: 248-880-0896
Email: mverhey@garlandind.com
Learn More: www.garlandco.com

Thursday, August 26, 2021

City of Southgate
14400 Dix Toledo Road
Southgate, MI 48195

Attn: Dustin Lent

Re: DPW Roof Replacement

Dear Dustin,

At your direction, I have reviewed the bids submitted for the DPW Roof Replacement recently bid on August 24, 2021. The low bidder, Royal Roofing, is an approved contractor for the type of roof system specified. They have completed projects of similar size and scope for many of my other clients in the SE Michigan with great quality workmanship and professionalism.

I believe the initial budget estimates for the DPW Roof Replacement were $1,100,000. Three bids came in at under $900,000 and one just over $1,000,000 so all bidding contractors comprehended the scope of the job. Royal Roofing was the low bidder at $874,850, Lutz Roofing in second at $887,000, Schena Roofing at $894,500, and Schreiber Roofing at $1,010,000.

I have spoken with Todd Sumner at Royal Roofing regarding his submitted bid and he does feel comfortable with the pricing that he's submitted. Furthermore, Royal Roofing met all of the criteria identified in the bid requirements. My recommendation is to award the contract to Royal Roofing for the proposed work.

Should you have any questions, please do not hesitate to contact me. I look forward to working with you on this project.

Respectfully,

Matt Verhey
The Garland Company

CITY OF SOUTHGATE DPW ROOF PROJECT

POST BID REVIEW

August 25, 2021

CONTRACTOR	BASE BID	WOOD BLOCKING	METAL DECKING	DRAIN REPLACE	PROJECT DURATION	ADDENDUM #1 RECEIVED	PREBID ATTENDANCE
Royal Roofing	$874,850.00	$6.00	$14.00	$1,950.00	23	YES	YES
Lutz Roofing	$887,000.00	$7.50	$8.00	$1,850.00	18	YES	YES
Schena Roofing	$894,000.00	$4.75	$10.50	$1,250.00		YES	YES
Schreiber Roofing	$1,010,000.00	$6.50	$11.50	T&M	35	YES	YES

*PROJECTED START DATE	COMPLIANCE WITH ALL BID DOCUMENTS	COMPLIANCE WITH ALL SAFETY REQ	**AGREE TO PROVIDE PRICING DOCUMENTATION IF REQUESTED	OTHER THAN HVAC, ANY ADDITIONAL CONTRACTORS	UNDERSTAND AND AGREE TO WARRANTY WARRANTY REQ.	***ANY ADDITIONAL QUALIFICATIONS

*PROJECTED START DATE BASED UPON AWARD OF PROJECT BY SEPTEMBER 15, 2021

** SHOULD MATERIAL/SUPPLIER PRICES FLUCTUATION UP OR DOWN PRIOR TO THE START OF THE PROJECT

*** LIST ADDITONAL QUALIFICATIONS, IF ANY, BELOW (NOT INCLUDING THOSE SUBMITTED WITH BID)

ADDITIONAL QUALIFICATIONS

JOINT RESOLUTION
of the Downriver Community Conference Board of Directors
and the Southern Wayne County Regional Chamber
<u>WORKING IN UNIFICATION TO SUPPORT LEGISLATIVE REDISTRICTING</u>

WHEREAS, The City of Southgate, a member of the Downriver Community Conference (DCC), a consortium of twenty Downriver communities in Wayne County whose total population exceeds 500,000, has joined in an effort to improve local government and enhance the quality of life for area residents through municipal cooperation; and

WHEREAS, the Southern Wayne County Regional Chamber (SWCRC), representing 21 communities in most of the same DCC area, works in cooperation with DCC on legislation that affects this entire region; and

WHEREAS, the City of Southgate, DCC & SWCRC have been working together as a united voice to get our regional economy restarted and on track while protecting the health and safety of our citizens. In addition to our representatives in Lansing and Washington working to provide critical resources for our region, we will need to focus on strong and effective initiatives to encompass the 'whole' of our area; and

WHEREAS, we share common bonds linked to public policy issues or identities that may be affected by legislation; likely to result in a desire to share a united regional congressional district, and equally established state legislative districts within the region in order to secure more effective representation; and

WHEREAS, the Downriver Mutual Aid (DMA) was created more than 50 years ago, in 1967, in order to formalize the cooperative relationships that already existed between and among police and fire departments throughout the region, for Public Safety. DCC serves as the Administrator for DMA.

For generations, communities hac assisted each other when a neighbor called for help; providing backup when police officers were stretched thin during a crisis or sending additional firefighters to battle blazes that threatened a community. But with the creation of the DMA, that help grew to include a number of more sophisticated services that no single department or city could offer, such as creating a regional SWAT Team, a Crisis Negotiations Team, an Underwater Search & Recovery Team (Dive Team), Drug Enforcement Team, the Downriver Auto Theft Team (DRATT) and a Uniformed Police Task Force. Other efforts of DMA include DMA 911 and Radio Communication Services; and

WHEREAS, DCC and SWCRC share historical economic interests associated with a contiguous area on a map, together representing communities along the Detroit River from River Rouge and along the southeastern border to Rockwood, and westerly from Dearborn, Huron Township Van Buren Township, and Belleville down to the Wayne/Monroe County line; the City of Southgate located at the heart of the DCC and

WORKING IN UNIFICATION TO SUPPORT CONGRESSIONAL REDISTRICTING

WHEREAS, Congressional and state legislative district boundaries must be drawn according to existing municipal boundaries, and shall not divide municipalities and their constituents into separate districts of representation; and

WHEREAS, it is our priority, along with the unification of Downriver and the 21 Southern Wayne County communities into one congressional district, to support efforts to re-align/redistrict our area to the strength of bringing all these communities together to benefit the region as a whole.

NOW THEREFORE BE IT RESOLVED, that the City of Southgate, working in unification with the DCC Board of Directors and the SWCRC, supports the Congressional Redistricting to encompass this region with the same representation.

CERTIFICATION

The undersigned duly qualified Mayor of the City of Southgate certifies that the foregoing is a true and correct copy of a resolution legally adopted at a meeting of the Southgate City Council on October 6, 2021.

Joseph G. Kuspa, Mayor: ______________________________

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer

City of Southgate

- CITY COUNCIL -

JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

Memorandum

To: Honorable City Council Members

From: Dustin Lent, City Administrator

Date: October 1, 2021

Re: Resolution to Manage Flood Plain Development for the National Flood Insurance Program.

The City of Southgate currently participates in the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) by complying with the programs applicable statutory and regulatory requirements for the purpose of reducing flood hazards to persons, reducing property damage, and reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community.

This resolution will enable the City to continue participating in the NFIP once all requirements are meet.

The Administration recommends City Council's favorable consideration to allow the Mayor and City Clerk to sign the resolution.

I look forward to City Council's questions and comments.

NORMA J. WURMLINGER MUNICIPAL BUILDING
14400 DIX-TOLEDO ROAD • SOUTHGATE, MICHIGAN 48195 • 734-258-3022 • FAX: 734-246-1414

MICHIGAN COMMUNITY RESOLUTION TO

MANAGE FLOODPLAIN DEVELOPMENT

FOR THE NATIONAL FLOOD INSURANCE PROGRAM

WHEREAS, the community of City of Southgate in Wayne County (*check the appropriate following box statement*) ☒ currently participates ☐ desires to participate in the Federal Emergency Management Agency's (FEMAs) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, and reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community, and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:
   a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
   b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance), and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act", Act No. 230 of the Public Acts of 1972, as amended (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] and the Michigan Rehabilitation Code for

Existing Buildings contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas, as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and

WHEREAS, by the action dates of this document or an existing historical ordinance adoption action dated __________, the community affirms/accepted the responsibility to administer, apply, and enforce the provisions of the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all construction within its community boundaries, and

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. The community directs its construction code act designated enforcing agency, Insert Community Official/Position Title or Name of Other Entity, Agency, Firm, to administer, apply, and enforce the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations by:

   a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area and areas with potential flooding.

   b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

   c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the construction code act enforcing agent shall implement the following applicable codes according to their terms:

      i) All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Residential Code.

      ii) All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Building Code.

      iii) Appendix G of the current Michigan Building Code.

      iv) All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Rehabilitation Code for Existing Buildings.

   d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.

   e. Assisting in the delineation of flood hazard areas; providing information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintaining floodproofing and lowest floor construction records, cooperating with other officials, agencies, and persons for floodplain management.

   f. Advising FEMA of any changes in community boundaries, including appropriate maps.

   g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevations to which structures have been floodproofed.

2. The community assures the Federal Insurance Administrator (Administrator) that it intends to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to continue to participate in the program.

3. The community further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

Community: City Of Southgate   Date Passed:

Officer Name: Joseph G. Kuspa   Title: Mayor

Signature: ____________________ Date: ____________________

Witness Name: Title:

Signature: ____________________ Date: ____________________

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer

- CITY COUNCIL -

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PHILLIP J. RAUCH
CHRISTOPHER P. ROLLET

City of Southgate

Memorandum

To: Honorable City Council Members

From: Dustin Lent, City Administrator

Date: October 1, 2021

Re: Update Ordinance Chapter 1464- "Flood Plain Management"

The City of Southgate is required by the Department of Homeland Security Federal Emergency Management Agency (FEMA) to update the current Flood Plain Management ordinance to satisfy 44 Code of Federal Regulations (CFR) 60.3(d) of the National Flood Insurance Program (NFIP) regulations.

The Administration recommends City Council's favorable consideration.

I look forward to City Council's questions and comments.

NORMA J. WURMLINGER MUNICIPAL BUILDING
14400 DIX-TOLEDO ROAD • SOUTHGATE, MICHIGAN 48195 • 734-258-3022 • FAX: 734-246-1414

U.S. Department of Homeland Security
500 C Street, SW
Washington, DC 20472

FEMA

September 16, 2021

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Joseph G. Kuspa
Mayor, City of Southgate
City Hall
14400 Dix-Toledo Highway
Southgate, Michigan 48195

Dear Mayor Kuspa:

I am writing this letter as an official reminder that the City of Southgate, Michigan, has until October 21, 2021, to adopt and have the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office approve floodplain management measures that satisfy 44 Code of Federal Regulations (CFR) Section 60.3(d) of the National Flood Insurance Program (NFIP) regulations.

The City of Southgate must adopt floodplain management measures, such as a floodplain management ordinance, that meet or exceed the minimum NFIP requirements (copy enclosed) by October 21, 2021, to avoid suspension from the NFIP. If suspended, your community becomes ineligible for flood insurance through the NFIP, new insurance policies cannot be sold, and existing policies cannot be renewed.

Under the Flood Disaster Protection Act of 1973, as amended, flood insurance must be purchased by property owners seeking any Federal financial assistance for construction or acquisition of buildings in Special Flood Hazard Areas (SFHAs). This financial assistance includes certain federally guaranteed mortgages and direct loans, federal disaster relief loans and grants, as well as other similarly described assistance from FEMA and other agencies.

In addition, all loans individuals obtain from Federally regulated, supervised, or insured lending institutions that are secured by improved real estate located in SFHAs are also contingent upon the borrower obtaining flood insurance coverage on the building. However, purchasing and maintaining flood insurance coverage on a voluntary basis is frequently recommended for properties located outside SFHAs.

Your NFIP State Coordinator and FEMA would like to assist the City of Southgate to ensure it remains in good standing with the NFIP and avoids suspension from the Program. If your community is suspended, it may regain its eligibility in the NFIP by enacting the floodplain management measures established in 44 CFR Section 60.3 of the NFIP regulations. As stated in my previous correspondence, I recommend you contact your NFIP State Coordinator or the FEMA Regional Office if the City of Southgate is encountering difficulties in enacting its measures.

I recognize that your community may be in the final adoption process or may have recently adopted the appropriate floodplain management measures. Please submit these measures to the Floodplain Management Program at the Michigan Department of Environmental Quality. Matthew Occhipinti, P.E., CFM, the NFIP State Coordinator, is accessible by telephone at (616) 204-1708, in writing at 350 Ottawa Avenue Northwest, Unit Ten, Grand Rapids, Michigan 49503-2316, or by electronic mail at occhipintim@michigan.gov.

The FEMA Regional staff in Chicago, Illinois, is also available to assist you with your floodplain management measures. The FEMA Regional Office may be contacted by telephone at (312) 408-5500 or in writing. Please send your written inquiries to the Director, Mitigation Division, FEMA Region 5, at 536 South Clark Street, Sixth Floor, Chicago, Illinois 60605.

In the event your community does not adopt and/or submit the necessary floodplain management measures that meet or exceed the minimum NFIP requirements, I must take the necessary steps to suspend your community from the NFIP. This letter is FEMA's final notification before your community is suspended from the Program.

Additional information on community suspensions as proposed, other notices of current NFIP community status information, and details regarding updated publication requirements of community eligibility status information under the NFIP can be found on the Community Status Book section of our website at www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Notices for scheduled suspension will be available on the National Flood Insurance Community Status and Public Notification section of our website at www.fema.gov/flood-insurance/work-with-nfip/community-status-book/public-notification. Individuals without internet access will be able to contact their local floodplain management official and/or NFIP State Coordinating Office directly for assistance.

Sincerely,

Rachel Sears

Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

Enclosure

cc: Moises Dugan, Acting Regional Administrator, FEMA Region 5
Matthew Occhipinti, P.E., CFM, NFIP State Coordinator, Michigan Department Environmental Quality
Robert Casanova, Building Director, City of Southgate

CHAPTER 1464

Flood Plain Management

CROSS REFERENCES

Drains generally - see CHTR. Art. 13

Flood control in home rule cities - see M.C.L.A. §§ 117.4a, 117.4e

Municipal bond issues - see M.C.L.A. § 135.3

Drains and drainage; flood control projects - see M.C.L.A. §§ 280.429, 280.431

Floodplain easements - see M.C.L.A. § 281.628

Storm water retention reservoirs - see S.U. & P.S. 1040.17

Storm water runoff control - see S.U. & P.S. Ch. 1048

Surface drainage - see P. & Z. 1246.02(r)

Subdivisions in flood hazard areas - see P. & Z. 1246.07(e)

1464.01 FINDINGS OF FACT.

(a) The flood hazard areas of the City are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities and, when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

(Ord. 275. Passed 8-30-78.)

1464.02 PURPOSES.

The purposes of this chapter are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(a) Protect human life and health;

(b) Minimize expenditure of public money for costly flood control projects;

(c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(d) Minimize prolonged business interruptions;

(e) Minimize damage to public facilities and utilities, such as water and gas mains, electric, telephone and sewer lines and streets and bridges located in areas of special flood hazard;

(f) Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to minimize flood blight areas;

(g) Ensure that potential buyers are aware that property is in an area of special flood hazard; and

(h) Ensure that persons who occupy an area of special flood hazard assume responsibility for their actions.

(Ord. 275. Passed 8-30-78.)

1464.03 METHODS OF REDUCING FLOOD LOSSES.

In order to accomplish its purposes, this chapter includes methods and provisions for:

Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in flood heights or velocities;

(a) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(b) Controlling the alteration of natural flood plains, stream channels and natural protective barriers, which help accommodate or channel flood waters;

(c) Controlling filling, grading, dredging and other development which may increase flood damage; and

(d) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

(Ord. 275. Passed 8-30-78.)

1464.04 DEFINITIONS.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application. As used in this chapter:

(a) "Appeal" means a request for a review of the Director of Inspections' or City Engineer's interpretation of any provision of this chapter or a request for a variance.

(b) "Area of shallow flooding" means a designated AO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate and where velocity flow may be evident.

(c) "Area of special flood hazard" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

(d) "Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year.

(e) "Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures and mining, dredging, filling, grading, paving, excavating or drilling operations located in the area of special flood hazard.

(f) "Existing mobile home park or mobile home subdivision" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets), was completed before the effective date of this chapter (Ordinance 275, passed August 30, 1978).

(g) "Expansion to an existing mobile home park or mobile home subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets).

(h) "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters; and/or

(2) The unusual and rapid accumulation or run-off of surface waters from any source.

(i) "Flood Insurance Rate Map" (FIRM) means an official map on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

(j) "Flood Insurance Study" means the official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Boundary and Floodway Map, and the water surface elevations of the base flood.

(k) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than ~~one~~0.1 fee~~oo~~t.

~~(l) "Habitable floor" means any floor used for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."~~

~~(m)~~(l) "Mobile home" means a structure that is transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. "Mobile home" does not include recreational vehicles or travel trailers.

~~(n)~~(m) "New construction" means structures for which the start of construction commenced on or after the effective date of this chapter (Ordinance 275, passed August 30, 1978).

~~(o)~~(n) "New mobile home park or mobile home subdivision" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets) is completed on or after the effective date of this chapter (Ordinance 275, passed August 30, 1978).

~~(p)~~(o) "Start of construction" means the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the state of excavation. Permanent construction does not include land preparation, such as clearing, grading and filling; the installation of streets and/or walkways; the excavation for a basement, footings, piers or foundations or the erection of temporary forms; or the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not a part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within a mobile home park or mobile home subdivision, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads and the installation of utilities) is completed.

~~(q)~~(p) "Structure" means a walled and roofed building, mobile home or gas or liquid storage tank that is principally above ground.

~~(r)~~(q) "Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. "Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not such alteration affects the external dimensions of the structure. "Substantial improvement" does not include any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications which are solely necessary to ensure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

~~(s)~~(r) "Variance" is a grant of relief to a person from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

(Ord. 275. Passed 8-30-78.)

1464.05 APPLICATION OF CHAPTER.

This chapter applies to all areas of special flood hazard within the jurisdiction of the City. (Ord. 275. Passed 8-30-78.)

1464.06 FLOOD INSURANCE STUDY.

The areas of special flood hazard have been identified by the Federal ~~Insurance Administration in a scientific~~Emergency Management Agency (FEMA) ~~and engineering report entitled "Flood Insurance Study for the City of Southgate." This Study, with accompanying Flood Boundary and Floodway Maps and Flood Insurance Rate Maps dated February 2, 2012, and any revisions thereto, is hereby adopted by reference and declared to be a part of this chapter. The Flood Insurance Study is on file at the offices of the City Clerk and the City Engineer.~~is identified in section 1464.12(c) of this ordinance

(Ord. 275. Passed 8-30-78; Ord. 940. Passed 1-4-12.)

1464.07 COMPLIANCE REQUIRED.

No structure or land shall hereafter be located, erected, constructed, repaired, extended, converted, enlarged or altered without full compliance with this chapter and all other applicable regulations which apply to uses within the jurisdiction of this chapter. No person shall violate any of the provisions of this chapter by failing to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions).

(Ord. 275. Passed 8-30-78.)

1464.08 CONFLICTS WITH EASEMENT, COVENANT OR DEED RESTRICTIONS AND ORDINANCES.

This chapter is not intended to repeal, abrogate or impair any existing easement, covenant or deed restriction. However, where this chapter and an ordinance, easement, covenant or deed restriction conflict or overlap, the more stringent restriction shall prevail.

(Ord. 275. Passed 8-30-78.)

1464.09 INTERPRETATION OF CHAPTER.

In the interpretation and application of this chapter, all provisions shall be:

(a) Considered as minimum requirements;

(b) Liberally construed in favor of the governing body; and

(c) med neither to limit nor repeal any other power granted under State

statutes. (Ord. 275. Passed 8-30-78.)

1464.10 WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City, any officer or employee thereof or the Federal Insurance Administration, for any flood damage that results from reliance on this chapter or any administrative decision lawfully made under this chapter.

(Ord. 275. Passed 8-30-78.)

1464.11 DEVELOPMENT PERMIT REQUIRED; APPLICATION.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 1464.06. An application for a development permit shall be made on forms furnished by the Director of Inspections and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the locations thereof. Specifically, the following information is required:

(a) The elevation, in relation to U.S.G.S. Datum, of the lowest floor, including the basement, of all proposed structures;

(b) The elevation, in relation to U.S.G.S. Datum, to which any proposed structure will be floodproofed;

(c) Certification by a registered professional engineer that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 1464.16(b); and

(d) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(Ord. 275. Passed 8-30-78.)

1464.12 AGENCY DESIGNATED, ENFORCEMENT OF CODE APPENDIX, DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.

(a) Agency Designated. Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Director of Inspections of the City is hereby designated as the enforcing agency to discharge the responsibility of the City under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The City assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

(b) Code Appendix Enforced. ~~The Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contain floodplain development and management regulations that comply with the FEMA-NFIP minimum floodplain management criteria for flood prone areas, as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3(d) and pursuant to the provisions of the State Construction Code, shall be enforced by the enforcing agency within the City.~~ Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the jurisdiction of the community adopting this ordinance.

(c) Designation of Regulated Flood Prone Hazard Areas. The Federal Emergency Management Agency (FEMA) "Flood Insurance Study for Wayne County, All Jurisdictions", effective October 21, 2021 and the Flood Insurance Rate Map (FIRM) panels: 26163CIND1C, 26163CIND2C, 26163C0408F, 26163C0416F, effective October 21, 2021 and 26163C0401E, 26163C0402E, 26163C0403E, 26163C0404E, 26163C0406E, 26163C0411E, 26163C0412E effective February 2, 2012 ~~Flood Insurance Study (FIS) Entitled Wayne County, Michigan (All Jurisdictions) and dated February 12, 2012 and the Flood Insurance Rate Maps (FIRMS) panel numbers 26163C, 0401E, 0402E, 0403E, 0404E, 0406E, 0410E, 0411E, 0412E, and 0416E, dated February 12, 2012,~~ are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

(Ord. 275. Passed 8-30-78; Ord. 940. Passed 1-4-12.)

1464.13 DUTIES OF DIRECTOR OF INSPECTIONS.

The duties of the Director of Inspections under this chapter include, but are not limited to, the following:

(a) Permit Review. The Director shall:

(1) Review all development permits to determine that the permit requirements of this chapter have been satisfied;

(2) Review all development permits to ensure that all necessary permits have been received from those Federal, State or local governmental agencies from which prior approval is required.

(3) Review all development permits to determine if the proposed development is located within a designated floodway. Floodways are delineated ~~in the Flood Boundary and Floodway Map of the Flood Insurance Study~~on the Flood Insurance Rate Map (FIRM). If the proposed development is located within a designated floodway, the Director shall ensure that the encroachment provisions of Section 1464.17 are met.

(b) Use of Other Base Flood Data. When base flood elevation data have not been provided by the Federal Insurance Administration in accordance with Section 1464.06, the City Engineer shall obtain, review and reasonably utilize any base flood elevation data available from a Federal, State or other source in order to administer Section 1464.16(a) and (b).

(c) Information to be Obtained and Maintained. The Director shall:

(1) Obtain and record the actual elevation, U.S.G.S. Datum, of the lowest floor, including the basement, of all new or substantially improved structures, and state whether or not such structures contain a basement;

(2) For all new or substantially improved floodproofed structures:

A. Verify and record the actual elevation, U.S.G.S. Datum, to which the structure was floodproofed; and

B. Maintain the floodproofing certifications required in Section 1464.11(c); and

(3) Maintain for public inspection all records pertaining to this chapter.

(d) Alteration of Watercourses. The Director shall:

(1) Notify adjacent communities and the County Drain Commissioner, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance ~~Administration~~Emergency Management Agency; and

(2) Notify the County Drain Commissioner and require that other owners of drains or watercourses maintain the altered or relocated portion of such watercourse, so that the flood carrying capacity will not be diminished.

~~(e) Interpretation of Flood Boundaries. The Director shall make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1464.14.~~

Commented [OM(1]: The city cannot reinterpret the FIRMs. If existing grades (not fill) are above the BFE, then an owner can apply to FEMA for a Letter of Map Amendment (LOMA) to remove the floodplain designation from the property or building.

(Ord. 275. Passed 8-30-78.)

1464.14 APPEALS; VARIANCES.

(a) Procedures.

(1) Council shall hear and decide appeals and requests for variances from the requirements of this chapter.

(2) Council shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the Director of Inspections in the enforcement or administration of this chapter.

(3) Persons aggrieved by a decision of Council, or any taxpayer, may appeal such decision to the Circuit Court, as provided by statute.

(4) In passing upon applications, Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter and:

A. The danger that materials may be swept onto other lands to the injury of others;

B. The danger to life and property due to flooding or erosion damage;

C. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

D. The importance of the services provided by the proposed facility to the community;

E. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

F. The necessity to the facility of a waterfront location, where applicable;

G. The compatibility of the proposed use with existing and anticipated development;

H. The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;

I. The safety of access to the property, in times of flood, for ordinary and emergency vehicles;

J. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

K. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems and streets and bridges.

(5) Upon consideration of the factors set forth in paragraph (a)(4) hereof, and the purposes of this chapter, Council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

(6) The Director shall maintain the records of all appeal actions, including technical information, and report any variance to the Federal Insurance Administration upon request.

(b) Conditions for Variances.

(1) Generally, a variance may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that the provisions of paragraph (a)(4) hereof have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

(2) A variance may be issued for the reconstruction, rehabilitation or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section.

(3) A variance shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(4) A variance shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) A variance shall only be issued upon:

A. A showing of good and sufficient cause;

B. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety or extraordinary public expense; create nuisances; cause fraud on or victimization of the public, as identified in paragraph (a)(4) hereof; or conflict with existing local laws or ordinances.

(6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(Ord. 275. Passed 8-30-78.)

1464.15 STANDARDS FOR FLOOD HAZARD REDUCTION.

In all areas of special flood hazard, the following standards are required:

(a) Anchoring.

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

(2) All mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors. Specifically:

A. Over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations. For mobile homes less than fifty feet long, only one additional tie per side is required.

B. Frame ties shall be provided at each corner of the mobile home with five additional ties per side at intermediate points. For mobile homes less than fifty feet long, only four additional ties per side are required.

C. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.

D. Any addition to the mobile home shall be similarly anchored.

(b) Construction Materials and Methods.

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

(c) Utilities.

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.

(2) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.

(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(d) Subdivision Proposals.

(1) All subdivision proposals shall be consistent with the need to minimize flood damage.

(2) All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize flood damage.

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed developments which contain at least fifty lots or five acres, whichever is less.

(Ord. 275. Passed 8-30-78.)

1464.16 FLOODPROOFING STANDARDS.

In all areas of special flood hazard, ~~where base flood elevation data have been provided as set forth in Section 1464.06 or 1464.13(b),~~ the following provisions are required:

(a) Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including the basement, elevated ~~to or~~ 1 foot above the base flood elevation. Additions shall have the lowest floor, including the basement, elevated 1 foot above the base flood elevation.

(b) Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall ~~either~~ have the lowest floor, including the basement, elevated ~~to the level of~~ 1 foot above the base flood elevation. ~~or, together with attendant utility and~~ sanitary facilities, shall:

Commented [OM(2]: 2015 MBC does not allow for floodproofing the lowest floor. It only allows for floodproofing underfloor spaces that do not meet the definition of lowest floor.

~~Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water.~~

~~Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and~~

~~Be certified by a registered professional engineer or architect as to compliance with this subsection. Such certification shall be provided to the official as set forth in Section 1464.11(c).~~

(c) Mobile Homes. The following standards shall apply to all mobile homes:

(1) Mobile homes shall have the lowest floor, including the basement, elevated 1 foot above the base flood elevation and be anchored in accordance with Section 1464.15(a)(2).

(2) For new mobile home parks and mobile home subdivisions, for expansions to existing mobile home parks and mobile home subdivisions, for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds fifty percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced, and for mobile homes not placed in a mobile home park or mobile home subdivision:

A. Stands or lots shall be elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level.

B. Adequate surface drainage and access for a hauler shall be provided.

C. In the instance of elevation on pilings:

1. Lots shall be large enough to permit steps.
2. Piling foundations shall be placed in stable soil not more than ten feet apart.
3. Reinforcement shall be provided for pilings more than six feet above the ground level.

~~(3) No mobile home shall be placed in a floodway, except in an existing mobile home park or existing mobile home subdivision.~~

(Ord. 275. Passed 8-30-78.)

1464.17 FLOODWAYS.

Located within areas of special flood hazard established in Section 1464.06 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:

(a) Encroachments, including fill, new construction, substantial improvements and other development, are prohibited, unless a technical evaluation demonstrates that an encroachment will not result in any increase in flood levels during the occurrence of the base flood discharge.

(b) If subsection (a) hereof is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Sections 1464.15 and 1464.16.

(c) ~~The placement of any mobile home, except in an existing mobile home park or existing mobile home subdivision, is prohibited.~~No mobile home shall be placed in a floodway, unless a hydraulic analysis is submitted that demonstrates no increase in the base flood elevation.

(Ord. 275. Passed 8-30-78.)

1464.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

§59.24 Suspension of community eligibility.

(a) A community eligible for the sale of flood insurance shall be subject to suspension from the Program for failing to submit copies of adequate flood plain management regulations meeting the minimum requirements of paragraphs (b), (c), (d), (e) or (f) of §60.3 or paragraph (b) of §60.4 or §60.5, within six months from the date the Federal Insurance Administrator provides the data upon which the flood plain regulations for the applicable paragraph shall be based. Where there has not been any submission by the community, the Federal Insurance Administrator shall notify the community that 90 days remain in the six month period in order to submit adequate flood plain management regulations. Where there has been an inadequate submission, the Federal Insurance Administrator shall notify the community of the specific deficiencies in its submitted flood plain management regulations and inform the community of the amount of time remaining within the six month period. If, subsequently, copies of adequate flood plain management regulations are not received by the Federal Insurance Administrator, no later than 30 days before the expiration of the original six month period the Federal Insurance Administrator shall provide written notice to the community and to the state and assure publication in the Federal Register under part 64 of this subchapter of the community's loss of eligibility for the sale of flood insurance, such suspension to become effective upon the expiration of the six month period. Should the community remedy the defect and the Federal Insurance Administrator receive copies of adequate flood plain management regulations within the notice period, the suspension notice shall be rescinded by the Federal Insurance Administrator. If the Federal Insurance Administrator receives notice from the State that it has enacted adequate flood plain management regulations for the community within the notice period, the suspension notice shall be rescinded by the Federal Insurance Administrator. The community's eligibility shall remain terminated after suspension until copies of adequate flood plain management regulations have been received and approved by the Federal Insurance Administrator.

(b) A community eligible for the sale of flood insurance which fails to adequately enforce flood plain management regulations meeting the minimum requirements set forth in §§60.3, 60.4 and/or 60.5 shall be subject to probation. Probation shall represent formal notification to the community that the Federal Insurance Administrator regards the community's flood plain management program as not compliant with NFIP criteria. Prior to imposing probation, the Federal Insurance Administrator (1) shall inform the community upon 90 days prior written notice of the impending probation and of the specific program deficiencies and violations relative to the failure to enforce, (2) shall, at least 60 days before probation is to begin, issue a press release to local media explaining the reasons for and the effects of probation, and (3) shall, at least 90 days before probation is to begin, advise all policyholders in the community of the impending probation and the additional premium that will be charged, as provided in this paragraph, on policies sold or renewed during the period of probation. During this 90-day period the community shall have the opportunity to avoid probation by demonstrating compliance with Program requirements, or by correcting Program deficiencies and remedying all violations to the maximum extent possible. If, at the end of the 90-day period, the Federal Insurance Administrator determines that the community has failed to do so, the probation shall go into effect. Probation may be continued for up to one year after the community corrects all Program deficiencies and remedies all violations to the maximum extent possible. Flood insurance may be sold or renewed in the community while it is on probation. Where a policy covers property located in a community placed on probation on or after October 1, 1986, but prior to October 1, 1992, an additional premium of $25.00 shall be charged on each such policy newly issued or renewed during the one-year period beginning on the date the community is placed on probation and during any successive one-year periods that begin prior to October 1, 1992. Where a community's probation begins on or after October 1, 1992, the additional premium described in the preceding sentence shall be $50.00, which shall also be charged during any successive one-year periods during which the community remains on probation for any part thereof. This $50.00 additional premium shall further be charged during any successive one-year periods that begin on or after October 1, 1992, where the preceding one-year probation period began prior to October 1, 1992.

(c) A community eligible for the sale of flood insurance which fails to adequately enforce its flood plain management regulations meeting the minimum requirements set forth in §§60.3, 60.4 and/or 60.5 and does not correct its Program deficiencies and remedy all violations to the maximum extent possible in accordance with compliance deadlines established during a period of probation shall be subject to suspension of its Program eligibility. Under such circumstances, the Federal Insurance Administrator shall grant the community 30 days in which to show cause why it should not be suspended. The Federal Insurance Administrator may conduct a hearing, written or oral, before commencing suspensive action. If a community is to be suspended, the Federal Insurance Administrator shall inform it upon 30 days prior written notice and upon publication in the Federal Register under part 64 of this subchapter of its loss of eligibility for the sale of flood insurance. In the event of impending suspension, the Federal Insurance Administrator shall issue a press release to the local media explaining the reasons and effects of the suspension. The community's eligibility shall only be reinstated by the Federal Insurance Administrator upon his receipt of a local legislative or executive measure reaffirming the community's formal intent to adequately enforce the flood plain management requirements of this subpart, together with evidence of action taken by the community to correct Program deficiencies and remedy to the maximum extent possible those violations which caused the suspension. In certain cases, the Federal Insurance Administrator, in order to evaluate the community's performance under the terms of its submission, may withhold reinstatement for a period not to exceed one year from the date of his receipt of the satisfactory submission or place the community on probation as provided for in paragraph (b) of this section.

(d) A community eligible for the sale of flood insurance which repeals its flood plain management regulations, allows its regulations to lapse, or amends its regulations so that they no longer meet the minimum requirements set forth in §§60.3, 60.4 and/or 60.5 shall be suspended from the Program. If a community is to be suspended, the Federal Insurance Administrator shall inform it upon 30 days prior written notice and upon publication in the Federal Register under part 64 of this subchapter of its loss of eligibility for the sale of flood insurance. The community eligibility shall remain terminated after suspension until copies of adequate flood plain management regulations have been received and approved by the Federal Insurance Administrator.

(e) A community eligible for the sale of flood insurance may withdraw from the Program by submitting to the Federal Insurance Administrator a copy of a legislative action that explicitly states its desire to withdraw from the National Flood Insurance Program. Upon receipt of a certified copy of a final legislative action, the Federal Insurance Administrator shall withdraw the community from the Program and publish in the Federal Register under part 64 of this subchapter its loss of eligibility for the sale of flood insurance. A community that has withdrawn from the Program may be reinstated if its submits the application materials specified in §59.22(a).

(f) If during a period of ineligibility under paragraphs (a), (d), or (e) of this section, a community has permitted actions to take place that have aggravated existing flood plain, mudslide (i.e., mudflow) and/or flood related erosion hazards, the Federal Insurance Administrator may withhold reinstatement until the community submits evidence that it has taken action to remedy to the maximum extent possible the increased hazards. The Federal Insurance Administrator may also place the reinstated community on probation as provided for in paragraph (b) of this section.

(g) The Federal Insurance Administrator shall promptly notify the servicing company and any insurers issuing flood insurance pursuant to an arrangement with the Federal Insurance Administrator of those communities whose eligibility has been suspended or which have withdrawn from the program. Flood insurance shall not be sold or renewed in those communities. Policies sold or renewed within a community during a period of ineligibility are deemed to be voidable by the Federal Insurance Administrator whether or not the parties to sale or renewal had actual notice of the ineligibility.

[41 FR 46968, Oct. 26, 1976. Redesignated at 44 FR 31177, May 31, 1979, and amended at 48 FR 44543 and 44552, Sept. 29, 1983; 49 FR 4751, Feb. 8, 1984; 50 FR 36023, Sept. 4, 1985; 57 FR 19540, May 7, 1992; 59 FR 53598, Oct. 25, 1994; 62 FR 55715, Oct. 27, 1997]

§60.1 Purpose of subpart.

(a) The Act provides that flood insurance shall not be sold or renewed under the program within a community, unless the community has adopted adequate flood plain management regulations consistent with Federal criteria. Responsibility for establishing such criteria is delegated to the Federal Insurance Administrator.

(b) This subpart sets forth the criteria developed in accordance with the Act by which the Federal Insurance Administrator will determine the adequacy of a community's flood plain management regulations. These regulations must be legally-enforceable, applied uniformly throughout the community to all privately and publicly owned land within flood-prone, mudslide (i.e., mudflow) or flood-related erosion areas, and the community must provide that the regulations take precedence over any less restrictive conflicting local laws, ordinances or codes. Except as otherwise provided in §60.6, the adequacy of such regulations shall be determined on the basis of the standards set forth in §60.3 for flood-prone areas, §60.4 for mudslide areas and §60.5 for flood-related erosion areas.

(c) Nothing in this subpart shall be construed as modifying or replacing the general requirement that all eligible communities must take into account flood, mudslide (i.e., mudflow) and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use.

(d) The criteria set forth in this subpart are minimum standards for the adoption of flood plain management regulations by flood-prone, mudslide (i.e., mudflow)-prone and flood-related erosion-prone communities. Any community may exceed the minimum criteria under this part by adopting more comprehensive flood plain management regulations utilizing the standards such as contained in subpart C of this part. In some instances, community officials may have access to information or knowledge of conditions that require, particularly for human safety, higher standards than the minimum criteria set forth in subpart A of this part. Therefore, any flood plain management regulations adopted by a State or a community which are more restrictive than the criteria set forth in this part are encouraged and shall take precedence.

[41 FR 46975, Oct. 26, 1976. Redesignated at 44 FR 31177, May 31, 1979, as amended at 48 FR 44552, Sept. 29, 1983; 49 FR 4751, Feb. 8, 1984]

§60.2 Minimum compliance with flood plain management criteria.

(a) A flood-prone community applying for flood insurance eligibility shall meet the standards of §60.3(a) in order to become eligible if a FHBM has not been issued for the community at the time of application. Thereafter, the community will be given a period of six months from the date the Federal Insurance Administrator provides the data set forth in §60.3 (b), (c), (d), (e) or (f), in which to meet the requirements of the applicable paragraph. If a community has received a FHBM, but has not yet applied for Program eligibility, the community shall apply for eligibility directly under the standards set forth in §60.3(b). Thereafter, the community will be given a period of six months from the date the Federal Insurance Administrator provides the data set forth in §60.3 (c), (d), (e) or (f) in which to meet the requirements of the applicable paragraph.

(b) A mudslide (i.e., mudflow)-prone community applying for flood insurance eligibility shall meet the standards of §60.4(a) to become eligible. Thereafter, the community will be given a period of six months from the date the mudslide (i.e., mudflow) areas having special mudslide hazards are delineated in which to meet the requirements of §60.4(b).

(c) A flood-related erosion-prone community applying for flood insurance eligibility shall meet the standards of §60.5(a) to become eligible. Thereafter, the community will be given a period of six months from the date the flood-related erosion areas having special erosion hazards are delineated in which to meet the requirements of §60.5(b).

(d) Communities identified in part 65 of this subchapter as containing more than one type of hazard (e.g., any combination of special flood, mudslide (i.e., mudflow), and flood-related erosion hazard areas) shall adopt flood plain management regulations for each type of hazard consistent with the requirements of §§60.3, 60.4 and 60.5.

(e) Local flood plain management regulations may be submitted to the State Coordinating Agency designated pursuant to §60.25 for its advice and concurrence. The submission to the State shall clearly describe proposed enforcement procedures.

(f) The community official responsible for submitting annual or biennial reports to the Federal Insurance Administrator pursuant to §59.22(b)(2) of this subchapter shall also submit copies of each annual or biennial report to any State Coordinating Agency.

(g) A community shall assure that its comprehensive plan is consistent with the flood plain management objectives of this part.

(h) The community shall adopt and enforce flood plain management regulations based on data provided by the Federal Insurance Administrator. Without prior approval of the Federal Insurance Administrator, the community shall not adopt and enforce flood plain management regulations based upon modified data reflecting natural or man-made physical changes.

[41 FR 46975, Oct. 26, 1976. Redesignated at 44 FR 31177, May 31, 1979, as amended at 48 FR 29318, June 24, 1983; 48 FR 44552, Sept. 29, 1983; 49 FR 4751, Feb. 8, 1984; 50 FR 36024, Sept. 4, 1985; 59 FR 53598, Oct. 25, 1994; 62 FR 55716, Oct. 27, 1997]

§60.3 Flood plain management criteria for flood-prone areas.

The Federal Insurance Administrator will provide the data upon which flood plain management regulations shall be based. If the Federal Insurance Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Federal Insurance Administrator. However, when special flood hazard area designations and water surface elevations have been furnished by the Federal Insurance Administrator, they shall apply. The symbols defining such special flood hazard designations are set forth in §64.3 of this subchapter. In all cases the minimum requirements governing the adequacy of the flood plain management regulations for flood-prone areas adopted by a particular community depend on the amount of technical data formally provided to the community by the Federal Insurance Administrator. Minimum standards for communities are as follows:

(a) When the Federal Insurance Administrator has not defined the special flood hazard areas within a community, has not provided water surface elevation data, and has not provided sufficient data to identify the floodway or coastal high hazard area, but the community has indicated the presence of such hazards by submitting an application to participate in the Program, the community shall:

> (1) Require permits for all proposed construction or other development in the community, including the placement of manufactured homes, so that it may determine whether such construction or other development is proposed within flood-prone areas;
>
> (2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (ii) be constructed with materials resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damages, and (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) When the Federal Insurance Administrator has designated areas of special flood hazards (A zones) by the publication of a community's FHBM or FIRM, but has neither produced water surface elevation data nor identified a floodway or coastal high hazard area, the community shall:

(1) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the community's FHBM or FIRM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;

(3) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;

(4) Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including data developed pursuant to paragraph (b)(3) of this section, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community's FHBM or FIRM meet the standards in paragraphs (c)(2), (c)(3), (c)(5), (c)(6), (c)(12), (c)(14), (d)(2) and (d)(3) of this section;

(5) Where base flood elevation data are utilized, within Zone A on the community's FHBM or FIRM:

(i) Obtain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures, and

(ii) Obtain, if the structure has been floodproofed in accordance with paragraph (c)(3)(ii) of this section, the elevation (in relation to mean sea level) to which the structure was floodproofed, and

(iii) Maintain a record of all such information with the official designated by the community under §59.22 (a)(9)(iii);

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator;

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;

(8) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(c) When the Federal Insurance Administrator has provided a notice of final flood elevations for one or more special flood hazard areas on the community's FIRM and, if appropriate, has designated other special flood hazard areas without base flood elevations on the community's FIRM, but has not identified a regulatory floodway or coastal high hazard area, the community shall:

(1) Require the standards of paragraph (b) of this section within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the community's FIRM;

(2) Require that all new construction and substantial improvements of residential structures within Zones A1-30, AE and AH zones on the community's FIRM have the lowest floor (including basement) elevated to or above the base flood level, unless the community is granted an exception by the Federal Insurance Administrator for the allowance of basements in accordance with §60.6 (b) or (c);

(3) Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the community's firm (i) have the lowest floor (including basement) elevated to or above the base flood level or, (ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(4) Provide that where a non-residential structure is intended to be made watertight below the base flood level, (i) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (c)(3)(ii) or (c)(8)(ii) of this section, and (ii) a record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the official designated by the community under §59.22(a)(9)(iii);

(5) Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(6) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement.

(7) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified);

(8) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of nonresidential structures (i) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or (ii) together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in §60.3(c)(3)(ii);

(9) Require within any A99 zones on a community's FIRM the standards of paragraphs (a)(1) through (a)(4)(i) and (b)(5) through (b)(9) of this section;

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(11) Require within Zones AH and AO, adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

[41 FR 46975, Oct. 26, 1976. https://ecfr.io/Title-44/

the base flood. Wind loading values used shall be those required by applicable State or local building standards.

Such enclosed space shall be useable solely for parking of vehicles, building access, or storage.

(6) Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, and V on the community's FIRM;

(7) Prohibit man-made alteration of sand dunes and mangrove stands within Zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.

(8) Require that manufactured homes placed or substantially improved within Zones V1-30, V, and VE on the community's FIRM on sites

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs (e)(2) through (7) of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones VI-30, V, and VE on the community's FIRM meet the requirements of paragraph (c)(12) of this section.

(9) Require that recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either

(i) Be on the site for fewer than 180 consecutive days,

(ii) Be fully licensed and ready for highway use, or

(iii) Meet the requirements in paragraphs (b)(1) and (e) (2) through (7) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(f) When the Federal Insurance Administrator has provided a notice of final base flood elevations within Zones A1-30 or AE on the community's FIRM, and, if appropriate, has designated AH zones, AO zones, A99 zones, and A zones on the community's FIRM, and has identified flood protection restoration areas by designating Zones AR, AR/A1-30, AR/AE, AR/AH, AR/AO, or AR/A, the community shall:

(1) Meet the requirements of paragraphs (c)(1) through (14) and (d)(1) through (4) of this section.

(2) Adopt the official map or legal description of those areas within Zones AR, AR/A1-30, AR/AE, AR/AH, AR/A, or AR/AO that are designated developed areas as defined in §59.1 in accordance with the eligibility procedures under §65.14.

(3) For all new construction of structures in areas within Zone AR that are designated as developed areas and in other areas within Zone AR where the AR flood depth is 5 feet or less:

(i) Determine the lower of either the AR base flood elevation or the elevation that is 3 feet above highest adjacent grade; and

(ii) Using this elevation, require the standards of paragraphs (c)(1) through (14) of this section.

(4) For all new construction of structures in those areas within Zone AR that are not designated as developed areas where the AR flood depth is greater than 5 feet:

(i) Determine the AR base flood elevation; and

(ii) Using that elevation require the standards of paragraphs (c)(1) through (14) of this section.

(5) For all new construction of structures in areas within Zone AR/A1-30, AR/AE, AR/AH, AR/AO, and AR/A:

(i) Determine the applicable elevation for Zone AR from paragraphs (a)(3) and (4) of this section;

(ii) Determine the base flood elevation or flood depth for the underlying A1-30, AE, AH, AO and A Zone; and

(iii) Using the higher elevation from paragraphs (a)(5)(i) and (ii) of this section require the standards of paragraphs (c)(1) through (14) of this section.

(6) For all substantial improvements to existing construction within Zones AR/A1-30, AR/AE, AR/AH, AR/AO, and AR/A:

(i) Determine the A1-30 or AE, AH, AO, or A Zone base flood elevation; and

(ii) Using this elevation apply the requirements of paragraphs (c)(1) through (14) of this section.

(7) Notify the permit applicant that the area has been designated as an AR, AR/A1-30, AR/AE, AR/AH, AR/AO, or AR/A Zone and whether the structure will be elevated or protected to or above the AR base flood elevation.

[41 FR 46975, Oct. 26, 1976]

Editorial Note: For Federal Register citations affecting §60.3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

September 27^{th}, 2021

Rec'd
SEP 30 2021

David Kowalsky
14631 Balsam St
Southgate, MI 48195

TO: All City of Southgate Council Members

Dear City Council Members:

I'm writing you today, as I was informed that there are NO in person meetings due to the virus.

In a meeting in August 2014 in Mayor Kuspa Office member of Hennessey Eng including John Miller told Mayor Kuspa, that the intersection of Kennebec and Balsam St had failed as a result caused the damage to my property (driveway).

Mayor Kuspa agreed with the finding of Hennessey Eng and the intersection was replaced starting August 23, 2016. But, the damage caused by the failed intersection has not been addressed. I'm hopeful that we can resolve this situation.

As a gesture of good faith, I offer this proposal for your consideration. I'll agree to pay 40% which is $3.872.00 of the cost, (see attached estimate) with Alastra Construction doing the work. Mr. Alastra pointed out some section of the driveway must be raised 2 inches and others lowered 1 inch. This is more than just replacing concrete.

Sometime ago I sent a booklet, showing the damage caused by the road to each council members; therefore, I'm not enclosing any photos at this time.

I'm hopeful that you will address this matter at the next council meeting.
I invite all council members to personally inspect the driveway and see the damage for yourself.

Thanks for your consideration.

Respectively,

David Kowalsky

David Kowalsky

Alastra Construction

18110 W Jefferson
Riverview, Michigan 48193
Phone 734 284-2422
Residential - Commercial - Our Work is Concrete

8/10/2021
Proposal Submitted to
David Kowalsky
14631 Balsam
Southgate, Michigan 48195
Phone 734 282-2281
Email: dk47koda@gmail.com

We hereby propose to furnish all materials and perform all the labor necessary for the completion of: Proposed work.
Remove/ Replace Driveway Sections 52' X10' 4" Concrete 33' X 24' 4" Concrete
Concrete is 6 Bag Mix

With Payments made as follows: PAYMENT UPON COMPLETION $9,680.00

Any Alteration or deviation from the specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes accidents or delays beyond our control. Owner to carry fire tornado and other necessary insurance upon work. Workers Compensation and Public Liability Insurance to be taken out by Alastra Construction.
Permit fee for cancelled contract after permit is being obtained or obtained will be $200.00. IN ADDITION TO THE PERMIT FEE IF OBTAINED. NO Exceptions.

Any work along curb city line or roadway required by city building department, Will Be Additional Fee.
Any Concrete found to have steel upon removal will be additional fee

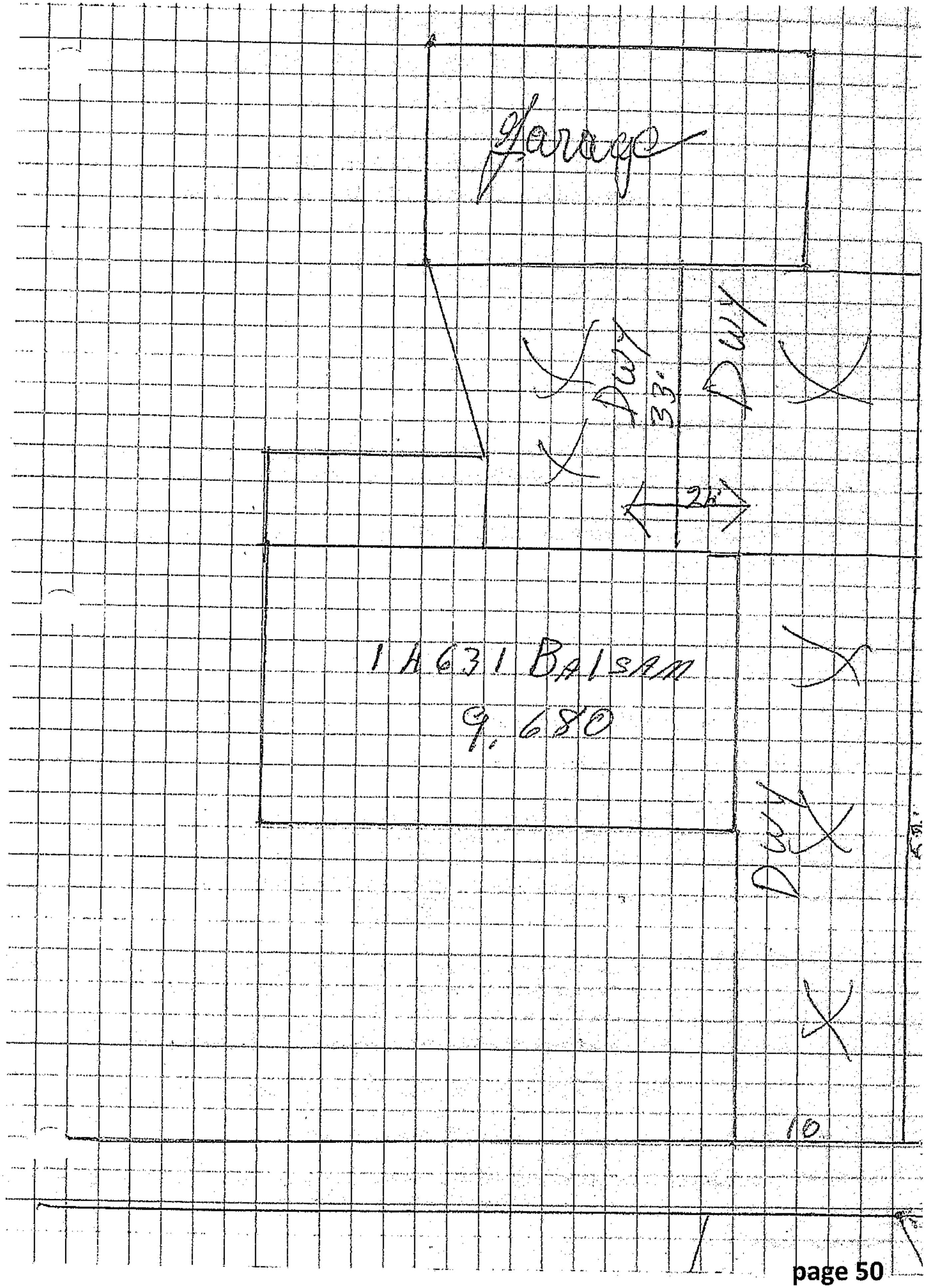
Respectfully Submitted Joe Alastra per Alastra Construction

Note this proposal may be withdrawn by us if not accepted within days.

ACCEPTANCE OF PROPOSAL

The above prices specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date Accepted ____________________ Signature ______________________________


Garage
Dwy
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