

ORDINANCE NO. ORD-24-27

First Reading: October 7, 2024
Public Hearing: October 21, 2024

Approved: October 21, 2024
Published: October 31, 2024
Effective: October 31, 2024

ENERGY AND WATER BENCHMARKING

AN ORDINANCE TO AMEND SECTION 1:17 (CODE VIOLATION CITATIONS) OF CHAPTER 1 OF TITLE I AND SECTION 8:458 OF CHAPTER 104 (ENERGY AND WATER BENCHMARKING) OF TITLE VIII.

The City of Ann Arbor ordains that Section 1:17 of Chapter 1 of Title I and Section 8:458 of Chapter 104 of Title VIII of the Code of the City of Ann Arbor be amended as follows:

Section 1. That Section 1:17 (Code violation citations) of Chapter 1 of Title I of the Code of the City of Ann Arbor is amended as follows:

1:17. Code violation citations.

The administrators of the following service areas and units and the persons holding the positions or performing the functions listed within each service area or unit are authorized to issue citations for violations of the indicated chapters of this Code. This designation of authority is in addition to that otherwise provided by law.

(1) *Community services area.*

- (a) Building and rental~~Planning and development~~ services unit (Chapters 2, 26, 27, 28, 33, 38, 47, 50, 55, 65, 79, 82, 94, 97, 99, 100, 101, 102, 103, 104, 105, 106, 116 and 119):

Building Official.

City Planner.

Development Services Inspectors.

Project & Programs Manager.

Senior City Planner.

Zoning Coordinator.

- ~~(b) Community television network—Public information services unit (Chapter 32):~~

~~Cable Administrator.~~

- (b) Planning services unit (Chapters 2, 26, 32, 33, 47, 55, 65, 94, 100, 102, 103, 104, 105, 106, and 119):

City Planner.

Associate Planner.

Planner II.

Senior Planner.

Principal Planner.

Land Development Coordinator.

Zoning Coordinator.

- (c) Parks and ~~recreation~~public space maintenance services unit (Chapters 26, 27, 28, 33, 38, 39, 40, 47, 49, 82, 106 and 119):

Deputy Parks Manager.

Parks and Public Space Maintenance Supervisor.

Parks and Public Space Maintenance Technician.

Natural Area Preservation Manager.

Natural Area Preservation Technician.

Conservation Worker.

Outreach Coordinator.

Conservation Crew Leader.

Field Biologist.

(2) *Public services area.*

- (a) Wastewater ~~treatment~~resource recovery services unit (Chapters 27, 28 and 33):

~~Wastewater Treatment Services~~Water Resource Recovery Manager.

Administrative Assistant to ~~Wastewater Treatment Services~~Water Resource Recovery Manager.

- (b) Systems planning unit (Chapters 26, 27, 28, 32, 33, 40, 47, 55, 69, 70, 71, 72, 100, 106, 116 and 119):

Systems Planning Unit Manager.

Environmental Services Manager~~Coordinator~~.

Fertilizer Program Administrator.

Urban Forestry and Natural Resources Planning Coordinator.

Stormwater and Floodplain Programs Coordinator.

Land Development Coordinator.

Water Quality Manager.

Solid Waste Manager~~& Recycling Coordinator~~.

Stormwater & Water Resources Regulatory Coordinator.

- (c) Project management Engineering services unit (Chapters 27, 28, 32, 33, 38, 40, 47, 49, 50, 55, 59, 100, 106, 119, and 126):

Project Management Manager–City Engineer.

Senior Project Manager.

Project Manager.

Senior Project Engineer.

Project Engineer.

Civil Engineer Specialists' Supervisor.

Civil Engineer Specialist.

(3) *Safety services area.*

- (a) Fire services unit (Chapters 27, 93, 99, 100, 101, 104, 105, 106, 111, 115, 116 and 126):

Fire Chief.

Assistant Fire Chief.

Battalion Chief.

Captain.

Lieutenant.

Driver Operator.

Fire Fighter.

Fire Marshal.

Fire Inspectors.

- (b) Police services unit.

Police Service Specialists (Chapters 38, 39, 47, 49, 70, 72, 73, 75, 82, 85, 106, 107, 111, 114, 115, 119, 120, 126 and 127).

Community Standards Officers (Chapters 26, 30, 32, 40, 47, 49, 55, 59, 61, 70, 72, 73, 75, 79, 82, 102, 104, 105, 106, 111, 120 and 126).

Telecommunicator (Chapter 93).

(4) City administrator services area.

- (a) Human resources services unit (Chapters 23 and 112):

Human Resources Manager.

Human Rights Coordinator.

Human Rights Investigator.

- (b) Sustainability and innovations unit (Chapters 75, 102, and 104):

Sustainability and Innovations Director.

Sustainability and Innovations Manager.

Energy Manager.

Energy Official.

Energy Analyst.

Energy Analyst and Enforcement Officer.

Energy Manager.

Section 2. That Section 8:458 of Chapter 104 (Energy and Water Benchmarking) of Title VIII of the Code of the City of Ann Arbor is amended as follows:

8:458. Violations and enforcement.

(1) A violation of any provision of this chapter is a civil infraction punishable by a fine of not more than \$500.00 for a first offense, and not more than \$1,000.00 for each additional or subsequent offense, plus the costs of prosecution including court costs. Each act or violation and every day upon which any such violation shall occur shall constitute a separate offense. ~~Violations of this chapter shall be enforced by Planning and Development Services Unit employees.~~ The court may issue and enforce any judgment, writ, or order necessary to enforce this chapter.

(2) Knowingly submitting a false benchmarking report or submitting it with reckless disregard for the truth and accuracy of it and/or the data on which it is based is a civil infraction punishable by a fine of not more than \$500.00 plus the costs of prosecution including court costs.

(3) *Remedies not exclusive.* In addition to any remedies provided in this chapter, any equitable or other remedies may be sought.

Section 3. In the event that any court of competent jurisdiction shall hold any provision of this Ordinance invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision thereof.

Section 4. This ordinance shall take effect immediately upon legal publication.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of October 21, 2024.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor of the City of Ann Arbor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk's webpage on October 31, 2024.

Jacqueline Beaudry, Ann Arbor City Clerk