

DETROIT GREEN POLICY CASE STUDIES

EXAMPLES OF GREEN ORDINANCES

City Council has passed several recent ordinances and resolutions that are intended to make Detroit a healthier and greener city. They are marked by great public/nonprofit/philanthropic/interagency collaboration, and ongoing monitoring and troubleshooting. Following are three examples.

ANTI-IDLING ORDINANCE (2008)

Issue: Diesel truck emissions are harmful to human health. Unnecessary idling causes even dirtier emissions because the catalytic converter cannot work properly. In addition to air pollution, idling wastes fuel, elevates noise levels, and shortens the life of the engine. Reducing idling would conserve fuel, save companies money, and protect neighborhood health, as well as the health of the driver.

Solution: Adopted an anti-idling ordinance that allows Detroit Police Department (DPD) traffic enforcement to ticket commercial trucks idling for longer than five minutes in a 60-minute period. Fines are \$150 for the driver and up to \$500 for the owner. Up to three tickets can be issued in an hour.

CHALLENGES BEING ADDRESSED IN ANTI-IDLING WORK GROUP

- DPD was targeting commercial delivery trucks in Eastern Market instead of focusing on unnecessary idling near residential areas, which was the intent
- There is no specific number for residents to call to report a violation
- There needs to be an efficient system for identifying hot spots for idling violations
- Companies did not know about the ordinance and were upset

DETROIT LEAD ORDINANCE (2010)

Issue: Landlords are required to disclose known lead hazards to renters, but not required to find out if there are lead hazards in rental properties. Lead inspections were only triggered when a child was found to have already been lead-poisoned.

Solution: Adopted a Detroit lead ordinance as part of the property maintenance code, which requires landlords to conduct annual lead inspection/risk assessment and address lead hazards in order to obtain certificate of occupancy.

CHALLENGES BEING ADDRESSED IN LEAD ENFORCEMENT WORK GROUP

- Good landlords felt punished because the City is behind on enforcement
- State list of lead inspectors/risk assessors distributed by the City included companies that were not providing proper inspection reports, which were rejected by the City, and landlords had no way of getting their money back
- There is supposed to be a second clearance inspection after lead abatement, which has been very difficult to do because inspectors cannot get back into the house
- Some landlords (such as elderly) cannot afford lead abatement, which can cost tens of thousands of dollars

URBAN AGRICULTURE ORDINANCE (2013)

Issue: Urban gardens and small farms—and possibly even large farms—have been growing in popularity as ways to productively use vacant land and grow healthy food. However, the City did not have legislation to make it a legal activity or to regulate it properly.

Solution: Adopted an Urban Agriculture Ordinance that allowed agricultural activities such as gardens, hoop houses, farms, and farm stands as conditional or by-right land uses in various zoning designations.

CHALLENGES BEING ADDRESSED

- Resolve whether allowing agricultural uses in existing zoning designations adequately allows the City and neighborhoods to use planning and zoning to create a long-term vision for urban agriculture in Detroit.

Other ordinances not described in detail here include the Green Purchasing Ordinance (2011), Vacant Property Ordinance (2010), Food Security Policy (2008), New Business Model for Solid Waste Management (2008), Non-Motorized Plan (2006). Two additional ordinances under review at the Law Department are the Good Food Ordinance and Complete Streets Ordinance. In Detroit's strong mayor form of government, the impact of council resolutions and ordinances would benefit from equal support by the administrative branch.