

CITY OF TRAVERSE CITY GENERAL POLICIES INDEX

<u>No.</u>	<u>Title</u>	<u>Date</u>
41	Accident Investigations	October 2010
40	Alcohol Prohibition on City-Owned Property	October 2010
44	Appearance Tickets - Auto Parking System	October 2010
45	Appearance Tickets - Code Enforcement (October 2010) amended	June 2012
02	Assessor's Department Functions	October 2010
10	Assistant City Manager/Acting City Manager	October 2010
55	Assistant City Manager/Acting City Manager	March 2015
17	Bonds for City Projects	October 2010
48	Cell Phone Policy (superseded by Personnel Policy #217P)	
03	Clerk's Department Functions	October 2010
14	Computation of Work Charges	August 2011
12	Daily Money Delivery to Treasurer	October 2010
18	Employee Conduct Complaint Policy (superseded by Administrative Order #219P [moved to Personnel Policies])	
38	Employee Use of Vehicles	October 2010
04	Engineering Department Functions	October 2010
46	Equal Enforcement	Sept. 9, 2010
22	Event Reimbursement and Deposit	October 2010
50	Excavation and Street Opening Bonds	May 2012
13	Expenditures of Tax Dollars for Municipal Purposes	October 2010
11	Financial Analyst/Compliance Officer	October 2010
05	Fire Department Functions	October 2010
25	Granting Connection to City Street Executive Order No. 352	October 2010
30	Harbor Rules; Boat Launching Rules; Prohibited Mooring Locations	October 2010
19	HIPAA Privacy Rule Hybrid Entity Designation (superseded By Personnel Policy 221P)	
37	Hunting/Trapping Prohibited at Keystone Road Property	October 2010
16	Insurance Guidelines for Contracts and Service Orders	October 2010
52	Jay Smith Walkway Project Contribution Policy	June 22, 2012

<u>No.</u>	<u>Title</u>	<u>Date</u>
47	Non-Discrimination Policy	October 2010
32	Oakwood Cemetery Rules	June 2014
31	Park Rules (Pets; Hours of Operation; Scheduling use of)	June 2013
42	Parking Meter Administration - City Legal Holidays	October 2010
43	Parking Tickets, Issuance of & Disputed	October 2010
53	Pedicab Public Transportation	March 2013
01	Personnel Policies	October 2010
06	Planning Department Functions	October 2010
07	Police Department Functions	October 2010
23	Prohibited Streets for Pedicab Public Transportation	October 2010
28	Property Descriptions	October 2010
39	Public Education Trailer Loan Agreement	October 2010
08	Public Services Department Functions	October 2010
15	Purchasing Functions	October 2010
20	Real Estate Closings	October 2010
27	Requests for Warning Signs	October 2010
35	Scrap or Salvage Materials	October 2010
21	Settlement of Contested Tax Appeals	October 2010
24	Sidewalk Café Windscreen Regulations	October 2010
34	Soil Erosion and Sedimentation Control Operating Procedure	October 2010
36	Surplus Materials	October 2010
51	Surveillance Video Policy	June 25, 2012
29	Swimming & Diving	July 2016
49	Treelawn Parking	June 2013
26	Traffic Engineer, Traffic Committee and Traffic Control Orders	October 2010
33	Travel Policy (deleted 5/3/12 - Senior Center is now under County)	
09	Treasurer/Finance Department Functions	October 2010
54	Volunteer and Internship Activities	February 2015

**CITY OF TRAVERSE CITY
GENERAL POLICIES
INDEX**

<u>No.</u>	<u>Title</u>	<u>Date</u>
01	Personnel Policies	October 2010
02	Assessor's Department Functions	October 2010
03	Clerk's Department Functions	October 2010
04	Engineering Department Functions	October 2010
05	Fire Department Functions	October 2010
06	Planning Department Functions	October 2010
07	Police Department Functions	October 2010
08	Public Services Department Functions	October 2010
09	Treasurer/Finance Department Functions	October 2010
10	Assistant City Manager/Acting City Manager	October 2010
11	Financial Analyst/Compliance Officer	October 2010
12	Daily Money Delivery to Treasurer	October 2010
13	Expenditures of Tax Dollars for Municipal Purposes	October 2010
14	Computation of Work Charges	August 2011
15	Purchasing Functions	October 2010
16	Insurance Guidelines for Contracts and Service Orders	October 2010
17	Bonds for City Projects	October 2010
18	Employee Conduct Complaint Policy (superseded by Administrative Order #219P [moved to Personnel Policies])	
19	HIPAA Privacy Rule Hybrid Entity Designation (superseded By Personnel Policy 221P)	
20	Real Estate Closings	October 2010
21	Settlement of Contested Tax Appeals	October 2010
22	Event Reimbursement and Deposit	October 2010
23	Prohibited Streets for Pedicab Public Transportation	October 2010
24	Sidewalk Café Windscreen Regulations	October 2010
25	Granting Connection to City Street Executive Order No. 352	October 2010
26	Traffic Engineer, Traffic Committee and Traffic Control Orders	October 2010

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27	Requests for Warning Signs	October 2010
28	Property Descriptions	October 2010
29	Swimming & Diving	July 2016
30	Harbor Rules; Boat Launching Rules; Prohibited Mooring Locations	October 2010
31	Park Rules (Pets; Hours of Operation; Scheduling use of)	June 2013
32	Oakwood Cemetery Rules	June 2014
33	Travel Policy (deleted 5/3/12 - Senior Center is now under County)	
34	Soil Erosion and Sedimentation Control Operating Procedure	October 2010
35	Scrap or Salvage Materials	October 2010
36	Surplus Materials	October 2010
37	Hunting/Trapping Prohibited at Keystone Road Property	October 2010
38	Employee Use of Vehicles	October 2010
39	Public Education Trailer Loan Agreement	October 2010
40	Alcohol Prohibition on City-Owned Property	October 2010
41	Accident Investigations	October 2010
42	Parking Meter Administration - City Legal Holidays	October 2010
43	Parking Tickets, Issuance of & Disputed	October 2010
44	Appearance Tickets - Auto Parking System	October 2010
45	Appearance Tickets - Code Enforcement (October 2010) amended	June 2012
46	Equal Enforcement	Sept 9, 2010
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49	Treelawn Parking	June 2013
50	Excavation and Street Opening Bonds	May 2012
51	Surveillance Video Policy	June 25, 2012
52	Jay Smith Walkway Project Contribution Policy	June 22, 2012
53	Pedicab Public Transportation	March 2013
54	Volunteer and Internship Activities	February 2015
55	Assistant City Manager/Acting City Manager	March 2015

CITY OF TRAVERSE CITY
CITY MANAGER'S
ADMINISTRATIVE ORDERS

- 01 Personnel Policies
- 02 Assessor's Department Functions
- 03 Clerk's Department Functions
- 04 Engineering Department Functions
- 05 Fire Department Functions
- 06 Planning Department Functions
- 07 Police Department Functions
- 08 Public Services Department Functions
- 09 Treasurer/Finance Department Functions
- 10 Assistant City Manager/Acting City Manager
- 11 Financial Analyst/Compliance Officer
- 12 Daily Money Delivery to Treasurer
- 13 Expenditures of Tax Dollars for Municipal Purposes
- 14 Computation of Work Charges
- 15 Purchasing Functions
- 16 Insurance Guidelines for Contracts and Service Orders
- 17 Bonds for City Projects
- 18 Employee Conduct Complaint Policy
- 19 HIPAA Privacy Rule Hybrid Entity Designation
- 20 Real Estate Closings
- 21 Settlement of Contested Tax Appeals
- 22 Event Reimbursement and Deposit
- 23 Prohibited Streets for Pedicab Public Transportation
- 24 Sidewalk Café Windscreen Regulations
- 25 Granting Connection to City Street-Executive Order 352
- 26 Traffic Engineer, Traffic Committee & Traffic Control Orders
- 27 Requests for Warning Signs
- 28 Property Descriptions
- 29 Swimming & Diving
- 30 Harbor Rules; Boat Launching Rules; Prohibited Mooring Locations
- 31 Park Rules (Pets; Hours of Operation; Scheduling Use of)
- 32 Oakwood Cemetery Rules
- 33 Travel Policy
- 34 Soil Erosion and Sedimentation Control Operating Procedure
- 35 Scrap or Salvage Materials
- 36 Surplus Materials
- 37 Hunting/Trapping Prohibited at Keystone Road Property
- 38 Employee Use of Vehicles
- 39 Public Education Trailer Loan Agreement
- 40 Alcohol Prohibition on City-Owned Property
- 41 Accident Investigations
- 42 Parking Meter Administration - City Legal Holidays
- 43 Parking Tickets, Issuance of & Disputed
- 44 Appearance Tickets - Auto Parking System
- 45 Appearance Tickets - Code Enforcement
- 46 Equal Enforcement
- 47 Non-Discrimination Policy
- 48 Cell Phone Policy
- 49 Treelawn Parking
- 50 Excavation and Street Opening Bonds
- 51 Surveillance Video Policy
- 52 Jay Smith Walkway Project Contribution Policy
- 53 Pedicab Public Transportation
- 54 Volunteer and Internship Activities
- 55 Assistant City Manager/Acting City Manager

City of Traverse City
Administrative Code of the City Manager

Preface

This Administrative Code is created pursuant to Traverse City Charter Section 39, which states in part:

Administrative Departments. The City Manager shall establish regulations setting forth the duties and the procedures to be followed in each department and office of the City government, which regulations shall be compiled and shall be known as "The Administrative Code."
Traverse City Charter, Section 39.

Administrative Orders are the City Manager's guidelines, policies and policy determinations initiated by the City Manager or staff when a clarification or determination is needed. The Administrative Orders are drafted and signed by the City Manager and issued a sequential number from the Administrative Order book. Each City Department shall retain an Administrative Code Book. All City employees shall be made aware of and become familiar with the Administrative Orders. This Administrative Code shall contain valid existing Administrative Orders (previously called Executive Orders) and all Administrative Orders hereafter.

Previously, the Administrative Code consisted of consecutively numbered Executive Orders from 100-359, the first issued in 1945. Notations have been made on those original Executive Orders as to the reasons that they are no longer followed. All original Executive Orders will be kept as a permanent record in the City Clerk's Office.

Dated: October 18, 2010



R. Ben Bifoss
City Manager

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 01**

TITLE: PERSONNEL POLICIES
DEPTS. AFFECTED: ALL (unless otherwise noted)
EFFECTIVE DATE: OCTOBER 2010

The Human Resources Department will retain an Employee Handbook which will include all Personnel Policies and will be provided to all City employees.



R. Ben Bifoss, City Manager

History: These policies include previous Executive Orders, and other policies pertaining to City personnel.

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 02**

TITLE: ASSESSOR'S DEPARTMENT FUNCTIONS
DEPTS. AFFECTED: ASSESSOR
EFFECTIVE DATE: OCTOBER 2010

The Assessor's Office of the City of Traverse City shall perform the following functions:

Tax assessing services such as are traditionally or customarily performed by the City Assessor. These services shall include appraising and assessing all taxable properties inside the City and maintaining records; processing the assessment roll, tax roll and tax bills; administering Board of Review sessions; processing and defending appraisals and assessments on appeals; processing Special Improvement Districts for public improvements.

The City Assessor shall act as head of this department and shall also prescribe rules and regulations for further administration of this department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #256 dated March 1, 1991

Cross-Ref: Charter, Sections 39 and 46

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 03**

TITLE: CLERK'S DEPARTMENT FUNCTIONS
DEPTS. AFFECTED: CLERK'S
EFFECTIVE DATE: OCTOBER 2010

The Clerk's Department of the City of Traverse City shall perform the following functions:

Legislative process administration and other services such as are traditionally or customarily performed by the City Clerk.

These services shall include: administrative and legislative City Commission services, including auditing and reviewing items being presented to the City Commission to reduce city exposure and achieve desired results, thorough preparation of City Commission meeting packets and assurance of completion of items acted upon by City Commission; administering all federal, state, school and local elections; assisting departments in researching, interpreting and preparing ordinance amendments; directing the codification and official documentation of all Codified Ordinances of the City and the City Charter; attending meetings and preparing and maintaining official vital records of the City, and managing/auditing records of the Planning Commission, Board of Zoning Appeals and Historic Districts Commission.

Other services shall include: administering and issuing licenses, permits and registrations; handling ordinance matters; serves as Parliamentarian; serves as FOIA (Freedom of Information Act) Coordinator; serves as Privacy Official for the City's HIPAA Privacy Policy, including the L & P Department; administering policies and procedures related to HIPAA; administering the City's liability insurance program; directing the recruitment and eligibility process for all fire fighter and fire inspector entrants, directing the eligibility list process for both branches of promotional (Fire Lieutenant and Fire Captain) employees of the Fire Department; maintaining cemetery records; administering the appointment process for all City boards and committees; and providing concentrated administrative service to the City of Traverse City and Charter Township of Garfield Recreational Authority and the Local Officers Compensation Commission.

The City Clerk shall act as head of this department and shall also prescribe rules and regulations for further administration of this department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #278 dated September 9, 2008
Cross-Ref: Charter, Sections 39 and 44

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 04**

TITLE: ENGINEERING DEPARTMENT FUNCTIONS
DEPTS. AFFECTED: ENGINEERING
EFFECTIVE DATE: OCTOBER 2010

The Engineering Department of the City of Traverse City shall perform the following functions:

Engineering services that are traditionally or customarily performed by the City Engineer. These services shall include engineering and surveying work and assistance of an administrative and technical nature to all City departments; site plan review, review of excavations, water main and sewer main construction and issuing permits, soil erosion and storm water runoff control permits, preparation of legal descriptions, maintaining property records and maps; establishing design standards for projects in the City, including streets, crosswalks, pedestrian walkways and flood plains; establishing plans and specifications for work in City right-of-way easements and property and issuing related permits; providing construction administration of special assessment projects and other City construction, inspection of improvements. The Department shall serve as the municipal enforcing agent for soil erosion and sedimentation control as authorized by the State of Michigan under Part 91 of P.A. 451 (1994).

The City Engineer shall act as head of this department and shall also prescribe rules and regulations for further administration of this department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #259 dated March 1, 1991

Cross-Ref: Charter, Sections 39 and 48

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 05**

TITLE: FIRE DEPARTMENT FUNCTIONS

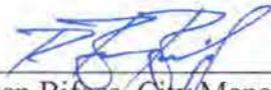
DEPTS. AFFECTED: FIRE

EFFECTIVE DATE: OCTOBER 2010

The Fire Department of the City of Traverse City shall perform the following functions:

Fire protection services such as are traditionally or customarily performed by the Fire Department such as firefighting, inspecting hazardous materials, investigating fires, enforcing fire codes, providing general public education, licensing/permitting, training and providing rescue services.

The Fire Chief shall act as head of this department and shall also prescribe rules and regulations for further administration of this department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order 321 dated May 1, 2002.

Cross-Ref: Charter, Section 39

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 06**

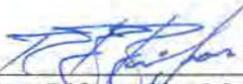
TITLE: PLANNING DEPARTMENT FUNCTIONS
DEPTS. AFFECTED: PLANNING
EFFECTIVE DATE: OCTOBER 2010

The Planning Department of the City of Traverse City shall perform the following functions:

Planning and zoning services such as are traditionally or customarily performed by the Planning Department. These services shall include administering all matters concerning zoning, special land use permits, sign permits, nonconforming use permits, staffing the City Planning Commission and the Grand Traverse Commons Joint Commission, Board of Zoning Appeals, Historic Districts Commission; reviewing site plans, lot splits and street and alley vacation; acting as a member of various planning-related committees; assisting with Capital Improvement Plan; writing grant applications; designing parks, recreational areas and facilities, signs, and parking lots; writing various City plans; interpreting the City Master Plan.

The Code Enforcement Officer shall be designated as the "Housing Administrator" for the City of Traverse City. The Housing Administrator shall oversee and enforce the Rental Housing Regulations. This position shall be under the direction of the Planning Director.

The City Planner shall act as head of this department and shall also prescribe rules and regulations for further administration of this department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #262 dated March 1, 1991 and Executive Order #328 dated February 2, 2009

Cross Ref: Charter, Section 39, T.C. Code, Section 1482.05

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 07**

TITLE: POLICE DEPARTMENT FUNCTIONS
DEPTS: AFFECTED: POLICE
EFFECTIVE DATE: OCTOBER 2010

The Police Department of the City of Traverse City shall perform the following functions: Law enforcement services such as are traditionally or customarily performed by the Police Department. These services shall include the enforcement of laws and ordinances, maintaining records and reports; investigating complaints, accidents and crimes; preserving evidence; providing surveillance, gathering intelligence, interrogating criminals, supervising cases; inspecting vehicles and firearms; monitoring pawnshops and gold and silver exchanges; conducting searches; providing school crossing guards and providing educational services in crime prevention and personal safety. The Police Chief acts as Harbor Master and Noise Control Officer.

The Police Chief shall act as head of this department and shall also prescribe rules and regulations for further administration of this department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #263 dated March 1, 1991
Cross-Ref: Charter, Section 39

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 08**

TITLE: PUBLIC SERVICES DEPARTMENT FUNCTIONS
DEPTS. AFFECTED: PUBLIC SERVICES
EFFECTIVE DATE: OCTOBER 2010

The Public Services Department of the City of Traverse City shall perform the following functions:

Public services such as are traditionally or customarily performed by the Department of Public Services, such as all matters relating to management, maintenance and operation of the physical properties of the City.

These services shall include:

1. Managing, operating, maintaining and repairing all City-owned parklands, fixtures, buildings and grounds, including:
 - a. Oakwood Cemetery
 - b. Duncan L. Clinch Marina
 - c. Brown Bridge property
 - d. City-owned rental properties
 - e. Hickory Hills ski area, including tows, lodge and related facilities
 - f. Department of Public Services buildings and properties
 - g. Senior Center
 - h. Union Street Dam
 - i. Water/Sewer Maintenance Division
 - j. Water Treatment Plant.
2. Planting and maintaining City trees, flowers and lawns.
3. Building and maintaining ice-skating rinks.
4. Organizing, controlling and supervising community recreation and leisure services including competitive team sports, passive recreational activities and major competitive events.
5. Operating a summer day camp program.
6. Recruiting, training and supervising lifeguards provided for public beaches.
7. Maintaining, repairing, constructing and reconstructing all public streets, alleys, sidewalks, public parking areas, meters and other related fixtures; bridges and other rights-of-way, including street markings, signs and other related fixtures.
8. Cleaning and repairing catch basins and manholes on storm sewer systems.
9. Removing leaves and snow from streets and sidewalks; repairing sidewalks raised or damaged by tree roots.

10. Purchasing, maintaining, repairing and providing fuel for all City-owned vehicles and equipment.
11. Providing maintenance and welding services to other departments.
12. Treating drinking water; making taps and installing service leads; installing, maintaining and repairing all water service facilities including taps, water mains, pumps, valves, hydrants, meters and distribution lines; investigating water complaints, testing water, thawing frozen water mains, operating water storage tanks, operating booster pump stations, reading meters, staking and removing snow from hydrants.
13. Cleaning, repairing, maintaining and video televising of sewage system lines, structures and manholes, investigating sewer complaints, inspecting dischargers for illegal discharges, investigating pollution complaints and participating in the MISS DIG utility location system.

The Director of the Department of Public Services shall act as head of this department and shall also prescribe rules and regulations for further administration of this department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order No. 334 dated July 1, 2004

Cross- Ref: Charter, Section 39

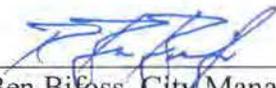
**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 09**

TITLE: TREASURER/FINANCE DEPARTMENT FUNCTIONS
DEPTS. AFFECTED: TREASURER
EFFECTIVE DATE: OCTOBER 2010

The Treasurer's Department of the City of Traverse City shall perform the following functions:

Financial services such as are traditionally or customarily performed by the City Treasurer. These services shall include collection of taxes, utilities and rental property proceeds, handling accounts receivable and accounts payable; handling investments; administering Traverse City Act 345 Retirement System; preparing, maintaining and monitoring ledgers and sub-ledgers for all City financial activities including taxes; preparing and reviewing City budget.

The City Treasurer/Finance Director shall act as head of this department and shall also prescribe rules and regulations for further administration of this department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #266 dated March 1, 1991

Cross Ref: Charter, Sections 39 and 45

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 10**

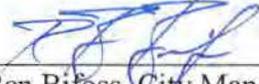
*Superseded
by Admin
Order # 55*

TITLE: ASSISTANT CITY MANAGER/ACTING CITY MANAGER

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: OCTOBER 2010

The Assistant City Manager will be the Acting City Manager, with the task of day-to-day operations of the City, and authorized to execute contracts on behalf of the City Manager whenever the City Manager is away from the office for a day or more.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #326 dated March 4, 2003

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 11**

TITLE: FINANCIAL ANALYST/COMPLIANCE OFFICER
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: OCTOBER 2010

The City's Financial Analyst/Compliance Officer is required to provide oversight of the financial activities for all City Departments and the City's Component Units, which includes testing of internal controls and verification of the accuracy of various data.

In addition, this position is also required to monitor their overall compliance with existing municipal law, administrative orders and internal policies and procedures. As such, this position is to be given ready access to pertinent department records and operations of each City Department and of each of the City's Component Units in order to fulfill this responsibility.

Any questions or concerns should be addressed to the City Treasurer/Finance Director.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #348 dated March 6, 2006

Cross-Ref:

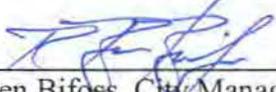
**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 12**

TITLE: DAILY MONEY DELIVERY TO TREASURER

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: OCTOBER 2010

Each department shall deliver to the Treasurer's office by the end of each day all money received that day, whether cash, coins, checks or money orders if the total amount is over \$100, except that APS shall deposit all money received at the end of the following day. For those departments with weekend operations, deposits shall be made as soon as possible on Monday.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #323 dated July 18, 2002

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 13**

TITLE: EXPENDITURES OF TAX DOLLARS
FOR MUNICIPAL PURPOSES

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: OCTOBER 2010

Upon reviewing the guidelines provided by the Michigan Department of Treasury and upon the advice and direction of the City Attorney, the following expenditures of tax dollars have been found to be proper and appropriate for municipal purposes within the following constraints:

1. The City may provide a retirement plaque to those employees officially retiring from service to the City and to City Commissioners at the end of their service. In addition, the City may provide up to \$100 for food, nonalcoholic beverages or supplies incident to a retirement party for only those employees that are retiring within the definition of MERS or Act 345.
2. The City may provide up to \$2,000 annually for food, nonalcoholic beverages, or supplies incident to an annual event for City employees and elected officials.
3. The City may provide funds for an annual volunteer appreciation dinner for recognition of individuals who serve on City boards and committees.
4. The City may provide a gift or contribution from the operation revenues of a municipal utility (i.e., Light and Power, Water, and Sewer) in accordance with 1969 PA 301; MCL 123.391.
5. The City may from time to time provide reasonable expenditures for food and nonalcoholic beverages incident to meetings of City boards and Commissions that are providing a municipal purpose and benefit.
6. The City may provide flowers or memorials for a bereavement occasion of a City official or former City official, City employee or former City employee. Bereavement occasion shall be defined as the death of any relative of the official or employee as indicated in the City's emergency funeral leave policy.

The following expenditures are inappropriate and not acceptable for municipal purposes:

1. Expenditures for flowers, memorial or gifts to the sick, to those newly married or births.
2. Expenditures for holiday parties on or off City premises.
3. Expenditures for donations or gifts of any amount for any reason except those allowed by statute.
4. Expenditures for candy, food, snacks, coffee, doughnuts, beverages, etc., for employees while working or for distribution to the public at large, other than for distribution to the

public at large for a City function serving a municipal purpose and benefit, such as the Police or Fire Department distribution of Halloween candy.

5. Expenditures for door prizes or raffles.


R. Ben Bifoss, City Manager

History: Supersedes Executive Order #308 dated April 20, 1998

Cross-Ref: Opinion of City Attorney to City Treasurer, 4/30/97
MCL 123.391

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 14**

TITLE: COMPUTATION OF WORK CHARGES

DEPTS. AFFECTED: ALL

DATE: AUGUST 2011

For all work performed for others for which a billing is to be made at completion, costs shall be computed monthly and recorded. Billing shall be made as soon as possible after completion of the work.

Computation of the costs to be used for billing for work performed for others shall be as follows:

1. Special Improvement Ordinance

The costs of labor, material and equipment (at State Highway Department Rental Rates) for work performed under a special improvement ordinance shall include charges for labor plus 40% overhead plus material and equipment at cost:

Example:

Labor	XX
40% overhead (Labor only)	XX
Material	XX
Equipment (State Highway Department Rates)	XX
Total Billing Cost	XX

2. Private persons or companies

The costs of labor, material and equipment (at Associated General Contractors' Rental Rates) for work performed for private persons or companies shall include charges for labor plus 40% overhead plus material and equipment at cost:

Example:

Labor	XX
40% overhead (labor only)	XX
Material (cost + 15% overhead)	XX
Equipment (A.G.C. Rates)	XX
Total billing cost	XX

3. Interdepartmental charges-except Garage

The costs of interdepartmental work shall include charges for labor plus (40%) overhead plus material at cost.

Example:

Labor	XX
40% overhead (labor only)	XX
Material (at cost)	XX
Equipment costs	XX
Total billing cost	XX

4. Garage

The Garage has its own lengthy procedure which is not incorporated into this Administrative Order.

5. General Fund Departments

General Fund Departments should complete work charge computations for Enterprise Fund Departments and SID charges.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #341 dated January 5, 2005

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 15**

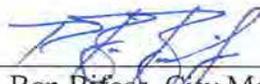
TITLE: PURCHASING FUNCTIONS

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: OCTOBER 2010

Purchasing functions of the City of Traverse City shall be handled by a Purchasing Agent in the City Manager's Office and shall include the following functions:

Purchasing services such as are traditionally or customarily performed by a purchasing department. These services shall include centralized purchasing of equipment, materials, supplies and services; coordination of general bid solicitation; preparation of advertisements; assisting in bid specification formulation; presiding over bid openings and processing standard contracts associated with the purchasing function in accordance with the Purchasing and Contracting Policies and Procedures. The City Manager or Purchasing Agent may delegate authority to handle a department's competitive bidding process to a department in lieu of handling by the Purchasing Agent.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #344 dated September 9, 2008

Cross-Ref: T.C. Code Section 230.01; Purchasing and Contracting Policies and Procedures

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 16**

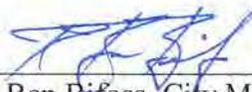
TITLE: **INSURANCE GUIDELINES FOR CONTRACTS AND SERVICE ORDERS**

DEPTS. AFFECTED: **ALL**

EFFECTIVE DATE: **OCTOBER 2010**

The following general guidelines are effective immediately:

1. **Insurance amounts** as shown on the attached chart titled "Insurance Guidelines for Contracts and Service Orders" shall generally be required for the contracts and services indicated (or similar services not indicated). Where possible, such amounts shall be indicated in bid invitations and requests for proposals. For specific services not included on the attached chart or if insurance guidelines need to be modified (when appropriate), please contact the City Clerk's Office.
2. **Proof of insurance** in the form of a certificate of insurance must be submitted to the City Clerk or Purchasing Agent prior to services being rendered.
3. **Waivers of subrogation clauses** are prohibited in any contract.
4. **Hold Harmless by the City clauses** are generally prohibited; exceptions must be approved by the City Attorney.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #355 dated February 15, 2008

Cross-Ref:

Insurance Guidelines for Contracts and Service Orders Date: October 2010

	Little Risk	Low Risk	Moderate Risk	High Risk
	Work performed on contractor/vendor's premises or on City property	-Accidents are highly improbable -If accident occurs, only minor injuries or property damage could result -Work is performed no more than 6 feet off the ground—no construction is involved	-Low to moderate chance of accident -If accident occurs, moderate injuries or property damage could result	-Moderate to high chance of accident -If accident occurs, injuries and property damage could be severe
	-minor repairs -maintenance (except janitorial) -publishing/printing -delivery without set-up -consultants -health services -training	-consultants (excluding arch. & eng. services where decisions may be based on services) -plumbers with no digging -service/repair contractors -delivery (salt, sand, etc.) -delivery with set-up -diving -repair of non-emergency city vehicles	-bricklayers -building maint. (not janitorial) -cement contractors -irrigation installers/landscapers -land grading -roofers -plumbing with minor digging -electricians -delivery (chemicals/fuel) -tour bus (\$2,000,000 vehicle ins) -weed/pest control	-major building construction/renovation -erection/welding projects -heavy construction, excavation, infrastructure, underground contractors, electricians, plumbing with major digging -janitorial services -road/pothole repair contractors -architects (may be moderate, depending on scope) -engineers; -boiler/HVAC repair -chemicals (grounds maint/janitorial) -repair of emergency city vehicles
Commercial general liability	Determined by CM	\$1,000,000 per occurrence	\$1,000,000 per occurrence	\$2,000,000 per occurrence
Professional liability (architects, engineers, consultants, etc.) as applicable	Determined by CM	Provide proof of insurance	\$1,000,000 per occ. ² (or claims made w/ 3 yr report period for certain services)	\$1,000,000 per occurrence ²
Workers Compensation ¹	If on City property	As required by state law		
Automobile liability	If on City property	Transport people or City-owned goods: \$1,000,000 (\$2,000,000 for tour bus) with City as additional insured; otherwise provide proof of ins.		
Garage Keepers Liability (vendor's property)	Determined by CM	\$500,000		\$1,000,000
Owner's protective liability (const. contracts)			\$1,000,000 per occurrence	\$2,000,000 per occurrence
All risk builder's insurance (const. contracts)				In the amount of the contract
Excess liability				As needed for large projects
Environmental/Pollution Liability			\$1,000,000 per occ. - City add. Ins. (or claims made w/ 3yr report period for certain services)	
Underground explosion/ collapse			\$1,000,000 per occurrence	
City as additional insured (comm gen liab)		Yes, if work done on City property	Yes, if no Owner's Protective	Yes, if no Owner's Protective
Min. 10 days notice for modification/cancel	Yes, if ins. required	Yes	Yes	Yes

¹A sole proprietor not required to have worker's comp insurance shall execute a sole proprietor waiver.² City need not be added as additional insured.

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 17**

TITLE: BONDS FOR CITY PROJECTS

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: OCTOBER 2010

The following bonds will be required for City projects and shall be included in specifications:

Staff's Projected Cost

Bond Requirements

\$50,000 and over*

Performance Bond - (AIA document A312) in favor of the City in an amount of not less than one hundred percent of the contract price as an assurance by the contractor and contractor's surety that the work will be performed and completed in accordance with the terms of the contract on or before the date specified.

Payment Bond - (AIA document A312) in favor of the City in an amount of not less than 100% of the contract price as an assurance by the contractor and contractor's surety that all costs for labor, materials and equipment furnished for use in the performance of the contract shall be paid for the protection of subcontractors, labor, equipment and material suppliers.

Maintenance and Guarantee - In lieu of a maintenance and guarantee bond, the Performance Bond shall be modified to include the statement "This Bond shall include a maintenance and guarantee obligation as defined in paragraph ____ of the Construction Contract."

Also include in specifications the following or similar statement: "Any required bonds shall not void or nullify any manufacturer's guarantees or warranties."

\$20,000 up to \$50,000

At the discretion of the Department Head.

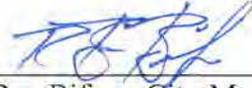
\$5,000 up to \$20,000

If the estimated cost of material is 70% or more of the total cost of the project, no bonding is required.

If the estimated cost of material is less than 70% of the total cost of the project, bonding requirements will be determined by the Department Head on an individual project basis. Requirements shall be included in specifications, and specifications shall contain the following or similar statement: "Any required bonds shall not void or nullify any manufacturer's guarantees or warranties."

Under \$5,000

No bonding is required, but include the following or similar statement in the specifications: "Not paid in full until the project is completed."



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #339 dated January 5, 2005

Cross-Ref: *See also MCL 129.201, *Contractor's Bond for Public Buildings or Works*;
T. C. Code, Section 230.06, *Bonds*

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 18**

*Superseded
by Administrative
Order # 219P
(moved to
Personnel
Policies)*

TITLE: EMPLOYEE CONDUCT COMPLAINT POLICY
DEPTS. AFFECTED: ALL EXCEPT POLICE
EFFECTIVE DATE: OCTOBER 2010

PURPOSE

The purpose of this policy is to improve the quality of services provided, to promote a high level of public confidence, and to enhance and maintain the professional integrity of the City and its employees.

The City and its employees will perform their duties within the boundaries of established contemporary legal and ethical standards. The organization will establish and promote these standards through clear, written policy statements and rules and regulations, and the thorough and impartial investigation of all allegations of misconduct.

A formal procedure to receive, document, and investigate all complaints concerning City employee conduct allows the City to monitor and enforce standards, and is the administrative statement that behavior deviating from these standards will not be tolerated. With a meaningful and effective procedure of handling complaints, we believe citizen confidence in the integrity of the City and its employees will be achieved and maintained.

ELIGIBILITY

Except as herein excluded, this Policy is intended to address any complaint by any person, including employees, with respect to employee conduct.

This policy does not apply to employees of a bargaining unit represented by a union where the City and the union have entered into an applicable, alternative Complaint procedure or the City Police Department, which has its own Complaint Process. This Policy does not apply to matters related to an employee's wages, benefits, hours, and other terms and conditions of employment.

Further, allegations or complaints of unlawful discrimination or unlawful harassment or violation of the Americans with Disabilities Act or the Health Insurance Portability and Accountability Act should be resolved according to the processes and policies adopted by the City Commission to address these issues. Allegations or complaints constituting a grievance under any agreement between the City and an employee's Union should be resolved according to the processes and policies set forth in the agreement.

PROCEDURE

In order for formal complaints to become known and to be handled in a timely manner, it is necessary to establish a procedure with time limits. It is the responsibility of all parties involved to be aware of the time limits and to progress the complaint and responses within the time limits. Should the time limits not be observed, the complaint will be considered to have been resolved. If management fails to

observe the time limits, the complaining person has the option to take the formal complaint to the next step in the procedure.

Complaint Forms.

Each department shall make available an approved Complaint Form. Complaints shall be made in writing on the approved Complaint Form.

1. Supervisor Review.

The first step in the process is to seek resolution from the employee's immediate supervisor unless the complaint involves the supervisor, the supervisor has condoned the activity, or failed to acknowledge receipt of the Complaint within 5 days without good cause in which case, the Complaint should be filed directly with the Department Head.

Once a Complaint has been filed, the supervisor shall notify the employee.

The supervisor shall document the Complaint, investigate the Complaint, and make a decision on the outcome.

A written response will be presented to the complainant, the employee, and the Department Head within 30 calendar days of the supervisor's receipt of the written request, unless further time is necessary in which case both parties shall be notified of the expected date of response. Subject to legal constraints on disclosure, the response shall include a summary of the supervisor's findings as well as the supervisor's determination as to the resolution of the complaint, including any remedy or corrective action to be taken (the "Supervisor Response"). The Supervisor Response shall be implemented immediately, unless appealed.

If either party is unsatisfied with the Supervisor Response, either party may appeal in writing to the employee's Department Head within 5 calendar days from the date of the Supervisor Response on an approved appeal form.

2. Department Head Review.

If the dispute specifically involves the Department Head, the Department Head has condoned the activity, or failed to acknowledge receipt of the Complaint within 5 days without good cause, the complainant should address the Complaint to the City Manager.

The Department Head shall notify the employee that a Complaint or appeal has been filed. The Department Head shall document the Complaint, investigate the Complaint, including a review of any prior Response, and make a decision on the outcome.

A written response to the complaint shall be given to the complainant, the employee, and the City Manager within 30 calendar days of the date the dispute was filed, unless additional time is needed in which case both parties will be informed of the expected date of response. Subject to legal constraints on disclosure, the response shall include a summary of the Department Head's findings as well as the Department Head's determination as to the resolution of the dispute (the "Department Head Response"). The Department Head Response shall be implemented immediately, unless appealed.

If either party is unsatisfied with the Department Head Response, either party may request in writing that the dispute be resolved by the City Manager or his or her designee (the "City Manager") within 5 calendar days from the date of the Department Head Response and on an approved appeal form.

3. City Manager Review.

The City Manager will notify the employee that a Complaint or appeal has been filed. The City Manager will document the Complaint, investigate the Complaint, including review of any prior Responses, and make a decision on the outcome.

A written response to the dispute will be given to the complainant and the employee by the City Manager within 30 calendar days of the date the dispute was filed, unless additional time is needed in which case both parties will be informed of the expected date of response. Subject to legal constraints on disclosure, the response shall include a summary of the City Manager's findings as well as the City Manager's determination as to the resolution of the dispute.

Decisions of the City Manager are final and shall be implemented immediately.

RETALIATION

No person will be subject to retaliation by anyone as a result of initiating the Complaint Process, assisting in the process, or providing information in connection with a Complaint. Any employee who is found to have taken actions determined to be retaliatory shall be subject to appropriate disciplinary action by the City up to and including discharge.

CONFIDENTIALITY

Persons filing Complaints may request to remain anonymous. Persons offering anonymous complaints should be advised that the City's ability to investigate the complaint may be limited by their anonymity.

Persons participating in the Complaint process shall preserve the confidentiality of information that in any way relates to the existence, nature, and resolution of a Complaint except: (a) to the extent necessary to pursue resolution; (b) to the extent that disclosure is required by law, including the Freedom of Information Act; (c) to the extent that disclosure, including disclosure that exculpates, is required by the ordered remedy or corrective action; (d) to the extent that the City manager reasonably deems disclosure appropriate to effectuate a remedy or corrective action for the benefit of the complaining party, other employees, or the City.

COMPLIANCE

A violation or failure to follow this policy, or portions thereof, by any employee of the City may result in disciplinary action.

Under no circumstances shall this policy be construed to act as any type of employment contract with any employee of the City and does not modify any employment relationship. Further, this Policy constitutes City policy, and is not intended to enlarge the employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employee's legal duty as imposed by law.



R. Ben Bifoss, City Manager

COMPLAINT FORM

Section I – To be completed by Complainant. (Please Print)

Name:			Date of Birth:
Last	First	Middle	
Home Address:			
Work Address:			
Home Phone:	Work Phone:	Other Phone:	
Date/Time of Occurrence:		Date of Complaint:	
Location of Occurrence:			
Name of Employee(s) Involved (if known)			
Name, Addresses of Witnesses (if known)			
Details – (Please state your complaint, including names, times, locations, witnesses, and any other factual, supporting information.) Use additional sheets of paper as necessary.			

(Attach
Additional

Sheets, if Necessary).

Signature of Complainant

LE0381

APPEAL FORM

To be completed by Appellant. (Please Print)

Name:			
Last	First	Middle	
Home Address:			
Work Address:			
Home Phone:	Work Phone:	Other Phone:	
Date of Complaint:		Date of Determination:	
Determination made by:			
Basis of your Appeal: (Please state the basis of your appeal, include the Determination appealed from, any other Determinations, and supporting information.) Use additional sheets of paper as necessary.			

Attach
Additional

Sheets, if Necessary)

Signature of Complainant

LE0381

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 19**

*Superseded by
Personnel Policy
#22717
July 2011*

TITLE: HIPAA PRIVACY RULE HYBRID ENTITY DESIGNATION

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: OCTOBER 2010

Pursuant to 45 cfr 164.105(a)(2)(iii)(C), it is hereby established that the City of Traverse City is a Hybrid Entity as that term is defined by 45 cfr164.103 as follows:

The City conducts both covered and non-covered functions under HIPAA. The health care components of the City are as follows:

1. The Traverse City Fire Department.
2. The Traverse City Police Department to the extent that it engages in covered functions.
3. The Department of Human Resources and City Manager's office to the extent that HIPAA applies or the City is obligated to follow HIPAA as a plan sponsor pursuant to the terms of its health care plans.
4. Departments that perform functions that would make the department a business associate of a health care component of the City if the two departments were separate legal entities when the department is performing business associate functions.

Only the above listed components of the City shall be obligated to comply fully with the HIPAA Privacy Rule. All other components of the City shall comply with HIPAA to the extent required by the Privacy Rule.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #346 dated October 13, 2005

Cross Ref: Health Insurance Portability and Accountability Act of 1996 (HIPAA)

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 20**

TITLE: REAL ESTATE CLOSINGS

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: OCTOBER 2010

The City Attorney's office shall be responsible for handling the real estate closings of the City. All departments involved in the City's real estate purchases and sales are to follow the procedures of the City's Attorney's office.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #275 dated September 9, 2008

Cross Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 21**

TITLE: SETTLEMENT OF CONTESTED TAX APPEALS
DEPTS. AFFECTED: CITY ASSESSOR, CITY MANAGER
EFFECTIVE DATE: OCTOBER 2010

WHEREAS, State law provides for a process to appeal contested tax matters, including a hearing before the Michigan Tax Tribunal; and

WHEREAS, State law mandates that the City provide the tax assessment function for all taxing jurisdictions regarding real and personal property located within the City of Traverse City and a part of that function is defending appeals before the Michigan Tax Tribunal; and

WHEREAS, proposals for settlements of those matters are often submitted by the Petitioner to the City and a process needs to be clarified regarding the authority to agree to stipulate to the settlement of tax appeals;

THEREFORE, the following Administrative Order is adopted:

The City Assessor shall have the authority to settle all property tax appeal matters brought before the Michigan Tax Tribunal in accordance with state statute, the policies and procedures established by the State Tax Commission and the policies and procedures established by the State Assessors' Board and execute all necessary documents to accomplish any such settlement. Notice of any such settlement shall be given to the City Manager by the City Assessor.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #343 dated July 19, 2005

Cross Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 22**

TITLE: EVENT REIMBURSEMENT AND DEPOSIT
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: OCTOBER 2010

This Administrative Order is to establish amounts for reimbursement of City costs incurred for accommodating events (for example, police officers, firefighters, public services crew, etc.). There may be a 25% deposit on estimated costs at the time of approval. The City will invoice the actual costs after the event minus the deposit, unless otherwise agreed to in writing by formal agreement.

This Administrative Order is not applicable to block parties, DDA/DTCA sponsored events or events authorized by agreement.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #358 dated February 19, 2009

Cross Reference:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 23**

TITLE: PROHIBITED STREETS FOR PEDICAB PUBLIC
TRANSPORTATION

DEPTS. AFFECTED: POLICE, FIRE, CLERK, STREET, ENGINEERING

EFFECTIVE DATE: OCTOBER 2010

Pedicab public transportation is prohibited from the following streets:

M22 (West Bay Shore Drive)
US 31 (Division Street, Grandview Parkway, Munson Avenue)
M72 (Grandview Parkway, Traverse Highway)
Garfield Avenue
Eighth Street from Union Street east to Munson Avenue
Parsons Road from Garfield Avenue east to the City limits
Woodmere Avenue
14th Street



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #309 dated April 21, 1998

Cross-Ref: T.C. Code, Chapter 867

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 24**

TITLE: SIDEWALK CAFÉ WINDSCREEN REGULATIONS
DEPTS. AFFECTED: POLICE, FIRE, CLERK, STREET, ENGINEERING
EFFECTIVE DATE: OCTOBER 2010

The City Manager may adopt an Administrative Order controlling occupancy pursuant to a sidewalk café permit. Therefore, in addition to the regulations contained in the Traverse City Code, the following regulations pertain to windcreens used in conjunction with sidewalk café permits:

1. Size. The height of the windscreen shall not exceed 36 inches and the length shall not exceed eight feet.
2. Material. Material shall be flame-retardant material. No “day-glo” or luminescent colors shall be used. Material shall be inspected by the Fire Department before use.
3. Anchoring. Anchoring systems must be approved by the City Engineer, and must be installed at the expense of the property owner, set below grade in the sidewalk, and capped when not in use. The below grade sleeve must secure a screen during a 90-mile per hour wind. The sleeve hole must be repaired at the property owner’s expense when the windscreen will no longer be used.
4. Use. The windcreens must be removed and sleeveholes capped whenever the café is not open for business. The windscreen may not contain advertising.
5. Location. The windscreen may not be used where meters, hydrants, or handicapped parking exists, and it may not interfere with pedestrian or vehicular access to the sidewalk.
6. Cost. The cost of installation and removal shall be borne solely by the property owner.



R. Ben Bloss, City Manager

History: Supersedes Executive Order #322 dated July 15, 2002

Cross-Ref: T.C. Code, Section 1020.07

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 25**

TITLE: GRANTING CONNECTION TO CITY STREET
EXECUTIVE ORDER NO. 352

DEPTS. AFFECTED: APS/ALL

EFFECTIVE DATE: OCTOBER 2010

Attached is Executive Order No. 352 Granting Connection to City Street with an effective date of May 16, 2007. This is filed with the court system and recorded, so it shall remain as Executive Order No. 352.



R. Ben Bifoss, City Manager

History: Executive Order #352 dated January 18, 2007 and revised on May 16, 2007

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER**

EXECUTIVE ORDER NO. 352

TITLE: GRANTING CONNECTION TO CITY STREET

DEPARTMENTS AFFECTED: ALL

EFFECTIVE DATE: May 16, 2007 Orig 11/18/07

In the Michigan Constitution, the reasonable control of streets is reserved to cities. Michigan Constitution 1963, Article VII §29. The Traverse City Charter also reserves the right to use and control streets to the City. Traverse City Charter §127. The Michigan Constitution also gives to each city the power to adopt resolutions and ordinances relating to its municipal concerns, property and government. Michigan Constitution 1963, Article VII § 22. The Home Rule Act states that a city may provide in its Charter for the use, regulation, improvement and control of its streets. MCL 117.4h. Traverse City has provided in its Charter for the adoption of all such powers. Traverse City Charter §3. The Traverse City Code of Ordinances requires permits for curb cuts and openings into city streets. Traverse City Code of Ordinances §1026.

Incochee Woods Development, LLC, (IWD) has developed property adjacent to the City for single-family residential housing (Incochee) and historically has had access to Ramsdell Road, a City street. Incochee has other access on the M-72 highway to the north. The Incochee development shall consist of a maximum of 78 units.

The potential exists for the traffic coming from and through Incochee onto Ramsdell Road to be a burden upon and a substantial change in the character of that road and to result in maintenance, safety and environmental issues.

On May 26, 2006, a letter was issued by this office denying general access to Ramsdell Road but allowing "crash gate" access to allow emergency public safety services to the development.

Since that time, an alternative has been discussed which would satisfy the same public health, safety and welfare reasons of the City of Traverse City, but accommodate limited Ramsdell Road access to Incochee.

Therefore, limited Ramsdell Road access to the Incochee development is authorized as described and conditioned as follows:

1. IWD shall install a mechanically operated ingress/egress gate (Gate) for the sole purpose of providing controlled vehicle access to and from Ramsdell Road to the real property developed by IWD. The only exceptions for use of the Gate may be the Clark property and sites 54 and 55 at the option of IWD and the Clarks, provided said properties remain as single-family residential lots and identified as Incochee in the Master Deed dated February 7,

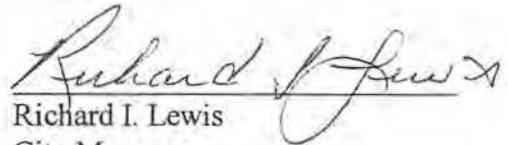
2006, recorded 2006C-0012.

2. The Gate will be for the exclusive ingress/egress of residents and their guests of the Incochee site condominium units and for emergency services such as police, fire, ambulance and utilities ("Emergency Services"). Vehicles related to construction, utility and maintenance shall not access via Ramsdell but shall use the M-72 access. Commercial vehicles including deliveries shall be via the M-72 access.
3. The Gate shall be located within the right of way of Ramsdell Road at a location determined by the City Manager and agreed to by IWD. The City shall own and operate the Gate.
4. The form of Gate operation may be touch pad or such other device as approved by the City Engineer, the City Manager, and IWD. The form of operation may provide the City with the ability to monitor usage consistent with the terms of this Order. The design may include traffic calming devices to control speed at the Gate.
5. Only residential lot owners, guests, Emergency Services, and City plow vehicles (during the winter season) will have access to the Gate. A master list of those residential units will be kept by the City, IWD and the successor condominium association. The maximum amount of residential units eligible will be 78 (this amount includes units 54 and 55 and the Clark property).
6. For Emergency Services and City plow vehicles, the City will be responsible for distributing Gate access numbers and such numbers shall not be used for any other purposes.
7. The mailboxes for Incochee residents will remain at the M-72 entrance, except for the Clark property and for units 54 and 55.
8. The City will maintain the Gate in a functioning operational manner at all times. General operational and maintenance expense will be the responsibility of the City. However, an account for any Gate maintenance, repair or operation expenses that per incident exceed \$500.00 shall be created by IWD and transferred to the condominium association. The City shall submit any bills for any expenses that per incident exceed \$500.00 to IWD or the condominium association, which will be paid by IWD or the condominium association within 30 days. This obligation is to be incorporated into the IWD Master Deed and Bylaws by proper amendment.
9. At no time may the Gate be in a nonoperational manner for longer than 72 hours. The City will conduct the maintenance or have an ongoing service agreement for the routine maintenance and emergency repair.
10. Open access to Ramsdell Road, via the Gate will be permissible in those cases where the M-72 entrance is deemed unusable during times of emergency.
11. The Gate shall be installed and made operational not later than ^{September 30, 2007 (revised 7/11/07)} July 15, 2007.
12. There shall be no change to the Incochee development which would facilitate passthrough

traffic from or to M-72 and there shall be no other road connections between the private roads of Incochee across site units 54 or 55:

13. There shall be no expansion of the real estate comprising Incochee or the density of the development beyond the 78 units referenced in paragraph 5.
14. All IWD obligations and restrictions shall be assumed by the successor condominium association and that shall be expressly stated in the Master Deed and Bylaws.

Date: May 16, 2007


Richard I. Lewis
City Manager

The City of Traverse City

Office of the City Manager
(231) 922-4440

GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, Michigan
49684



July 11, 2007

Mr. Ted Lockwood
Incochee Woods Development LLC
12930 West Bayshore Drive
Traverse City, MI 49684

Re: Executive Order 352, Section 11

Dear Ted,

The above Executive Order and Section 11 in particular had set a July 15, 2007 date by which the gate on Ramsdell would be in place and operational. Through no fault of IWD, the City, or any other party, it is obvious that this completion date is not going to be achieved.

While the overall design of the proposed gate appears to have been agreed upon, there remains discussion regarding the technology to be utilized, which I believe we are close to resolving. You have indicated that you are reluctant to start any construction activity until all of the issues have been resolved. Through the discussion, you have been given by the gate vendor, a 60-day construction time line to complete the project once the order to proceed has been given.

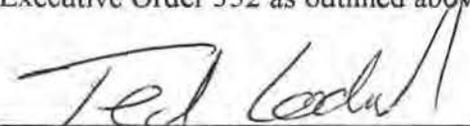
Given the above, in accordance with the Settlement Agreement and per our telephone discussion of July 10, it is suggested that Section 11 of the Executive Order be amended to require a completion date of September 30, 2007. I have also advised the representative of the Ramsdell Interest Group of this proposed change and he has found it acceptable. If you find this amendment acceptable, please sign below and return one of the two originals to me. Once received, the necessary change to Section 11 of Executive Order 352 will be made.

Thank you and if you have any questions, please feel free to contact me.

Sincerely,

Richard I. Lewis
City Manager

By my signature below, Incochee Woods Development LLC agrees to amend Section 11 of Executive Order 352 as outlined above.



Ted Lockwood

copy: City Commission
Deputy City Attorney Karrie Zeits
City Clerk, Debra Curtiss
Mike Dettmer, Esq
Ralph Cerney, Ramsdell Interest Group

CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER

Revised
5/16/07

EXECUTIVE ORDER NO. 352

TITLE: GRANTING CONNECTION TO CITY STREET
DEPARTMENTS AFFECTED: ALL
EFFECTIVE DATE: JANUARY 18, 2007

In the Michigan Constitution, the reasonable control of streets is reserved to cities. Michigan Constitution 1963, Article VII §29. The Traverse City Charter also reserves the right to use and control streets to the City. Traverse City Charter §127. The Michigan Constitution also gives to each city the power to adopt resolutions and ordinances relating to its municipal concerns, property and government. Michigan Constitution 1963, Article VII § 22. The Home Rule Act states that a city may provide in its Charter for the use, regulation, improvement and control of its streets. MCL 117.4h. Traverse City has provided in its Charter for the adoption of all such powers. Traverse City Charter §3. The Traverse City Code of Ordinances requires permits for curb cuts and openings into city streets. Traverse City Code of Ordinances §1026.

Incochee Woods Development, LLC, (IWD) has developed property adjacent to the City for single-family residential housing (Incochee) and wishes to connect its private streets to Ramsdell Road, a City street. Incochee has other access on the M-72 highway to the north. The Incochee development consists of 73 units.

The potential exists for the traffic coming from and through Incochee onto Ramsdell Road to be a burden upon and a substantial change in the character of that road and to result in maintenance, safety and environmental issues.

On May 26, 2006, a letter was issued by this office denying general access to Ramsdell Road but allowing "crash gate" access to allow emergency public safety services to the development.

Since that time, an alternative has been discussed which would satisfy the same public health, safety and welfare reasons of the City of Traverse City, but accommodate limited Ramsdell Road access to Incochee.

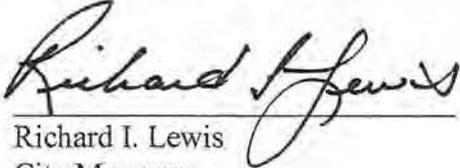
Therefore, limited Ramsdell Road access to the Incochee development is authorized as described and conditioned as follows:

1. IWD shall install a mechanically operated ingress/egress gate (Gate) for the sole purpose of providing controlled vehicle access to and from Ramsdell Road to the real property developed by IWD. The only exceptions for use of the Gate will be the Clark property and sites 54 and 55, provided said properties remain as single-family residential lots and identified as Incochee in the Master Deed dated February 7, 2006, recorded 2006C-0012.

2. The Gate will be for the exclusive ingress/egress of residents and their limited guests of the Incochee site condominium units and for emergency services such as police, fire, ambulance and utilities. Vehicles related to construction, utility and maintenance shall not access via Ramsdell but shall use the M-72 access.
3. The Gate shall be located on the IWD property or such other property as will insure the access limitations required by this Executive Order. If because of safety reasons no other property is available, the Gate may be placed within the right of way of Ramsdell Road at a location determined by the City Manager and after execution of a Permission for Encroachment Agreement by the City and IWD.
4. The form of Gate operation will be similar to a bar code reader and/or infrared reader or such other device as approved by the City Engineer.
5. Only those residential units that have received an occupancy permit will have access to the Gate and only for the number of automobiles within the household. A master list of those residential units will be kept by the IWD or the successor condominium association and will be made available to the City at its request. The maximum amount of residential units eligible will remain at 71 (this amount excludes units 54 and 55). Each unit shall also be entitled to access for up to two (2) guest vehicles at any one time.
6. The City will be responsible for determining the number of access cards that will be needed for its emergency service needs, including ambulance service. The City will make the list of where the cards have been distributed and provide said list to IWD or the successor condominium association upon request.
7. The mailboxes for Incochee residents will remain at the M-72 entrance, except for the Clark property and for units 54 and 55.
8. The Gate operation and obligation are to be incorporated into the IWD Master Deed and Bylaws by proper amendment.
9. The Gate must be maintained in a functioning operational manner at all times. Such operational and maintenance expense will be the responsibility of IWD and its successor condominium association.
10. At no time may the Gate be in a nonoperational manner for longer than 72 hours. It will be the responsibility of IWD to have an ongoing service agreement for the routine maintenance and emergency repair. A copy of the service agreement shall be provided to the City with the authorization to order the necessary repairs if the repairs have not been made within the 72-hour period.
11. An account for Gate maintenance and repair having a balance of at least \$10,000 will be created by IWD and transferred to the successor condominium association. The City shall have access to the account. IWD and its transferee shall continuously maintain this balance and account.

12. Open access to Ramsdell Road, via the Gate will be permissible in those cases where the M-72 entrance is deemed unusable during times of emergency.
13. The Gate shall be installed and made operational not later than March 16, 2007, or the access to Ramsdell Road shall be barricaded by the City.
14. There shall be no change to the Incochee development which would facilitate passthrough traffic from or to M-72 and there shall be no other road connections between the private roads of Incochee across site units 54, 55 or the property currently owned by Beatrice Clark.
15. There shall be no expansion of the real estate comprising Incochee or the density of the development.
16. All IWD obligations and restrictions shall be assumed by the successor condominium association and that shall be expressly stated in the Master Deed and Bylaws.

Date: January 18, 2007


Richard I. Lewis
City Manager

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 26**

TITLE: TRAFFIC ENGINEER, TRAFFIC COMMITTEE AND TRAFFIC CONTROL ORDERS
DEPTS. AFFECTED: MANAGER, POLICE, ENGINEERING, PLANNING, FIRE, STREETS, ATTORNEY, CLERK AND DDA/APS
DATE: OCTOBER 2010

The Traffic Committee is a staff advisory committee to the City Manager. The Traffic Engineer shall mean the City Manager or his/her designee. The City Manager hereby designates the City Engineer as Traffic Engineer.

The purpose of the Traffic Committee is to review traffic-related matters (except traffic code enforcement) and to make recommendations to the City Manager for traffic control orders. The Police Department will refer matters to the Traffic Committee when changes are needed to assist enforcement. Meetings may be open to the public. Individuals who have made requests to the Committee may be specifically invited to attend.

Committee membership shall be composed of staff from those City departments which may be affected by traffic-related changes, either directly or indirectly, and who have expertise in traffic control management. The City Manager's Office shall be responsible for calling and conducting the meetings and keeping notes of the meetings. The Committee shall consist of representatives from the following departments and any other persons designated by the City Manager:

City Engineer or representative	Traffic Engineer, research, studies
City Planning Department representative	Long-range planning and capital expenditure budget
City Manager representative	Call and conduct meetings, keep meeting notes
Streets Department representative	Studies, maintenance, parking
Police Department representative	Studies, enforcement, public safety
Fire Department representative	Public safety
City Attorney representative	Risk management
DDA/APS Representative	Downtown parking system

Any Traffic Control Orders shall be initiated by the Traffic Committee in accordance with the provisions of the Michigan State Uniform Traffic Code and the Michigan Vehicle Code.

The Traffic Committee shall establish written procedures when necessary.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #333 dated June 18, 2004

Cross Ref: T. C. Code, Chapter 410

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 27**

TITLE: REQUESTS FOR WARNING SIGNS

DEPTS. AFFECTED: TRAFFIC COMMITTEE, ENGINEERING, PLANNING,
STREET

EFFECTIVE DATE: OCTOBER 2010

The following procedure shall be followed for handling requests for a traffic sign warning motorists of a child with a handicap, including deafness and blindness:

1. The written request for such signage must be submitted to the Street Superintendent.
2. The requesting person must agree in writing to pay the cost of the sign. Installation will be by City crews at no cost to the requesting person.
3. Language for all such signs shall be **“CAUTION CHILD WITH DISABILITY IN AREA”**:
4. The Streets Superintendent will have requests reviewed and approved by the Police Chief and City Engineer prior to installation;
5. The sign will be removed one year after placement unless the Street Superintendent receives a written request from the requesting person asking that it remain another year and confirming that the original reasons for the request remain the same. This is to eliminate unnecessary signs once the handicapped child grows up or moves from the area.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #285 dated October 14, 1992
Pursuant to a recommendation by the Traffic Committee

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 28**

TITLE: PROPERTY DESCRIPTIONS

DEPTS. AFFECTED: ENGINEERING/ALL

DATE: OCTOBER 2010

All property and easement descriptions for City-related interests for one purpose or another shall be provided to the City Engineer to maintain property records.

The purpose of this Administrative Order is to ensure proper documentation and recordkeeping for property and easement descriptions for City-related interests.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #206 dated January 20, 1969

Cross-Ref:

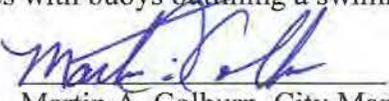
**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 29**

TITLE: SWIMMING & DIVING
DEPTS. AFFECTED: DPS, PARKS, POLICE, ENGINEERING, CLERK
EFFECTIVE DATE: JULY 2016

1. Swimming, diving, bathing, or wading shall be prohibited at the following areas and such areas shall be so posted:

- Cass Street Bridges
- Duncan Clinch Park Marina Boat Launch Area
- Duncan Clinch Park Marina Breakwalls
- DNR Salmon Trap and Transfer Station
- Eighth Street Bridge
- Front Street Bridge
- Hull Park Boat Launch Area, Docks & Boardwalks
- Jay Smith Walkway
- Murchie Bridge
- Open Space
- Park Street Bridge
- Pedestrian Bridges at Farmers' Market, east of Chamber of Commerce, and Pine Street
- TART Trail Pedestrian Bridge @ north end of Boardman Lake
- Union Street Bridges
- Union Street Dam

2. City Bathing Beaches are those City authorized Beaches with buoys outlining a swimming area.


Martin A. Colburn, City Manager

History: Supersedes Executive Order #299 dated June 25, 2010; Amended October 2010

Cross-Ref: T. C. Code, Section 1062.12 and 1064.06

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 30**

TITLE: HARBOR RULES; BOAT LAUNCHING RULES;
PROHIBITED MOORING LOCATIONS

DEPTS. AFFECTED: POLICE, PARKS, DPS

EFFECTIVE DATE: OCTOBER 2010

PROHIBITED MOORING LOCATIONS

Mooring any watercraft is prohibited at the following and shall be so posted:

1. Steel piling wall along Boardman River from boat launch to mouth of river, including breakwall/pier.

Overnight mooring shall be prohibited at the following locations and shall be so posted:

1. Wellington Plaza at the north end of Wellington Street
2. Boardman River Boardwalk (any City-owned boardwalks that are not designated Boardman River boat slips)

BOAT LAUNCHING RULES AND REGULATIONS

A launch permit is necessary for launching or loading a watercraft at the Duncan L. Clinch Park Marina boat launch.

1. From May 15 to October 20, launch permits shall be required prior to launching or loading a watercraft from the water at the Clinch Park Marina boat launching ramp.
2. Commercial launch permits shall be for the following purposes only:
 - a. For businesses engaged in watercraft sales and service to occasionally demonstrate or test watercraft, or
 - b. For businesses engaged in seasonal loading and unloading of seasonally-stored watercraft.
3. During the period from May 15 to October 20, businesses providing watercraft rental for profit are not permitted unless under contract with the City.
4. During the period from May 20 to September 10, commercial launch permits shall be for no more than two launches per day.
5. A noncommercial launch permit shall authorize a person to load or unload watercraft for use by that permit holder, or his family and shall not authorize the loading or unloading of watercraft which are rented out by the permit holder for gain or profit.
6. No person or business shall hire or subcontract with any person or business in an attempt to evade the provisions of this Order.

HARBOR RULES AND REGULATIONS

The Police Chief as Harbormaster may establish and enforce such reasonable rules and regulations as may be desirable to promote order in the harbor and to ensure the safety and convenience of the users of the harbor, as well as the general public. The purpose of this executive order is to consolidate all rules and regulations currently existing. The rules and regulations of the harbor shall consist of the following:

1. Waiting List Rules and Regulations and Waiting List Application and Renewal Agreement for Duncan L. Clinch Marina.
2. Rules and Regulations for Duncan L. Clinch Marina.
3. Duncan L. Clinch Marina Boat Slip Permit Agreement.
4. Boardman River Dockage Rules/ Regulations and General Information.
5. Boardman River Contract-Boardman River Docking Facility Boat Slip Permit Agreement.
6. Boardman River Boardwalk II Boat Mooring: Rules & Regulations and General Information.
7. Boardman River Contract.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #316 (undated), Executive Order #305 dated July 11, 1996 and Executive Order #296 dated June 22, 1995

Cross-Ref: *Harbor and Waterfront*; T.C. Code, Section 1064.04 (c) *Mooring*; T.C. Code, Section 1062.15 *Boat Launching*; T.C. Code, Section 1064.16 *Rules & Regulations*, City Commission Resolution Establishing Fees for Duncan L. Clinch Marina Launching Permit Fees

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 31**

TITLE: PARK RULES (Pets; Hours of Operation; Scheduling Use of)
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: JUNE 2013

PARKS HOURS OF OPERATION

The following parks shall open at 7:00 a.m. and close at 11:00 p.m.:

- Bryant Park
- Clinch Park
- East Bay Park
- F & M Park
- Hickory Hills
- Open Space Park (during the days of the National Cherry Festival)
- Park C (located on Birchwood at Kewaunee)
- Sunset Park
- Volleyball Courts, located in West End Beach Park

The following parks shall open at 7:00 a.m. and close at 10:00 p.m.:

- Arbutus Court Park
- Boon Street Park

These hours shall be posted at the parks.

PETS IN PARKS RULES AND REGULATIONS

Pursuant to Traverse City Code of Ordinances, Section 1064.11, pets are regulated in City parks. Pursuant to Traverse City Code of Ordinances, Section 1064.16, the City Manager establishes the following rules and regulations pertaining to the conduct and use of parks in order to protect public property and the safety, health, morals and welfare of the public:

During the National Cherry Festival Dock Dog Event, any participating dog may be unleashed provided it is held within a controlled fenced area of the Event.

SCHEDULING USE OF CITY PARKS

The DPS Director or his designee shall be responsible for approving and scheduling public use of the City parks. The DPS Director shall follow the Park and Public Land Use Policy, as well as the Traverse City Code of Ordinances and any other City policies or laws.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #283 dated September 9, 2008, #351 dated June 26, 2006 and #356 dated September 9, 2008, Amended June 3, 2013
Cross Ref: City Commission Policy - Park and Public Land Use; T.C. Code, Sections 1064.02, 1064.11 and 1064.16

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 32**

TITLE: OAKWOOD CEMETERY RULES
DEPTS. AFFECTED: CEMETERY
DATE: JUNE 2014

The rules for the Oakwood Cemetery are developed pursuant to the Traverse City Code of Ordinances. The purpose of the Rules is to ensure that the facilities, structures and grounds of the Cemetery remain a quiet, respectful place for the remains of those interred and for those who visit and enjoy the serenity.

It is to be expected that the following Rules will not cover every occasion or situation that arises, so provisions are included to deal with those times. Also, the Rules do not cover all the regulations regarding Oakwood Cemetery, but supplement the regulations within the Code of Ordinances.

The Rules to meet the before-mentioned purposes are as follows:

General Maintenance and Decorations:

1. Tree and Shrubbery Maintenance. The City will undertake to maintain, as may be practical, the planting of trees and shrubs and to preserve and maintain landscape features. While the City does not allow individual plantings, those in place are considered to be "grandfathered." The City does not maintain nor is it responsible for those grandfathered plantings.
2. Perpetual Care. Perpetual care shall consist of: watering, mowing and the raising of sunken graves when determined by the City as necessary.
3. Containers Permitted, Upright and Flush Marker Sections. Urns and/or vases that are within the height and width of the marker shall be allowed in the Upright Marker Section. In the Flush Marker Section, containers that are within the same width of the marker shall be allowed. It is recommended for proper care, that containers not be larger than 18" in diameter, measured at the widest point, and not be larger than 24" in height. Containers must be made out of bronze, concrete, steel, clay, copper, marble or granite. Containers made of other materials need approval in advance from the City. Containers must be located at the head of the grave beside the marker, not in front or behind, and it is recommended that they be placed upon a concrete slab not to exceed 18" by 18" or incorporated into the marker. Only one such container is allowed per marked occupied grave space, except for those spaces which have a double headstone, then containers on either side are allowed once one of the spaces has been occupied. A second container may be placed beside a single grave space if space allows. This rule is applicable to containers located on the markers. Other types of containers will be removed, unless provided for in section 5.

In Third Addition, Block A only, only one container not larger than 12 inches in diameter will be permitted per marked occupied grave space.

If a flag is placed on the plot, it must be located following the same rules for containers. Any flag so placed shall not exceed 12"x18" in size and not be over 36" in total height. Flags placed by veterans' organizations will be removed in accordance with military protocol.

In addition to the containers, baskets on "shepherd" hooks will be permitted. One single shepherd hook will be permitted per marked occupied grave site except for double headstone sites, then two may be allowed. The hooks shall be located on either side of the marker and must be flush to the marker with the basket hanging directly over the marker. No shepherd hooks will be permitted in Third Addition, Block A.

Containers or hooks not used by June 15 of each year shall be tagged and removed. If not claimed by the owner within six (6) months, the containers or hooks shall be considered abandoned and may be disposed of by the City.

4. Flowers and Winter Wreaths. Flowers, natural, dried or artificial, are permitted within the approved containers as listed above. Winter wreaths are also permitted and should be no larger than 24 inches at their widest point and shall be placed on a tripod when possible. In keeping with the desire to have as natural a setting as possible, environmental concerns and effective grounds maintenance, the use of natural or dried flowers and all natural winter wreaths is encouraged and appreciated. Floral arrangements not in containers or on shepherd hooks will be removed.

5. Decorations Beyond Burial Day. The City shall not be responsible for floral pieces, baskets, or frames in which, or to which, such floral pieces are attached beyond the day of the burial. Cemetery staff or their agents will remove funeral designs and floral pieces as soon as they become unsightly, and they assume no responsibility for their return.

6. Removal of Articles. In order for the City to complete fall and spring maintenance, all articles placed on plots are to be removed by October 1 of each year and no placement of articles may be made prior to May 7 of each year. Winter wreaths will be permitted beginning December 1 and must be removed by the following March 31. If there are any special circumstances which call for the placing of winter wreaths earlier, please check with the City for arrangements. The City may remove articles that do not conform to these Rules.

Foundations and Monuments:

1. Foundation Installation. All foundations shall be installed to Cemetery requirements. The City may, when it is determined necessary, due to improper installation of poor materials, remove a foundation detracting from the overall condition of the marker, re-level or replace any foundation installed by the City. The City may also remove from any plot any deteriorated foundation or memorial that was not installed by the City until the owner or original installer pays the normal charges for an acceptable foundation to be installed.

Foundations placed by those other than Oakwood Cemetery staff will require a permit available from the Sexton and payment of the site location fee prior to the installation. The Sexton must approve the size, type, and location of any foundation so requested. The installer will also be financially responsible for any damage to turf, landscape features, markers, monuments, or other cemetery feature. Those installing said foundation may be required to furnish satisfactory evidence of their ability to properly perform the proposed work and furnish proof of adequate liability and workman's compensation insurance.

2. Monument and Marker Foundation. All monuments and markers in the upright sections shall be placed on concrete foundations approved by the City, at a cost to be determined by the City Commission. Markers in the flush sections of the Cemetery shall be placed with the tops flush with the ground. If there is more than one marker on a plot, all other markers will be placed with the tops flush with the ground, not to be decorated.

3. Payment and Orders. Monuments and markers shall not be delivered to the plots until perpetual care is paid and the foundations have been paid for in full and installed. Orders for foundations installed by the City shall be placed a minimum of two weeks in advance. Foundations will not be placed during the winter months.
4. Monument and Marker Material. All monuments shall be made of durable granite, marble, bronze, or other material approved in advance by the City.
5. Monument Setting. Monument retailers and independent stone setters must set all memorials in conformity with Cemetery requirements and in accordance with trade standards of proper methods of handling and setting with non-staining material. Monuments must be placed at the head of the grave when at all possible. The City may correct any error that may occur in the placing of a monument, marker or foundation. The City assumes no responsibility for assuring that ordered markers and monuments are proper for the area in which they are to be placed and for name placement location.
6. Size. Markers and monuments installed on any plot after June 1, 1995, shall not be smaller than 10"x8" in base size and shall not exceed 40" in length for a single burial space, 80" in length for a double burial space and 18" width. In the upright sections, the height shall not exceed 36" which includes the base above the ground. Taller monuments may be considered upon written request to and approval from the City Manager. In the Third Addition, Block A maximum size allowed is 12"x24".
7. Design and Inscriptions. The City may reject any memorial or improvement which, on account of size, design or inscription, is unsuitable to the plot on which it is to be placed. Inscriptions shall be limited to:
 - a. Legal names or socially acceptable nicknames;
 - b. Significant personal dates;
 - c. Emblems of organizations or institutions incorporated in or recognized by the federal or Michigan governments;
 - d. Suitable quotations from any nationally distributed book of quotations, poetry or religious text;
 - e. Exceptions submitted to and approved by the City Manager in writing.

Mausoleums:

1. Mausoleum Access. The mausoleum will be unlocked for visitation from 8:30 am through 3:00 pm, Monday through Friday, April 1 through November 14. During other times, the doors will not be opened unless requested.
2. Casket Sizes in Mausoleum. Crypt owners are responsible for selection of appropriate casket size.
3. Crypt or Niche Memorials. All fittings, adornments, urns, inscriptions, engravings and name plates for crypts or niches are subject to approval and control by the City. Such activities and costs are the responsibility of the crypt purchaser.
4. Mausoleum and Tombs (private). Mausoleums, columbariums, or tombs may be constructed only in areas set aside by the City for that purpose. Those constructing a mausoleum or tomb must, after purchasing an acceptable site, present plans and specifications to the City for approval.

Other:

1. Grave Opening Orders. Orders for opening graves will not be honored unless an "Authorization for Interment" form is signed by the owner or his or her personal representative.

Should the owner or his or her personal representative fail or neglect to sign such interment orders, the City reserves the right to make interment in a location designated by the City.

2. Vehicles. The use of recreational vehicles shall not be allowed in the Cemetery. This includes, but is not limited to, off-road vehicles, three and four-wheeled and other all-terrain vehicles, mopeds, mini-bikes, motor scooters, off-road motorcycles and snowmobiles.

3. Prohibited Activities. Certain recreational activities disruptive or disrespectful in nature to the intended purpose of the Cemetery are not permitted. This includes, but is not limited to, rollerblading, skateboarding, skiing, snowshoeing, golfing, flying a kite, jogging, bicycling or playing in the Cemetery.

Additional Rules; Hardships: The City Manager may make temporary additional rules as may be needed from time to time to meet emergencies which are not covered by these Rules. It is recognized that special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The City Manager may make exceptions, suspensions, or modifications of any of these Rules when such action appears necessary, and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such Rules.

Hours: No person shall be in the Oakwood Cemetery after sunset and before sunrise.

Designation of Authority: The authorities and activities of the City Manager as designated in Chapter 1066 in the Traverse City Code of Ordinances may be designated. Any person aggrieved by an action or decision by the person so designated in relation to implementation of the City Ordinance or Rules may appeal that action or decision in writing to the City Manager, who will make the final decision.



Jered Ottenwess, City Manager

History: Supersedes Executive Order #310 dated June 7, 1999, and Administrative Order #32, dated October, 2010

Cross Ref: T.C. Code, Section 1066.03

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 33**

TITLE: TRAVEL POLICY
DEPTS. AFFECTED: SENIOR CENTER
EFFECTIVE DATE: OCTOBER 2010

*DELETE
5/3/12
[Signature]*

*Senior Center
is now under
Grand Traverse
County*

The Traverse City Senior Center will permit others to offer tours as part of its program for Senior Citizens. Such tours shall be conducted by tour planners or tour planner agencies.

Tour Planner Requirements – if the tour planner is not transporting passengers:

1. The Tour Planner shall provide the City of Traverse City with a certificate of general liability insurance indicating the coverage in the amount of \$1,000,000 per occurrence, naming the City of Traverse City as an additional insured.
2. The Tour Planner shall provide the Senior Center with qualified references when requested.
3. The Tour Planner shall pay an administrative fee to the City of Traverse City for each tour and exact amounts can be negotiated.
4. The Tour Planner shall provide timely information for tour brochures and flyers related to the upcoming tours. A brochure listing all scheduled trips for the year shall be created. The Tour Planner should be prepared to offer additional tours, if opportunities are presented throughout the course of a year.
5. The Tour Planner shall provide each tour with a qualified escort or arrangements made for Senior Center staff to escort. Escorts shall provide references upon request by the Senior Center Director.
6. The escort requirements shall include but not be limited to:
 - a. Shall be available to participants 24 hours each day from time of departure to return home;
 - b. Shall maintain the safety and security for all participants;
 - c. Shall provide entertainment and games on any bus trip;
 - d. Shall provide refreshments to and from destinations, with special attention given to participants on special diets or those with special needs;
 - e. Shall prepare and provide to participants an itinerary prior to departure, with necessary names and telephone numbers for use in the case of an emergency;
 - f. Shall provide each participant with a name tag for easy identification;
7. The Tour Planner shall make special presentations to the Senior Center, such as tour previews, pre-departure meetings and recap dinners. These shall be scheduled at the discretion of the Tour Planner and Senior Center Director.
8. The Tour Planner shall, prior to departure, make available to the Senior Center Director a detailed itinerary and passenger list for each trip.
9. The Tour Planner shall offer an evaluation form to be completed by participants. Evaluations of Senior Center participants shall be made available to the Senior Center Director.

Tour Planner Requirements – if the tour planner is transporting passengers and there is a contract between the City and the company transporting passengers:

1. The Tour Planner shall provide the City of Traverse City with a certificate of insurance delineating the following coverage: 1) \$1,000,000 per occurrence general liability, naming the

City of Traverse City as additional insured; 2) \$2,000,000 per occurrence automobile liability, naming the City of Traverse City as additional insured; 3) Workers Compensation Insurance.

Numbers 2 through 9 recited above.

Traverse City Senior Center Responsibilities:

In return for the listed requirements, the Senior Center will offer the following relative to the travel program:

1. All tours will be advertised in the Senior Center monthly newsletter and other related publications.
2. A press release for upcoming tours will be submitted to local publications.
3. Senior Center volunteers will assist with preparations for upcoming tours.
4. The Senior Center or other venues will be used at various times for the Tour Planner to showcase upcoming tours with flyers, posters, signs, etc.
5. The use of the Senior Center for previews, pre-departure meetings and recap dinners will be without charge to the Tour Planner.
6. The Senior Center will register all tour participants. Payments will be forwarded to tour planner upon receipt.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #293 (undated)

Cross Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 34**

TITLE: SOIL EROSION AND SEDIMENTATION CONTROL OPERATING
PROCEDURE

DEPTS. AFFECTED: PUBLIC SERVICES/ENGINEERING

EFFECTIVE DATE: OCTOBER 2010

In accordance with the provisions of the Michigan Natural Resources and Environmental Protection Act of 1994, the City is responsible for soil erosion and sedimentation control on both public and private lands within the City.

Part 91 of the Act allows “authorized public agencies” to implement their own soil erosion and sedimentation control procedures in order to conduct maintenance and construction activities without the need for regularly obtaining permits. The Soil Erosion and Sedimentation Control Operating Procedure (Operating Procedure), is designated as the City’s procedure.

Since the Department of Public Services conducts routine construction and maintenance to infrastructure systems, it regularly deals with erosion and sedimentation issues. Therefore, the Department of Public Services is hereby designated as the “authorized public agency” for purposes of administering the Operating Procedure, said Operating Procedure to be kept in the offices of the Department of Public Services and Engineering Department.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #331 dated October 15, 2003

Cross-Ref: T. C. Code, Chapter 1068, MCL 324.9101, *et seq.*
Michigan Administrative Code, R 323.1701, Rule 1701, *et seq.*
The Soil Erosion and Sedimentation Control Operating Procedure

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 35**

TITLE: SCRAP OR SALVAGE MATERIALS
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: OCTOBER 2010

No scrap, salvage or other excess material from the City's operation shall be disposed of except through the following process. If the scrap or salvage material has value, the City Commission must declare surplus prior to disposal.

1. The Department Head or his or her designee shall approve all materials to be disposed of from his or her department.
2. All materials that have a market scrap, salvage or core value (i.e. steel, cast iron fixtures, certain vehicle parts, etc.) may be sold in bulk lots or as individual items at the most current market price on the date of the sale. Market price will be determined as follows:
Quotes will be received from recognized scrap or salvage dealers. The highest price quoted will be considered the market price. Market price also may be established by past history of similar items sold at auction (e.g. tires). Materials may be disposed of in accordance with the dollar amounts established for the purchasing of goods as outlined in the Purchasing and Contracting Policies and Procedures.
3. Materials that have no recognized salvage, scrap or core value (i.e. carpenter shop wood scraps, wood chips, etc.) may be disposed of at proper disposal sites, or, upon approval of the Department Head, disposed of to persons requesting these items, except City officials or City employees.
4. The purchaser of any excess material must pay for the item at the time of delivery by a check made payable to the City of Traverse City.
5. Except as specifically authorized in writing by the City Manager, no material or scrap shall be exchanged for other materials or scrap of similar value with any individual or business concern. No materials shall be exchanged as barter for services rendered. Upon specific written authorization by the City Manager, trades of material of like value between governmental organizations may be acceptable. This shall not be construed to prevent normal trade-in of equipment in the course of equipment purchase or repair.
6. All checks shall be turned in to the City Treasurer along with an accurate accounting of all materials sold. Copies of this accounting shall be sent to the City Manager.
7. All rolling stock shall be sold through the DPS Director or the City Manager only.
8. After completion of the sale of any material, the seller shall be responsible to see that it is removed from the department inventory listing, that all vehicular titles are cleared, etc.



R. Ben Bfoss, City Manager

History: Supersedes E.O. #294 dated December 1, 1994 Cross-Ref: Charter, Sec 36(h)

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 36**

TITLE: SURPLUS MATERIALS
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: OCTOBER 2010

No surplus material from the City's operation shall be disposed of except through the following process. If the surplus material has value, the City Commission must declare surplus prior to disposal.

1. The Department Head or his or her designee shall approve all surplus materials to be disposed of from his or her department.
2. All surplus materials that have a value may be disposed of in accordance with the dollar amounts established for the purchasing of goods as outlined in the Purchasing and Contracting Policies and Procedures.
3. Surplus materials that have no recognized value may be disposed of at proper disposal sites, or, upon approval of the Department Head, disposed of to persons requesting these items, other than City officials or employees.
4. The purchaser of any surplus material must pay for the item at the time of delivery by a check made payable to the City of Traverse City.
5. Except as specifically authorized in writing by the City Manager, no surplus material shall be exchanged for other materials of similar value with any individual or business concern. No surplus materials shall be exchanged as barter for services rendered. Upon specific written authorization by the City Manager, trades of material of like value between governmental organizations may be acceptable. This shall not be construed to prevent normal trade-in of equipment in the course of equipment purchase or repair.
6. All checks shall be turned in to the City Treasurer along with an accurate accounting of all surplus materials sold. Copies of this accounting shall be sent to the City Manager.
7. After completion of the sale of any surplus material, the seller shall be responsible to see that it is removed from the department inventory listing.



R. Ben Bifoss, City Manager

History:
Cross-Ref: Charter, Sec 36(h)

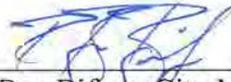
**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 37**

TITLE: HUNTING/TRAPPING PROHIBITED AT
KEYSTONE ROAD PROPERTY

DEPTS. AFFECTED: PUBLIC SERVICES, POLICE

EFFECTIVE DATE: OCTOBER 2010

To protect the wildlife and to ensure the safety of employees and citizens, hunting and trapping shall be prohibited at the City-owned property on Keystone Road and the area shall be so posted.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #324 dated July 30, 2002.
City-owned property is not located in the City limits.

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 38**

TITLE: EMPLOYEE USE OF VEHICLES
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: OCTOBER 2010

1. Authority to Assign. The City Manager has the authority to assign vehicles. Vehicles will be assigned on the basis of functional requirements of the employee's position and shall not be construed as being a substitute for other compensation or as a fringe benefit. Vehicles are assigned and certain privileges in their use granted only as a means of providing effective management of City functions.

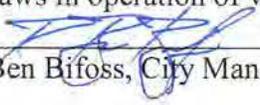
2. Special Use Assignments. Employees may be assigned a vehicle to take home when their duties and responsibilities require emergency use or routine and regular conduct of City business before and after normal working hours, when it is to the convenience and cost of the City to assign a vehicle, or there is a demonstrated security risk which warrants such assignment to protect City property. Employees receiving car allowances are not entitled to use of a City-owned vehicle unless reimbursement is made.

The use of a City vehicle for personal use, other than the commuting to and from work and incidental personal business (including the transport of passengers), when on the route between the work site and home, is strictly prohibited, except for unmarked police cars assigned to police officers.

The employee will be required to maintain a written mileage log which substantiates all vehicle mileage and use. The log will be submitted to the City Treasurer quarterly for the purpose of calculating the taxable benefit to be added to the employee's W-2 form. The benefit will be calculated using one of the acceptable IRS methods. Clearly marked police and fire vehicles and unmarked vehicles used by law enforcement officers are not subject to IRS substantiation requirements and are exempt from this requirement.

3. Limited Use Assignments. Vehicles may be assigned to departments in order to provide access to City-owned vehicles to those employees whose positions require routine utilization of a vehicle during normal working hours. Personal business uses, unless described above (including transportation of passengers) are not permitted.

4. Driver's License Required. Employees who have access to City-owned vehicles must possess a valid driver's license and must adhere to local and state laws in operation of vehicles.


R. Ben Bifoss, City Manager

History: Supersedes Executive Order #307 dated November 25, 1997

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 39**

TITLE: PUBLIC EDUCATION TRAILER LOAN AGREEMENT

DEPTS. AFFECTED: FIRE DEPARTMENT

EFFECTIVE DATE: OCTOBER 2010

Effective immediately, the Fire Chief is hereby authorized to execute Equipment Loan Agreements for the Fire Department's Public Education Trailer.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #336 dated October 15, 2004

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 40**

TITLE: ALCOHOL PROHIBITION ON CITY-OWNED PROPERTY

DEPTS. AFFECTED: FIRE, APS & POLICE DEPARTMENTS

EFFECTIVE DATE: OCTOBER 2010

FIRE STATION ONE CAMPUS

Possession or consumption of open alcohol shall be prohibited at the Campus of Fire Station Number One, with an address commonly known as 500 West Front Street, Traverse City, Michigan; and more specifically described as the Plat of Hannah Lay and Company's Tenth Addition, Block 12, Lots 22 (extending to Oak Street) through 30, of Traverse City, Michigan, and shall be posted on signs at such points within or at the perimeter where the ban is in effect.

FIRE STATION TWO CAMPUS

Possession or consumption of open alcohol shall be prohibited at the Campus of Fire Station Number Two, with an address commonly known as 1313 E. Eighth Street, Traverse City, Michigan; and more specifically described as Lots 49 to 54, inclusive, Block 7 Bayside Add, City of Traverse City, Grand Traverse County, Michigan, and shall be posted on signs at such points within or at the perimeter where the ban is in effect.

GOVERNMENTAL CENTER

Possession or consumption of open alcohol shall be prohibited at the Governmental Center, located at 400 Boardman Avenue, Traverse City, Michigan, and shall be posted on signs at such points within or at the perimeter where the ban is in effect.

LARRY C. HARDY PARKING DECK

Possession or consumption of open alcohol shall be prohibited at the Larry C. Hardy Parking Deck, located at 303 East State Street, Traverse City, Michigan, except at Suite A, in conjunction with an active license from the Michigan Liquor Control Commission, and shall be posted on signs at such points within or at the perimeter where the ban is in effect.

LAW ENFORCEMENT CENTER

Possession or consumption of open alcohol shall be prohibited at the Law Enforcement Center, located at 851 Woodmere, Traverse City, Michigan, and shall be posted on signs at such points within or at the perimeter where the ban is in effect.

OLD TOWN PARKING DECK

Possession or consumption of open alcohol shall be prohibited at the Old Town Parking Deck, located at 125 East 8th Street, Traverse City, Michigan, and shall be posted on signs at such points within or at the perimeter where the ban is in effect.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #353 dated September 12, 2007 and Executive Order #330 dated July 16, 2003

Cross-Ref: T. C. Code, Section 608.05

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 41**

TITLE: ACCIDENT INVESTIGATIONS

DEPTS. AFFECTED: POLICE DEPARTMENT

EFFECTIVE DATE: OCTOBER 2010

The Police Department shall investigate all accidents on City property including all personal injury accidents. All accidents shall be reported as soon as possible to the Police Chief or the sergeant on duty. The Police Department shall complete their investigation and report in their usual manner, utilizing City staff to assist if necessary. A reviewed copy shall be forwarded to the City Manager's and City Clerk's Offices.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #282 dated May 27, 1992

Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 42**

TITLE: PARKING METER ADMINISTRATION -
CITY LEGAL HOLIDAYS

DEPTS. AFFECTED: APS

EFFECTIVE DATE: OCTOBER 2010

For the purpose of clarifying the definition of legal holidays for parking meter administration conducted by the City of Traverse City, the following is a list of the City's legal holidays:

New Year's Day
Presidents' Day
Good Friday
Memorial Day
4th of July
Labor Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Eve Day
Christmas Day



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #327 dated March 4, 2003

Cross-Ref: T. C. Code, Section 484.04 (a)

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 43**

TITLE: PARKING TICKETS, ISSUANCE OF & DISPUTED
DEPTS. AFFECTED: APS, DPS, POLICE, MANAGER, DDA, CODE ENFORCEMENT
DATE: OCTOBER 2010

ISSUANCE OF PARKING TICKETS

Authorization is hereby given, effective immediately, for qualified persons in the APS, DPS and Code Enforcement Offices; and at NMC & the Cherry Capital Airport by contract, as well as appointed police officers of the Police Department, to issue parking violation tickets in accordance with Chapter 4, Section 488.05 *Traffic Citations; Notices of Violations* of the Traverse City Code of Ordinances.

DISPUTED PARKING TICKETS

All disputes regarding citations or notices for parking violations issued by the Police Department shall first be referred directly to the ticketing officer. All other citations or notices issued shall be referred to the Parking Administrator

The following persons shall have authority to void citations for parking violations issued by Auto Parking System personnel:

1. The City Manager
2. The Police Chief
3. The Parking Administrator/Deputy Parking Administrator
4. The DDA Director

Citations or notices issued by police officers for parking violations may be voided by the ticketing officer, the Police Chief or the City Manager.



R. Ben Bifoss, City Manager

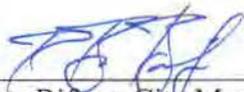
History: Supersedes Executive Order #337 dated December 30, 2004 and #274 dated December 10, 1991

Cross-Ref: T.C. Code, Section 488.05

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 44**

TITLE: APPEARANCE TICKETS – AUTO PARKING SYSTEM
DEPTS. AFFECTED: APS, POLICE , CODE ENFORCEMENT
EFFECTIVE DATE: OCTOBER 2010

In addition to the Police Chief and the appointed officers of the Police Department, selected Auto Parking System Enforcement Officers and the Code Enforcement Officer are hereby authorized to issue and serve appearance tickets for violations of Chapter 420 *Bicycles and Coaster Toys* of the Traverse City Code of Ordinances:



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #332 dated June 11, 2004

Cross-Ref: MCL 764.9c(2)
T.C. Code, Chapter 420, *Bicycles and Coaster Toys*
T.C. Code, Section 202.99, *General Code Penalty; Complicity; Citations*
T.C. Code, Section 298.04, *Downtown District Boundaries*
City Commission Resolution

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 45**

TITLE: APPEARANCE TICKETS – CODE ENFORCEMENT
DEPTS. AFFECTED: CODE ENFORCEMENT & POLICE
DATE: OCTOBER 2010; AMENDED JUNE 2012; AMENDED MAY 16, 2013

In addition to the Police Chief and the appointed officers of the Police Department, the Code Enforcement Officer is hereby authorized to issue and serve appearance tickets for violations of the following chapters or sections of the Traverse City Code of Ordinances:

Chapter 420	<i>Bicycles and Coaster Toys</i>
Chapter 482	<i>Parking on Residential Lots</i>
Sec. 488.05	<i>Traffic Citations, Notices of Violations</i>
Chapter 608.06	<i>Restricting Smoking in Designated City Parks</i>
Chapter 610	<i>Animals</i>
Chapter 652	<i>Noise Control</i>
Chapter 656	<i>Offenses Relating to Property</i>
Chapter 660	<i>Public Nuisances</i>
Chapter 664	<i>Railroads</i>
Chapter 668	<i>Safety, Sanitation and Health</i>
Chapter 670	<i>Sex Related Offences</i>
Chapter 690	<i>Weapons and Explosives</i>
Chapter 806	<i>Auctioneers</i>
Chapter 846	<i>Pawnbrokers</i>
Chapter 856	<i>Secondhand Stores</i>
Chapter 860	<i>Shooting Galleries</i>
Chapter 862	<i>Solicitors</i>
Chapter 863	<i>Peddlers</i>
Chapter 864	<i>Street Performers</i>
Chapter 865	<i>Mobile Food Vending</i>
Chapter 866	<i>Taxicabs</i>
Chapter 867	<i>Pedicab Public Transportation</i>
Chapter 868	<i>Tourist Homes</i>
Chapter 876	<i>Yard Sales</i>
Chapter 1020	<i>Streets</i>
Sec. 1020.09	<i>Newsrack Permits</i>
Chapter 1022	<i>Sidewalks</i>
Chapter 1024	<i>Excavations</i>
Chapter 1026	<i>Curb Cuts</i>
Chapter 1028	<i>Trees and Shrubs</i>
Chapter 1040	<i>Utilities</i>
Chapter 1042	<i>Sewer, Construction & Maintenance</i>
Chapter 1043	<i>Wastewater Discharge Regulations</i>
Chapter 1044	<i>Water</i>
Chapter 1060	<i>Garbage and Rubbish Collection and Disposal</i>
Chapter 1062	<i>Harbor & Waterfront</i>
Chapter 1064	<i>Parks</i>
Chapter 1066	<i>Cemeteries</i>
Sec. 1322.04	<i>Zoning Administrator</i>
Chapter 1456	<i>Property Maintenance</i>
Sec. 1476.16	<i>(Sign Chapter) Enforcement</i>
Chapter 1482	<i>Rental Housing Regulations</i>



R. Ben Bifoss, City Manager

History: Supersedes Executive Order 325 dated April 24, 2009

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 46**

TITLE: EQUAL ENFORCEMENT
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: SEPTEMBER 9, 2010

PURPOSE AND GOAL

The City of Traverse City is committed to fair and impartial enforcement of the law. The City recognizes that where the law is not evenly enforced, there follows a reduction in respect for the law and a resistance to its enforcement. The purpose of this Administrative Order is to provide clarity on the City's Policy regarding equal enforcement, and to provide for independent review of alleged misconduct by law enforcement personnel in cases that warrant independent review.

APPLICABILITY

This Administrative Order applies to all departments responsible for enforcing laws within the City of Traverse City.

PROHIBITED BEHAVIOR

It is a violation of this Order to conduct law enforcement within the City in a biased manner. This is not limited to, but specifically includes, providing preferential treatment to or for other law enforcement officers or government officials. A violation of the Policy shall be deemed misconduct and he or she may be subject to progressive disciplinary action. Consequences of a violation may include removal from duty, suspension without pay, or termination from employment.

INDEPENDENT REVIEW OF ALLEGED MISCONDUCT

Nothing in this policy prohibits the employee from being disciplined or discharged for other violations or performance problems. The City Manager, or his or her designee, may conduct an independent review of any alleged misconduct by law enforcement personnel, in any case where the City Manager determines in his or her sole discretion that an independent review is warranted.



R. Ben Bifoss, City Manager

History:
Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 47**

TITLE: NON-DISCRIMINATION POLICY
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: OCTOBER 2010

PURPOSE AND GOAL

The City of Traverse City shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, compensation, work classifications, promotion or demotion, or termination because of race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity, except where a bonafide job qualification exists.

The City of Traverse City shall not discriminate in the provision of any services because of race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity.

The City of Traverse City shall comply with the appropriate federal guidelines for nondiscrimination and reporting, where required by contract between the City and federal or state agencies, and where such standards are applied for municipalities of Traverse City's racial composition and population.

All contracts between the City and its Contractors shall contain a nondiscrimination clause banning discrimination against an employee or applicant for employment with respect to hire, tenure, terms, conditions, compensation, work classifications, promotion or demotion, or termination because of race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity,

Contractors, consultants and vendors who certify in writing that they are in compliance with this Administrative Order and Chapter 605 of the City's Codified Ordinances are approved contractors under Section 605.07(A) of the City of Traverse City's Codified Ordinances.



R. Ben Bifoss, City Manager

History:
Cross-Ref:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 48**

*Superseded
by Personnel
Policy
#217P*

TITLE: CELL PHONE POLICY
DEPTS. AFFECTED: ALL DEPARTMENTS THAT ADMINISTER CELL PHONES
EFFECTIVE DATE: JANUARY 2011

1. **PURPOSE:** The City of Traverse City recognizes that modern telecommunications devices are essential to the efficient and effective completion of job tasks; therefore the City provides various communications devices to employees, including cell phones. Because cell phones are issued to employees for round the clock use, cell phones create greater opportunity for personal use than other forms of communications. Excessive personal use of a City owned cell phone by an employee can be considered a taxable benefit to the employee. The purpose of this policy is to limit personal use of City owned cell phones.
2. **SCOPE:** This policy applies to all employees using cell phones provided and funded by the City.
3. **DEFINITIONS:**
 - a. City owned cell phone: Ones purchased by a Department head or an authorized representative with City funds.
 - b. Personal call: A personal call is one not related to City business or the City's service to the public.
4. **RESPONSIBILITY:** The primary responsibility for complying with this policy lies with the Department Head. The Department Head will identify Departmental cell phone needs, determine the best combination of cell phone and service plan for the Department from the awarded cell phone service proposals, and implement an interdepartmental review procedure to ensure that phones are used for their intended purpose and that billings are accurate. The Department Head will ensure that all City owned equipment is recovered in the event that an employee is terminated or a service plan is terminated.
5. **POLICY:**
 - a. City owned cell phones are intended solely for conducting the business of the City.
 - b. Occasional use of cell phones for personal calls is inevitable for emergency purposes and to communicate changing work schedules with family members. However, personal use of City owned cell phone(s) shall not exceed thirty minutes per month.
 - c. Department Heads may require employees to reimburse the City for extra billing charges resulting from cell phone plan minutes being exceeded, if the cause of the excess minutes is personal use.
 - d. Employees shall reimburse the City for personal use calls that result in long distance, roaming or other charges over and above the plan rate.
 - e. Employees who consistently exceed the thirty minutes per month personal use limit shall be subject to disciplinary action.
 - f. Department heads or designated representatives will review monthly cell phone bills to ensure compliance with this policy.
6. **ALTERNATIVE 1:** As a convenience to employees who wish to use their City owned phones for more than thirty minutes of personal calls per month or do not wish to carry two phones,

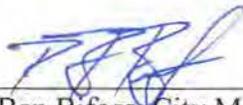
one personal and one City, a cell phone allowance may be requested. If Department Head grants the request for an allowance, the following rules apply:

- a. An employee accepting a cell phone allowance shall obtain and maintain an active cell phone service plan for the life of the allowance.
- b. The employee shall be responsible for purchasing a phone and service plan that is compatible with the phones and service plan being used by the Department or Division. (As an example, an employee must be equipped with a Nextel phone if the Department or Division uses Nextel service.)
- c. The cell phone allowance shall not be greater than the monthly cost of the cell phone service plan in use by the Department or Division.
- d. The employee will maintain their own account, receive all bills, and pay all cell phone charges, including long distance, roaming and other charges resulting from business and personal use of the phone.
- e. The cell phone allowance will be paid monthly and will be subject to income taxes. The allowance will not constitute an increase in base pay.
- f. The employee must list the cell phone number with the City and be available by cell phone during work hours and Department directed on call hours.
- g. If, by a decision of the City, the service plan that the employee is under needs to be changed, the City will bear the costs of any associated fees.

7. ALTERNATIVE #2: As a convenience to employees who wish to use their City owned phones for more than thirty minutes of personal calls per month or do not wish to carry two phones, one personal and one City, the employee may reimburse the City for their personal use. If Department Head grants the request, the following rules apply:

- a. The employee will take the past six months usage of their cell phone bill and calculate the average cost of personal use (less 30 minutes) during those months, which include any direct and indirect charges based on a pro rata share. This amount must be reimbursed to the City on a monthly basis for personal use of the cell phone. This amount will be recalculated on an annual basis.

8. DEPARTMENTAL POLICY: Departmental policy may be more but not less restrictive than City policy.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #354 dated November 19, 2007

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 49**

TITLE: TREELAWN PARKING

DEPTS AFFECTED: ALL DEPARTMENTS

EFFECTIVE DATE: JUNE 11, 2013

Ordinances 482.03: Parking in Front Yard or Treelawn and 1374.03 Motor Vehicle Parking (c)(5): Use of Public Right-of-Way, do not allow parking in the treelawn on a non-curbed street *except where permitted by sign.*

To gain the authorization of the City Manager for signage permitting parking on the treelawn, Applicant must meet the listed criteria or show cause for special circumstances.

1. The applicant must own property contiguous with the treelawn where the parking is requested.
2. The property owner must be willing to make improvements to the treelawn to the written standards of the City Engineer, at the property owner's expense.
3. The parking space would be public unless permitted: permits would be provided to residential property owners at their request for up-to-five year increments.
4. A Right-of-Way Permit is required.
5. The parking space has to be parallel to the roadway.
6. Parking is limited to personal motor vehicles: trailers, boats, RV's etc are not permitted.
7. The City will not maintain the improved space including snow removal, sweeping, maintenance or repairs.
8. If the parking space becomes unused or in disrepair, the property owner must repair or return it to its original condition; or the City can cause the improvements to be made and assess the costs.
9. Only one treelawn parking space shall be permitted per parcel.

In reviewing the application, for the following requirements must be met:

1. Property that has no driveway or no room for a driveway.
2. Property that has no alley access.
3. Treelawns that are at least 9 x 20 feet in size, not counting the sidewalk.
4. When there will be no tree removal.
5. When property is over 500 feet from any other available off-street parking.

Procedure:

1. Apply for exception by submitting plans for improvement to treelawn to City Engineer.
2. Demonstrate that the criteria are met for improving the treelawn to the City Engineer or show cause for special circumstances.
3. Apply for Right-of-Way Permit.
4. After construction, residential property owner can request permit.



R. Ben Bifoss, City Manager

History:

Cross- Ref: Ordinance 482.03 PARKING IN A FRONT YARD OR TREELAWN and
1374.03 MOTOR VEHICLE PARKING.

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 50**

TITLE: EXCAVATION AND STREET OPENING BONDS
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: MAY 2012

The Traverse City Code establishes that an applicant for a permit for "any excavation or opening in or under any public right of way, street or alley, or upon any public property shall post a bond with the City in an amount determined by the City Manager or sign & agree to a special assessment against the benefited property for the labor, material or services incurred by the City in restoring the public right-of-way, street, alley, or public property to its former condition in the event that the applicant fails to restore the public right-of-way, street, alley, or public property to its former condition as required by section 1024.04 .

All persons desiring to excavate or otherwise perform major work which would temporarily alter the condition of the street, alley, right of way, or any public property must post a minimum cash bond of \$100 with the City Engineer or agree to a special assessment against the benefited property (for the labor, material or services incurred by the City in restoring the public right-of-way, street, alley or public property to its former condition in the event that the applicant fails to restore it to its former condition).for each excavation to be made prior to receiving a permit from the City to perform the work. Should the extent of the work involved within a public right of way be of an unusual amount, the City Engineer may require an additional cash bond of an amount to be determined by the City Engineer if special assessment has not been agreed upon, to help insure proper restoration.

Contractors who make five or more openings per year may post a single cash bond in the amount of \$500 with the Engineer rather than post individual bonds for each excavation.

In the event the excavation work is incomplete or restoration is improper so as to require correction by the City, after proper notification, the work may be completed by City personnel and all costs incurred will be deducted from the bond or bonds posted by the applicant. Any monies remaining will be returned to the applicant when the work has been completed, or, in the event the City's costs exceed the value of the bonds, then the difference will be billed to the applicant. Failure to pay within thirty days nullifies all permits the applicant may have with the City and places a stop on the issuance of any future permits until acceptable payment is arranged.

Work shall be guaranteed to the City for a period of one year from the date that work has been approved by the City. Failures caused by faulty materials or poor workmanship within the one year period shall also be adequate reason to hold release of any and all bonds on deposit and to hold future permits.

No permit shall be issued to any person without first posting the required bond, or in the case of the larger bond for multiple openings, without having the full amount of the bond to his credit or signing/agreeing to the special assessment on the benefited property..

Upon notification from the applicant that the work has been performed satisfactorily, the City shall inspect the site to assure the area is properly cleaned up and to determine if the work appears to have been satisfactorily performed. The inspection shall occur within 30 days of notification, or as weather may permit. The disposition of the City inspector shall be forwarded to the Treasurer's office if the recommendation is to release the bond. If the inspector recommends the denial of the release of the bond, the applicant shall be notified regarding the reasons for such action.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #279 (undated), Executive Order #217, dated June 30, 1977, and Executive Order #194, dated September 2, 1964.
Cross-Ref: T.C. Code, Sections 1024.01 and 1024.04

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 51**

TITLE: SURVEILLANCE VIDEO POLICY

DEPTS. AFFECTED: POLICE, TRAVERSE CITY PARKING SERVICES, CLERK

EFFECTIVE DATE: IMMEDIATELY

The purpose of this Administrative Order is to set forth guidelines for the use, retention, and disposal of video collected by the City's closed circuit television cameras, which are monitored by Traverse City Parking Services.

PUBLIC NOTIFICATION:

Closed circuit television camera locations shall contain signage giving notice that observation may be underway. Such signage shall read substantially as follows: "PUBLIC VIDEO SYSTEM MAY BE IN USE."

USE OF VIDEO RECORDINGS:

Video recordings may be used for security or law enforcement purposes to deter, detect or prosecute criminal offenses as allowed by law and may be released to third parties as required by law (e.g. subpoena or Freedom of Information Act).

MONITORING OF VIDEO RECORDINGS:

The cameras shall be monitored or recordings viewed for security, risk management, insurance, and law enforcement purposes and only by Traverse City Parking Services staff, the Traverse City Police Department, or such other person(s) as may be authorized by the City Manager provided that such person(s) has a security or law enforcement purpose for viewing the recordings. The cameras shall not be monitored or recordings viewed based solely on the actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity of the persons in the scene.

RETENTION OF RECORDINGS:

At the request of the Traverse City Police Department, any video the Traverse City Police Department determines showing criminal or other law enforcement activity shall be immediately forwarded to the Traverse City Police Department pursuant to its procedures and policies for transferring video evidence and not retained by Traverse City Parking Services in the performance of an official function. At the request of the City Clerk, any video determined by the City to be in connection with an incident related to risk management, that may subject the City to liability, or provide the City with information necessary for cost recovery shall be forwarded directly to the City Clerk's office and not retained by Traverse City Parking Services in the performance of an official function. All video recordings shall be overwritten and erased every 14 days, unless saved pending final outcome of an incident investigation or for evidentiary purposes.

Dated: July 25, 2012



R. Ben Bifoss, City Manager

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 52**

TITLE: JAY SMITH WALKWAY PROJECT CONTRIBUTION POLICY
DEPTS. AFFECTED: PARKS & RECREATION/ALL
EFFECTIVE DATE: IMMEDIATELY

The purpose of this order is to establish guidelines for acknowledging and recognizing contributors to the Jay Smith Walkway Project:

1. Donors contributing the full cost of a specific item as shown on the Jay Smith Walkway Project Plan and identified in the list below may have a proportionately-sized plaque up to 5" by 7" showing the donors' name installed on the item:

Bench w/plaque	\$1,960	Front entrance feature	[To be determined]
Table and 2 chairs	\$2,560	Arbor	[To be determined]
Vertical screen	[To be determined]	Trash receptacle	\$1,430
Bike rack	\$1,100	Fountain	\$5,000

2. Contributors of monetary or material donations over \$200 toward the cost of walls, walkways, landscaping, lighting, heated sidewalk, etc. or labor valued over \$200 will have their names added to a group plaque installed on the site.
3. Donations in any amount and donations of labor are very much appreciated. After completion of the project, a list of all donors will be published in the newspaper.

Date: June 22, 2012



R. Ben Bifoss, City Manager

History: Supersedes Executive Order #342, dated September 26, 2005.

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 53**

TITLE: PEDICAB PUBLIC TRANSPORTATION

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: MARCH 2013

The purpose of this order is to prohibit certain areas from use by pedicabs.

Pedicab routes shall not encompass any of the following areas:

1. TART Trail within the City limits.



R. Ben Bifoss, City Manager

History:

Cross-Ref: Code of Ordinances, Chapter 867 - Pedicab Public Transportation

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 54**

TITLE: VOLUNTEER AND INTERNSHIP ACTIVITIES
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: FEBRUARY 2015

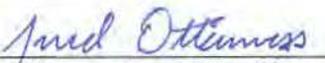
Any requests for volunteer and internship programs/activities to be performed for the City shall be forwarded to the City Clerk who will examine the request for risk management/liability purposes, in concert with the City Attorney, and provide any recommendations for risk management/liability considerations. No such activities shall occur until approved by the City Manager or designee.

When forwarding a request to the City Clerk, the following information shall be provided:

1. A description of the activities to be performed
2. The names and titles of employees who will coordinate the program
3. The name of the organization (if any) providing the participants
4. Whether any participants are/may be minors
5. What equipment will be used by the participants
6. Other relevant information

Individuals participating in volunteer/internship programs with the City shall not be construed in any fashion as employees. There shall be no assumption or characterization that such individuals are performing activities as a contract of hire. Such individuals shall not be allowed to participate if they are considered part of a federally-funded training program without the express approval of the City's insurance carrier, which shall be obtained by the City Clerk.

Date: February 13, 2015


Jered Ottenwess, City Manager

History:

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
ADMINISTRATIVE ORDER NO. 55**

TITLE: ASSISTANT CITY MANAGER/ACTING CITY MANAGER

DEPTS. AFFECTED: ALL

EFFECTIVE DATE: MARCH 2015

The Assistant City Manager will be the Acting City Manager, with the task of day-to-day operations of the City, and authorized to execute contracts on behalf of the City Manager whenever the City Manager is away from the office for a day or more.

The City Treasurer/Finance Director or the City Clerk (whichever has more seniority within the organization) shall serve as Acting City Manager, if both the City Manager and the Acting City Manager are away from the office for a day or more.



Penny Hill, Acting City Manager

History: Supersedes Executive Order #326 dated March 4, 2003; supersedes Administrative Order #10 dated October 2010.

Cross-Ref: