



**CITY COUNCIL *STUDY* SESSION
JULY 8, 2024/7:00 P.M.
RIVERVIEW CITY HALL
COUNCIL CONFERENCE ROOM
14100 CIVIC PARK DR.
RIVERVIEW, MI 48193-7600
734-281-4201**

AGENDA

- 1. CALL TO ORDER.**
- 2. DISCUSSION ITEMS.**

2.1 DISCUSS AMENDING THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND READOPTION OF ARTICLE III CHAPTER 86 SUBPART B PROPERTY MAINTENANCE – BUILDING DEPARTMENT.

COMMUNITY IMPACT/BACKGROUND: The City of Riverview Building Department asks for consideration of an ordinance that repeals the current property maintenance code that is reliant on the International Property Maintenance Code 2015 edition. The readoption updates the local ordinance to be reliant on the IPMC 2021 edition.

ACTION REQUESTED: Discuss.

ATTACHMENT: Draft ordinance amendment.

2.2 DISCUSS CONTRACTING WITH BS&A BUILDING DEPARTMENT SOFTWARE FOR ON-LINE PERMIT CAPABILITY - BUILDING DEPARTMENT.

COMMUNITY IMPACT/BACKGROUND: The City of Riverview Building Department receives requests to use on-line software to accept permit applications and payment. This service is not currently provided so contractors and residents must communicate with the department in person or by mail. The on-line software provides a convenience. The current provider, BS&A Software, has this capability.

ACTION REQUESTED: Discuss.

ATTACHMENTS: Department description letter and BS&A quote.

2.3 DISCUSS ROTARY CLUB OF SOUTHGATE'S PROPOSAL TO ALLOW MEDICINE DROP OFF BOXES WITHIN THE CITY OF RIVERVIEW – CITY MANAGER.

COMMUNITY IMPACT/BACKGROUND: The medicine drop off boxes would be managed by personnel from the City of Riverview (Police Department). Rotary personnel will explain the program and proposed ordinance. Rotary Club of Southgate will eventually be asking for the City Council to support and adopt an ordinance allowing the medicine drop off boxes.

ACTION REQUESTED: Discuss.

ATTACHMENT: Information packet.

2.4 <u>UPDATE</u> - SPECIAL PROJECTS REPORT.

COMMUNITY IMPACT/BACKGROUND: The Project Managers, Engineering support staff, and Community Development Director will report on public and private construction activities occurring within the community.

Representatives from Cornerstone Environmental Group, LLC; Charles E. Raines Co.; and the Community Development Department will be available for discussion of the projects.

ATTACHMENTS: Cornerstone Environmental Group, LLC Project Summary dated 07/02/24; Charles E. Raines Co. Engineering Projects Update dated 07/06/24; and Community Development Economic Development Report dated 07/01/24.

3. OTHER BUSINESS.

4. PUBLIC COMMENTS.

5. ADJOURNMENT.

**CITY OF RIVERVIEW
WAYNE COUNTY, MICHIGAN**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES AS IT
RELATES TO BUILDINGS AND BUILDING REGULATIONS FOR THE
PURPOSE OF UPDATING THE PROPERTY MAINTENANCE CODE BY
AMENDING SUBPART B, CHAPTER 86, ARTICLE III, ENTITLED
"PROPERTY MAINTENANCE" OF THE CITY OF RIVERVIEW CODE OF**

The City of Riverview ordains:

Section 1. Amendment. The City of Riverview Code of Ordinances, **Subpart B, Chapter 86**, is hereby amended by repealing **Article III** entitled, **"Property Maintenance"** in its entirety and adding new **Article III** entitled, **"Property Maintenance"** in its entirety to read as follows:

ARTICLE III. PROPERTY MAINTENANCE

Sec. 86-81. Adoption of code.

The International Property Maintenance Code, 2021 Edition, as promulgated and published by the International Code Council, is adopted by reference as the property maintenance code of the City of Riverview and made a part of this chapter as if fully set forth in this article, subject to the modifications provided in this article and subject to such further modifications as the city shall adopt from time to time.

Sec. 86-82. Purpose of code.

The purpose of the property maintenance code is to ensure public health, safety, and welfare insofar as they are affected by the maintenance of all property, buildings, and structures within the city.

Sec. 86-83. Definitions.

Whenever the words "city," "jurisdiction" or "governmental unit" are used in the International Property Maintenance Code, 2021 Edition, they shall mean the City of Riverview. Whenever the word "state" is used in the International Property Maintenance Code, 2021 Edition, it shall mean the State of Michigan.

Sec. 86-84. Amendments to the property maintenance code.

The International Property Maintenance Code, 2021 Edition, is amended as follows:

- (a) Section 101.1 is amended to read in its entirety as follows:

101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Riverview, hereinafter referred to as "this code."

(b) Section 102.3 is amended to read in its entirety as follows:

102.3. Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical Code, the Michigan Plumbing Code, the Michigan Electrical Code, and the Riverview Fire Code. Nothing in this Code shall be construed to cancel, modify, or set aside any provision of the Riverview Zoning Ordinance.

(c) Section 102.3.1 is added to read in its entirety:

102.3.1. Reference to other codes. Whenever the "International Building Code" or "building code" is referenced in this Code it shall mean the Michigan Building Code. Whenever the "International Mechanical Code" is referenced in this Code it shall mean the Michigan Mechanical Code. Whenever the "International Plumbing Code" is referenced in this Code it shall mean the Michigan Plumbing Code. Whenever the "International Electrical Code" or "NFPA 70" is referenced in this Code it shall mean the Michigan Electrical Code. Whenever the "International Fire Code," "fire code" or "NFPA 25" is referenced in this Code it shall mean the Riverview Fire Code. Whenever the "International Zoning Code" is referenced in this Code it shall mean the Riverview Zoning Ordinance.

(d) Section 103.1 is amended to read in its entirety as follows:

103.1. Creation of agency. The Building Safety Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

(e) Section 103.2 is amended to read in its entirety as follows:

103.2 Appointment. The *code official* shall be the appointed Building Official of the City of Riverview.

(f) Section 104.1 is amended to read in its entirety as follows:

104.1 Fees. The City Council shall by resolution from time to time, establish a fee schedule for activities and services performed by the department in carrying out its responsibilities under this code.

(g) Section 104.3 is added to read in its entirety:

104.3 Payment and collection. The applicable sections of the Code of the City of Riverview shall govern the payment and collection of special assessments made under this Code.

(h) Section 104.4 is added to read in its entirety:

104.4 Unpaid fees. Any unpaid fees, as required by this Code that remain unpaid after February 15th, shall become a debt to the City from the owner or person otherwise to be assessed on Tax Day provided by law. Such unpaid fees shall become a lien upon such real property and the lien for such amounts and all associated interest and penalties shall continue until payment. All such lien amounts shall be collected in the same manner as real property taxes.

- (i) Section 105.3 is amended to read in its entirety as follows:

105.3. Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner*, *owner's* authorized agent or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry. In all instances where entry is refused, the code official is authorized to pursue recourse as provided by law.

- (j) Section 105.7 is amended to read in its entirety as follows:

105.7 Liability. The *code official*, members of the Riverview Construction Board of Appeals, or employees charged with the enforcement of this Code, while acting for the city, in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not be rendered liable personally, and is relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by legal representative of the City until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this Code.

- (k) Section 107.1 is amended to read in its entirety as follows:

107.1 General. Appeals under the International Property Maintenance Code are controlled by Chapter 86, Article II, Division 1, Sec. 86-33 of the city's Code of Ordinances.

- (l) Section 107.3 is deleted in its entirety.

- (m) Section 108.1 is deleted in its entirety.

- (n) Section 109.3 is amended to read in its entirety as follows:

109.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 111.4 shall be deemed guilty of a municipal civil

infraction as governed by the provisions of Subpart A, Chapter 1, Article II of the Code of Ordinances of the City of Riverview, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the *structure* in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

- (o) Section 109.4 is amended to read in its entirety as follows:

109.4 Violation penalties. Violations of this code are a municipal civil infraction for which a person is responsible for a civil fine of not less than \$50.00 and not more than \$500.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (p) Section 110.4 is amended to read in its entirety as follows:

110.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this Code.

- (q) Section 201.3 is amended to read in its entirety as follows:

201.3. Terms defined in other codes. Where terms are not defined in this Code and are defined in the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical Code, the Michigan Plumbing Code, the Michigan Electrical Code, the Riverview Fire Code or the Riverview Zoning Ordinance, such terms shall have the meanings ascribed to them as stated in those codes or ordinances.

Exception: When used within this code, the terms unsafe and dangerous shall have only the meanings ascribed to them in this code and shall not have the meanings ascribed to them by the Michigan Rehabilitation Code for Existing Buildings.

- (r) Section 302.4 insert "eight (8) inches in height for residential property and ten (10) inches in height for commercial property."

- (s) Section 304.14 insert "April 1 to November 15."

- (t) Section 401.3 is amended to read in its entirety as follows:

401.3. Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Michigan Building Code and/or the Michigan Mechanical Code shall be permitted.

- (u) Section 602.2 is amended to read in its entirety as follows:

602.2. Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms,

bathrooms and toilet rooms based on the winter outdoor design temperature for the City of Riverview as indicated in the Michigan Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

(v) Section 602.3 is amended to read in its entirety as follows:

602.3. Heat supply. Every owner or operator of any building who rents, leases, or lets one or more dwelling units, rooming units, dormitory or guestrooms on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the City of Riverview shall be as indicated in the Michigan Plumbing Code.

(w) Section 602.4 is amended to read in its entirety as follows:

602.4. Occupiable work spaces. Indoor occupiable workspaces shall be supplied with heat during the period from October 1 to May 1 to maintain a temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage, and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Sec. 86-85. Fire extinguishers; fire prevention and detection devices.

The following additional fire safety requirements are adopted:

- (a) It shall be the duty of the owners of a multiple dwelling building (more than two residential units) to provide at least one 1A:10B:C type fire extinguisher for each apartment or dwelling unit within the building.
- (b) It shall be the duty of the owners of a multiple dwelling building (more than two residential units) to provide at least one 2A:10B:C type fire extinguisher for each common area within the building.
- (c) Prior to issuance of occupancy permits, there shall be provided in all buildings, except single-family dwellings, whether residential or commercial, including but not limited to multiple, commercial, offices, nursing homes, hospitals, high-rise buildings, restaurants

and certain industrial buildings, a system or combination of one or more of the following devices:

- (1) A centrally monitored smoke detection system;
- (2) A centrally monitored heat detection system;
- (3) A centrally monitored products-of-combustion system;
- (4) An automatic sprinkler system;
- (5) An automatic extinguishing system over cooking areas in restaurants, lounges, and other food preparation kitchen areas.

The fire chief may, however, under unusual or exceptional circumstances decide that a particular type of building, because of design, layout, or architecture, cannot as a practical matter utilize or embody any one of the foregoing systems. The certificate of the fire chief in such instance shall then be filed indicating his determination as to the non-applicability of this section and such shall be filed with the city clerk prior to the issuance of an occupancy permit for such building so exempted.

- (d) The installation, maintenance, and use of any of the fire warning or fire control systems must be approved by the fire chief and be installed and used for the purpose of giving early warning and fire protection.
- (e) The detection system standards which shall be controlling under this section are those standards which are set forth in the National Fire Protection Association (NFPA 72): "National Fire Alarm and Signaling Code", a copy of which is on file with the city clerk's office for examination, which standards are herewith adopted and incorporated in this section by reference thereto.
- (f) The requirements of this section apply to all multiple housing units.

Sec. 18-173. Copies of code.

A complete copy of the International Property Maintenance Code, 2021 Edition, is available for public use, inspection, and purchase at the offices of the city clerk.

Section 2. Effective Date. This ordinance shall become effective 10 days after its publication.

YEAS: _____

NAYS: _____
ABSTAIN: _____
ABSENT: _____

CERTIFICATION

This is a true and complete copy of Ordinance No. _____ adopted at a regular meeting of the Riverview City Council held on _____, 2024.

Andrew Swift, Mayor

Shane Anne Harrison, Clerk

Introduced: _____, 2024
Adopted: _____, 2024
Published: _____, 2024
Effective: _____, 2024



Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: Jeff Dobek, City Manager

FROM: Michael Radzik, CWA Operations Manager
Jennifer Dufore, Riverview Building & Zoning Administrator

DATE: June 28, 2024

RE: Online Services for BS&A Building Department Software

Background

The City of Riverview uses BS&A Building Department.NET software to facilitate building and trade permits, inspection scheduling and recordkeeping, certificates of occupancy, code enforcement records, and development escrow accounts.

Currently, residents and contractors doing business with the City file paper applications in person or by mail. Payments for services are invoiced through the BS&A software and paid either in person at city hall or by mail.

The city currently does not offer an online option for submitting permit applications or to make payments.

Addition of On-Line Service Capability

The BS&A Building Department.NET software platform currently in use is capable of accepting online payments and online application submittals. In order to activate and maintain this functionality, the City must apply and fund software updates performed and administered by BS&A.

Once established, residents and contractors will have the ability to submit permit applications online, and to directly pay for services online using a credit or debit card. The City already has a contractual relationship with Point & Pay, a credit/debit card processing company, to accept other types of payments for things such as utility bills. Point & Pay is an authorized partner with BS&A to facilitate online payments as well.

Benjamin R. Carlisle, *President* John L. Enos, *Vice President* Douglas J. Lewan, *Principal*
David Scurto, *Principal* Sally M. Elmiger, *Principal* R. Donald Wortman, *Principal* Craig Strong, *Principal*
Paul Montagno, *Principal*, Megan Masson-Minock, *Principal*, Laura Kreps, *Principal*
Richard K. Carlisle, *Past President/Senior Principal*

Internal and External Costs

The internal costs to the city to establish and maintain BS&A on-line services for the Building Department are as follows:

• Project Management and Implementation Planning	\$ 750
• Onsite Implementation/Setup/Training (3 days)	\$3,000
• Initial BS&A Fee	\$2,665
• BS&A Travel Expenses	\$ 455
<hr/>	
Total Start-Up Cost	\$6,870

The purchase price detailed above includes unlimited support during the first year of operation. Thereafter, BS&A will invoice the City an **annual service fee of \$2,665**, subject to adjustment after the second year of operation.

Funding to cover the start-up costs and annual maintenance fees are available in the Building Department budget; no budget transfer is necessary.

Externally, BS&A will charge the City an **application fee of \$3 for each permit application** submitted online through its software program. The City will pass along the application fee to its customers with no markup. Customers will have the choice to avoid paying the application fee by submitting their application in person or by mail, as is currently done.

Finally, customers who choose to pay invoices online through the BS&A website will incur a 3% convenience fee payable to Point & Pay at the time of each transaction. Customers will see two separate line-item charges on their credit/debit card bill: one charge payable to the City for the permit purchase, and a separate charge payable to Point & Pay for the convenience fee. Online payments can be processed for all Building, Rental, and Code Enforcement fees that are facilitated using BS&A software. As with online applications, customers may choose to avoid paying the convenience fee by paying with cash or check in-person at City Hall or with a check sent by mail.

Enclosures: Proposal for BS&A Online – Community Development (dated June 24, 2024)

Proposal for BS&A Online - Community Development, Presented to...
City of Riverview, Wayne County MI

June 24, 2024

Quoted by: Michael VanHal



Thank you for the opportunity to quote our software and services.

At BS&A, we are focused on delivering unparalleled service, solutions, support, and customer satisfaction. You'll see this in our literature, but it's not just a marketing strategy... it's a mindset deeply embedded in our DNA. Our goal is to provide such remarkable customer service that our customers feel compelled to remark about it.

*We are extremely proud of the many long-term customer relationships we have built. Our success is directly correlated with putting the customer first and consistently choosing to **listen**. Delivering unparalleled customer service is the foundation of our company.*

Cost Summary

On-Line Services for BS&A Building Department (requires the use of Building Department .NET)

Initial Fee	\$2,665
Application Fee	\$3/application
This fee is for permit application submission only. Fees are accumulated and billed to the municipality.	
Onsite Implementation/Setup/Training on the use of BS&A Online – Community Development	
3 days @ \$1,000/day	\$3,000
Includes implementation of the items selected below.	

Project Management and Implementation Planning

Services include:

- Analyzing customer processes to ensure all critical components are addressed.
- Creating and managing the project schedule in accordance with the customer's existing processes and needs.
- Planning and scheduling training around any planned process changes included in the project plan.
- Modifying the project schedule as needed to accommodate any changes to the scope and requirements of the project that are discovered.
- Providing a central contact between the customer's project leaders, developers, trainers, IT staff, conversion staff, and other resources required throughout the transition period.
- Installing the software and providing IT consultation for network, server, and workstation configuration and requirements.
- Reviewing and addressing the specifications for needed customizations to meet customer needs (when applicable).
- Includes all features below:
 - View My Activity (always enabled): Enables contractors and the general public to easily access inspections and permits they have requested.
 - Inspection Scheduling: Enables contractors and the general public to submit requests for inspections online.
 - Building Department Search: Performs a search by any record number, including addresses, permits, and certificates.
 - Rental Property Search: Enables users to search for addresses that are flagged as rental properties.
 - Permit Applications: Enables contractors and the general public to submit permit applications online (see "Application Fee," below). This feature requires the Payment of Fees feature.
 - Payment of Fees: Enables contractors and the general public to pay for permit and other fees online (see "Payment Processing Requirements," below).

\$750

Connection Requirements

BS&A Online requires a high-speed internet connection (cable modem or DSL).



Cost Totals

Initial Fee	\$2,665
Onsite Implementation/Setup/Training	\$3,000
Project Management and Implementation Planning	\$750
Total Proposed	\$6,415
<i>Travel Expenses</i>	<i>\$455</i>

Payment Schedule

- 1st Payment: **\$750** to be invoiced upon execution of this agreement.
- 2nd Payment: **\$2,665** to be invoiced at start of training.
- 3rd Payment: **\$3,455** to be invoiced upon completion of training.

Annual Service Fee

Unlimited support during your first year with the program is included in your purchase price. Thereafter, Service Fees are billed annually. After two (2) years, BS&A Software reserves the right to increase the Annual Service Fee by no more than the yearly Consumers Price Index for All Urban Consumers U.S. city average (CPI-U).

\$2,665

Acceptance

Signature constitutes...

1. An order for products and services as quoted
2. Agreement with the proposed Annual Service Fee

Signature

Date

Returning Accepted Proposal to BS&A

Please return the entire proposal, with signature/date (this page) and contact information (next page) filled out, by any of these methods:

Mail: BS&A Software
14965 Abbey Lane
Bath, MI 48808

Fax: (517) 641-8960

Email: Michael.VanHal@bsasoftware.com

Once your proposal is received, a BS&A representative will contact you to begin the setup process.

Contact Information

If any mailing addresses are PO Boxes, please also provide a Street Address for UPS/Overnight mail.

If additional contacts need to be submitted, please make a copy of this page.

Support Contact

Name _____ Title _____

Phone/Fax _____ Email _____

Mailing Address _____

City, State, Zip _____

IT Contact

Name _____ Title _____

Phone/Fax _____ Email _____

Mailing Address _____

City, State, Zip _____



Good News for Cities: Producer Paid Safe Medicine Disposal is coming to YOUR CITY SOON!



Despite warnings to lock up prescription medications, these medications continue to be improperly stored and disposed of down the drain or thrown in the trash, which pollutes the environment.

This is a current public health and safety crisis.

These medications (prescription-over-the-counter) are known as "FOREVER CHEMICALS" when found in drinking water. They are known as "FOREVER CHEMICALS" because they reside in the drinking water "FOREVER".

There is no known process to remove them from the drinking water and are not regulated in your drinking water by any Government agency.

Add to this the "OPIOID CRISIS" where people are selling these drugs, having them stolen from their medicine cabinet, people are dying everyday from overdoses and there is a perfect storm brewing in the United States.

But help is available now. Local governments have successfully championed Producer Responsibility Ordinances jurisdiction by jurisdiction. Those jurisdictions have data-driven facts to show that having the Pharmaceutical Industry pay for programs lowers death rates from opioids and protects the environment. Numerous programs in municipalities without taxpayer costs or burdens on the municipality are a proven fact to impact the Opioid Crisis.

There is no 'ONE' solution for these problems. It is going to take a number of programs. Is your City Government going to do something for you and its citizens?

Find out about the FIRST Award-Winning Safe Drug Disposal

Project SMART from Rotarian Action Group for Addiction Prevention North America, addressing the 79% of addicts that start on prescription drugs.

Lowering that number increases resources for those on treatment.

For more info: Stephen Ahles chiefahles@aol.com (734) 658-8991

1	How Product Stewardship Came About
2	Pharmaceutical Stewardship in U.S.
3	Paid Medication Collection Coming.
4	Water Test
5	Product Data Safety Sheet
6	Sample Fee Recovery Schedule
7	Sample Ordinance
8	Sample Drug Disposal Regulations

HOW PRODUCT STEWARDSHIP ORDINANCES CAME ABOUT

In response to the insufficiency of voluntary take-back programs, some local and municipal governments have enacted mandatory local drug take-back programs, also called Extended Producer Responsibility (EPR), or stewardship programs that are funded and managed by pharmaceutical companies or producers.

Alameda County, California was the first local government to pass a mandatory drug stewardship ordinance in 2012. Since then, the state of Massachusetts, counties, and cities across the United State have enacted similar legislation.

The ordinance's first requirement requires producers to design a stewardship plan for the collection of unwanted medications.

This plan may be devised and operated individually or as a joint endeavor with other producers. Stewardship programs must provide for "collection services for unwanted products [...] that are convenient to the public and adequate to the needs of the population [...] being served." The program must extend to all areas of the Municipality. Moreover, the program must accept all unwanted drugs regardless of whether the drugs were manufactured by the plan sponsor's producer.

Alameda County's ordinance coupled with the Ninth Circuit's decision upholding the constitutionality of the mandatory pharmaceutical EPR program paved the way for other jurisdictions to enact similar requirements. All of these laws and ordinances follow Alameda's lead with regard to their general requirements, with only minor differences in their particulars

When the pharmaceutical industry sued Alameda County regarding its mandatory EPR program, the industry claimed that the ordinance required drug producers to incur substantial costs to operate the program and that the ordinance's only purpose and effect were to shift costs away from local government and consumers and onto out-of-state consumers.

During the trial, the pharmaceutical companies alleged that the estimated cost of establishing and operating the stewardship program ascended to \$1.2 million per year.

By contrast, Alameda County estimated that the annual cost for compliance with the ordinance was significantly lower, at approximately \$330,000 per year. During the trial, however, both parties agreed that the difference between the two estimates was not material to the outcome of the case and, thus, there was no further discussion of the program costs. Although the costs of drug stewardship programs can vary by region, the Product Stewardship Institute, a nonprofit environmental policy group, estimates that most mandatory stewardship programs should cost drug producers approximately one cent for every \$10 in sales. This estimate is similar to the annual cost estimated by Alameda County. In fact, during the briefings and arguments before the federal courts, Alameda repeatedly used the cost figure of "one cent in \$10," without it being disputed by the pharmaceutical industry plaintiffs.

In response to low rates of participation in voluntary drug take-back programs, several jurisdictions have enacted legislation to require drug manufacturers selling drugs in their state, counties or cities to establish and operate product stewardship programs.

Most jurisdictions have built on Alameda County's EPR ordinance, which requires producers to develop a plan for the collection, transportation, and disposal of unwanted medications. Alameda's ordinance also requires producers to develop plans for public education regarding the safe disposal of unwanted drugs and education regarding how the stewardship programs work.

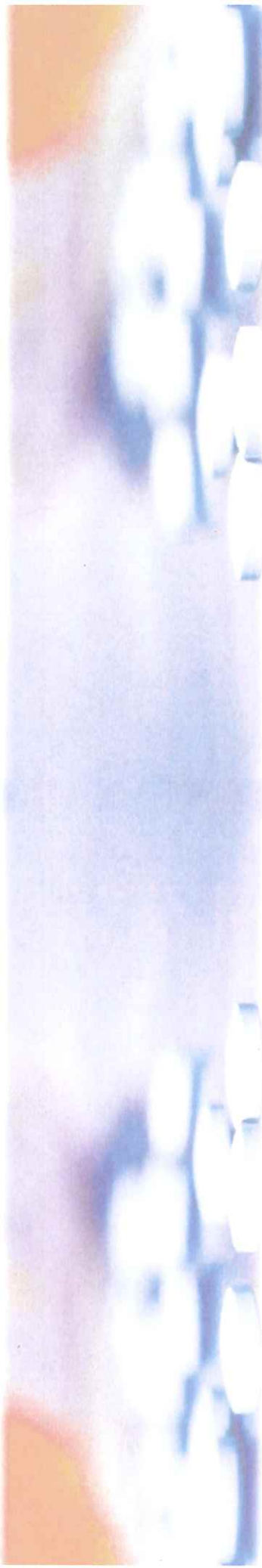
Outreach efforts must also include promoting the stewardship program to prospective collectors. **Moreover, Alameda's ordinance requires producers to cover all the costs associated with the programs' administration and operation.** After the Ninth Circuit upheld Alameda's ordinance, and the United States Supreme Court upheld the Ninth Circuit, a large and growing number of jurisdictions adopted laws and ordinances requiring drug producers to fund and operate drug stewardship programs, including the state of Massachusetts and large municipalities like King County and the City of San Francisco, Cook County, Illinois, Los Angeles County, California, New York State, State of California.

Requiring drug manufacturers to operate and cover the costs of stewardship programs is a viable means to address the risks associated with unwanted and unused opioid pain relievers, including the risk of opioid abuse and overdose, pollution of our drinking water and protecting the environment.

Pharmaceutical Stewardship in the U.S.

WHAT IS PRODUCT STEWARDSHIP AND (EPR) EXTENDED PRODUCER RESPONSIBILITY?

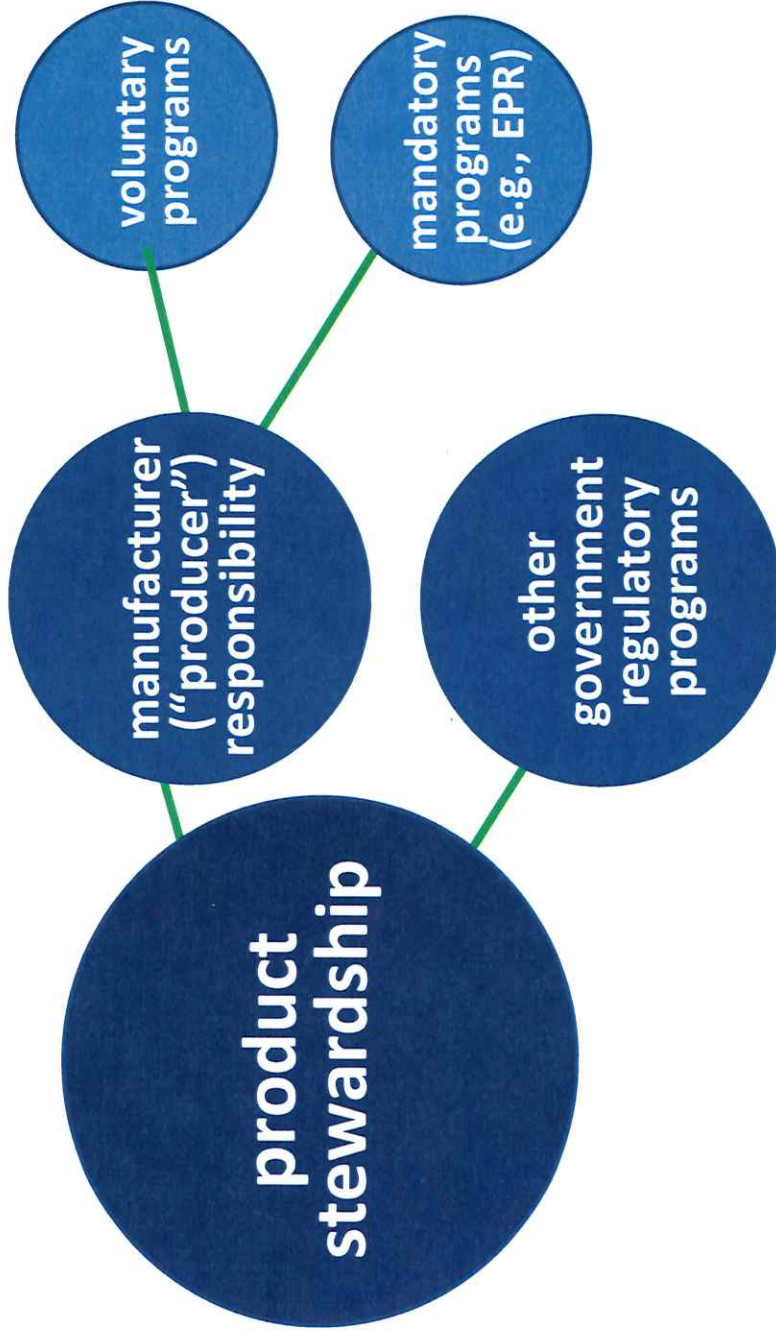
Reduce the Health & Environmental Impacts of



Pharmaceuticals across their lifecycle.

HOW IT WORKS!

Product Stewardship



YOUR ORDINANCE IS AN (EPR) EXTENDED PRODUCER RESPONSIBILITY



The problem

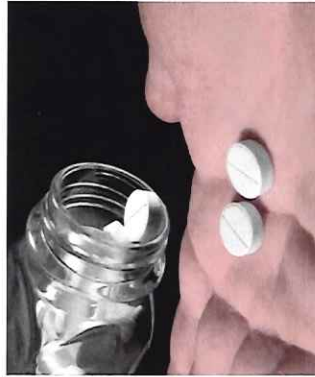
END'S UP DOWN THE DRAIN

aquatic impacts

water quality



environmental health



drug abuse
accidental poisonings
health & Safety

The Solution

SAFE-DRUG-DISPOSAL

funding sources

- Government-funded programs (GRANTS)
- LOCAL LEGISLATION PhRMA Funds Program
- laws requiring program funding from the pharmaceutical industry with government oversight
- **YOUR ORDINANCE IS AN (EPR) EXTENDED PRODUCER RESPONSIBILITY**

SAFE-DRUG-DISPOSAL

IN-HOME SAFE DISPOSAL BOTTLES



SAFE-DISPOSAL KIOSKS PLACED THROUGHOUT THE CITY



YOUR CITIES EPR ORDINANCE PROVIDES THESE TAX-FREE!

Challenges

PhRMA opposition to (EPR) Extended Producer Responsibility Laws



Their Lobbyist, Surrogates, Congress, State and local officials that receive Campaign Donations!

- **SAFE-DRUG-DISPOSAL**

Office of National Drug Control Policy (ONDCP) Safe-Drug-Disposal

Meets Pillar Three part of its national drug control strategy



Pharmaceutical Stewardship

In the United States

Legislative activity at local, state, & federal

Laws today:

5 States (Ma, Vt, Wa, Ca, Il)

18 counties (Ca, Wa, Il, Ny)

20 cities

ALL THE ABOVE HAVE PASSED (EPR) ORDINANCES

WHY IT WORKS

Pharmaceutical Stewardship Programs

france
established in 1993

britishcolumbia
established in 1996

portugal
established in 2001

manitoba
established in 2011

canada: 4 programs
europe: 15 programs

established in 2005

spain
established in 2003

Source: Health Products Stewardship Association,
2015 ; Health Care Without Harm Report, 2013

WHAT IS PRODUCT STEWARDSHIP?


Product stewardship is the act of minimizing the health, safety, environmental, and social impacts of a product and its packaging throughout all lifecycle stages, while also maximizing economic benefits. The manufacturer, or producer, of the product, has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, and consumers, also play a role. **Stewardship can be either voluntary or required by law.**

Extended producer responsibility (EPR) is a mandatory type of product stewardship that includes, at a minimum, the requirement that the manufacturer's responsibility for its product extends to post-consumer management of that product and its packaging. There are two related features of EPR policy: (1) shifting financial and management responsibility, with government oversight, upstream to the manufacturer and away from the public sector; and (2) providing incentives to manufacturers to incorporate environmental considerations into the design of their products and packaging.

For more information



RAG AP
Rotary Action Group
for Addiction Prevention

A close-up photograph of several blister packs containing white and yellow pills, some of which are being dispensed into a small container.

Questions on how to implement a Safe-Drug-Disposal program in your City through (EPR)Extended Producer Responsibility

Larry Kenemore: rag.ap.larry@gmail.com 913 705-0983

GOOD NEWS FOR CITIES

Producer-Paid Medication Collection Is Coming TO YOUR CITY!

Despite warnings to lock up prescription medications, Drug-Take-Back days, and drop-boxes, medications continue to be improperly stored and discarded, which pollutes the environment and directly threatens public health and safety. 79% OF ADDICTS STARTED ON PRESCRIPTION DRUGS AND 70% or more of THE 79% borrow, buy, or steal leftover opioids from family and friends to continue their habit

Local Coalitions have spent BILLIONS OF taxpayer dollars to attempt to address the local problems and the drug problem still persists.

HELP IS ON THE WAY!

Rotary 'Project SMART'

ACTION BY CITIES AND COUNTIES DRIVE CHANGE

Local governments across the United States have championed this issue jurisdiction by jurisdiction. 43 States/Counties/Cities have passed ordinances that have led to successful negotiations with PhRMA. Without these efforts, it is highly unlikely that PhRMA would have come to the table. Thanks to Alameda California for leading the way and taking the case all the way to the United States Supreme Court and winning.

PhRMA initially said "We don't want to do this" but States, Counties, and Cities have begun the implementation of programs. This "Producer-Paid" policy approach has been successfully implemented in Canada, Europe, and Mexico for years.

REIMBURSEMENT FOR LOCAL GOVERNMENTS' COSTS

These new Ordinances require Safe-Drug-Disposal kiosks for unwanted Pharmaceuticals, prepaid mail-in containers for Safe-Drug-Disposal, which is fully funded by PhRMA and includes a variety of education, oversight, and data tracking mechanisms to ensure successful implementation. All of this is provided by reimbursements to local Governments.

PRODUCER PAID SAFE-DRUG-DISPOSAL IS AVAILABLE

Is your Rotary Club interested in obtaining a Safe-Drug-Disposal program fully funded? Do you want to save your Taxpayer dollars and put them to better use? Are you interested in having the pharmaceutical industry pay for the Opioid Crisis and your polluted drinking water? Want to review a comparison of Safe-Drug-Disposal versus other programs?

(913) 705-0983 RAG.AP.LARRY@GMAIL.COM

THE FIRST AWARD-WINNING SAFE-DRUG-DISPOSAL PROGRAM

MADD Medicine And Drug Disposal a 501(c)(3) Organization

Analyte	TEST DATE: SEPTEMBER 16, 2021		TEST# 21-9518-817	
CONCENTRATIONS OF PRIORITIZED PHARMACEUTICALS IN THE DRINKING WATER OF SOUTHGATE/TAYLOR MICHIGAN				
Pharma List	MEAN	Unit		
17-alpha-Ethinyllestadi	0.63	ng/L	ESTROGEN/HORMONE/FEMALE/	DRUG
Acetaminophen	19	ng/L	PAIN RELIEF/TYLENOL/	OTC
Albuterol	28	ng/L	BRONCHIODILATOR FOR LUNGS-	DRUG
Amitriptyline	14	ng/L	ANTI-DEPRESSANT-	DRUG
Amphetamine	6.71	ng/L	MOOD ALTERING-	DRUG
Atenolol	859	ng/L	BETA BLOCKER/HIGH BLOOD PRESSURE-	DRUG
Atorvastatin	<RL	<RL	LOWERS CHOLESTEROL-	DRUG
Bisphenol A	0.05	ng/L	USED TO MAKE PLASTICS	
Caffeine	0.73	ng/L	NATURAL STIMULANT	
Ciprofloxacin	41	ng/L	ANTI-BIOTIC-	DRUG
Diclofenac Sodium	0.82	ng/L	NON-STEROIDAL(NSAID)-	DRUG
Enalapril	5.7	ng/L	ACE INHIBITOR HIGH BLOOD PRESSURE-	DRUG
Erythromycin	23	ng/L	ANTI-BIOTIC/BACTERIAL INFECTIONS-	DRUG
Furosemide	461	ng/L	SYNTHETIC DIURETIC-	DRUG
Hydrochlorothiazide	1702	ng/L	DIURETIC-	DRUG
Hydrocodone	25	ng/L	OPIOID-	DRUG
Ibuprofen	560	ng/L	ANTI-INFLAMMATORY(NSAID)-	OTC
Lisinopril	490	ng/L	HIGH BLOOD PRESSURE-	DRUG
Naproxen	1.95	ng/L	NON-STEROIDAL (NSAID)-	OTC
Oxycodone	72	ng/L	OPIOID-	DRUG
Primidone	10	ng/L	ANTI-CONVULSANT-	DRUG
Progesterone	<0.1	ng/L	STEROID/FEMALE HORMONE-	DRUG
Propranolol	48	ng/L	BETA BLOCKER/HIGH BLOOD PRESSURE-	DRUG
Ranitidine	157	ng/L	HISTAMINE-2 BLOCKER-	DRUG OTC
Sertraline	30	ng/L	ANTI-DEPRESSANT-	DRUG
Simvastatin	1.48	ng/L	LOWERS CHOLESTEROL-	DRUG
Sulfamethazine	6	ng/L	ANTI-MICORBIAL-USED IN VETERINARY-	DRUG
Sulfamethoxazole	891	ng/L	ANTI-BIOTIC-	DRUG
Testosterone	<0.1	ng/L	MALE HORMONE STEROID-	DRUG
Tricosan	<0.1	ng/L	ANTI-BACTERIAL ADDED TO MANY PRODUCTS	
Triamterene	58	ng/L	DIURETIC-	DRUG
Trimethoprim	184	ng/L	ANTI-BIOTIC/ INFECTIONS-	DRUG
Verapamil	35	ng/L	HYPERTENSION-	DRUG



STAT-MEDICAMENT-DISPOSAL CORPORATION

Product Safety Data Sheet Stat-Medicament-Disposal Corporation Safe-Drug-Disposal Bottle

SECTION 1: Identification

1.1 Product identifier

Product name	Safe-Drug-Disposal
Brand	Stat-Medicament-Disposal Corporation

1.3 Recommended use of the chemical and restrictions on use

Disposal and neutralization of Pharmaceuticals-OTC Medications-Vitamins (except Hazardous Pharmaceuticals)

1.4 Supplier's details

Name	Stat-Medicament-Disposal Corporation
Address	10092 Bianchi Way #207 Cupertino CA 95014 USA
Telephone	(800) 566-2125
email	rick@stameddisposal.net

1.5 Emergency phone number(s)

(800) 566-2125 (8 am - 5 pm)

Product Safety Data Sheet/SAFE DRUG DISPOSAL

SECTION 2: Hazard identification

General hazard statement

"Consumer Products" as defined by the US Consumer Product Safety Act and which are used as intended (typical consumer duration and frequency), are exempt from the OSHA Hazard Communication Standard (29 CFR 1910.1200). This SDS is being provided as a courtesy to help assist in the safe handling and proper use of the product.

2.1 Classification of the substance or mixture

Not a hazardous substance or mixture.

2.2 GHS label elements, including precautionary statements

Not a hazardous substance or mixture.

2.3 Other hazards which do not result in classification

Not a hazardous substance or mixture.

SECTION 3: Composition information on ingredients

3.1 Mixtures

Hazardous components

1. Sodium polyacrylate

Concentration	< 10 - < 10 % (weight)
CAS no.	9003-04-7

2. vinegar purified 10%

Concentration	10 - 30 % (weight)
---------------	--------------------

3. Pure Coconut Oil

Concentration	10 - 20 % (weight)
---------------	--------------------

4. Activated Charcoal

Concentration	< 10 - 10 % (weight)
CAS no.	64365-11-3

5. Cocinin

Concentration	15 - < 20 % (weight)
---------------	----------------------

6. Hydroxypropyl methylcellulose

Concentration	10 - < 10 % (weight)
---------------	----------------------

Trade secret statement (OSHA 1910.1200(i))

***The specific chemical identities and/or actual concentrations or actual concentration ranges for one or more listed components are being withheld as trade secrets under the US regulation 29 CFR 1910.1200(i).**

Product Safety Data Sheet/SAFE DRUG DISPOSAL

SECTION 4

4.1 Description of necessary first-aid measures

If inhaled	Not anticipated under normal suggested use.
In case of skin contact	This product does not irritate the skin
In case of eye contact	Rinse with water for several minutes under running water. If eye irritation occurs consult a physician. Remove contact lenses, if present and easy to do. Continue rinsing.
If swallowed	If symptoms should occur consult a physician. Most common is to vomit.

Personal protective equipment for first-aid responders

None required

4.2 Most important symptoms/effects, acute and delayed

The most important known symptoms and effects are described in the labelling (see section 2) and/or in section 1

4.3 Indication of immediate medical attention and special treatment needed, if necessary, No Further relevant information

SECTION 5: Fire-fighting measures

5.1 Suitable extinguishing media

Use firefighting measures that suit the environment.

5.2 Specific hazards arising from the chemical No relevant information.

5.3 Special protective actions for fire-fighters

As in any fire Wear self-contained breathing apparatus pressure demand (NIOSH approved or equivalent) for firefighting if necessary. And full protective gear to prevent contact with skin or eyes.

Accidental release measures/First Aid

4.1 Personal precautions, protective equipment and emergency procedures: **Not required.**

4.2 Environmental precautions

Dilute with plenty of water. If it enters sewers, surface, or ground waters no damage to the environment.

4.3 Methods and materials for containment and cleaning up

Absorb with liquid binding material such as sand, universal binders, or sawdust. Dispose of the collected material according to regulations for the material used for absorption.

Reference to other sections

See Section 5 for information on handling and storage.

See Section 6 for information on Exposure protection.

See Section 11 for proper disposal.

Product Safety Data Sheet/SAFE DRUG DISPOSAL

SECTION 5: Handling and storage

precautions for safe handling

No special measures required.

Conditions for safe storage, including any incompatibilities

None required.

Specific end use(s)

No further relevant information.

SECTION 6: Exposure controls/personal protection

Appropriate engineering controls

This product does not contain any relevant quantities of materials that have to be monitored.

Individual protection measures, such as personal protective equipment (PPE)

Eye/face protection

Not normally required for consumer use when used as directed.

Skin protection

Not normally required for consumer use when used as directed.

Body protection

Not required.

Respiratory protection

Not required.

Environmental exposure controls

None required

SECTION 7: Physical and chemical properties**Information on basic physical and chemical properties**

Appearance/form (physical state, color, etc.)	Odor	Liquid Vinegar
Odor threshold	pH	Not Determined 6.5
Melting point/freezing point		<32
Initial boiling point and boiling range	Flash point	100 C (212 F)
Evaporation rate	Flammability (solid, gas)	>100 C (>212 F)
Upper/lower flammability limits	Vapor pressure	Not Applicable (20 mm Hg)
Vapor density	Relative density	Not Applicable 8 lbs./gal
Solubility		
Partition coefficient: n-octanol/water	Auto-ignition temperature	Not Applicable
Decomposition temperature	Viscosity	Not Applicable
Explosive Properties	Oxidizing properties	Does not present an explosion hazard 0.0%
Other Safety Information		No further data

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Product Safety Data Sheet/SAFE DRUG DISPOSAL

SECTION 8: Stability and reactivity**10.1 Reactivity**

No relevant information.

10.2 Chemical stability

Stable under normal storage conditions.

10.3 Possibility of hazardous reactions

No dangerous reactions known.

10.4 Conditions to avoid

Heat, flames and sparks.

10.5 Incompatible materials

Strong oxidizing agents

10.6 Hazardous decomposition products

No dangerous decomposition products known.

Information on toxicological effects

Acute toxicity

None known.

Skin corrosion/irritation

No irritating effect.

Serious eye damage/irritation

No irritating effect.

Respiratory or skin sensitization

No respiratory or skin sensitization effect.

Germ cell mutagenicity

None.

Carcinogenicity

IARC: No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by IARC.

ACGIH: No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by ACGIH.

NTP: No component of this product present at levels greater than or equal to 0.1% is identified as a known or anticipated carcinogen by NTP.

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Product Safety Data Sheet/SAFE DRUG DISPOSAL

Section 9:

OSHA: No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen

or potential carcinogen by OSHA.

Reproductive toxicity

None.

STOT-single exposure

None.

STOT-repeated exposure

None.

Aspiration hazard

No data available.

SECTION 10: Ecological information

Toxicity

No further relevant information.

Persistence and degradability

No further relevant information.

Bio accumulative potential

No further relevant information.

Mobility in soil

No further relevant information.

Results of PBT and vPvB assessment

PBT/vPvB assessment not available as chemical safety assessment not required/not conducted

Other adverse effects

No further relevant information.

SECTION 11: Disposal considerations

Disposal of the product

Disposal should be in accordance with label instructions and/or returned to producer.

Disposal of contaminated packaging

Dispose of as unused product.

Other disposal recommendations

Water, if necessary, with cleaning agents.

SECTION 12: Transport information

DOT (US)

Not dangerous goods

IMDG

Not dangerous goods

IATA

Not Dangerous goods

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Product Safety Data Sheet/SAFE DRUG DISPOSAL

SECTION 13: Regulatory information

13.1 Safety, health, and environmental regulations specific for the product in

question SARA 302 Components

No chemicals in this material are subject to the reporting requirements of SARA Title III, Section 302.

SARA 313 Components

This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 313.

Massachusetts Right To Know Components

No components are subject to the Massachusetts Right to Know Act.

Pennsylvania Right To Know Components

No components are subject to the Pennsylvania Right to Know Components

New Jersey Right To Know Components

No Components are subject to the New Jersey Right to Know Components

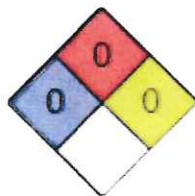
California Prop. 65 Components

This product does not contain any chemicals known to State of California to cause cancer, birth defects, or any other reproductive harm.

HMIS Rating

Safe-Drug-Disposal	
HEALTH	* 0
FLAMMABILITY	0
PHYSICAL HAZARD	0
PERSONAL PROTECTION	A

NFPA Rating



SECTION 14: Other information

The information and recommendations in this safety data sheet are, to the best of our knowledge, accurate as of the date of issue. Nothing herein shall be deemed to create a warranty, expressed or implied, and shall not establish a legally valid contractual relationship.

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SAMPLE FEE RECOVERY SCHEDULE

CITY OF TAYLOR MICHIGAN SAFE DRUG DISPOSAL FEE SCHEDULE/COST RECOVERY

The approved hourly rate for cost recovery, effective 20 is \$

The following is a schedule of estimates of the minimum amount of time that each type of activity will take a staff person. When the ordinance or Regulations require a deposit of the estimated cost, the following schedule may be used as a base line to estimate the deposit amount.

ACTIVITY	ESTIMATED HOURS
Alternative Plan Development	30
Appeal of Administrative Citations	6
Appeal Hearing of Alternative Plan	2
Monitoring Plan Compliance	8
Petition for Alternative Method of Disposal	2
Petition for Exemption	3
Petition for Late Submission Date for a Plan	1
Plan Evaluation	16
Preliminary Review of Plan-Pre-formal Submittal	4
Public Posting, Hearing and Notice	4
Request for Exception	3
Request to Modify an Approved Plan	2
Review of Annual Report	2
Review of Revised Plan	5

General work such as assistance with educational outreach, training, meetings, website management, complaints, and inspections shall be estimated at the time that work is requested or completed.

This schedule is an estimate, and the actual time and amount will vary depending on the complexity of the petition, or matters at issue, size of the Plan and other individual factors. At the time the activity is requested, the City may request a deposit in excess of the estimated hours on this schedule, if it believes the actual time will exceed the estimated hours.

The amount ultimately charged will be that of the actual time spent, whether it is more or less than the time estimated.

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF MICHIGAN
CITY COUNCIL OF THE CITY OF MICHIGAN ADDING
CHAPTER TO TITLE OF THE CITY CODE REQUIRING THE
SAFE DISPOSAL OF DRUGS**

The City Council of Michigan hereby finds and declares the following:

WHEREAS drugs are necessary medical technologies that allow us to live longer, healthier, and more productive lives and reduce suffering at the end of life;

WHEREAS, the public, particularly children, the elderly, and public employees, are at significant and unnecessary risk of poisoning due to the improper or careless disposal of drugs;

WHEREAS our groundwater and drinking water are being contaminated by unwanted, leftover, or expired drugs passing through our wastewater treatment centers:

WHEREAS there is no mandatory statewide stewardship program for unwanted drugs or sharps in, and manufacturers, retailers, and producers have not offered any support for the program to date.

WHEREAS, the City of collected analgesics; anti-inflammatories; blood thinners, and several thousand doses of other pharmaceuticals for reasonable disposal and diversion from wastewater and surface waters in one year, and continues to collect comparable quantities to protect recreational water quality and aquatic life within the City limits;

WHEREAS, the City has implemented a program to responsibly and safely collect unwanted pharmaceuticals from within the City limits, with the assistance of the City Police Department and a few private pharmacies. However, there continues to be a lack of sufficient safe, convenient disposal locations for leftover, expired, and/or unwanted drugs, which creates significant risks to human health and to the environment. As a result, leftover, expired, and/or unwanted drugs are often left in homes where they can be accidentally ingested or abused by children, adults, and the elderly, increasing the risk of poisoning, addiction, and death;

WHEREAS, each year, more than 9,000 young children are hospitalized after accidentally ingesting prescription drugs, and drug overdose deaths have been rising steadily over the past two decades. Nearly 9 out of 10 poisoning deaths are caused by drugs. In 2011, 80 percent of the 41,340 drug overdose deaths in the United States were unintentional;

WHEREAS, unwanted drugs are also often flushed down toilets or sinks. However, municipal wastewater treatment plants are not designed to remove the complex compounds in the drugs that end up in the sewer system. As a result, drugs can pass through wastewater treatment systems and contaminate receiving waters;

WHEREAS, an Environmental Protection Agency report on drinking water released in December 2013 tested effluent samples from 50 large wastewater treatment plants nationwide for active pharmaceutical ingredients and metabolites. Out of the 63 total compounds tested for (including, without limitation, pain relief medicines like oxycodone, high blood pressure medications and over-the-counter drugs like acetaminophen and ibuprofen), 43 were detected in at least one of the samples and all samples were found to contain at least one pharmaceutical compound. The presence of pharmaceuticals in surface water is well documented to have ecological impacts, including negative effects on fish and other aquatic life. Our cities water has concentrations of some of these pharmaceutical ingredients;

WHEREAS establishing a safe, convenient disposal system for leftover, expired, and unwanted drugs will reduce unintentional poisonings and drug overdose deaths by making drugs less accessible to persons who might accidentally ingest or abuse them:

WHEREAS establishing a safe convenient disposal system for leftover, expired, and unwanted drugs will also reduce the number of people who misuse and become addicted to prescription drugs:

WHEREAS establishing a safe convenient disposal system for leftover, expired, and unwanted drugs will also reduce the quantity of pharmaceutical compounds that are discharged into the Lakes and rivers and other environmentally sensitive waters throughout the City:

WHEREAS, Extended Producer Responsibility (EPR) laws, sometimes referred to as Product Stewardship laws, place responsibility for end-of-life management of consumer products on the manufacturers and producers of the products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle;

WHEREAS, many local and national governmental bodies support EPR, including National Association of Counties, and the National League of Cities;

WHEREAS, in 2010, Congress passed the "Secure and Responsible Drug Disposal Act of 2010," Public Law No. 111-273, which authorized the Attorney General to expand the methods through which pharmaceuticals classified as controlled substances may be collected, including through collection at pharmacies. The goal of the bill was to increase opportunities for drug collection in order to reduce substance abuse, accidental poisoning, and the release of harmful substances into the environment. On October 9, 2014, the Drug Enforcement Agency promulgated regulations implementing that Act. These regulations, among other things, authorize retail pharmacies to maintain secure collection bins for controlled substances;

WHEREAS, Mexico, a number of Canadian provinces, much of Europe and several other countries already have active, well-established EPR drug disposal programs in place. British Columbia has had a manufacturer-funded drug collection program in place since 1996. Ontario began a program in July 2010 and Manitoba began its program in April 2011. France, Spain, and Portugal, among other countries, have national collection programs, which are paid for by drug companies and operated by product stewardship associations on their behalf. Many of the same drug companies that participate in these programs manufacture drugs sold in the United States;

WHEREAS, in 2012, Alameda County California became the first local government in the United States to pass legislation requiring pharmaceutical companies to design, fund, and operate a program to safely collect and dispose of unwanted drugs, similar to the take-back safe drug disposal programs in Canada's pharmacies. On September 30, 2014, the Ninth Circuit Court of Appeal rejected a legal challenge to Alameda County's ordinance brought by pharmaceutical trade associations. *Pharm. Research & Mfrs. of Am. v. City/County of Alameda*, 13-16833, 768 F.3d1037 (9th Cir. 2014). The U.S. Supreme Court subsequently declined to hear an appeal of this ruling;

WHEREAS, there is demand in the City of _____ Michigan for a permanent drug stewardship program;

WHEREAS, a manufacturer and/or producer-funded safe drug disposal program in the City for unwanted drugs would significantly increase convenient safe drug disposal options for City residents' of unwanted drugs, enabling safe disposal of larger quantities of unwanted drugs and reducing risks to public safety, health, and the environment;

BE IT ORDAINED by the City Council of the City of
follows:

Michigan as

SECTION I

The City of Michigan Municipal Code is hereby amended by adding Chapter to
read as follows:

Chapter CITY OF MICHIGAN SAFE DRUG DISPOSAL

Purpose and Intent.

Title.

Definitions.

Stewardship Program.

Stewardship Plan.

Safe Disposal of Unwanted Products.

Stewardship Program Promotion and Outreach.

Retailer and Provider Participation.

Lists of Producers and Manufacturers of Covered Drugs

Reporting.

Program Assessment and Collection of Data.

List of Producers.

Regulations and Fees.

Enforcement.

Additional Provisions.

PURPOSE AND INTENT.

The purpose of this chapter is to protect the health, safety, and welfare of the public and of the environment by providing for the safe and orderly disposal of drug waste; and by placing responsibility for end-of-life management of drug products on the manufacturers and/or producers of the products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle.

TITLE.

This chapter may be cited as the "City of Michigan Safe Drug Disposal Ordinance."

DEFINITIONS.

For the purposes of this chapter, the following terms have the meanings given below.

1. "City Council" refers to the City Council of the City of Michigan .
2. "City" means the City of .
3. "Consumer Generators" means residents of single and multiple family residences or other locations who possess, dispose of, and/or abandon household Drugs. "Consumer Generators" does not include airport security, drug seizures by law enforcement, pharmacy waste, business waste, or any other source identified by the Department as a non-consumer source.
4. "Controlled Substance" for purposes of this chapter shall mean any substance listed under Title 21 of the United States Code, Sections 812 and 813 or any successor legislation.
5. "Cosmetics" means (a) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (b) articles intended for use as a component of any such articles.
6. "Covered Drug" means all Drugs, including both brand name Drugs and Generic Drugs, and Prescription Drugs and Nonprescription Drugs. Notwithstanding the foregoing sentence, "Covered Drug" does not include: (b) herbal-based remedies and homeopathic drugs, products, or remedies; (c) Cosmetics, soap (with or without germicidal agents), laundry detergent, bleach, household cleaning products, shampoos, sunscreens, toothpaste, lip balm, antiperspirants, or other personal care products that are regulated as both Cosmetics and Nonprescription Drugs under the Federal Food, Drug, and Cosmetic Act ("FFDCA") (21 U.S.C. Section 301 *et seq.* (2002)); (d) Drugs for which Producers provide a take-back program as part of a Federal Food and Drug Administration managed risk evaluation and mitigation strategy (21 U.S.C. Section 355-1); (e) Drugs that are biological products as defined by 21 C.F.R. 600.3(h) as it exists on the effective date of this chapter if the Producer already provides a take-back program; and (f) pet pesticide products contained in pet collars, powders, shampoos, topical applications, or other delivery systems.
7. "County" means the County of .
8. "Department" means the City of Police/Wastewater Treatment.

9. **"Director"** means the City of Michigan Police Chief/Director of Wastewater Treatment or his or her designee.
10. **"Drug Wholesaler"** means a Person that sells or distributes Drugs and Covered Drugs for resale to an Entity other than a consumer.
11. **"Drugs"** means: (a) articles recognized in the official United States Pharmacopoeia, the official National Formulary, the official Homeopathic Pharmacopoeia of the United States, or any supplement to any of them; (b) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; (c) articles, other than food, intended to affect the structure or any function of the body of humans or other animals; and (d) articles intended for use as a component of any article specified in clause (a), (b), or (c) of this definition. Notwithstanding the foregoing sentence, "Drugs" does not include or mean medical devices, their component parts or accessories.
12. **"Entity"** means a Person other than an individual.
13. **"Generic Drug"** means a Drug that is chemically identical or bioequivalent to a brand name Drug in dosage form, safety, strength, route of administration, quality, performance characteristics, and intended use, though inactive ingredients may vary.
14. **"Hazardous Waste"** means a "hazardous waste" as defined in the Federal Resource Conservation and Recovery Act (RCRA) of 1976, as amended (42 USCA § 6901 *et seq.*) and the implementing regulations (40 C.F.R. §§239 through 282), as amended. This waste includes, but is not limited to, bulk chemotherapy drugs, P-listed waste, U-listed waste and characteristic hazardous waste.
15. **"Manufacture"** means the production, preparation, propagation, compounding, or processing of Drugs but does not include the activities of a Re-packager, Wholesaler or medical practitioner who distributes or dispenses such substances in the ordinary course of his or her professional practice or prepares, compounds, packages or labels such substances.
16. **"Manufacturer"** means a Person engaged in the Manufacture of Drugs.
17. **"Mail-back Program"** means a system whereby Consumer Generators of Unwanted Products obtain prepaid and pre-addressed mailing envelopes in which there is a bottle to place Unwanted Products in a solution that safely neutralizes for shipment to an Entity that will dispose of them safely and legally.
18. **"Medical Waste"** means "Medical waste" as defined in Code Ann. and Code Ann. Department of Health.
19. **"Nonprescription Drug"** means any Drug that may be lawfully sold without a prescription.

20. **“Person” means an individual, firm, sole proprietorship, corporation, limited liability company, general partnership, limited partnership, limited liability partnership, association, cooperative, or other entity of any kind or nature, however, organized.**
21. **“Pharmacy” means a place licensed by the State of Michigan where the practice of pharmacy is conducted.**
22. **“Plan” or “Stewardship Plan” means a stewardship plan required under this chapter that describes the manner in which a Stewardship Program will be provided pursuant to the terms of this ordinance.**

Plan Operator” means the Person that develops, implements and operates a Stewardship Plan, including but not limited to a Producer or Stewardship Organization.

23. **“Prescription Drug” means any Drug, including, but not limited to, any Controlled Substance, that is required by federal or state law, rule or regulation to be dispensed by prescription only or is restricted to use by practitioners only.**
24. **“Producer” shall be determined, with regard to Covered Drugs that are sold, offered for sale, or distributed in the City as meaning one of the following:**
- (a) **The Person who Manufactures Covered Drugs and who sells, offers for sale or distributes Covered Drugs in the City under that Person's own name or brand.**
 - (b) **If there is no Person who sells, offers for sale, or distributes Covered Drugs in the City under the Person's own name or brand, the Producer of Covered Drugs is the owner or licensee of a trademark or brand under which the Covered Drugs are sold or distributed in the City, whether or not the trademark is registered.**
 - (c) **If there is no Person who is a Producer of Covered Drugs for purposes of paragraphs (a) and (b), the Producer of Covered Drugs is the Person who brings the Covered Drug into the City for sale or distribution.**

Notwithstanding the foregoing, “Producer” does not include: (i) a Retailer or Repackager that only puts its label on a Covered Drug; (ii) a pharmacist who dispenses Prescription Drugs to or repackages or compounds a prescribed individual Drug product for a consumer; or (iii) a Drug Wholesaler who is not also a Manufacturer.

25. **“Provider” means any Person that sells or otherwise furnishes Drugs to consumers at a location as defined (Healthcare Facility) by the EPA located in the city.**

26. **“Public Hearing”** means any hearing held by the Department or the City which is open to the public for the purposes of collecting public comment. It does not necessarily refer to meetings of the City Council.
27. **“Re-packager”** means a Person who owns or operates an establishment that repacks, repackages, and/or re-labels a product or package (including a Covered Drug) for further sale or for distribution without a further transaction.
28. **“Retailer”** means any Person that sells Drugs directly to consumers at a business located in the city.
29. **“Stewardship Organization”** means a “person” designated by the “City” to act as an agent on behalf of each “Producers” to operate a Stewardship Program or organization that the City contracts with to operate a Stewardship Program.
30. **“Unwanted Products”** means Covered Drug’s no longer wanted by the owner or that have been abandoned, discarded, or are intended to be discarded by the owner.

STEWARDSHIP PROGRAM.

1. **The requirement for Sale.** This chapter shall apply only to Producers whose Covered drugs are sold and/or distributed in the City and to Retailers who sell Covered Drugs in the City. This chapter shall apply only to areas within the City limits. This chapter shall be administered and implemented by the City of Michigan Police/ Wastewater Treatment Department or another designee. Each Producer shall participate in the Stewardship Plan. Each Producer must:
 - (a) **Operate, individually or jointly with other Producers.**
2. **Stewardship Program Costs.**
 - (a) **A Producer, group of Producers, must pay all administrative and operational fees and costs associated with their Stewardship Program and related Stewardship Plan, including, but not limited to, the cost of neutralizing, transporting, and disposing of Unwanted Products from Consumer Generators and the recycling and/or disposal of packaging from the Unwanted Product.**
 - (b) **No Person or Producer may charge a specific point-of-sale fee to consumers to recoup the costs of their Product Stewardship Program, nor may they charge a specific point-of-Safe Drug Disposal fee at the time the Unwanted Products are neutralized from Consumer Generators or delivered for disposal.**

- (c) **A Producer, a group of Producers, must pay all costs and expenses incurred by the City, including but not limited to the Department, in the administration and enforcement of their Stewardship Program. Exclusive of fines and penalties, the City shall only recover its actual costs of administration and enforcement under this chapter and shall not charge any amounts under this chapter in excess of its actual administrative and enforcement costs.**
- (d) **A Producer, a group of Producers, must pay all disposal costs and expenses as of the date that the ordinance codified in this chapter becomes effective. If the City incurs any costs or expenses due to delays in the establishment of an approved Stewardship Plan, the Producer, group of Producers, must reimburse the City in full for such costs.**

STEWARDSHIP ORGANIZATION PLAN.

1. Plan Content. Contains each of the following:

- (a) **Certification through the City Contract that the Stewardship Organization will accept all Unwanted Products regardless of who produced them unless excused from this requirement by the Department as part of the approval of the Plan;**
- (b) **Contact information (including the name, physical and mailing address, telephone number, and email address) for the Stewardship Organization submitting the Plan;**
- (c) **A description of the methods by which Unwanted Products from Consumer Generators will be neutralized, and handled of Drugs in the City, including without limitation a description of the neutralization methods used and the immediate neutralizing of Unwanted Products:**
- (d) **A list containing the name, location, permit status, and record of any penalties, violations, and/or regulatory orders received in the previous five years by each Person that will be involved in neutralization, and/or transporting Unwanted Products and each Medical Waste or Hazardous Waste disposal facility proposed to participate in the Product Stewardship Plan;**
- (e) **A description of how the Unwanted Products will be safely and securely tracked and handled from neutralization through final disposal including weight accumulated excluding packaging through the program and the policies and procedures to be followed to ensure security:**
- (f) **A description of the public education and outreach activities required under this chapter and how their effectiveness will be evaluated specifically an in-school education program;**

- (g) A description of how the scope and extent of the Stewardship Plan are reasonably related to the number of Covered Drugs that are sold in the city, by the Producer or group of Producers:
 - (h) A starting date when a Safe Drug Disposal of Unwanted Products will begin:
 - (i) A description of how support will be provided to any law enforcement agencies within the City that have, or later agree to have, a neutralization, safe disposal program for Controlled Substances, including, without limitation: (i) the provision of a Safe Drug Disposal kiosk with appropriate accessories and signage, (ii) an ability to accept Controlled Substances and other Covered Drugs, and (iii) technical support up to and including an appropriate Person to provide on-site assistance with the Safe Drug Disposal kiosks and law enforcement agency;
 - (j) If more than one Producer will be involved in a proposed Stewardship Plan, then the Stewardship Plan for that Program must include a fair and reasonable manner for allocating the costs of the Program among the participants in that Program, such that the portion of costs paid by each Producer is reasonably related to the number of Covered Drugs that Producer sells in the City.
2. Existing County-Approved Stewardship Plan. If a Producer, group of Producers or Stewardship Organization is/are operating a Stewardship Plan within the County under an existing Stewardship Plan that has been approved by the County of , such Producer, group of Producers, or Stewardship Plan may comply with the above, by supplementing such County-Approved Plan to cover the City and include all items listed in (Section 1) "Stewardship Organization Plan" above. The Stewardship Plan, as supplemented, must be submitted to the Department for review and approval of the provisions relating to and/or applicable to the City.
3. Department Review and Approval—Updates.
- (a) No Producer, group of Producers or Stewardship Plan within the City may begin neutralizing through Safe Disposal, Unwanted Products to comply with this chapter until it has received written approval of its Stewardship Plan from the Department. The City may continue Safe Drug Disposal on an interim basis if there is any delay in establishing a Stewardship Plan as required under this chapter. Once approved by the Department, each Stewardship Plan must receive prior written approval from the Department for any proposed changes to the Plan.
 - (b) All Stewardship Plans must be submitted to the Department for approval. Each Stewardship Organization shall submit its initial Stewardship Plan (conforming to the above requirements) to the Department for review within sixty (60) days after the effective date of this chapter, or at a later date as approved in writing by the Department.

- (c) Within sixty (60) days after the Department's receipt and review of a Stewardship Plan, the Department will determine whether the Plan complies with the requirements of this chapter and of any regulations adopted pursuant to this chapter. The Department may at its sole discretion conduct a noticed Public Hearing as part of this process.
- i. As part of its approval, the Department may set reasonable performance goals for the Program.
 - ii. If the Department approves a Plan, it shall notify the applicant of its approval in writing.
 - iii. If the Department rejects a Plan, it shall notify the applicant in writing of its reasons for rejecting the Plan. The Department may reject a Plan without conducting a Public Hearing.
 - iv. An applicant whose Plan has been rejected by the Department must submit a revised Plan to the Department within thirty (30) days after receiving notice of the rejection. The Department may require the submission of a further revised Plan or, at its sole discretion, the Department may (without any obligation to do so) develop, approve and impose upon the applicant the Department's own Stewardship Plan or an approved Plan submitted by other Producer(s) pursuant to this chapter. The imposed Plan will be presented at a Public Hearing. The Department is not required, and nothing in this chapter shall be interpreted as requiring, the Department to create or impose a Stewardship Plan.
 - v. If the Department rejects a revised Stewardship Plan or any other subsequently revised Plan, Director of Wastewater Treatment may deem the Producer(s) at issue out of compliance with this chapter and subject to the enforcement provisions contained in this chapter.
- (d) At least every three (3) years, a Stewardship Plan shall update its Stewardship Plan, explaining any substantive changes to components of the Plan, and submit the updated Plan to the Department for review and approval.
- (e) A Producer who begins to offer a Covered Drug for sale in the City after the effective date of this chapter, must submit a Stewardship Plan to the Department and provide evidence of having joined the existing approved Stewardship Plan within sixty (60) days following the Producer's initial offer for sale of a Covered Drug in the City.
- (f) Any proposed changes to a Stewardship Plan must be submitted in writing to the Department and approved by the Department in writing prior to implementation of any change. Notwithstanding the foregoing, for County-Approved Plans, only those changes relating to and/or applicable to the City must be submitted in writing to the Department for review and approval before implementation.

- (g) The Department may audit the records of a Producer, group of Producers, related to a Stewardship Plan, or request that the Producer, group of Producers, arrange for the Department to inspect at reasonable times the facilities, vehicles, and equipment used in carrying out the Stewardship Plan.

DISPOSAL OF UNWANTED PRODUCTS.

1. **Compliance with Applicable Law.** Each Stewardship Plan must comply with all local, State, and Federal laws and regulations applicable to its operations, including, but not limited to, laws, rules, and regulations governing the treatment, neutralizing, and safe disposal of Unwanted Products.
2. **Treatment and Disposal.** Each Stewardship Program must dispose of all unwanted Covered Drugs by incineration at a Medical Waste or Hazardous Waste facility authorized to accept such waste. Each treatment and/or disposal facility utilized must be in possession of all required regulatory permits and licenses.
3. **New Technologies.** Stewardship Plan may petition the Department for approval to use treatment and final disposal technologies, where lawful, that provide superior environmental and human health protection than provided by current Medical Waste or Hazardous Waste disposal technologies for Covered Drugs if and when those technologies are proven and available. The proposed technology, at a minimum, must provide equivalent protection in each, and superior protection in one or more of the following areas:
 - (a) Monitoring of any emissions or waste;
 - (b) Worker health and safety;
 - (c) Reduction or elimination of air, water, or land emissions contributing to persistent, bio-accumulative, and toxic pollution; and
 - (d) The overall impact on the environment and human health.
4. **Packaging Separation.** The Stewardship Plan shall allow the Consumer Generators to separate Unwanted Products from their original containers and packaging, prior to safe drug disposal in a container that neutralizes these items.

STEWARDSHIP PLAN PROMOTION AND OUTREACH.

1. A Stewardship Plan must promote the Program to Consumer Generators, pharmacists, Retailers of Covered Drugs, and health care practitioners (including, but not limited to, doctors and other prescribers, veterinarians and veterinary hospitals) as to the proper and safe method of storage and safe disposal of Unwanted Products using the Stewardship Organization.

2. A Stewardship Plan shall include, but is not limited to, developing, and updating as necessary, educational and other outreach materials for use by Schools of Covered Drugs. These materials may include handouts:
 - (a) Signage that is prominently displayed and easily visible to the children.
 - (b) Written materials and templates of materials for reproduction by schools to be provided to the schools.
 - (c) Advertising and/or other promotional materials related to the Product Stewardship Program.
 - (d) An in-school educational program which may include videos, handout material and webinars.
3. A Stewardship Program must prepare education and outreach materials that publicize the Stewardship Program in the City and disseminate the materials to healthcare facilities, Pharmacies, schools, and other interested parties. The Program also must establish a website publicizing how the program works and a toll-free telephone number that Consumer Generators can call to find safe drug disposal kiosks locations or acquire more in-home safe disposal bottles as needed for their personal use.

LISTS OF PRODUCERS AND MANUFACTURERS OF COVERED DRUGS.

1. Within sixty (60) days after the effective date of this chapter (or at a later date as approved in writing by the Department), each Drug Wholesaler that sells any Covered Drugs in the City/County must provide a list of the Producers of those Covered Drugs to the Department in a form prescribed by the Department. Wholesalers must update and submit to the Department such list of Producers of Covered Drugs by January 15th of each calendar year.
2. Within six (6) months after the effective date of this chapter, or within six (6) months after a Retailer whose label appears on a Covered Drug or on the Covered Drug's packaging starts selling the Covered Drug in the City (or at a later date as approved in writing by the Department), and, thereafter, upon request from the Department, a Retailer whose label appears on a Covered Drug or on the Covered Drug's packaging must provide the contact information of the Manufacturer from whom the Retailer obtains the Covered Drug, including the mailing address, physical address, telephone number, and email address of the Retailer's point of contact at the Manufacturer.
3. Within six (6) months after the effective date of this chapter, or within six (6) months after a Covered Drug repackaged by a Re-packager is first sold in the City (or at a later date as approved in writing by the Department), and, thereafter, upon request from the Department, a Re-packager whose label appears on a Covered Drug or on the Covered Drug's packaging must provide the contact information of the Manufacturer from whom

the Re-packager obtains the Covered Drug, including the mailing address, physical address, telephone number, and email address of the Re-packager's point of contact at the Manufacturer.

REPORTING.

1. On or before (or at a later date as approved in writing by the Department) and in each subsequent year, every Producer, group of Producers, or Stewardship Organization operating a Stewardship Program in the City must prepare and submit to the Department an annual written report describing the Program activities during the previous reporting period. The report must include, at a minimum, the following:
 - (a) A list of Producers participating in the Stewardship Program;
 - (b) A list of Retailers and/or Providers participating in the safe disposal of consumer-generated Covered Drugs;
 - (c) The amount, by weight, of Unwanted Products safely disposed from Consumer Generators by street, area or the entire City not to include the weight of packaging material.
 - (d) A description of the safe drug disposal system, including, without limitation, the process of distribution, tracking, returns, and weight excluding packaging.
 - (e) The name and location of disposal facilities at which Unwanted Products were disposed of and the weight of Unwanted Products, excluding packaging collected from Consumer Generators disposed of at each facility;
 - (f) Whether policies and procedures for safe disposal, handling, transporting, and disposing of Unwanted Products, as established in the Plan, were followed during the reporting period and a description of any noncompliance;
 - (g) Whether any safety or security problems occurred during safe disposal, handling, transportation, or disposal of Unwanted Products during the reporting period and, if so, what changes have or will be made to policies, procedures, or tracking mechanisms to alleviate the problem and to improve safety and security;
 - (h) A description of public education and outreach activities implemented during the reporting period and their effectiveness, including, without limitation, the methodology used to evaluate the outreach and Program activities;
 - (i) How the Stewardship Program complied with all other elements in the Stewardship Plan approved by the Department, including, without limitation, its degree of success in meeting any performance goals set by the Department as part of its approval of the Program; and

- (j) Any other information that the Department may reasonably require.
2. For the purposes of this section, "reporting period" means the period beginning January 1 and ending December 31 of the same calendar year.

PROGRAM ASSESSMENT AND COLLECTION OF DATA

1. At least once per year, at a time to be determined by the Department, each Stewardship Program will conduct a detailed characterization study of Unwanted Products safely disposed to help assess the effectiveness of the Stewardship Program.
2. Assessments shall be conducted in a secure location with proper supervision, in full compliance with federal and state laws, rules, and regulations, and in accordance with guidelines issued by the Department.
3. Data collected from Program assessments shall be shared with the Department and other relevant agencies in a timely manner.
4. The Department may require additional assessments as needed to address problems or to help determine Program needs.

LIST OF PRODUCERS.

The Department shall provide on its website a list of all Producers participating in Stewardship Programs approved by the Department and a list of all Producers the Department has identified as noncompliant with this chapter or any regulations adopted pursuant to this chapter.

REGULATIONS AND FEES.

1. The Director of the Department may, after a noticed Public Hearing, adopt such rules and regulations as necessary to implement, administer, and enforce this chapter.
2. The City Council authorizes the Director of the Department to charge Producers or a group of Producers participating in a Stewardship Program fees to cover all costs the City incurs in administering and enforcing this chapter. Fees shall not exceed actual costs to the City. As soon as practicable, the Department shall submit to the City Council a proposed schedule of fees to be charged to Producers to cover the City costs of administering and enforcing this chapter.

ENFORCEMENT.

1. The Department shall administer the penalty provisions of this chapter.
2. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter.

3. **Any Person, Producer, Plan Operator or Organization that violates or continues to violate the provisions of this chapter shall be subject to the penalties, remedies, and criminal, civil and/or administrative enforcement actions set forth in Title of the Municipal Code. Each and every day a violation of this chapter exists constitutes a separate and distinct offense for which enforcement action may be taken.**
4. **In determining the appropriate penalties, the Department shall consider the extent of harm caused by the violation, the nature, and persistence of the violation, the frequency of past violations, any action taken to mitigate the violation, and the financial burden to the violator.**
5. **Whenever the City finds that a Person has violated a provision or failed to meet a requirement of this chapter, the City may order compliance by written notice of violation to the responsible Person pursuant to Chapter of the Municipal Code.**
6. **The Department may establish appropriate administrative rules for implementing this chapter, conducting hearings, and rendering decisions pursuant to this section.**
7. **Upon the failure of any Person to comply with any requirement of this chapter and any rule or regulation adopted pursuant to this chapter, the City Attorney's office may petition any court having jurisdiction for injunctive relief, payment of civil penalties and any other appropriate remedy, including, without limitation, restraining such Person or Entity from continuing any prohibited activity and compelling compliance with lawful requirements. However, this subsection does not permit the city or any court of competent jurisdiction to restrain the sale of any Covered Drug in the City.**
8. **Any Person who knowingly and willfully violates the requirements of this chapter or any rule or regulation adopted pursuant to this chapter is guilty of a misdemeanor. A conviction for a misdemeanor violation under this chapter is punishable by a fine of not less than fifty dollars (\$50.00) and not more than five hundred (\$500.00) for each day per violation, or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment.**
9. **The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity.**

ADDITIONAL PROVISIONS.

1. **Disclaimer. In adopting and implementing this chapter, the city is assuming an undertaking only to promote the general welfare. The City is not assuming or imposing on its officers and/or employees an obligation by which they could be liable in money damages to any Person or Entity who claims that a breach proximately caused injury.**

2. **Conflict with State or Federal Law.** This chapter shall be construed so as not to conflict with applicable Federal, State, and County laws, rules, or regulations. Nothing in this chapter shall authorize any City agency or Department to impose any duties or obligations in conflict with limitations on municipal authority established by State or Federal law at the time such agency or Department action is taken. The City shall suspend enforcement of this chapter to the extent that said enforcement would conflict with any preemptive State or Federal legislation subsequently adopted.
3. **Severability.** If any of the provisions of this chapter or the application thereof to any Person or circumstance is held invalid, the remainder of those provisions, including the application of such part or provisions to Persons or circumstances other than those to which it is held invalid shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this chapter are severable.
4. **Nothing in this chapter, or the Stewardship Program in which Producers of Covered Drug products who sell Covered Drugs in the are required to participate, is intended to protect anticompetitive or collusive conduct nor shall this chapter be construed to modify, impair, or supersede the operation of any of the antitrust laws or unfair competition laws of the State of Michigan or of the United States.**
5. **This chapter shall be construed in accordance with Michigan State law, and shall not be construed in a way that would result in conflict with, or preemption by, any such state law.**
6. **Environmental Findings.** This chapter is entitled to a categorical exemption of the which exempts "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection."
7. **This chapter shall be in effect for a period of ten (10) years following enactment.**

SECTION II

This ordinance shall take effect and be in force thirty (30) days after final adoption.

PASSED FOR PUBLICATION this day of 20 , by the following vote:

Council Members:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED:

ATTEST:

PASSED AND ADOPTED this day of , by the City Council of the City of

by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

DRAFT

CITY OF

Safe Drug Disposal

REGULATIONS

Section 1 — Authority for Regulations

These Regulations were developed under the authority of the _____ General Ordinance Code, Chapter _____, the City of _____ Safe Drug Disposal Ordinance (the "Ordinance") to provide clarification and direction for its implementation.

Unless defined herein, the capitalized terms in these Regulations have the same meaning as set forth in the Ordinance.

Section 2 — Definitions

"Administrative Citation" means a citation issued by the City for a violation of the Ordinance or Regulations.

"Alternative Plan" means a Plan imposed by the city as a result of failure to timely submit an adequate Revised Plan.

"Annual Report" means the annual report required to be submitted by Plan Owners for each approved Plan describing the activities during the previous reporting period and other information as required by the Ordinance, Regulations and the City.

"Annual Report Data" means the portion of the Annual Report containing numerical data relating to activities under the Plan.

"Annual Report Narrative" means the portion of the Annual Report containing descriptions, summaries and explanations of the collection efforts, other Plan efforts over the previous year, and future goals of the Plan.

"Collection Kiosk" means a physical location with a drop-off kiosk to receive Unwanted Products that neutralizes the Unwanted Products at no cost to the individual. Collection Points may be located at Health Care Facilities such as hospitals, pharmacies, or other convenient physical sites.

"County" means the County of

"Disposal Facility" means a facility that receives, holds or incinerates Unwanted Products collected under a Plan.

"City Liaison" means the Safe Drug Disposal Liaison, who is the contact for the City for issues relating to the Ordinance or Regulations.

"Fee Schedule" means the schedule of estimated time and cost to the City for administration and enforcement of the Ordinance and Regulations and includes the hourly rate which has been approved by the City.

"Law Enforcement Liaison" means the individual that will act as a liaison to law enforcement agencies for the Plan and may be the same person as the Plan Liaison.

"Petition For Exception" means a written request to the City for an exception from or exemption to any requirement of the Ordinance or Regulations.

"Plan Deposit" means the money lodged with the City to be applied by the City to cover the fees to be charged to cover the actual cost for administration and enforcement of the Ordinance and Regulations.

"Plan Liaison" means the primary contact for a Plan.

"Plan Owned" means the entity, individual or organization that submits and implements a Plan.

"Producer Contact" means the primary contact for a Producer of a Covered Drug. The Producer Contact is the person authorized to receive notices related to the Ordinance, Regulations and Plan. The Producer Contact cannot be the Plan Liaison.

"Public Hearing" means the noticed public hearing at which the City will determine whether a Plan complies with the requirements of the Ordinance and these Regulations.

"Revised Plan" means the proposed Plan that must be submitted following rejection of an initial Plan by the City.

"Transported" means an individual or entity that is registered with the United States Environmental Protection Agency as a Hazardous Waste Hauler and that is permitted and authorized to haul medical waste under the EPA Regulations

Section 3 — Fees

- A. Fees shall be charged based on an hourly rate that is approved by the City. The Fee Schedule can be found at the City web site at <http://>_____..
- B. The activities and estimated hours contained in the Fee Schedule may from time to time be amended by the city and the hourly rate may from time to time be amended as approved by the City.
- C. Upon request by the City, the Plan Owner shall pay to the City an initial sum for a Plan Deposit. At any time, a deposit is required, if the balance of the Plan Deposit is less than cost of the action(s) to be taken by the City to administer or enforce the Ordinance or Regulations (based on an estimated of hours to conduct the actions), an additional payment to bring the Plan Deposit balance to the estimated cost of the activity being requested. Failure to pay a Plan Deposit or fees or costs as required pursuant to the Fee Schedule is a violation of the Ordinance and Regulations.
- D. In addition to the fees and costs to the City identified in the Fee Schedule, the City may also charge Producers for actual costs incurred by other departments and agencies of the City that assist in administration and enforcement of the Ordinance.
- E. The fees collected by the City pursuant to the Ordinance or Regulations shall not exceed the City's actual cost of administering and enforcing the Ordinance and Regulations.

Section 4 — Communications with City

A. City Contact Information. The contact for the City for all issues relating to the Ordinance and Regulations shall be the City Liaison. All information or notices required by the Ordinance or Regulations to be sent to the City shall be sent to the City Liaison by e-mail, unless the Ordinance or Regulations specify otherwise.

i. Written Submissions:

a. All Plans and other materials should be submitted electronically to the City Liaison at:

b. The City Liaison's mailing address is:

ii. Questions. Questions regarding the Ordinance or Regulations should be directed to the City Liaison at () or by sending an e-mail to the City Liaison.

B. Producer Contact Information

- i. Initial Contact. Producers subject to the Ordinance shall identify themselves by a letter delivered to the City prior to the date on which Plans must be submitted to the City. The initial letter should include the e-mail address, telephone number and mailing address for the Producer Contact. The city may request that a Producer provide the information required by this section prior to the date on which Plans are required to be submitted to the City.
- ii. Notification of Participation in Product Stewardship Organization. A Producer that participates in a Stewardship Organization must notify the city. The notification must identify the Producer and include the name, address, e-mail, telephone number and contact person for the Stewardship Organization.

C. City Consultation.

The City Liaison is available to discuss the requirements of the Ordinance and Regulations, to discuss draft Plans, to answer questions about the Ordinance and Regulations, and to assist Producers or Stewardship Organizations, including setting goals and estimates for Plans. The city encourages Producers and Stewardship Organizations to consult with the City Liaison prior to filing a Plan.

Section 5 — Producers

A. Determination of Producer. The City shall determine who qualifies as a Producer of a Covered Drug. The Safe Drug Disposal Ordinance is based on the principle of Extended Producer Responsibility and requires that the cost of disposal of Covered Drugs be borne by the person(s) who sells, offers for sale, or distributes the Covered Drugs into the City of

- i. Any prescription drug sold, offered for sale, or distributed in the city in any form including, but not limited to, drugs in medical devices and combination products, both brand name and generic drugs and drugs for veterinary use are considered Covered Drugs.
- ii. Medical devices and their component parts or accessories are not drugs even if there are residuals of a Covered Drug contained in or on used medical devices or their component parts or accessories.
- iii. A manufacturer or distributor of medical devices that when sold do not have covered drugs in them will not be considered a Producer unless they also separately meet the definition of Producer.
- iv. A Producer is a person or entity that causes a Covered Drug to be manufactured.

A manufacturer that does not directly sell, offer for sale, or distribute the Covered Drug in City will be considered a Producer of the Covered Drug if the Covered Drug it manufactures is sold, offered for sale, or distributed in the City by another Person. Accordingly, as used in Section _____ of the Ordinance, paragraph 14(i), the terms "sells, offers for sale, or distributes" includes all sales, offers for sale, or distribution regardless of whether or not the Covered Drug is sold, offered for sale, or distributed by someone other than the manufacturer, such as by an independent wholesaler or distributor.

- v. A person or entity that has legal ownership of the brand, brand name, or cobrand under which a Covered Drug is sold, offered for sale, or distributed in the City who does not directly sell, offer for sale, or distribute the Covered Drug in the City will be considered a Producer of the Covered Drug if that Covered Drug is sold, offered for sale, or distributed in the City by any other Person. Accordingly, as used in Section , paragraph 14(ii) of the Ordinance, the terms "sells, offers for sale, or distributes" includes all sales, offers for sale, or distribution regardless of whether by a Person who has legal ownership of the brand, brand name, or co-brand under which a Covered Drug is sold, offered for sale, or distributed in the City or by someone else.
- vi. The following are considered biological products which are not Covered Drugs if the Producer already has a take back program in place: vaccines derived from biological products and therapeutic serum. (Biological products are defined in 21 Code of Federal Regulation 600.3(h)).

B. Petition for Exemption

- i. A Producer whose Covered Drugs are made available exclusively to medical professionals and administered solely in a licensed hospital, medical, dental, or veterinary clinic or other medical facility, with an approved Medical Waste Management Plan under the jurisdiction of the Arkansas Department of Environmental Quality ADEQ, may petition the City for an exemption from the Ordinance.
 - ii. A Petition for an exemption under this section must include the following:
 - a. The petitioning Producer's name and United States business address;
 - b. The trade and chemical name of the Producer's Covered Drugs;
 - c. A description of the uses of each of the Producer's Covered Drugs;
 - d. A description of how each Covered Drug is distributed in the City;
 - e. A declaration under penalty of perjury that the Producer's Covered Drugs are exclusively available to medical professionals and administered solely in a licensed hospital, medical, dental, or veterinary clinic or other medical facility, with an approved Medical Waste

Management Plan under the jurisdiction of the Arkansas Department of Environmental Quality ADEQ and that the Covered Drugs are not dispensed directly to the public;

- f. A showing that Producer's Unwanted Products are being safely disposed; and
 - g. A deposit for the estimated cost to the city of review, consideration and response to the petition, as set forth in the Fee Schedule.
- iii. The City shall have the discretion to grant or deny any Petition for exemption made under this section.
- iv. Any exemption, if granted, will specify the time period for the exemption, up to three (3) years. A request for renewal of an exemption must be submitted to the City at least six (6) months before the expiration date. Late requests for exemption renewals will be subject to penalties, including but not limited to late fees and costs to be determined by the City.

Section 6 — Submission of Plans

- A. Submission. For Producers subject to the Ordinance on or before 20__, Plans must be submitted no later than ,20__.
- B. Petition For A Later Submission Date. A written petition may be filed for an extension of the deadline to submit a Plan to the City. Petitions for a later submission date must be received by the City Liaison no later than five (5) weeks prior to the deadline for submission of a Plan.
- i. Petition Contents. A written petition for an extension must include the following:
- a. The proposed extension date;
 - b. An explanation of why an extension is needed;
 - c. Justification for the proposed extension;
 - d. A brief summary of the current status of the draft Plan; and
 - e. A deposit for the estimated cost to the City for review, consideration and response to the petition.

- C. Late Plan Submissions. If any Producer does not submit a Plan by the date set forth in paragraph A or has not submitted a Plan by a later date granted by the City, such Producer(s) shall be subject to the enforcement provisions of Section _____ of the Ordinance, including penalties.
- D. Plan Owners. A Plan shall be submitted by its Plan Owner, which may be a Producer or any other organization, entity or individual. A Plan may be submitted for approval even if no Producers are participating in the Plan. A Product Stewardship Program may be a Plan Owner. A Product Stewardship Program may be (1) financed and operated by a Producer or Producers or (2) operated by a company, individual or other entity that is retained and compensated by a Producer or Producers to meet the obligations of the Producer or Producers under the Ordinance.
- E. Preliminary Review of Plan. Plan Owners may submit a draft Plan prior to the date set forth in paragraph A deadline for preliminary review and comment by the City. Plan Owners are encouraged to contact the city to discuss their Plan at least three months prior to the deadline for Plan submission.

Section 7 — Plan Content

- A. General Information. A Plan must contain the following general information:

- i. Contact Information.

- a. Plan Participants. Identification of the Plan Owner(s) and the Producer
Contacts for all Producers participating in the Plan. Identification of the Producer Contact shall include an e-mail address, telephone number and mailing address. Any change in Plan Owner or the Producers participating in a Plan must be provided to the city within 30 days of the change.

- b. Plan Liaison. Identification of the Plan Liaison shall include an e-mail address, telephone number and mailing address. The Plan Liaison must be familiar with the Plan, the Covered Drugs of each Producer participating in a Plan, and potential issues related to implementation of the Plan. The Plan Liaison must have authority on behalf of all the Plan Owners and all participating Producers to make binding representations and determinations related to the Plan. Notice to the Plan Liaison shall be considered notice to the Plan Owner and each Producer participating in the Plan.

- ii. Website. A Plan must include the address of a website on which the Collection Points, educational materials, public outreach events, and other

components of the Plan will be made publicly available. The website does not need to be devoted exclusively to the Plan.

- iii. Telephone Number. All Plans must include a toll-free telephone number that will be available to Residential Generators to obtain information about Collection Points, educational materials, and other aspects of the Plan.
 - iv. Other. All information required by the Ordinance.
- B. Collection Measurement and Goals. A Plan must contain an estimate for the quantity of Unwanted Products that will be collected under the Plan and how the quantity of collected Unwanted Products will be measured exclusive of any packaging.
- C. Implementation Description. A Plan must contain a discussion of how and when the Plan will be implemented, including but not limited to:
- i. The number of initial Collection Points Kiosks and Collection Points that will be phased in over time.
 - ii. The dates on which Unwanted Products will begin to be collected at each Collection Point kiosk, which must be within 90 days of City approval of the Plan. Collection Points must include established address locations under the national zip code directory of the USPS for which the Plan will assume responsibility.
 - iii. Description of distribution of in-home safe disposal bottles, the collection system and destruction of those in-home safe bottles.
- D. Multiple Collection Components. A Plan may have multiple collection components, which may include:
- i. Collection Points with safe disposal kiosks at hospitals, pharmacies, or health care facility and other convenient locations;
 - ii. A mail-back program, such as providing consumers with a container in a prepaid self-addressed package for mailing Unwanted Products to be destroyed that have been neutralized safely;
 - iii. Public events, including at senior citizen facilities, health fairs, and recycling events. Plan Owners and Producers are encouraged to coordinate with community organizations, public entities, and the City regarding the Plan.

E. Transporter Information. Transportation from the distribution/collection center to the disposal facility must be performed by a Transporter. The Plan must include the following information for each Transporter to be used under the Plan:

- i. Name, address and phone number;
- i. Website address;
- i. Type of Transporter;
- i. Environmental Protection Agency identification number if necessary;
Permit status;

Record of any penalties, violations, or regulatory orders received in the previous five (5) years; and

How the Transporter will be utilized under the Plan.

F. Disposal Facility Information. The Plan must include the following information for each Disposal Facility to be used under the Plan:

- i. Name, address and phone number;
- i. Website address; iii. Type of facility;
- i. Environmental Protection Agency identification number;
Permit status; Record of any penalties, violations, or regulatory orders received in the previous five (5) years; and
vii. How the Disposal Facility will be utilized under the Plan.

G. Copies of Materials. A Plan should include copies of any educational or public outreach materials that are proposed to be used under the Plan, including a copy of any signage, with the dimensions of the proposed actual sign.

H. Plan Goals. A Plan should include a proposal as to the short term and long-term goals under the Plan for collection, education, and public outreach. The City may modify Plan goals as a condition of approval. As set forth below, Plan goals shall be reviewed in each Annual Report, at which time the City, working with the Plan Liaison, will set the goals for the next reporting period.

I. Public Document: Any Plan submitted to the City or any other governmental agency under the Ordinance or Regulations will be considered a public record. No part of the Plan should be marked as confidential or proprietary. This provision is not intended to require the disclosure of records that are exempt from disclosure under the Arkansas Public Records Act. If any Plan Owner or Producer

participating in a Plan contends that information it is required to provide is exempt from disclosure under the Arkansas Public Records Act, such information must be accompanied by a written claim of exemption and a concise statement of reasons supporting such claim. The party seeking to protect documents, or information contained in documents, from disclosure shall bear the burden of making a showing that the documents or information are exempt from disclosure under the Arkansas Public Records Act. The City shall determine whether the documents or information are exempt from the Arkansas Public Records Act.

Section 8 — Plan Evaluation

A. Plans will be evaluated by the city based on the following:

- i. Adequate Collection. Whether the Plan's collection program is adequate to serve the needs of the city residents, including but not limited to:
 - a. Whether the Plan provides for adequate collection and neutralization safely of Unwanted Product for each area of the City where the Covered Drugs of the participating Producer(s) are offered for sale, sold, or distributed; and
 - b. Whether residents who procure their medications outside of physical pharmacies, such as online, will be adequately served by the Plan.
- ii. Adequacy of Collection Kiosks. Whether the Plan has an adequate number of Collection Kiosks and whether these Collection Kiosks are accessible and located throughout The City. Possible Collection Kiosks can include but are not limited to health care facilities as defined under EPA Regulations, law enforcement agencies, and governmental and public buildings. The City encourages Plan Liaisons to contact the City before Plans are due if they are having difficulty identifying suitable or sufficient Collection Kiosk locations.
- iii. Management Practices. Whether the Plan includes adequate management and administrative practices, including but not limited to:
 - a. Training to be provided at the Collection Kiosks;
 - b. General security procedures;
 - c. Procedures for pickup and disposal of neutralized Unwanted Products;
 - d. Frequency of pickup from Collection Kiosks and disposal;

- e. Procedures for when a vessel is full; and
 - f. Management and administration of alternative collection methods, such as mail-back containers.
- iv. Tracking. Whether the Plan provides for the collected Unwanted Products to be safely and securely tracked and handled from collection through disposal.
- v. Controlled Substances. Whether the Plan adequately addresses collection of Controlled Substances.
- vi. Education and Public Outreach. Whether the Plan complies with the public education and outreach requirements of the Ordinance, including but not limited to whether the Plan adequately provides for education regarding the safe collection, neutralization and disposal of Unwanted Products for:
 - a. Health Care Providers as outlined in the EPA Regulations.
 - b. The general public.
- vii. Educational Materials. Whether the Plan adequately incorporates educational materials for the public and whether such materials adequately address:
 - a. The importance of promptly and properly disposing of Unwanted Products;
 - b. How to find and use Collection Kiosks.
 - c. Alternative methods of returning Unwanted Products under the Plan (such as mail-back programs);
 - d. How to properly dispose and neutralize of Unwanted Products.
- viii. Public Outreach. Whether the Plan provides for adequate public outreach, including but not limited to sufficient use of print and social media, radio, television, signage, and public events.
- ix. Cost. The Plan does not need to include an itemized cost breakdown for the Plan or the charges to, or financial contributions from, any Producer, so long as a statement is provided from each Producer that it is their reasoned

opinion that the proposed Plan meets the criteria of Section _____ of the Ordinance.

- B. When considering a Plan for approval, the City assumes the truth and accuracy of all information provided in connection with the Plan. Plan Owners and all Producers participating in a Plan are jointly and severally responsible for the truth and accuracy of their representations. If the City determines that any information provided to it in connection with a Plan is false or inaccurate, the Plan Owner(s) and Producer(s) participating in the Plan shall, at the discretion of the City, be subject to the penalty provisions of the Ordinance and Regulations.

Section 9 — Petitioning For Alternative Method Of Disposal

A Plan Liaison may petition for a method of disposal other than incineration as required by Section _____ of the Ordinance by submitting a written petition to the City Liaison by e-mail. The following information must be included in the petition:

- A. An explanation as to how the proposed alternative method of disposal adequately meets the requirements of the Ordinance, including Section _____, and Regulations;
- B. A deposit for the estimated cost to the city to review, consider and respond to the petition, based on the Fee Schedule.

The City will contact the petitioner if additional information is required to make a determination on the petition. The City shall have discretion to grant or deny any petition filed under this Section.

Section 10 — Review. Public Hearing and Approval of Plan

- A. Review: Following receipt of a Plan by the City, the City Liaison may review the Plan with the Plan Liaison. If the City Liaison does not recommend approval of the Plan as submitted, a Revised Plan may be submitted by a date set by the City Liaison. It is within the discretion of City to continue a noticed public hearing to allow for submission of a Revised Plan.
- B. Public Hearing.
 - i. Public Hearing: A Public Hearing shall be noticed and conducted by the City to determine if a Plan complies with the Ordinance and Regulations
 - ii. Availability of Plan: Within 10 days of the city providing notice of the public hearing, the proposed Plan will be made available to the public by

the City at no cost on the City website. A copy will also be made available for public viewing at the city offices.

- C. Approval of Plan. Within 30 days following the public hearing, the City will notify the Plan Liaison by e-mail whether the proposed Plan has been approved or denied, whether any changes to the Plan are required for approval and/or whether additional time, information, and/or documents are needed for the City to make a determination on the Plan. Approval of a Plan by the City does not constitute an opinion on compliance with other federal, state, city, or county laws, ordinances, or regulations.
- D. Posting of Approved Plan. All approved Plans shall be posted by the City on its website within fifteen (15) days of notification to the Plan Liaison of approval.
- E. Rejection of a Plan. If a Plan is rejected by the city, the Plan Liaison must submit a Revised Plan to the City within 60 days after receiving notice of the rejection. If a Revised plan is not timely submitted and approved, Producers participating in the rejected plan may have an Alternative Plan imposed on them.
- F. Alternative Plan. At the City's discretion, an Alternative Plan may be, but is not limited to, a Plan developed by the City, or a Plan submitted by another Plan Owner(s) or Producer(s).
 - i. All costs incurred by the City relating to an Alternative Plan shall be paid by the Producer(s) participating in the Plan. Such costs shall be determined in accordance with the Fee Schedule, Ordinance and Regulations, and shall not exceed the actual costs of the City.
 - ii. The City in its discretion may contract with a third party to create an Alternative Plan. Any fees or costs for such a consultant shall be paid by the Producer(s) participating in the Plan.
 - iii. Producer Contact(s) will be sent notification of the imposition of an Alternative Plan by e-mail and first-class mail, which will include a webpage where a copy of the Alternative Plan may be downloaded.
- G. Appeal. A Plan Liaison or Participating Producer may appeal an Alternative Plan, or a portion of an Alternative Plan, to the City within ten (10) calendar days after receiving notice of imposition of the Alternative Plan.
 - i. The appeal may be initiated by filing a Notice of Appeal with the Clerk of the City. A courtesy copy of the Notice of Appeal shall be sent to the City Liaison.

- ii. The Notice of Appeal shall specify the grounds for the appeal, the specific changes requested to the Alternative Plan, and the appellant's contact information.
- iii. The appeal process before the City for an Alternative Plan shall follow the procedures set forth for administrative citations in Section _____ of the Ordinance. If the City cannot attain a majority vote as to whether to grant or deny an appeal of an Alternative Plan, the Alternative Plan shall be upheld.

Section 11 — Request To Modify an Approved Plan

- A. Only a Plan Liaison may request modifications to an approved Plan. All such requests must be made in writing and submitted to the City Liaison with a Modification Request Fee, as set forth on the Fee Schedule. No material modifications may be made to a Plan without prior City approval, including but not limited to:
 - i. Collection Kiosks changes;
 - ii. Changes to collection methods or collection events;
 - iii. Material changes to educational or public outreach efforts.

The City must be promptly notified, in writing, of any non-material changes to the Plan, including a change in Plan Liaison, but prior City approval is not required for such non-material changes.

- B. The city will notify the Plan Liaison within 30 days of receipt of a request to modify an approved Plan as to whether the requested modification has been approved, denied, approved in part, or if additional information, documents and/or time are needed to make a determination. The City shall have discretion to determine whether to allow modifications of an approved Plan.

Section 12 — Plan Compliance

The City may, but is not required to, monitor Plan compliance, including but not limited to visiting Collection Points or educational events or engaging a third party to do so. Costs incurred by the City in monitoring Plan compliance shall be borne by Producers participating in a Plan.

Section 13 — Enforcement and Penalties

- A. **Written Warning.** If the City Liaison determines that a Plan is in violation of the Ordinance or Regulations or is not being implemented as approved, the City Liaison shall send by e-mail a written warning to the Plan Liaison. Since Producers are the parties responsible for payment of all fines and penalties, all Producers participating in a Plan shall be sent a copy of the written warning at the address identified on the Plan for their Producer Contact. The written warning will be deemed received the day after it is sent by e-mail.
- B. **Recommendation for Administrative Citation.** If any violation(s) identified in the written warning is not corrected within 30 days, a recommendation will be made by the City Liaison that the City issue an Administrative Citation to the offending Producer(s).
- C. **Administrative Citation.** An Administrative Citation issued by the City shall include a description of the violation, the section of the Ordinance or Regulation that has been violated, the date the warning was issued, and the administrative fines and civil penalties to be assessed against the Producer(s). The fines and penalties shall begin accruing on the 31st calendar day after the written warning. The City has discretion as to when to issue an Administrative Citation.
- D. **Per Day Violation and Penalties.** Each day a Plan is in violation of the Ordinance or Regulations after the 30-day cure period shall constitute a separate and distinct violation, and penalties may, at the City's discretion, be assessed on a daily basis until the violation is cured. The amount of the penalty for each violation shall be determined at the discretion of the City, up to a maximum amount of one thousand dollars (\$1,000) per day per violation. Any civil penalty is separate and distinct from any fines imposed in connection with any criminal conviction.
- E. **Payment of Penalties.** All penalties shall be paid within 30 days of the date the Administrative Citation was issued. Any penalty amounts that are not paid within the 30-day period shall accrue interest at the rate of 10% per annum. Penalties shall be payable to the City.

Section 14 — Appeal of Administrative Citations

- A. Submission of Appeal. Any appeal of an Administrative Citation shall follow the process set forth in the Ordinance at Section .
- B. City Review. Appeals shall be sent to the City Liaison for review to determine if the appeal is complete according to the requirements of Section of the Ordinance.
- C. Contact Information. The appeal must set forth the contact person for purpose of the appeal and the appellant's telephone number, e-mail and mailing addresses.
- D. Incomplete Appeal. If any appeal is determined by the City Liaison to be incomplete, it shall be returned to the appellant with the basis for the determination.
- E. Notification of Hearing. If the City Liaison determines that an appeal is complete, a hearing officer will be designated, and the City will provide written notice of the hearing as set forth in Section of the Ordinance.

Section 15 — Annual Reports

- A. Submission of Reports. An Annual Report must be submitted to the City Liaison for each Plan on or before the annual report date set by the city at the time the Plan is approved.
- B. Report Format: The Annual Report shall be in two parts:
 - a-Report Narrative section containing a narrative description of the activities under the Plan for that year and a Report Data section containing the data described below. In addition to elements required in the Ordinance and below, the Annual Report shall contain any changes to contact information for any Plan Owner or Producer participating in a Plan.
- C. Report Narrative. The narrative section of the Annual Report shall include the following brief subsections:
 - i. Executive Summary. The purpose of the Executive Summary is to provide a broad understanding of the Plan as a whole and context for the data and information that will follow. This summary should include a brief description of collection, neutralization, and disposal efforts during the reporting period. The executive summary should also include a description of proposals to improve collection efforts and challenges encountered during the reporting period, and how they will be addressed. (Security issues must be addressed separately as set forth below.)

- ii. Reporting on Goals. The Report Narrative should include a summary of the Plan goals and the degree of success in meeting those goals in the past year. The discussion should include a summary of the efforts to meet the goals, any difficulty in meeting the goals, and if any goals have not been met, what effort will be made to achieve such goals in the next year.
- iii. Future Goals. The Report Narrative should include proposed goals to be accomplished in the upcoming year. If the proposed goals differ from the original Plan goals, the Annual Report should include a discussion of the reasons for the suggested change(s).
- iv. Collection Practices. The Report Narrative shall include a brief description of the collection efforts over the past year.
- v. Educational Efforts and Public Outreach Activities. The Report Narrative shall include a brief description of education and public outreach efforts over the past year.
- vi. Safety and Security Report: This section shall be provided on a separate page and clearly marked "Safety and Security Report". This section shall:
 - a. Identify any known security or safety incidents at Collection Points, events and during transportation or disposal. For each such incident, the report must include the following:
 - 1. What, if any, corrective or other action was taken in response to the incident;
 - 2. Any law enforcement or regulatory agencies involved in the incident; and
 - 3. Any litigation, arbitrations or other legal proceedings arising out of, or involving, the incident.

- b. If the Plan Owner or a Producer participating in a Plan contends that information it is required to provide in the Safety and Security Report is exempt from disclosure under the Arkansas Public Records Act, this section of the Annual Report may be submitted conditionally under seal. It must be accompanied by a written claim of exemption and a concise statement of reasons supporting such claim. Submission of a written claim that the document, or information contained in a document, is exempt from disclosure under the Arkansas Public Records Act does not in itself create an exemption. The party seeking to protect documents, or information contained in documents, from disclosure shall bear the burden of making a showing that the documents or information are exempt from disclosure under the Arkansas Public Records Act. The City shall determine whether documents or information are exempt from the Arkansas Public Records Act.

D. Report Data: The data section of the annual report must contain all items required by the Ordinance and the following information:

i. All Producers participating in the Plan;

ii. For each Collection Kiosk:

- a. Location, host site name, and address;
- b. Collected Unwanted Products by weight over the past year; and
- c. Number of times Unwanted Products was picked up for transportation per location to include the actual weight of Unwanted Products excluding any packaging.

iii. For any mail-back program:

- a. The number of mail-back containers distributed;
- b. The number of mail-back containers returned; and
- c. Collected Unwanted Products by weight.

iv. For each Disposal Facility:

- a. The facility name, address and telephone number; and
- b. The total weight of collected products disposed of at each Facility.

E. Failure to Submit Adequate Annual Report.

- i. If the City finds any Annual Report to be inadequate, it may request additional information or a revised report.
- ii. If a Plan Owner does not provide an adequate Annual Report after a request by the City for additional information or a revised report, any Producers participating in the Plan may be subject to enforcement actions and penalties under the Ordinance and Regulations.

Section 16 — Plan Renewal

Once a Plan is approved it is valid for one (1) year, unless the City specifically sets forth a different term, which is within the City's discretion. Plan Liaison should set up an appointment with the City Liaison six (6) months prior to the end of the one (1) year term, and no later than 60 days prior to the expiration of the term of the existing Plan, to discuss renewal of the Plan and how the Plan may be improved or modified. The city will advise the Plan Liaison within 30 days following this meeting as to whether the Plan will need to be revised prior to renewal.

A plan once approved will only continue as long as the funding is provided by Producers.

The City shall have discretion to determine whether a public hearing will be held prior to renewal of a Plan.

Section 17 — Request for Exception

- A. Petitions for Exception. A Plan Liaison or a Producer may make a request of the City for an exception, exemption, or allowance from any requirement of the Ordinance or Regulations.
- B. Petition Content. Any Petition for Exception must be made in writing to the City Liaison and contain all the following:
 - i. The name and contact information of the Plan Liaison or Producer seeking the exceptions;
 - ii. The Ordinance section or Regulation to which the request relates.
 - iii. The reason and justification for the request.
 - iv. and iv. A deposit for the estimated cost to the city of review, consideration and response to the Petition based on the Fee Schedule.
- C. City Discretion. The City shall have the discretion to grant or deny any Petition for Exception.

Section 18 — General Provisions

- A. Severability. If any part or provision of these Regulations or the application thereof to any person or circumstances is held invalid, the invalid provision(s) shall be severed, and the remainder of the Regulations, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect.
- B. Compliance with all Laws and Regulations. Plan Owners and Producers participating in a Plan, and not the City, are jointly and severally responsible for creating and maintaining a Plan that is in compliance with all federal and Arkansas laws and all city and county ordinances and regulations. Approval of a Plan by the City does not constitute an opinion on compliance with other federal, state, city, or county laws, ordinances, or regulations. Any statement by the City, including the City Liaison, that the Plan may contain a component that violates any federal, state, city, or county law, ordinance, or regulation shall not be interpreted as an opinion that any other component of the Plan is in compliance with any federal, state, city, or county laws, ordinances or regulations.
- C. Separate and Distinct Compliance. Adherence to the Ordinance and Regulations is not meant to replace or meet the requirements of any other federal, state, city, or county laws, ordinances, or regulations. Any review or approval pursuant to the Ordinance or Regulations is not meant to and shall not be indicative of compliance with or violations of any other federal, state, city, or county laws, ordinances, or regulations.

Signed this _____ day of _____ 20__

These regulations, as amended, are hereby adopted this _____ day of
20__



**CITY OF RIVERVIEW - RIVERVIEW LAND PRESERVE
ENVIRONMENTAL CONSULTANT FISCAL YEAR 2023-2024**

PROJECT NUMBER		PROJECT	ENGINEERING BUDGET	LAST ACTION	NEXT ACTION	ON SCHEDULE			COMMENTS
							% COMPLETE	ON BUDGET	
4231588.01	Engineering	General Site Support Engineering	\$ 110,000	Provide on-going support	On going planning for closure activities, general engineering support	Y	100%	Y	Change Order requested for June
4231588.02	Regulatory Support	Air Emissions	\$ 60,000	Ongoing reporting and data reviews	Routine data reviews, annual GHG reporting	Y	100%	Y	Change Order requested for June
4231588.03	Operations Support	Special Waste Review	\$ 10,000	Complete waste reviews as requested	Complete waste reviews as requested	Y	42%	Y	
4231588.04	Regulatory & Operations Support	Volume Reporting and Construction Forecasting	\$ 10,000	Develop updated Dozer model	volume Estimates for Cell 1	Y	90%	Y	
4231588.05	Regulatory Support	Routine Inspections	\$ 22,200	Perform June inspection	Perform July inspection	Y	100%	Y	Change Order requested for June
4231588.06	Regulatory Support	Environmental Monitoring	\$ 60,400	Completed 2Q sampling	Complete 2Q report	Y	100%	Y	Change Order requested for June
4231588.07	Operations Support	Health & Safety Training	\$ 5,000	n/a	As needed services	Y	0%	Y	
4231588.08	Regulatory Support	Leachate Management	\$ 45,000	Monthly sampling	Complete 2Q report	Y	100%	Y	Change Order requested for June
4231588.09	Regulatory & Engineering Support	Nike Missile Site	\$ 10,000	Completed 2Q sampling	Complete 2Q report	Y	100%	Y	Change Order requested for June
4231588.10	Operations Support	Site Surveying	\$ 5,000	Provide site staking and construction points as needed	Provide site staking and construction points as needed	Y	56%	Y	
4231588.12	CAPEX	GCCS Construction	\$ 140,000	Provide construction oversight	Provide construction oversight	Y	40%	Y	
4231588.14	CAPEX	Cell 7 Phase 4 Construction	\$ 20,000	Continue sand certification as placed by RLP	Continue sand certification as placed by RLP	Y	25%	Y	
4231588.15	CAPEX	Leachate Treatment	\$ 174,300	Submit completed CWSRF application.	Wait for approval decision on Grant Application	Y	100%	Y	Change Order requested for June

ENGINEERING PROJECTS UPDATE
CITY OF RIVERVIEW
July 6, 2024

VJuly06/24

GENERAL

General Administration and Committees
RV-1 **Attend City Council meetings and study sessions and General Consulting upon request.**

Act 51 Street Report
RV-5 Completed entry in IRT report for MDOT. Filed 2020 Street financial report attest. Finalized and submitted the 2021 Streets Certification Report to MDOT. Submitted the 18j certification form to MDOT. Reviewed the Street Financial Report (SFR) and submitted the executed SFR attest form.

DPW

Storm Water Management
RV-3 Prepared Illicit Discharge Ordinance and submitted it to City for processing. Ordinance adopted by City in January, 2020. Responded to EGLE comments. Revised the Storm Water Management ordinance after Wayne County adopted a new MS4 ordinance. Revised MS4 report and **resubmitted application on 4/4/2024.**

Downriver WWTP
RV-4 Working with DUWA on rates analysis and structure. Evaluated meter readings. Reviewed DUWA tunnel connection agreement and submitted revisions. DUWA Board adopted agreement on October 14, 2021.
Review reports and attend Board and Technical Committee meetings.

Foot Bridge over Otto Drain
RV-216 Received bids and checked low bidder's references. **Project is on hold.**

Lead Services Replacement Program
RV-220 Work completed in Riverview and in progress in Wyandotte and will continue as weather improves. Contract was extended with D&D for Riverview and Wyandotte. Riverview's work is completed. Wyandotte's work is completed under this contract.

Relief Sewer Connection to DUWA Tunnel
RV-243 Topographic survey and soil borings completed. Design in progress. Selecting metering device for flow monitoring. Submitted preliminary design for review. Received review comments. Revising plans. Working on tunnel connection structural detail. Addressed MDOT's Review comments. Addressed County's review comments. Received approval from MDOT. Received County's approval. **Prepared bidding documents. Resubmitted revisions to DUWA.**

2022 Sewer Lining Program City Wide
RV-265 Prepared Sewers Listing for the 2022 program. Starting date in late July early August. Contract was signed by the City. **Work is in progress. Approximately 99% completed. Prepared list of sewers for this year's program.**

CITY OF RIVERVIEW

July 6, 2024

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DPW

**Roads PASER
RV-272**

Field data collection completed. **Draft Asset Management Plan is completed.**

**2023 Street Sectioning
Program City Wide
RV-286**

Project is out for bids. Bids are due on June 8, 2023 (today). Received bids. City awarded the project to Savone Construction. Awaiting insurance and bonds to execute the contract. Contracts are signed. **Project is completed. Punch list pending.**

**2024 Street Sectioning
Program City Wide
RV-301**

Assembling list of locations for sectioning. Prepared estimate for budgeting. Received extension of contract request from contractor. City approved the contract extension with Savone Cement. Awaiting updated insurance and bonds.

**Hydro-excavating for Lead
Services Inventory
RV-302**

Preparing contract documents. **Contract is signed. Held a kickoff meeting. Project is completed.**

**2024 Lead Services
Replacement
RV-303**

Preparing contract documents. Waiting for contractor to provide insurance and bonds. **Reviewing insurance and bonds. Contract is signed. Scheduling locations to replace.**

**ARPA-EGLE Lead Services
Investigation Grant
RV-303**

Prepared Grant application. Received notification of funding award.

**2024 Sewer Lining Program
City Wide
RV-306**

Project is in progress.

BUILDING AND ENGINEERING

**Landscaping Improvements
At the Veterans Memorial
RV-221**

Project is on hold.

CITY OF RIVERVIEW

July 6, 2024

VJuly06/24

SITE PLANS

Aerius Lot Split	Provided preliminary review comments on proposed addition.
Riverview Commons Sibley and Fort RV-150	Pending Storm Water Management structure and agreement execution. worked with building department on compliance issues.
Warehouse at 17720 Jefferson RV-197	Met with Owner to discuss engineering requirements.
Riverview Crossing Paving RV-201	Reviewed paving plans. Awaiting agreement and cash bond. Building demolition completed.
Piramal 2020 Riverview Addition (Ash Stevens) RV-211	Held a preconstruction meeting and submitted the water main for EGLE permit. Watermain permit is issued. Construction of underground utilities is substantially completed. Received and reviewed "As Builts". Awaiting Storm Water Management Agreement and properly executed exhibits.
Sigma Comcast Review 13725 Pennsylvania Rd. RV-234	Reviewed and submitted comments.
Gas Station Monitoring 12647 Pennsylvania RV-239	Reviewed and provided comments. Wells installation coordinated. Installation completed. Monitoring in progress. Awaiting closure report.
Safe Spot Storage Sibley Road RV-241	Reviewed second submittal on site plan and provided comments. Awaiting revisions.
17430 Valade Drainage RV-250	Performed topographic survey and recommended remedies.
Savvy's Slider RV-251	Performed review. Reviewed and accepted revisions.
Comcast Review 18235 Krause RV-252	Reviewed and submitted comments.

SITE PLANS

Fort Cream Barber Shop Pavement Replacement RV-253	Reviewed and provided comments. Recommended approval.
Pentecostal Unity Church Pavement Replacement RV-254	Reviewed and submitted comments on drainage. Recommended conditional approval.
Pennview Medical Clinic Pavement Replacement RV-255	Reviewed and submitted comments on drainage concerns.
Piramal Temporary Parking And Construction Storage RV-256	Reviewed plans and provided comments.
Turnkey 18712 Quarry Rd. RV-257	Reviewed and submitted comments. Accepted revisions.
Sigma Comcast Review 17071 Fort RV-258	Reviewed and submitted comments. Accepted revisions.
Corby DTE Kingswood Conduit Replacement RV-259	Reviewed and submitted comments.
Subway Fort Street Drive Through RV-260	Reviewed and submitted comments.
American Tower 18752 Fort Street RV-262	Reviewed and submitted comments.
Riverview CCI Destiny Engineering Site Plan RV-266	Review is on hold, pending escrow deposit.
Sigma Comcast Review 20300 Fort RV-268	Reviewed and submitted comments. Plans not approved.

SITE PLANS

DTE / Corby Conduit 20662 Coachwood RV-269	Reviewed and submitted comments. Plans not approved.
Sigma Comcast Review 18231 Civic Park Dr. RV-270	Reviewed and submitted comments.
Riverview Crossing Building Demolition RV-273	Reviewed work plan and provided comments.
17543 Fort Parking Expansion review RV-274	Reviewed work plan and provided comments.
DTE Service at Golf Course RV-275	Working with DTE on options. Reviewed alignment. Waiting for revisions.
Sigma Comcast Review 18591 Quarry RV-276	Approved As Noted.
DTE Gas Transmission LP to Fort Street	Reviewed plans and approved As Noted.
Piramal Expansion RV-280	Met with Piramal Representatives re: scope of expansion. Reviewed plans and provided comments. Awaiting revisions,
18818 Fort St. Site Plan RV-282	Reviewed and provided comments.
Green Acres Provisioning RV-283	Reviewed revised plans and provided comments.
Kinship Provisioning RV-284	Reviewed revised plans and provided comments.
Pirate's Cove Buildings 10 and 11 Site Plan RV-287	Reviewed and provided comments. No concerns.

SITE PLANS

Jars Review 15600 King RV-288	Reviewed revised plans and provided approval.
Jars Review 18580 Fort RV-289	Reviewed revised plans and provided approval.
AT&T Utilities Request Bellaire senior living RV-291	Provided utilities.
Residential Grading Plans Residential Grading Plans	Review residential grading plans.
Sigma Comcast 18231 Civic Park RV-292	Reviewed and provided comments and utilities plans. Currently reviewing revised plans and easement documents. Conduit installation is completed.
Sigma Comcast 16261 Hale RV-293	Reviewed and provided comments and utilities plans. Plans approved. No notice for inspection yet.
Scotty's Const. Service to 17740 Fort Eng. RV-294	Reviewed and provided comments. Plans approved. Project completed and restoration approved.
ATT Service relocation at Monguagon Drian RV-295	Reviewed and provided comments. Reviewed revisions and approved plans. Construction in progress. Minor restoration remaining. Project is completed. Minor pavement restoration remaining.
DTE Gas - Grange Rd. Sibley to Golfview RV-296	Reviewed and approved plans. Project is completed
DTE Electric - Aerial 18215 Fort RV-297	Reviewed plans and approved them "as noted"
DTE Gas - Sibley Design Review RV-298	Reviewed plans and provided comments to revise and resubmit. Project is completed pending restoration.
DTE RNG Sanitary Connection RV-299	Provided city's requirement for connecting to city's sewer. Connection is completed. Minor manhole repairs are being addressed.

SITE PLANS

Demolition of 12547 Pennsylvania RV-300	Inspected sanitary service's capping. Awaiting site closure report.
DTE Gas - Various Locations RV-307	Reviewed plans and provided comments. 23 of 24 plans were approved. project is in progress.
DTE Electric - Aerial 13333 Pennsylvania RV-308	Reviewed plans and provided comments. Revised plans were reviewed and approved as noted.
Mind South Medical Bldg. Site Plan Review RV-309	Reviewed plans and provided comments.
15295 Pennsylvania Bldg. Renovation RV-310	Met with developer and provided requirements.
Aerius Health Building Addition RV-311	Reviewed plans and provided comments.
DTE Gas Abandonment 11521 Garfield RV-312	Plans were reviewed and approved.
DTE Gas E-Chart Grange and Pennsylvania RV-313	Plans were reviewed and approved.
DTE MES Pole Replacement 182115 Fort RV-314	Plans were reviewed and approved.
Belle Fountain Preliminary Review RV-315	Storage Building site plan was reviewed. Comments and utilities schematics were provided.
Allen's Trophy Parking lot 17543 Review RV-316	Plans were reviewed and approved.

ENGINEERING PROJECTS UPDATE

CITY OF RIVERVIEW

July 6, 2024

SITE PLANS

**11821 Longsdorf
Site Plan
RV-317**

Provided preliminary comments for Planning Commission.

ENGINEERING PROJECTS UPDATE

CITY OF RIVERVIEW

July 6, 2024

COMPLETED OR DEFERRED PROJECTS

Iron Belle Trail	RV-1	On Hold
Street Lights Conversion by DTE	RV-1	Completed
Fort Street Rehab South of Sibley	RV-1	Completed
GLWA Water Supply	RV-15	On Hold (contract)
Fort Street Reconstruction	RV-56	Completed
Fort Street Utilities Improvements	RV-58	Completed
FEMA MAPS Evaluation	RV-66	Completed
Fishing Pier	RV-74	Completed
Riverview Ave Water Main Replacement	RV-80	Completed
King Assisted Living	RV-85	Completed
Riverview Highland Power Conduit	RV-88	On Hold
Fordline Pump Station Control Panel	RV-90	Completed
14500 Professional Complex	RV-91	On Hold
Water System Reliability Study	RV-93	Completed
Title VI Plan Required by MDOT	RV-95	Completed
SAW Grant	RV-96	Completed
2014 Street Sectioning Program - CDBG	RV-97	Completed
Fire Station Waterproofing	RV-98	Completed
Fiber Optic Line from Fire to Police Station	RV-99	Completed
2014 Street Sectioning Program City Wide	RV-100	Completed
Sewer Repair at 17430 Valade	RV-103	Completed
PASER Study on City Streets	RV-104	Completed
ATT Installation on Nixon	RV-105	Completed
Highland Golf Cart Rehabilitation	RV-106	Completed
Local Roads Repair Program	RV-107	Completed
2015 Joint Sealing Program	RV-112	Completed
Comcast Cable	RV-113	Completed
Comcast Cable	RV-114	Completed
Longsword Lift Station Roof	RV-119	Completed
Longsdorf Lift Station Generator and PLC	RV-120	Completed
DPW Building Hoist	RV-121	Completed
DTE Bore on Grange	RV-122	Completed
Mobilite Pole Installation Review	RV-130	Project Denied
Comcast Fiber Optic Huntington Street	RV-132	Completed
Senior Apartments Review 12525 Hale	RV-134	Completed
Comcast - Pirates Cove 18301 Krause	RV-135	Completed
Comcast - Aerius Health 13840 King	RV-137	Completed
Riverview Center Nixon Pennsylvania and Fort	RV-138	Completed
Pennsylvania Water Main Replacement	RV-141	Completed
2017 Street Sectioning Program City Wide	RV-143	Completed
Comcast - 12425 Nixon	RV-147	Completed
Comcast - Boat Ramp Bridge Road	RV-149	Completed

ENGINEERING PROJECTS UPDATE

CITY OF RIVERVIEW

July 6, 2024

COMPLETED OR DEFERRED PROJECTS

Water Asset Management Plan	RV-152	Completed
Bellaire	RV-153	Completed
Ash Stevens Addition	RV-154	Completed
Comcast - Teramisu 17780 Fort St.	RV-155	Completed
W. F. Whelan Co. Site Plan	RV-156	Completed
Comcast - Whelan 17423 W. Jefferson	RV-158	Completed
Comcast - 14750 King Road	RV-159	Completed
Water System GIS	RV-160	Completed
2018 Street Sectioning Program City Wide	RV-161	Completed
Comcast-14031 Pennsylvania	RV-162	Completed
2018 Sidewalk Replacement	RV-165	Completed
Comcast - Chicken Shack	RV-166	Completed
Sigma Technology 18655 Krause St.	RV-168	Completed
McLouth Steel	RV-169	Completed
123 Net Metro Act Permit	RV-170	Completed
Comcast / Sigma Bridge Co.	RV-171	Completed
Pirates Cove 18501 Krause	RV-172	Completed
PRVs Replacement	RV-173	Completed
Sanitary Sewers and Manholes Repairs	RV-174	Completed
Advantage One	RV-175	Completed
Riverview Apartments	RV-177	Completed
Electrical for Meadow Dr.	RV-178	Completed
Comcast North of Carroll	RV-179	Completed
Marathon Inspection Dig	RV-180	Completed
Boat Ramp Weed Control	RV-184	Completed
Comcast (Sigma) for 18500 Fort	RV-185	Completed
Detroit One Fiber Initiative Project	RV-186	Completed
2019 Street Sectioning Program City Wide	RV-188	Completed
2021 Joint sealing Program	RV-190	Completed
123NET for 14100 Civic Park Drive	RV-191	Completed
DTE Conduit (Thornwood East of Coachwood)	RV-192	Completed
Comcast (Sigma) for 16260 King Road	RV-194	Completed
Achieve Health and Performance	RV-196	Completed
Basketball Court at YP Park	RV-198	Completed
Tennis and Pickleball Courts at Vreeland Park	RV-199	Completed
2019 Pavement Improvements	RV-200	Completed
Seitz School Pool	RV-202	Completed
Perry Place Drainage Concerns	RV-203	Completed
DTE Grange Road Review	RV-204	Completed
13249 Pennsylvania Road Fiber Optic Review	RV-205	Completed
Golf Course Club House Improvements	RV-207	Completed
Country Club and Yorkshire Watermains	RV-209	Completed
Ring Road and Parking Lot at Land Preserve	RV-213	Completed
BASF Pretreatment Site Plan	RV-214	Completed

ENGINEERING PROJECTS UPDATE

CITY OF RIVERVIEW

July 6, 2024

VJuly06/24

COMPLETED OR DEFERRED PROJECTS

Riverview High School Site Improvements	RV-215	Completed
Joint Sealing and Seal Coating at Golf Course	RV-217	Completed
2020 Street Sectioning Program City wide	RV-218	Completed
Veteran Memorial Library Sign	RV-223	Completed
Sibley Road 20" Watermain Break	RV-225	Completed
Water system reliability study update	RV-226	Completed
crown Castle cable installation	RV-227	Completed
2021 Street Sectioning City Wide	RV-231	Completed
EPA Risk and Resilience Analysis	RV-232	Completed
Drinking Water Needs Survey and Assessment	RV-233	Completed
Forest Elementary School	RV-235	Completed
Huntington Elementary School	RV-236	Completed
Memorial Elementary School	RV-237	Completed
Seitz Middle School	RV-238	Completed
Iron Belle Path	RV-245	On Hold
Pennsylvania Water main Grange to West City Limit	RV-248	Completed
EPA Emergency Response report	RV-249	Completed
2022 Streets Rehabilitation	RV-261	Completed
Vreeland Park and Wendy Court Water Main	RV-264	Completed
Fordline Pump Station Emergency repair	RV-267	Completed
Fueling Station Improvement at The DPW Yard	RV-271	Completed
Sigma Comcast Review 17800 Fort / Savvy slider	RV-277	Completed
Comcast- Island Kiddie Campus	RV-281	Completed
2023 Joint Sealing Program	RV-285	Completed

Memo

To: City Council
From: David Scurto, AICP
Community Development Director
Date: July 1, 2024
Re: June 2024 Economic Development, Planning and Zoning Activity

This report provides status on development, planning and zoning activity for June 2024.

PROJECTS IN PROGRESS

1. PIRAMAL (ASH STEVENS) – The Company has delayed the next expansion until an internal matter is resolved.
2. CITY PROPERTY SALE – Staff is working with the appraiser on the cell tower sale. The wetland report for the Sibley Road golf course frontage has been received. A meeting between the city manager and community development is being scheduled to decide next step.
3. CANNABIS BUSINESS APPLICATIONS – The City Clerk has received 12 applications for cannabis businesses.
 - Seven (7) applications were approved (Phase 1). Progress is shown below.
 - Four (4) businesses are open (Phase 4).
 - One (1) application was reviewed by the planning commission in January 2024 (Phase 2). The applicant has not returned with the required information for further review.
 - One (1) application is process of preparing plans for planning commission review (Phase 1).
 - One (1) application on King Road has been rescinded. The site has received additional inquiries but no application.
4. RIVERVIEW ENERGY SYSTEMS – RES is testing equipment. The screening solution has been changed to live vegetative shrub hedge and approved by the city. Installation details are being finalized.

BUSINESS LEADS AND DEVELOPMENT OPPORTUNITY

1. FORMER SHOWBOAT THEATER PROPERTY – The project is subjected to a circuit court agreement. Execution of the agreement is being administered.

2. ARKEMA PROPERTY – The cities of Wyandotte and Riverview met in a virtual meeting with representatives of the EPA and EGLE on cleanup efforts and timeline for the dredging project. The two Arkema sites west of Jefferson Avenue are accelerating quicker in terms of cleanup than the riverfront site. No recent meetings have happened. City Council has activated the Arkema cleanup committee.
3. ECONOMIC DEVELOPMENT ADMINISTRATION FIVE-CITY ECONOMIC DEVELOPMENT PLAN – The Downriver Area Brownfield Consortium (DABC) is facilitating an Economic Development Administration grant to prepare an economic development plan for the cities of River Rouge, Ecorse, Wyandotte, Riverview and Trenton riverfronts. A draft report provides recommendations for economic development and physical redevelopment.
4. DOWNRIVER COMMUNITY CONFERENCE SMALL BUSINESS PROGRAM_- The Downriver Community Conference is starting a small business assistance program for Trenton, Riverview, Wyandotte, Ecorse and River Rouge. This program is part of the 2018 Economic Recovery Strategy. A quarterly update meeting is scheduled for July 2, 2024.
5. CDD met with Dillon Rush, the new Wayne County business development manager. The purpose of the meeting was to describe development opportunities and challenges in Riverview. Several background reports and documents were sent by CDD following the meeting.

PLANNING COMMISSION

1. A site plan for the Fort and Sibley cannabis business (Burger King) was reviewed at the January 4th and February 1st planning commission meetings. The applicant was given a list of additional information to submit. The applicant has requested postponement until the information can be assembled. The project has not accelerated because of a possible property sale.
2. Aerius Health presented its building expansion to the planning commission on June 6, 2024. The commission requested additional information on open space and building elevations. A required public hearing is scheduled for July 2, 2024.

ZONING BOARD OF APPEALS

1. Variances for two street-side yard applications at the June 13, 2024 meeting.
2. An interpretation on the definition of “open Space” was issued to the planning commission, per the commission’s request.