

ORDINANCE NO. 2018 -12

An Ordinance amending Sections 12-162 of Article VIII, Chapter 17 of the Code of Ordinances of the City of Jackson, Michigan to establish human trafficking as a public nuisance.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this Ordinance to establish human trafficking as a public nuisance for the health, safety and welfare of the Citizens of Jackson.

Section 2. That Chapter 17 be amended to amend Section 17-162 and to human trafficking as a nuisance per se and the same hereby is, amended to read as follows:

Sec. 17-162. - Definitions.

For purposes of this article, the following definitions shall apply:

Controlled substance means a drug, substance or immediate precursor as defined in MCL 333.7101 et seq., as amended.

Drug paraphernalia means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting; propagating; cultivating; growing; harvesting; manufacturing; compounding; converting; producing; processing; preparing; testing; analyzing; packaging; repackaging; storing; containing; concealing; injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance; including, but not limited to, all of the following listed in Section 7451 of the Controlled Substance Act (MCL 333.7101 et seq., as amended).

Human Trafficking means (1) knowing that an individual will be subjected to forced labor, services or debt bondage, and/or (2) knowingly benefitting financially or receiving anything of value from participating in or subjecting individuals to forced labor, services or debt bondage, or a similar enterprise.

Multiple dwelling, when used in this article, means a building containing more than two (2) dwelling units as defined in Chapter 14 of the Code.

Owner, for purposes of the section, means the person, firm, company, association, society, corporation, partnership, or group, including its officers and employees, shown by the city assessor's office as the owner of record of the property against which proceedings are instituted under this article.

Prostitution means the act of offering, performing, or consenting to sexual conduct for payment.

Public nuisance means whatever annoys, injures or endangers the safety, health, comfort or repose of the public; offends public decency; interferes with, obstructs or renders dangerous any street, highway, navigable lake or stream; or in any way renders the public insecure in life or property. Public nuisance shall also include, but not be limited to, whatever is forbidden by any provision of this article. In addition, the existence of any of the following conditions shall constitute a nuisance per se:

- a) Using or maintaining any real property in a manner where there exist an aggregate of ten (10) of any of the following conditions within the last twelve (12) consecutive calendar month period. (In cases of multiple dwellings, the number shall be five (5) violations and/or responses per individual unit or an aggregate of twenty (20) violations and/or responses for the entire complex, whichever is less):
 - 1) The occurrence of an inspection by which unremediated violations of the city housing maintenance code were found to be present;
 - 2) The occurrence of an inspection by which unremediated violations of the city fire prevention code were found to be present;
 - 3) The occurrence of police responses to the property or police responses relating to conduct that occurred upon the property; or
 - 4) Failure to pay property taxes upon the property for at least one (1) full year.

- b) Using or maintaining any real property in a manner where there exists any of the following conditions within the last twelve (12) consecutive calendar month period:
 - 1) The occurrence of at least two (2) arrests upon the property or arrests resulting from alleged illegal conduct upon the property on different days for different incidents by a law enforcement agency involving the illegal sale or possession of controlled substances; or
 - 2) The occurrence of at least two (2) arrests upon the property or arrests resulting from alleged illegal conduct upon the property on different days for different incidents by a law enforcement agency involving unlawful gambling, prostitution or human trafficking; or
 - 3) The occurrence of at least two (2) incidents of unlawful discharge or unlawful use of a firearm upon the property on different days for different incidents by a law enforcement agency involving unlawful discharge or unlawful use of a firearm.

Real property or *property* in this subsection means any structure, house, building, yard, garage, or any part thereof.

Unlawful gambling means to unlawfully bet money or any other thing of value on an uncertain outcome or contingency.

Unlawful gambling enterprise means two (2) or more persons engaged in the promotion, management or establishment of unlawful gambling.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrea Muray., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13^h day of November, 2018.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 14^h day of November, 2018.

Andrea Muray, City Clerk

Derek J. Dobies, Mayor