

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

MIDWEST VALVE & FITTING COMPANY,
a Michigan corporation,
individually and on behalf of a
class of similarly situated persons
and entities,

Case No. CZ
Hon.

Plaintiff,

v.

CITY OF DETROIT, a municipal corporation,
Defendant.

Kickham Hanley PLLC
Gregory D. Hanley (P51204)
Jamie K. Warrow (P61521)
Edward F. Kickham Jr. (P70332)
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(248) 544-1500
Attorneys for Plaintiff

There is no other pending or resolved civil action arising out
of the transaction or occurrence alleged in the complaint.

PLAINTIFF'S CLASS ACTION COMPLAINT

Plaintiff Midwest Valve & Fitting Company ("Plaintiff"), individually and on behalf of a class of
similarly situated person and entities, by its counsel, Kickham Hanley PLLC, states the following for its
Class Action Complaint against the City of Detroit ("the City"):

INTRODUCTION

1. This is an action challenging an annual fire hazard inspection charge (the "Fire
Inspection Charge") the City imposes on owners of non-residential real property and multi-family
residential real property located in Detroit.

2. The City purportedly imposes the Fire Inspection Charge to pay the cost of performing in-person inspections related to fire safety (the “Fire Inspections”).

3. However, the total amount of Fire Inspection Charges the City collects is far greater than the cost it incurs in performing Fire Inspections.

4. In addition, the City does not perform a Fire Inspection on each and every parcel of non-residential property or multi-family residential property located in the City each year that incur the Fire Inspection Charges.

5. To the extent that the Fire Inspection Charges have been imposed on owners of property that did not receive a Fire Inspection during the year in which the Fire Inspection Charges were imposed, the Fire Inspection Charges are an unlawful tax, are unreasonable, violate the City’s own ordinances, and violate the Michigan Constitution’s equal protection guarantees.

6. The City must refund the Fire Inspection Charges it collected from all property owners who did not receive a Fire Inspection during the year in which the Fire Inspection Charges were imposed.

JURISDICTION AND VENUE

7. Plaintiff owns real property in Detroit, Michigan, has paid the Fire Inspection Charges in years during which it did not receive a Fire Inspection, and seeks to act as class representative for all similarly situated persons and entities.

8. Defendant City of Detroit is a Michigan home-rule city and is located in Wayne County, Michigan.

9. Venue and jurisdiction are proper in the Wayne County Circuit Court because all parties are present in Wayne County, Michigan, and the actions which give rise to Plaintiff’s claims occurred in Wayne County, Michigan.

GENERAL ALLEGATIONS

10. The amount of the annual Fire Inspection Charge the City charges each property owner varies depending on the use and size of the subject property.

11. For example, the smallest multi-family residential properties and the smallest “medium hazard” commercial properties pay \$107 per year. The amount of the Fire Inspection Charge increases based on the subject property’s size and perceived fire risk. *See* Fire Inspection Charge Schedule, Exhibit A hereto.

12. At relevant times, the City has employed between 12 and 15 full time employees (known as Fire Prevention Inspectors and Senior Fire Prevention Inspectors) to perform Fire Inspections of all multi-family residential and non-residential property in the City.

13. The City does not perform a Fire Inspection on each and every non-residential property or multi-family residential property in the City each year.

14. The City nevertheless charges each owner of non-residential property or multi-family residential property an annual Fire Inspection Charge, regardless of whether a Fire Inspection was actually performed on the subject property in a given year.

15. For example, in January 2016 the City assessed Plaintiff a Fire Inspection Charge of \$107, and Plaintiff paid the Fire Inspection Charge, but the City did not perform any Fire Inspection of Plaintiff’s property during 2016.

16. The City’s Fire Ordinance, Section 19-1-22, Subsection 1.4.1.1, provides that the City’s “Fire Commissioner is authorized to establish necessary fees, with the approval of the City Council, for the cost of (1) inspection and consultation . . .”

17. The City’s Fire Ordinance, Section 19-1-22, Subsection 1-11.1, provides that “[a] record of inspections . . . shall be maintained by the authority having jurisdiction . . .” (i.e., the City’s Fire Commissioner).

18. The City routinely collects far more in Fire Inspection Charges than the actual cost of performing Fire Inspections.

19. For example, in Fiscal Year 2015-16, the City budgeted \$1,384,191 for Fire Inspections. *See* Budget Detail, Exhibit B hereto.

20. However, that same year the City actually collected \$4,662,600 in Fire Inspection Charges. *See* General Fund Revenues, Exhibit C hereto.

21. Performing Fire Inspections provides a public benefit because it helps reduce the risk of fire in the City generally.

22. However, the City does not impose the cost of the Fire Inspections on the public at large.

23. The City instead pays the cost the Fire Inspections by imposing the Fire Inspection Charge on owners of non-residential property and multi-family residential property.

24. The Fire Inspection Charge is imposed on all owners of non-residential property and multi-family residential property based on the size of the property and the relative perceived fire risk created by the use of the subject property.

25. Whether a person or entity owns non-residential property or multi-family residential property is not relevant to whether he, she, or it receives a benefit from the Fire Inspections, particularly from Fire Inspections performed on property belonging to others. Nor is the size of the person or entity's property, or the use of the subject property, related in any way to the amount of the benefit he, she, or it receives.

26. Moreover, even assuming the City can lawfully impose some Fire Inspection Charge on owners of non-residential property and multi-family residential property, the total Fire Inspection Charges collected greatly exceeds the City's actual cost of performing Fire Inspections.

27. Finally, the City does not even perform Fire Inspections on all of the parcels of property which are assessed Fire Inspection Charges.

28. The City has thus systematically garnered millions of dollars of revenue from property owners in excess of its actual cost of performing Fire Inspections, and in particular from persons and entities whose property did not receive a Fire Inspection during the year in which the Fire Inspection Charge was imposed.

29. The Fire Inspection Charges imposed on owners of properties that do not actually receive a Fire Inspection are precisely the type of exactions the Michigan Supreme Court found to be an unconstitutional tax in the seminal case of *Bolt v. City of Lansing*, 459 Mich. 152, 587 N.W.2d 264 (1998). The Fire Inspection Charges are not legitimate user fees but rather constitute unlawful taxes under the *Bolt* decision; they are motivated by a revenue-raising and not a regulatory purpose because the amount charged to Plaintiff and the Class is grossly disproportionate to the City's actual costs of providing the purported benefits for which the Fire Inspection Charges are purportedly imposed, and payment of the Fire Inspection Charges is not voluntary.

30. Payment of the Fire Inspection Charges is not voluntary and is effectively compulsory. For example, Chapter 30 of the Detroit Code of Ordinances requires all businesses to obtain a business license prior to operating or even advertising a business. *See* City Ordinance Sec. 30-1-4. Many members of the Class are businesses and must obtain business licenses. Business licenses must be renewed annually. *See* City Ordinance Sec. 30-1-9. City Ordinance Section 30-1-14 provides that “[a] license issued under this article shall not be issued to, or renewed for, any applicant owing any assessments, fees, or taxes to the City.” Thus, anyone who does not timely pay the Fire Inspection Charges is barred from obtaining a business license from the City, without which the person or entity cannot operate a business.

31. No law or charter provision permits the City to impose Fire Inspection Charges on owners of properties that do not actually receive Fire Inspections during the year in which the Fire Inspection Charges are imposed.

32. The Fire Inspection Charges also are arbitrary, capricious and unreasonable, and have been imposed in violation of common law principles, MCL 141.91, the City's ordinances, and the Michigan Constitution's equal protection guarantees.

CLASS ALLEGATIONS

33. Plaintiff brings this action as a class action, pursuant to MCR 3.501, individually and on behalf of a proposed class consisting of all persons and entities who paid or incurred Fire Inspection Charges between July 18, 2013 and the present, but who did not receive a Fire Inspection in the year in which they paid or incurred the Fire Inspection Charges.

34. The members of the Class are so numerous that joinder of all members is impracticable.

35. Plaintiff's claims are typical of the claims of members of the Class. Plaintiff is a member of the Class it seeks to represent because Plaintiff was injured by the same wrongful conduct that is common to and injured all other members of the Class.

36. The City has acted wrongfully in the same basic manner as to the entire class.

37. There are questions of law and fact common to all Class Members that predominate over any questions, which, if they exist, affect only individual Class Members, including:

- a. whether the Fire Inspection Charge imposed by the City is a tax;
- b. whether the Fire Inspection Charge imposed by the City violates the Headlee Amendment;
- c. whether the Fire Inspection Charge is arbitrary, capricious and/or unreasonable;
- d. whether by virtue of setting the Fire Inspection Charge at an amount that far exceeds the amount required to perform Fire Inspections, the City has collected amounts in excess of the amounts it was legally entitled to collect.

38. Plaintiff will fairly and adequately protect the interests of the Class, and Plaintiff has no interests antagonistic to those of the Class. Plaintiff is committed to the vigorous prosecution of this action, and has retained competent and experienced counsel to prosecute this action.

39. A class action is superior to all other available methods for the fair and efficient adjudication of this controversy since joinder of all members is impracticable. Membership in the Class is readily ascertainable because the City's ordinances require it to keep records of all Fire Inspections, and the City (upon information and belief) keeps records of payment of Fire Inspection Charges. The City's records will disclose the identities of all property owners who paid the Fire Inspection Charges but did not receive a Fire Inspection in a given year. In addition, the prosecution of separate actions would create a risk of inconsistent or varying adjudications. Furthermore, the prosecution of separate actions would substantially impair and impede the ability of individual class members to protect their interests. Finally, since individual refunds may be relatively small for most members of the class, the burden and expense of prosecuting litigation of this nature makes it unlikely that members of the class would prosecute individual actions. Plaintiff anticipates no difficulty in the management of this action as a class action.

COUNT I
VIOLATION OF THE HEADLEE AMENDMENT

40. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.

41. The City is bound by the Michigan Constitution of 1963, including those portions commonly known as the Headlee Amendment.

42. In particular, the City may not disguise a tax as a fee under Article 9, Section 31 of the Michigan Constitution of 1963.

43. As to the persons and entities who/which paid or incurred the Fire Inspection Charge without receiving a Fire Inspection, the Fire Inspection Charge is a disguised tax and is intended to avoid the obligations of the Headlee Amendment, including the requirement that the Fire Inspection Charge, as a tax, be approved by a majority of the electorate.

44. The Fire Inspection Charge has all relevant indicia of a tax:

a. It has no relation to any service or benefit actually received by the taxpayer;

- b. The City sets the Fire Inspection Charge at an amount disproportionate to the actual cost it incurs in conducting Fire Inspections;
- c. The Fire Inspection Charge is designed to generate revenue;
- d. The payers of the Fire Inspection Charge who do not receive Fire Inspections benefit in no manner distinct from any other taxpayer or the general public;
- e. Payment of the Fire Inspection Charge is not discretionary, but effectively mandatory;
- f. Various other indicia of a tax described in *Bolt v. City of Lansing* are present.¹

45. As a direct and proximate result of the City's implementation of the Fire Inspection Charge, Plaintiff and the Class have been harmed.

46. Plaintiff seeks its attorneys' fees and costs as allowed by Article 9, Section 32 of the Michigan Constitution of 1963 and MCL 600.308a.

47. Plaintiff seeks a refund of all Fire Inspection Charges paid by Plaintiff and the Class during the one-year period prior to the commencement of this action and during the pendency of this action.

COUNT II
ASSUMPSIT/MONEY HAD AND RECEIVED
UNREASONABLE CHARGES

48. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.

49. Even if the Fire Inspection Charge is not a tax, the amount of the Fire Inspection Charge must still be reasonable. *Mapleview Estates v. Township of Brown Township*, 258 Mich. App. 412 (2003).

50. By virtue of (a) the City's imposition of a Fire Inspection Charge on persons and entities whose property has not received a Fire Inspection in year in which the Fire Inspection Charge is imposed, and (b) the City's imposition of a Fire Inspection Charge that far exceeds the actual cost of

¹ Pursuant to MCR 2.112(M), Plaintiff identifies subparts (a) through (f) of Paragraph 44 as "factual questions that are anticipated to require resolution by the Court."

conducting Fire Inspections, the Fire Inspection Charge is arbitrary, capricious, and unreasonable. *See, e.g., Merrelli v. St. Clair Shores*, 355 Mich. 575, 96 N.W.2d 144 (1959).

51. A claim to recover amounts paid to a governmental unit in excess of the amount allowed under law is properly filed as an equitable action in assumpsit for money had and received.

52. By virtue of the City's imposition of a Fire Inspection Charge that greatly exceeds the cost of conducting Fire Inspections, the City has collected amounts in excess of the amounts it was legally entitled to collect. Therefore, Plaintiff is entitled to maintain an equitable action of assumpsit to recover back the amount of the illegal exaction. *See, e.g., Bond v. Public Schools of Ann Arbor*, 383 Mich. 693, 704, 178 N.W.2d 484 (1970).

53. As a direct and proximate result of the City's improper conduct, it has collected millions of dollars to which it is not entitled. By paying the Fire Inspection Charge, Plaintiff and the Class have conferred a benefit upon the City.

54. Under equitable principles, the City should be required to disgorge the revenues attributable to the Fire Inspection Charges it has imposed or collected since July 18, 2013 with respect to parcels of property that did not receive a fire inspection during the year in which the Fire Inspection Charge was imposed, and refund the improperly-assessed Fire Inspection Charges to Plaintiff and the Class.

COUNT III
UNJUST ENRICHMENT
UNREASONABLE CHARGES

55. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.

56. Even if the Fire Inspection Charge is not a tax, the amount of the Fire Inspection Charge must still be reasonable. *Mapleview Estates v. Township of Brown Township*, 258 Mich. App. 412 (2003).

57. By virtue of (a) the City's imposition of a Fire Inspection Charge on persons and entities whose property has not received a Fire Inspection in year in which the Fire Inspection Charge

is imposed, and (b) the City's imposition of a Fire Inspection Charge that far exceeds the actual cost of conducting Fire Inspections, the Fire Inspection Charge is arbitrary, capricious, and unreasonable. *See, e.g., Merrelli v. St. Clair Shores*, 355 Mich. 575, 96 N.W.2d 144 (1959).

58. The City has collected amounts in excess of the amounts it was legally entitled to collect.

59. As a direct and proximate result of the City's improper conduct, it has collected millions of dollars to which it is not entitled. By paying the Fire Inspection Charge, Plaintiff and the Class have conferred a benefit upon the City, and it would be inequitable for the City to retain that benefit.

60. Under equitable principles, the City should be required to disgorge the revenues attributable to the Fire Inspection Charges it has imposed or collected since July 18, 2013 with respect to parcels of property that did not receive a fire inspection during the year in which the Fire Inspection Charge was imposed, and refund the improperly-assessed Fire Inspection Charges to Plaintiff and the Class.

COUNT IV
ASSUMPSIT/MONEY HAD AND RECEIVED
VIOLATION OF MCL 141.91

61. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.

62. The Prohibited Taxes by Cities and Villages Act, MCL 141.91, provides: "Except as otherwise provided by law and notwithstanding any provision of its charter, a city or village shall not impose, levy or collect a tax, other than an ad valorem property tax, on any subject of taxation, unless the tax was being imposed by the city or village on January 1, 1964."

63. No law or charter permits the City to impose Fire Inspection Charges on owners of property that does not actually receive a Fire Inspection during the year in which the Fire Inspection Charge is imposed.

64. Although the Fire Inspection Charge is a tax, it is not an ad valorem property tax.

65. Because the Fire Inspection Charge is a tax that was not authorized by law or charter on January 1, 1964, it is unlawful under MCL 141.91.

66. As a direct and proximate result of the City's unlawful and improper conduct in collecting the Fire Inspection Charge, the City has collected millions of dollars to which it is not entitled.

67. A claim to recover amounts paid to a governmental unit in excess of the amount allowed under law is properly filed as an equitable action in assumpsit for money had and received.

68. By virtue of the City's imposition of a Fire Inspection Charge that violates MCL 141.91, the City has collected amounts in excess of the amounts it was legally entitled to collect. Therefore, Plaintiff is entitled to maintain an equitable action of assumpsit to recover back the amount of the illegal exaction. *See, e.g., Bond v. Public Schools of Ann Arbor*, 383 Mich. 693, 704, 178 N.W.2d 484 (1970).

69. As a direct and proximate result of the City's improper conduct, it has collected millions of dollars to which it is not entitled. By paying the Fire Inspection Charge, Plaintiff and the Class have conferred a benefit upon the City.

70. Under equitable principles, the City should be required to disgorge the revenues attributable to the Fire Inspection Charges it has imposed or collected since July 18, 2013 with respect to parcels of property that did not receive a fire inspection during the year in which the Fire Inspection Charge was imposed, and refund the improperly-assessed Fire Inspection Charges to Plaintiff and the Class.

COUNT V
UNJUST ENRICHMENT
VIOLATION OF MCL 141.91

71. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.

72. The Prohibited Taxes by Cities and Villages Act, MCL 141.91, provides: "Except as otherwise provided by law and notwithstanding any provision of its charter, a city or village shall not

impose, levy or collect a tax, other than an ad valorem property tax, on any subject of taxation, unless the tax was being imposed by the city or village on January 1, 1964.”

73. No law or charter permits the City to impose Fire Inspection Charges on owners of property that does not actually receive a Fire Inspection during the year in which the Fire Inspection Charge is imposed.

74. Although the Fire Inspection Charge is a tax, it is not an ad valorem property tax.

75. Because the Fire Inspection Charge is a tax that was not authorized by law or charter on January 1, 1964, it is unlawful under MCL 141.91.

76. As a direct and proximate result of the City’s unlawful and improper conduct in collecting the Fire Inspection Charge, the City has collected millions of dollars to which it is not entitled.

77. By paying the Fire Inspection Charge, Plaintiff and the Class have conferred a benefit upon the City, and it would be inequitable for the City to retain that benefit.

78. Under equitable principles, the City should be required to disgorge the revenues attributable to the Fire Inspection Charges it has imposed or collected since July 18, 2013 with respect to parcels of property that did not receive a fire inspection during the year in which the Fire Inspection Charge was imposed, and refund the improperly-assessed Fire Inspection Charges to Plaintiff and the Class.

COUNT VI
ASSUMPSIT/MONEY HAD AND RECEIVED
VIOLATION OF CITY ORDINANCE SECTION 19-1-22, SUBSECTION 1.4.1.1

79. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.

80. Even if the Fire Inspection Charges are not taxes, they must still comply with applicable law.

81. City Ordinance Section 19-1-22, Subsection 1.4.1.1, provides that the City’s “Fire Commissioner is authorized to establish **necessary** fees, with the approval of the City Council, for the cost of (1) inspection and consultation . . .” (emphasis added).

82. Fire Inspection Charges imposed on or collected from persons and entities whose property does not actually receive a fire inspection are per se unnecessary.

83. Because the Fire Inspection Charges imposed on or collected from persons and entities whose property did not actually receive a Fire Inspection were imposed in violation of City Ordinance Section 19-1-22, Subsection 1.4.1.1, the Fire Inspection Charges constitute unlawful exactions.

84. The City has collected amounts in excess of the amounts it was legally entitled to collect.

85. As a direct and proximate result of the City’s unlawful and improper conduct in collecting the Fire Inspection Charge, the City has collected millions of dollars to which it is not entitled.

86. A claim to recover amounts paid to a governmental unit in excess of the amount allowed under law is properly filed as an equitable action in assumpsit for money had and received.

87. Under equitable principles, the City should be required to disgorge the revenues attributable to the Fire Inspection Charges it has imposed or collected since July 18, 2013 with respect to parcels of property that did not receive a Fire Inspection during the year in which the Fire Inspection Charge was imposed, and refund the improperly-assessed Fire Inspection Charges to Plaintiff and the Class.

COUNT VII
UNJUST ENRICHMENT
VIOLATION OF CITY ORDINANCE SECTION 19-1-22, SUBSECTION 1.4.1.1

88. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.

89. Even if the Fire Inspection Charges are not taxes, they must still comply with applicable law.

90. City Ordinance Section 19-1-22, Subsection 1.4.1.1, provides that the City’s “Fire Commissioner is authorized to establish **necessary** fees, with the approval of the City Council, for the cost of (1) inspection and consultation . . .” (emphasis added).

91. Fire Inspection Charges imposed on or collected from persons and entities whose property does not actually receive a fire inspection are per se unnecessary.

92. Because the Fire Inspection Charges imposed on or collected from persons and entities whose property did not actually receive a Fire Inspection were imposed in violation of City Ordinance Section 19-1-22, Subsection 1.4.1.1, the Fire Inspection Charges constitute unlawful exactions.

93. The City has collected amounts in excess of the amounts it was legally entitled to collect.

94. As a direct and proximate result of the City’s unlawful and improper conduct in collecting the Fire Inspection Charge, the City has collected millions of dollars to which it is not entitled.

95. By paying the Fire Inspection Charge, Plaintiff and the Class have conferred a benefit upon the City, and it would be inequitable for the City to retain that benefit.

96. Under equitable principles, the City should be required to disgorge the revenues attributable to the Fire Inspection Charges it has imposed or collected since July 18, 2013 with respect to parcels of property that did not receive a fire inspection during the year in which the Fire Inspection Charge was imposed, and refund the improperly-assessed Fire Inspection Charges to Plaintiff and the Class.

COUNT VIII
VIOLATION OF EQUAL PROTECTION GUARANTEES
STATED IN THE MICHIGAN CONSTITUTION OF 1963, ARTICLE I, SECTION 2

97. Plaintiff incorporates each of the preceding allegations as if fully set forth herein.

98. The Michigan Constitution of 1963 provides in pertinent part that “no person shall be denied the equal protection of the laws...” Mich. Constitution 1963, Article 1, § 2. Plaintiff is not asserting claims under the U.S. Constitution or other federal law.

99. The City’s practice of imposing the Fire Inspection Charge upon Plaintiff and other property owners who did not receive a Fire Inspection during the year in which the Fire Inspection Charge was imposed violates Michigan equal protection guarantees.

100. There is no natural distinguishing characteristic between the property owners who did receive a Fire Inspection and the property owners who did not. Thus, Plaintiff and the Class (who paid for but did not receive a Fire Inspection) are irrationally being charged differently than the similarly situated owners of parcels of property that both paid for and received a Fire Inspection.

101. The manner in which the Fire Inspection Charge is imposed upon non-residential and multi-family residential properties which do not receive Fire Inspections unduly burdens Plaintiff and the Class, and puts all Class members at a distinct financial disadvantage as compared to the owners of parcels that both pay for and receive Fire Inspections. Thus, Plaintiffs and the Class are subsidizing the alleged cost of Fire Inspections for the persons and entities whose property actually receives a Fire Inspection.

102. There is no legitimate governmental purpose being served through the City charging Plaintiff and the Class for Fire Inspections they did not receive.

103. The City has violated Mich. Constitution 1963, Article 1, § 2 by imposing the Fire Inspection Charge upon Plaintiff and the Class in violation of their constitutional equal protection guarantees.

104. Plaintiff and the Class have been financially harmed as a result of the City’s violation of their constitutional equal protection guarantees.

105. The City should be required to disgorge the revenues attributable to the Fire Inspection Charges it has imposed or collected since November 5, 2015 with respect to parcels of property that

did not receive a fire inspection during the year in which the Fire Inspection Charge was imposed, and refund the improperly-assessed Fire Inspection Charges to Plaintiff and the Class.

PRAYER FOR RELIEF

WHEREFORE Plaintiff requests that the Court grant the following relief:

A. Certify this action to be a proper class action with Plaintiff certified as the Class Representative and Kickham Hanley PLLC designated as Class Counsel;

B. With respect to Count I, define the Class to include all persons or entities which have paid the Fire Inspection Charge at any time during the one year preceding the filing of this action, but did not receive a Fire Inspection during the year in which they paid the Fire Inspection Charge, or which pay the Fire Inspection Charge during the pendency of this action and do not receive a Fire Inspection during the year in which they pay the Fire Inspection Charge;

C. With respect to Counts II, III, IV, V, VI, and VII, define the Class to include all persons or entities which have paid the Fire Inspection Charge at any time during the six years preceding the filing of this action, but did not receive a Fire Inspection during the year in which they paid the Fire Inspection Charge, or which pay the Fire Inspection Charge during the pendency of this action and do not receive a Fire Inspection during the year in which they pay the Fire Inspection Charge;

D. With respect to Count VIII, define the Class to include all persons or entities which have paid the Fire Inspection Charge at any time during the three years preceding the filing of this action, but did not receive a Fire Inspection during the year in which they paid the Fire Inspection Charge, or which pay the Fire Inspection Charge during the pendency of this action and do not receive a Fire Inspection during the year in which they pay the Fire Inspection Charge

E. Enter judgment in favor of Plaintiff and the Class and against the City, and order and direct the City to disgorge and refund all Fire Inspection Charges collected during the class period(s)

and to pay into a common fund for the benefit of Plaintiff and all other members of the Class the total amount of Fire Inspection Charges to which Plaintiff and the Class are entitled;

F. Appoint a Trustee to seize, manage and distribute in an orderly manner the common fund thus established;

G. Find and declare that the Fire Inspection Charge violates the Headlee Amendment and MCL 141.91, is unlawful and unreasonable, and permanently the City from imposing or collecting the Fire Inspection Charge on owners of property that does not receive a Fire Inspection during the year in which the Fire Inspection Charge is imposed;

H. Award Plaintiff and the Class the costs and expenses incurred in this action, including reasonable attorneys', accountants', and experts' fees; and

I. Grant any other appropriate relief.

KICKHAM HANLEY PLLC

By: /s/ Gregory D. Hanley
 Gregory D. Hanley (P51204)
 Jamie Warrow (P61521)
 Edward F. Kickham Jr. (P70332)
 32121 Woodward Avenue, Suite 300
 Royal Oak, Michigan 48073
 248-544-1500
 Attorneys for Plaintiff and the Class

Date: November 5, 2018
 KH156759

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2018 I electronically filed the ***Plaintiff's Class Action Complaint*** with the Clerk of the Court using the electronic filing system.

/s/ Kim Plets
 Kim Plets

EXHIBIT A

DETROIT FIRE DEPARTMENT		
FIRE MARSHAL DIVISION		
2013-2014		
Service Fees	2012-13 Fee	2013-14 Fee
STANDARD HAZARD INSPECTIONS		
RESIDENTIAL OCCUPANCY:		
DWELLING UNITS (Multiple Dwelling) 1FLR<5K SF. NO BASEMT	\$ 97.00	\$ 107.00
DWELLING UNITS (Multiple Dwelling) 1FLR<5K SF. W/ BASEMT	\$ 97.00	\$ 107.00
DWELLING UNITS (Multiple Dwelling) 1FLR>5K SF. NO BASEMT	\$ 97.00	\$ 181.00
DWELLING UNITS (Multiple Dwelling) 1FLR>5K SF. W/ BASEMT	\$ 97.00	\$ 181.00
RESIDENTIAL OCCUPANCY - PER ADDITIONAL FLOOR <5K SF.	\$ 97.00	\$ 107.00
RESIDENTIAL OCCUPANCY - PER ADDITIONAL FLOOR >5K SF.	\$97.00	\$181.00
ASSEMBLY OCCUPANCY		
CHURCH/COMM/REC<10,001 SQ FT	\$ 215.00	\$ 236.00
CHURCH/COMM/REC>10,001 SQ FT	\$ 272.00	\$ 299.00
CHURCH/COMM/REC EACH ADD 10,000 SQ FT	\$ 59.00	\$ 65.00
OCCUPANT LOAD (POST & MEASURE)	\$ 195.00	\$ 214.00
FIRE SWEEPS	\$ 116.00	\$ 128.00
OCCUPANT LOAD CARD REPLACEMENT	\$ 78.00	\$ 86.00
AUTOMATIC DIGITAL DIALER ALARM SYSTEM		
BOARD OF EDUC FIRE ALARM BOX - MASTER	\$ 140.00	\$ 154.00
DRY CLEANERS		
DRY CLEANERS	\$ 165.00	\$ 181.00
DRY CLEANERS - HAT CLEANER-SPOTTER	\$ 59.00	\$ 65.00
MEDIUM HAZARD INSPECTIONS		
BLEACHER INSPECTION	\$ 252.00	\$ 277.00
INDUSTRIAL/SVS AND/OR STORAGE GARAGE		
<2,000 SQ FT	\$ 97.00	\$ 107.00
2,001 - 10,000 SQ FT	\$ 165.00	\$ 181.00
10,001 - 25,000 SQ FT	\$ 234.00	\$ 257.00
25,001 - 100,000 SQ FT	\$ 292.00	\$ 321.00
100,001 - 200,000 SQ FT	\$ 351.00	\$ 386.00
200,001 - 300,000 SQ FT	\$ 410.00	\$ 451.00
300,001 - 400,000 SQ FT	\$ 467.00	\$ 514.00
400,001 - 500,000 SQ FT	\$ 526.00	\$ 579.00
>500,000 SQ FT	\$ 584.00	\$ 642.00
EACH ADDITIONAL 50,000 SQ FT	\$ 59.00	\$ 65.00
RETAIL PACKAGE DEALER		
PACKAGE <500 GAL	\$ 136.00	\$ 150.00
PACKAGE 501 - 1,000 GAL	\$ 195.00	\$ 214.00
PACKAGE >1,000 GAL	\$ 225.00	\$ 247.00
PYROXYLIN PLASTICS - MANUF OVER 25 LBS		
	\$ 135.00	\$ 148.00

LICENSE INSPECTION	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
ON-SITE FIRE EXTG/SUPPRESS TRNG	\$ 116.00	\$ 128.00
ON-SITE EE FIRE BRIGADE TRNG	\$ 116.00	\$ 128.00
ON-SITE EE FIRE PREV/FIRE SAFETY	\$ 116.00	\$ 128.00
SPECIAL TRAINING CLASSES	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
ON-SITE EE SCBA TRNG	\$ 116.00	\$ 128.00
CONSLTG/MTG REFNCE FIRE PREV/FIRE SAFETY	\$ 116.00	\$ 128.00
DESIGN HI-RISE BLDG ER FIRE SAFETY PLAN	\$ 116.00	\$ 128.00
DESIGN BLDG EMERG FIRE SAFETY PLAN	\$ 116.00	\$ 128.00
EVAL HI-RISE BLDG FIRE DRILL & EVALUATION	\$ 116.00	\$ 128.00
PUBLIC ASSEMBLY-COURTESY INSPECTION		
FLAMM LIQ SPILLS 26 - 100 GALS	\$ 116.00	\$ 128.00
FLAMM LIQ SPILLS OVER 100 GALS	\$ 640.00	\$ 704.00
SOCIAL SERVICE REQUEST - 1ST HOUR	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
REPORTS/COPIES/RESEARCH		
FIRE REPORTS -CIVIL, OWNER, OCCUPANTS	\$ 3.00	\$ 4.00
FIRE REPORTS -BUS/INS/COMM/TENANT/OWNER NON OCCUPANT	\$ 12.00	\$ 15.00
RECORDS SEARCH	\$ 52.00	\$ 57.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 57.00
MONTHLY FIRE RUNSHEETS	\$ 275.00	\$ 302.00
24HR FIRE RUNSHEETS - \$10 PER PAGE	\$ 12.00	\$ 15.00
PHOTOGRAPHS - PER COPY	\$ 28.00	\$ 31.00
INTERGRAPH MAPS & DIAGRAMS	\$ 220.00	\$ 242.00
SPECIAL PERMITS		
OPEN BURN	\$ 10.00	\$ 15.00
PRESCRIBED BURN	\$ 250.00	\$ 275.00
Service Fees		
FULLY BURDENED HRLY RATES (FBHR)		
FIRE MARSHAL	\$ 142.00	\$ 156.00
CHIEF	\$ 142.00	\$ 156.00
SAFETY OFFICER	\$ 142.00	\$ 156.00
E.M.D.	\$ 142.00	\$ 156.00
ENGINE	\$ 142.00	\$ 156.00
LADDER TRUCK	\$ 142.00	\$ 156.00
SQUAD/T.M.S.	\$ 142.00	\$ 156.00
FIRE FIGHTER	\$ 142.00	\$ 156.00
CHIEF AID	\$ 142.00	\$ 156.00
E.M.S.	\$ 142.00	\$ 156.00
EMT	\$ 142.00	\$ 156.00
PARAMEDIC	\$ 142.00	\$ 175.00
DUTY OFFICER	\$ 142.00	\$ 156.00
FIRE MARSHAL DIVISION EMERGENCY CAR	\$ 142.00	\$ 156.00
HAZ-MAT TECHNICIAN	\$ 142.00	\$ 175.00
HAZ-MAT VEHICLE	\$ 142.00	\$ 175.00
EQUIPMENT SEE ATTACHED MPC FEE SCHEDULE		
ARSON INVESTIGATION		
VEHICLE FIRE INVESTIGATION/ASSESSMENT	0.00	\$ 421.00
FIRE INVESTIGATIONS (FBHR)		\$ 175.00
ARSON VEHICLE		\$ 175.00
EQUIPMENT		

SPECIAL INSPECTIONS/EVENTS		
STATE FAIR (FBHR)	\$ 116.00	\$ 128.00
PUBLIC ASSEMBLY - SPECIAL EVENTS (FBHR)	\$ 116.00	\$ 128.00
TENT INSPECTIONS (FBHR)	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
SMOKE DETECTOR OR ALARM TEST - (FBHR) per man hour	\$ 116.00	\$ 128.00
FIRE ALARM TEST (FBHR) per mand hour	\$ 116.00	\$ 128.00
TEST-REPAIR ADDAS (FBHR) - PRIVATE	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
TEST-REPAIR ADDAS (FBHR) - SCHOOLS	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
SPRINKLER SYSTEM TEST (FBHR) per man hour	\$ 116.00	\$ 128.00
HYDROSTATIC TEST (MINIMUM 2 HOURS PER TEST)	\$ 116.00	\$ 256.00
FIRE PUMP TEST/INSTALLATION	\$ 116.00	\$ 128.00
EMERGENCY GENERATOR TEST	\$ 116.00	\$ 128.00
INTERIOR RENOVATIONS	\$ 116.00	\$ 128.00
BUILDING CONSTRUCTION/ADDITION	\$ 116.00	\$ 128.00
KITCHEN COOKING SYSTEM	\$ 116.00	\$ 128.00
HYDRANT PERMIT DEPOSIT	\$ 500.00	\$ 550.00
HYDRANT PERMIT (\$87/DAY - 5 DAY MIN)	\$ 395.00	\$ 434.00
FIRE HOSE/HYDRANT WRENCH/HYDRANT CAP -PER ITEM DEPOSIT	\$ 500.00	\$ 550.00
TEMPORARY INSTALLATION OF FLAM COMPRESSED LIQ GAS	\$ 116.00	\$ 128.00
CODE REVIEW WAIVER REQUEST	\$ 234.00	\$ 257.00
BOARD OF APPEALS	\$ 291.00	\$ 320.00
PRESENTATION (FBHR)	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
REMOVAL PER UNDERGROUND TANK	\$ 486.00	\$ 535.00
CHECK UNDERGROUND PIPES/PUMPS	\$ 116.00	\$ 128.00
SPC INSP STOR TANKS-IOOU - PER TANK @ A LOC	\$ 116.00	\$ 128.00
TANK VEHICLE-PER TANK	\$ 116.00	\$ 128.00
FRUIT RIPENING - PROCESSING	\$ 116.00	\$ 128.00
COURT ENFORCEMENT DIVISION		
RE-INSPECTION	116.00	\$ 128.00
Service Fees	Fee	Fee
BLASTER PERMIT	\$ 136.00	\$ 150.00
FIREWORKS (FBHR)	\$ 252.00	\$ 277.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
ESCORT/TRANSPORT EXPLOS INP & PERMIT (RENEW)	\$ 234.00	\$ 257.00
ESCORT/TRANSPORT EXPLOS INP & PERMIT (NEW)	\$ 467.00	\$ 514.00
FIREWORKS TRANSPORT PERMIT (1-100 LBS)	\$ 136.00	\$ 150.00
FIREWORKS TRANSPORT PERMIT (OVER 100 LBS)	\$ 252.00	\$ 277.00
FIREWORKS DISPLAY	\$ 252.00	\$ 277.00
SCRAP TIRE STORAGE ORDINANCE	\$ 252.00	\$ 277.00
BOWLING ALLEY - RESURFACING	\$ 252.00	\$ 277.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
CONSULTATION (FBHR)	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
MISCELLANEOUS REQUEST (FBHR)	\$ 116.00	\$ 128.00
EACH ADDITIONAL 30 MINUTES	\$ 59.00	\$ 65.00
FIELD INSPECTION (FBHR)	\$ 116.00	\$ 128.00

PROD OF HAZ BY-PROD-EXPLOSIVE POTENTIAL	\$ 252.00	\$ 277.00
CALCIUM CARBIDE - EACH ACETYLENE GENERATOR	\$ 252.00	\$ 277.00
CALCIUM CARBIDE - STORAGE OVER 25 LBS	\$ 252.00	\$ 277.00
Service Fees Fully Burden Hourly Rate		
	2012-13 Fee	2013-14 Fee
FIRE PLAN REVIEW-FBHR-	See attached new fee schedule	
ARCHITECTURAL PLAN REVIEW Estimated Cost of Building Construction		
Plan Review - Based on .03% of the PERMIT FEE	\$ 121.00	Min. \$150.00
ON-SITE INSPECTION PLAN REVIEW-FBHR-DEPOSIT	\$ 116.00	\$ 150.00
AS-BUILT OR MODIFIED FIRE ALARM REVIEW (DEVICES 1-10)		\$ 150.00
FIRE ALARM INSTALLATION PLAN REVIEW (DEVICES 11-50)	\$ 116.00	\$ 300.00
FIRE ALARM INSTALLATION PLAN REVIEW (DEVICES 51-75)	\$ 116.00	\$ 400.00
FIRE ALARM INSTALLATION PLAN REVIEW (DEVICES 76-100)	\$ 116.00	\$ 500.00
FIRE ALARM INSTALLATION PLAN REVIEW (DEVICES 101-125)	\$ 116.00	\$ 600.00
FIRE ALARM INSTALLATION PLAN REVIEW (DEVICES 126-150)	\$ 116.00	\$ 700.00
FIRE ALARM INSTALLATION PLAN REVIEW (DEVICES OVER 150)	\$ 116.00	\$ 800.00
(OVER 150 DEVICES \$800.00 + ADDITIONAL \$2.00 PER DEVICE		
SPRINKLER INSTALLATION REVIEW (FEES BASED ON NUMBERS OF HEADS		
AS-BUILT OR MODIFIED SPRINKLER REVIEW (1-10 HEADS)		\$ 150.00
SPRINKLER INSTALLATION REVIEW (11-100 HEADS)		\$ 450.00
SPRINKLER INSTALLATION REVIEW (101-200 HEADS)		\$ 550.00
SPRINKLER INSTALLATION REVIEW (201-300 HEADS)		\$ 600.00
SPRINKLER INSTALLATION REVIEW (301-500 HEADS)		\$ 900.00
(OVER 500 HEADS \$900.00 + ADDITIONAL .50 CENT PER HEAD		
SPRAY BOOTH REVIEW (FBHR)		\$ 150.00
COOKING HOODS		\$ 200.00
TENTS REVIEW (1-5)		\$ 150.00
TENTS REVIEW (6-15)		\$ 300.00
TENTS REVIEW (16-25)		\$ 450.00
TENTS REVIEW	(EACH ADDITIONAL 10 TENTS ADD \$200.00)	
AWNING (1-5)		\$ 150.00
AWNING	(EACH ADDITIONAL 10 AWNINGS ADD \$200.00)	
PROPANE GAS (TEMPORARY 1-3 TANKS)		\$ 150.00
PROPANE GAS (TEMPORARY 4-8 TANKS)		\$ 300.00
PROPANE GAS (EACH ADDITIONAL 3-TANKS)		\$ 100.00
SITE PLAN REVIEW (PER HYDRANT LOCATION)		\$ 150.00
SITE PLAN REVIEW (FIRE FIGHTING ACCESS)		\$ 300.00
SPECIAL REVIEWS (I.e. HELICOPTER LIFT, ect.)		\$ 150.00
CERTIFICATE OF FITNESS		
1 YEAR CERTIFICATE	\$ 59.00	\$ 65.00
3 YEAR CERTIFICATE	\$ 72.00	\$ 79.00
CERTIFICATE OF ACCEPTANCE		
AREA UNDER 5,001 SQ FT	\$ 225.00	\$ 247.00
AREA 5,001 - 10,000 SQ FT	\$ 357.00	\$ 393.00
AREA 10,001 - 25,000 SQ FT	\$ 575.00	\$ 632.00
AREA 25,001 - 100,000 SQ FT	\$ 752.00	\$ 827.00
AREA -EA ADD 100K SQ FT UP TO 500K SQ FT	\$ 225.00	\$ 247.00

Service Fees	2012-13 Fee	2013-14 Fee
HIGH HAZARD INSPECTIONS		
FIREWORKS EXPLOSIVE STORAGE (1-100 LBS)	\$ 165.00	\$ 181.00
" " 101 - 500 LBS	\$ 195.00	\$ 214.00
" " 501 - 1,000 LBS	\$ 225.00	\$ 247.00
" " 1,001 - 5,000 LBS- PER MONTH	\$ 252.00	\$ 277.00
" " 5,001 - 10,000 LBS- PER MONTH	\$ 282.00	\$ 310.00
" " OVER 10,000 LBS -PER MONTH	\$ 312.00	\$ 343.00
INSTITUTIONAL		
HOSP/ORPH/SCH ETC UNDER 10,001 SQ FT	\$ 428.00	\$ 471.00
HOSP/ORPH/SCH ETC 10,001 - 29,999 SQ FT	\$ 546.00	\$ 601.00
HOSP/ORPH/SCH ETC EA ADD 10,000 SQ FT	\$ 155.00	\$ 170.00
DAY CARE/ADULT DAY CARE/PRE-SCH 6-12	\$ 167.00	\$ 184.00
DAY CARE/ADULT DAY CARE/PRE-SCH 13-20	\$ 225.00	\$ 247.00
DAY CARE/ADULT DAY CARE/PRE-SCH 20-50	\$ 285.00	\$ 313.00
DAY CARE/ADULT DAY CARE/PRE-SCH 50+	\$ 342.00	\$ 376.00
RETAIL BULK DEALERS		
SELF-SERVICE CONSOLE (EACH)	\$ 112.00	\$ 123.00
FIRST PUMP	\$ 9.00	\$ 10.00
EACH ADD PUMP	\$ 20.00	\$ 22.00
REPAIR & STORAGE GARAGE		
<2,000 SQ FT	\$ 92.00	\$ 101.00
2,001 - 10,000 SQ FT	\$ 225.00	\$ 247.00
10,001 - 25,000 SQ FT	\$ 282.00	\$ 310.00
> 25,000 SQ FT	\$ 400.00	\$ 440.00
TORCH UNITS		
1 TORCH UNIT	\$ 22.00	\$ 24.00
MAX CHARGE (18 & OVER)	\$ 370.00	\$ 407.00
EA ADD UNIT	\$ 20.00	\$ 22.00
MANUFACT/WHOLESALE PKGS/STOR FLAM LIQUID		
<51 GALS	\$ 77.00	\$ 85.00
51 - 100 GALS	\$ 136.00	\$ 150.00
101 - 1,000 GALS	\$ 285.00	\$ 313.00
1,001 - 5,000 GALS	\$ 342.00	\$ 376.00
5,001 - 20,000 GALS	\$ 415.00	\$ 456.00
20,001 - 100,000 GALS	\$ 532.00	\$ 585.00
>100,001 GALS	\$ 1,000.00	\$ 1,100.00
GAS STORAGE		
STORAGE 3K - 13K CU FT	\$ 428.00	\$ 470.00
STORAGE 13,001 - 25K CU FT	\$ 445.00	\$ 489.00
STORAGE OVER 25K CU FT	\$ 545.00	\$ 599.00
WHOLESALE BULK DEALER		
BULK UNDER 100,000 GALS	\$ 195.00	\$ 214.00
BULK 100,001 - 300,000 GALS	\$ 370.00	\$ 407.00
BULK OVER 300,000 GALS	\$ 2,865.00	\$ 3,151.00

EXHIBIT B

CITY OF DETROIT

Financial Detail by Agency, Appropriation and Organization

	Fiscal 2012-13 Actuals	Fiscal 2013-14 REDBOOK	Fiscal 2014-15 Budget	Fiscal 2015-16 Budget
240030 Budget Operations	446,865	412,946	508,461	512,818
240100 Legal & Labor	23,377		162,259	164,114
240120 Facilities Management	13,886		284,601	289,451
240220 Training	1,078,459	1,222,702	842,981	1,058,680
240460 Fire Fighting Div - Operations	149			
00065 Ordinance Enforcement	7,210,120	9,240,297	7,153,515	7,907,583
240240 Fire Marshal-Administration	4,754,670	5,348,261	4,484,572	4,763,555
* 240250 Fire Marshal-Inspection	845,717	1,410,587	1,315,420	1,384,191
240260 Fire Marshal-Arson Investigation	1,421,563	2,358,340	1,265,822	1,670,897
240290 Fire Marshal-General Office	188,170	123,109	87,701	88,940
00067 Emergency Medical Services	35,587,440	47,313,594	34,486,959	35,411,705
240320 E.M.S. Administration	15,025,644	19,206,185	17,145,747	17,971,280
240340 E.M.S. Field Operations	20,373,197	27,454,418	16,940,444	17,046,223
240350 E.M.S. Training	188,599	652,991	400,768	394,202
00715 Vehicle Management and Supply	3,737,624	4,156,879	775,292	790,016
240105 Apparatus-Repair	3,489,646	3,591,658		
240110 Apparatus-Stores	247,978	565,221	775,292	790,016
00718 Fire Fighting Operations	111,602,581	104,058,566	70,619,798	80,004,933
240191 Fire Fighting-Administration	9,347,940	7,730,506	5,548,972	9,165,803
240195 Fire Fighting-Operations	78,027,202			
240205 Marine Operations-Fireboat	353,423	416,704	304,653	247,700
240215 Airport Operations-Crash Crew	79,710			
240500 FS - 111 Montcalm E1 T2	776,250	1,918,935	1,207,125	1,364,210
240501 FS - 433 W Alexandrine E5 L20 S2	779,246	3,853,157	2,465,034	2,628,480
240502 FS - 3050 Russell L1 Hazmat	5,090	212,676	212,695	194,079
240503 FS - 1625 W Lafayette E8	223,575			
240504 FS - 3737 E Lafayette E9 L6	229,571	3,540,743	2,299,914	2,510,172
240505 FS - 3396 Vinewood E10	224,335			
240506 FS - 6100 Second Blvd E17 L7	1,232,852	3,533,867	2,238,020	2,461,524
240507 FS - 3812 Mt Elliott L10	219,409			
240508 FS - 10325 Linwood E21 L28	278,838	2,091,630	1,207,573	1,364,077
240509 FS - 1818 E Grand Blvd E23 S3	560,194	1,788,945	1,212,942	1,349,448
240510 FS - 2200 Crane L14	235,083	1,913,993	1,229,692	1,378,463
240511 FS - 4700 Fort St E27 L8	776,752	3,290,666	2,415,779	2,566,997
240512 FS - 7600 W Jefferson E29	664,646	1,947,506	1,248,655	1,397,651
240513 FS - 16543 Meyers RD E30	643,077	2,044,922	1,323,177	1,476,240
240514 FS - 1697 W Grand Blvd E31 S4	381,195	2,008,344	1,357,908	1,497,337
240515 FS - 11740 E Jefferson E32	696,821	1,955,725	1,257,055	1,406,219
240516 FS - 1041 Lawndale E33 L13	730,833	3,412,139	2,493,249	2,648,502
240517 FS - 6535 Livernois E34	670,595	1,947,135	1,248,755	1,397,753

EXHIBIT C



GENERAL FUND REVENUES
DEPARTMENT ACTIVITY
April 2017

FY 2017

DEPARTMENT	Recurring Revenue Description	FY 2016 ACTUALS	Recurring Revenues FY 2017 Amended Budget	Amended Budget	Actual as of April 30, 2017	% of Admnd Bud collected	Feb 2017 Consensus	May 2017 Consensus	Consensus Variance \$	Consensus Variance %	EXPLANATION
BSEED	Business Licenses/Other Licenses	1,583,779	2,060,000		1,509,912						
	Total Dept Revenues	1,755,992		2,120,000	1,539,057	72.6%	1,900,000	1,900,000	0	0.0%	
DPW	General Street Use Permits	3,238,864	500		2,032,626						
	Construction Inspection Charges	3,886	3,074,000		1,018,768						
	Total Dept Revenues	3,650,433		3,660,500	2,867,098	78.3%	3,610,000	3,610,000	0	0.0%	
OCFO	Other Reimbursements (Staffing)	2,314,271	5,054,722		3,886,462						
	Surety Bonds	120,000	600,000		0						
	Miscellaneous Receipts	15,423	1,800,000		12,561						
	Total Dept Revenues	3,247,405		7,974,568	4,289,940	53.8%	6,500,000	5,000,000	-1,500,000	-23.1%	Reduced for staffing reimbursements
Fire	Safety Inspection Charges	4,662,600	4,801,452		4,477,540						
	Other Fees (Local/Fed/State)	9,298,729	16,635,766		11,151,000						
	Personal Services Ot	1,322,356	1,800,000		777,410						
	Total Dept Revenues	19,148,919		24,697,633	17,067,289	69.1%	20,400,000	18,900,000	-1,500,000	-7.4%	Reduced Fire Marshall by \$2.0M - Nondept. Budget item
Health	Dog Licenses	0	30,000		13,964						
	Other Fees	25,819	60,000		-24,754						
	Total Dept Revenues	-97,458		90,000	103,434	114.9%	70,000	70,000	0	0.0%	
Human Resources	Personal Services-Deptl	1,252,272	1,686,218		291,135						
	Total Dept Revenues	1,252,272		1,900,000	370,363	19.5%	1,100,000	1,100,000	0	0.0%	
Human Rights	Other Fees	289,500	400,000		175,000						
	Other Fees-Hum Rghts Non-Compli Fees	119,997	0		829,232						
	Total Dept Revenues	409,497		400,000	1,051,632	262.9%	300,000	300,000	0	0.0%	
DOIT	Other Reimbursements-Deptl	0	95,000		0						
	Miscellaneous Receipts	1,470	5,000		11,926						
	Total Dept Revenues	203,276		100,000	27,374	27.4%	20,000	20,000	0	0.0%	Review negative actuals and TCM account
Law	Personal Services (depts)	1,578,919	740,000								
	Total Dept Revenues	1,849,497		920,000	229,557	25.0%	1,310,000	1,310,000	0	0.0%	Request billing status
Mayor	Personal Services	43,320	41,385		0						
	Gifts	34,000	95,000		99,100						
	Total Dept Revenues	133,838		136,385	125,556	92.1%	40,000	130,000	90,000	225.0%	Increased for donations/gifts
Parking	Parking Fines	11,709,925	13,660,000		10,047,774						
	Boot & Tow/Abandon Vehicle Tow	1,413,507	1,200,000		1,519,113						
	Total Dept Revenues	13,131,989		14,860,000	11,570,606	77.9%	14,000,000	14,000,000	0	0.0%	
NonDepartmental	Property Taxes	132,100,000	117,000,000		99,751,456	85.3%	124,000,000	124,000,000	0	0.0%	
	Municipal Income Taxes	269,129,940	245,008,000		214,090,785	87.4%	252,908,000	262,908,000	10,000,000	4.0%	
	Wagering Taxes	174,291,000	175,200,000		149,469,564	85.3%	176,000,000	176,000,000	0	0.0%	
	State Revenue Sharing	194,402,506	195,900,000		132,212,656	67.5%	195,200,000	197,478,961	2,278,961	1.2%	Increased per MI Treasury Schedule
	Other Property Taxes/Interest/Penalties	8,053,823	9,763,041		14,477,892		9,375,365	9,375,365	0	0.0%	
	Property Taxes- Administrative Fee	4,142,362	4,500,000		3,787,378		4,349,000	4,349,000	0	0.0%	
	Towing Fee Admin.	2,088,675	1,500,000		1,284,675		2,130,000	2,130,000	0	0.0%	
	Other Reimbursements	8,775,578	11,163,430		4,180,021		10,769,972	10,769,972	0	0.0%	
	Municipal Services Fee-Casino	9,792,156	17,300,000		15,779,970		17,050,000	17,050,000	0	0.0%	
	Personal Services	12,982,023	25,113,780		10,210,339		24,913,780	24,913,780	0	0.0%	
	Earnings On Investments	576,955	0		1,455,544		1,500,000	1,500,000	0	0.0%	
	Sale of Equipment	0	4,000,000		0		0	0	0	0.0%	
	Miscellaneous Receipts/Recoveries	-2,079,624	6,951,525		3,361,273		5,474,126	5,474,126	0	0.0%	
	Street Funds Reimbursement	4,648,794	4,400,000		0		4,742,000	4,742,000	0	0.0%	
	Transfers/Contributions	4,450,109	25,193,954		751		25,193,954	21,191,954	-4,002,000	-15.9%	Eliminate Transfer from Debt Service- Stub bonds refunded in Oct 2016
	Prior Years Surplus	0	67,851,803		0		67,851,803	117,851,803	50,000,000	73.7%	Includes \$50M budget amendment for Discretionary Pension
	Total Dept Revenues			962,752,233	618,045,629	64.2%	921,458,000	979,734,961	58,276,961	6.3%	



GENERAL FUND REVENUES
DEPARTMENT ACTIVITY
April 2017

FY 2017

DEPARTMENT	Recurring Revenue Description	FY 2016 ACTUALS	Recurring Revenues FY 2017 Amended Budget	Amended Budget	Actual as of April 30, 2017	% of Admnd Bud collected	Feb 2017 Consensus	May 2017 Consensus	Consensus Variance \$	Consensus Variance %	EXPLANATION
Housing Revitalization	Other Reimbursements-Fed	0	2,331,691		1,031,640.76						
	Rental- Public Bldgs and Space	388,666	300,000		244,602.51						
	Sale of Real Property	2,912,164	8,000,000		145,093.00		5,000,000	4,000,000	-1,000,000	-20.0%	
	Total Dept Revenues			10,681,691	1,433,536.61	13.4%	7,700,000	7,000,000	-700,000	-9.1%	Request status of property sales
Police	Municipal Income Tax	0	21,592,000		0		22,092,000	22,092,000	0	0.0%	
	Utility Users Tax	20,088,616	24,500,000		16,557,800	67.6%	22,500,000	22,500,000	0	0.0%	
	Communications-Police	546,017	800,000		1,605,930						
	Other Reimbursements	321,590	575,355		467,617						
	Other Fees	317,155	1,060,000		305,082						
	Miscellaneous Receipts	1,912,391	3,463,466		896,782						
	Personal Services	1,254,506	974,000		968,722						
	Total Dept Revenues	28,608,538		53,582,821	23,603,109		53,092,000	53,092,000	0	0.0%	
PLD	Utility Users Tax	12,500,000	12,500,000		10,416,667	83.3%	12,500,000	12,500,000	0	0.0%	
	Electrical	-43,798	0		426,331						
	Other Reimbursements		1,613,075		0						
	Miscellaneous Receipts	2,889,811	0		1,686,186						
	Total Dept Revenues	15,460,099		14,113,075	11,268,739	79.8%	14,300,000	14,103,000	-197,000	-1.4%	\$497K scrap sales in Fund 1011
Recreation	Recreation Fees	53,080	13,500		27,689						
	Other Reimbursements	0	233,456		0						
	Rentals (various)	590,131	560,715		623,899						
	Concessions (various)	96,918	139,688		24,644						
	Miscellaneous Receipts	111,212	72,641		22,290						
	Total Dept Revenues	852,483		1,020,000	690,083	67.7%	710,000	710,000	0	0.0%	
Dept of Admin Hearings	Fees (Admin, Other, Motion, Late Pymt)	932,512			1,025,466						
	Personal Services-Engr	0	200,000.00		0						Outstanding invoice with DPW
	Total Dept Revenues	949,345		857,110	1,025,476	119.6%	1,000,000	1,100,000	100,000	10.0%	Increased based on ytd actuals
General Services	Sale-Misc. Supplies		725,038		797,435						
	Other Reimbursements-Deptl	467,662	2,426,121		1,598,671						
	Maintenance & Construction	1,451,539	0		414,403						
	Graffiti Removal-Fines		0		130,808						
	Sale of Equipment	510,641	250,700		0						
	Street Funds Reimbursement	5,459,743	8,492,977		4,162,853						
	Total Dept Revenues	8,778,421		12,216,227	7,183,397	58.8%	9,950,000	9,950,000	0	0.0%	
Zoning	Other Fees	86,887	90,000		170,769						Fee from increased Zoning hearings for Marijuana stores
	Total Dept Revenues	86,887		90,000	169,747	188.6%	100,000	190,000	90,000	90.0%	Increased based on ytd actuals
City Council	Other Fees		0		7,531						
	Miscellaneous Receipts		0		-1,983						
	Total Dept Revenues			0	12,287	0	0	0	0	0.0%	
36 District Court	Other Fees	9,440,492	8,500,000		5,764,511						
	Personal Services-State	949,828	1,371,720		944,201						
	Ordinance Fines-Traffic Court	6,088,175	5,200,000		4,228,285						
	Court Fines	404,486	278,000		252,495						
	Other Forfeits And Penalties	978,644	1,138,004		399,720						
	Total Dept Revenues	18,229,127		17,499,724	11,762,610	67.2%	18,000,000	18,000,000	0	0.0%	
City Clerk	Sale-Mfrd & Reproduced Mat'ls	2,015	3,812		2,742						
	Total Dept Revenues	1,999		3,812	2,735	71.7%	3,718	3,718	0	0.0%	
Elections	Sale-Mfrd & Reproduced Mat'ls	5,160	8,720		10,136						
	Total Dept Revenues	9,711		8,720	11,341	130.1%	1,400,000	1,400,000	0	0.0%	March 2016 Presidential Primary Reimb received Oct 2016.
Total				\$ 1,129,684,499	\$ 714,450,596	63.24%	\$ 1,076,963,718	\$ 1,131,623,679	\$ 54,659,961	5.1%	