



AGENDA

Regular Meeting of the Kalamazoo Area Building Authority Board of Directors
December 17, 2024
2:00 PM

1. Call to Order
2. Approval of the Agenda [MOTION]
3. Consent Agenda [MOTION]
 - a. Approval of Minutes from the November 19, 2024 Board Meeting
 - b. Receipt of Bank Reconciliation Reports – November 2024
 - c. Receipt of Financial Reports – November 2024
 - d. Receipt of Building Report – November 2024
 - e. Receipt of Permit Lists – November 2024
4. Citizen Comments on Agenda and Non-Agenda Items
 - a. *Policy: A citizen shall state his/her name and address and speak only one time, for no more than three (3) minutes. This time not be given to another citizen to extend their time. During this time, you will be making statements, without discussion from the Board, but you are welcome to make an appointment with the Building Official or Board Chair to discuss your comments further. (Approved by KABA Board on November 9, 2017)*
5. Business
 - a. Accept resignation of Kim Lewis as Interim-Treasury [MOTION]
 - b. Appointment of Board Members [MOTION]
 - c. 2025 Board Meeting Schedule [MOTION]
 - d. Engagement Letter from Siegfried Crandall (Annual) [MOTION]
 - e. Closed Session to update current & new Board Members on pending litigation
6. Board Member Comments
7. Staff Member Comments
8. Adjournment

Consent Agenda

**MINUTES OF THE REGULAR MEETING OF THE
KALAMAZOO AREA BUILDING AUTHORITY
KALAMAZOO, MI
November 19, 2024**

Chairperson, Randy Thompson called the regular meeting of the Kalamazoo Area Building Authority (KABA) Board to order at approximately 2:05 P.M., at the KABA Offices, 2322 Nazareth Road.

Present: Randy Thompson, Chairperson / Representative from Comstock Township
Justin Mendoza / Representative from City of Parchment
Lysanne Harma, Secretary / Representative from Richland Township
Kim Lewis, Interim-Treasurer / Representative from Village of Richland
Vik Bawa / At-Large Board Member

Absent: Steve Leuty / Representative from Kalamazoo Township
Donna Hephner / Representative from Pine Grove Township

Also, present were Building Official, Mike Alwine; Alternate KABA Attorney, Michael Yassay; and Office Coordinator/Board Liaison, Penny Cassidy. There were two (2) citizens in attendance.

Approval of Agenda – A motion was made by Lewis to approve the agenda as presented, seconded by Harma, and motion carried.

Approval of Consent Agenda – A motion was made by Lewis to approve the Consent Agenda as presented, seconded by Bawa, and motion carried.

Citizen Comments – There were no citizen comments.

Business – There were no business matters to discuss.

Board Member Comments – Board members thanked Thompson, Harma and Leuty for their contribution to the KABA Board.

Staff Member Comments - Alwine thanked the board members for all their support in KABA.

There was no further business. The meeting was adjourned at approximately 2:15 P.M.

Drafted: November 20, 2024

Approved:

3:17 PM

12/02/24

Kalamazoo Area Building Authority
Reconciliation Summary
1065 · Savings / CCU, Period Ending 11/30/2024

	<u>Nov 30, 24</u>
Beginning Balance	25.00
Cleared Balance	25.00
Register Balance as of 11/30/2024	25.00
Ending Balance	25.00

3:18 PM

12/02/24

Kalamazoo Area Building Authority
Reconciliation Detail
1060 - Checking (Reserves) / CCU, Period Ending 11/30/2024

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Clr</u>	<u>Amount</u>	<u>Balance</u>
Beginning Balance						200,582.83
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	11/30/2024			X	24.66	24.66
Total Deposits and Credits					24.66	24.66
Total Cleared Transactions					24.66	24.66
Cleared Balance					24.66	200,607.49
Register Balance as of 11/30/2024					24.66	200,607.49
Ending Balance					24.66	200,607.49

Kalamazoo Area Building Authority
Reconciliation Summary
1050 · Checking (Primary) / SMBT, Period Ending 11/30/2024

	<u>Nov 30, 24</u>
Beginning Balance	252,767.84
Cleared Transactions	
Checks and Payments - 51 items	-59,297.61
Deposits and Credits - 122 items	49,684.07
Total Cleared Transactions	<u>-9,613.54</u>
Cleared Balance	<u>243,154.30</u>
Uncleared Transactions	
Checks and Payments - 9 items	-3,507.52
Deposits and Credits - 10 items	2,315.00
Total Uncleared Transactions	<u>-1,192.52</u>
Register Balance as of 11/30/2024	<u>241,961.78</u>
New Transactions	
Checks and Payments - 4 items	-12,274.82
Deposits and Credits - 1 item	362.00
Total New Transactions	<u>-11,912.82</u>
Ending Balance	<u>230,048.96</u>

Kalamazoo Area Building Authority Reconciliation Detail

1050 - Checking (Primary) / SMBT, Period Ending 11/30/2024

Type	Date	Num	Name	Memo	Clr	Amount	Balance
Beginning Balance							252,767.84
Cleared Transactions							
Checks and Payments - 51 items							
Check	10/09/2024	8007	Service Experts LLC	Refund - PM24-20-732 (over payment)	√	-100.00	
Bill Pmt -Check	10/17/2024	8011	Scott Paddock	10/06-10/11/24 (9 Inspections)	√	-450.00	
Bill Pmt -Check	10/24/2024	8019	Scott Paddock	10/13-10/19/24 (6 Inspections)	√	-300.00	
Check	10/24/2024	8022	Oak Electric Service	Refund - PE24-07-766 (over payment)	√	-35.00	
Check	10/24/2024	8023	Dale W. Hubbard, Inc.	Refund - PM24-06-799 (overpayment)	√	-15.00	
Bill Pmt -Check	10/31/2024	8033	Terry Thatcher/MP Services	10/20-10/26/24 (11 Mech / 23 Plumb Inspections)	√	-1,700.00	
Bill Pmt -Check	10/31/2024	8026	Doug Scott	10/20-10/26/24 (27 Inspections + (2) Plan Reviews)	√	-1,500.00	
Bill Pmt -Check	10/31/2024	8024	Barret Priest	(Z19) 10/01-10/31/24 (3 hrs + (1) ZCP) & (Z20) 11/01-11/30/24 (9 hrs)	√	-990.00	
Liability Check	10/31/2024	8034	State of Michigan/Withhold	Oct 2024	√	-925.36	
Bill Pmt -Check	10/31/2024	8031	Scott Paddock	10/20-10/26/24 (18 Inspections)	√	-900.00	
Bill Pmt -Check	10/31/2024	8029	Metronet	10/22-11/21/24	√	-722.25	
Bill Pmt -Check	10/31/2024	ACH	Sun Life Assurance	11/01-11/30/24	√	-377.98	
Bill Pmt -Check	10/31/2024	8025	Consumers Energy	09/18-10/17/24	√	-249.92	
Bill Pmt -Check	10/31/2024	8027	Graybar Financial Services	phone rental	√	-198.83	
Bill Pmt -Check	10/31/2024	8028	Great-West	401(a) Plan Maintenance Fee - 04/01-06/30/24	√	-125.00	
Bill Pmt -Check	10/31/2024	8030	Molly Maid	office cleaning: 10/25	√	-120.00	
Check	11/04/2024	8037	Roy, Stephen A	Reimbursement - Mileage (736.33) & Phone (94.41)	√	-830.74	
Check	11/04/2024	8036	Alwine, Michael R	Reimbursement - Mileage (339.69) & Phone (73.52)	√	-413.21	
Liability Check	11/05/2024	ACH	QuickBooks Payroll Service	Payroll (W/E 11/03/24)	√	-8,366.64	
Liability Check	11/06/2024	EFTPS	Dept of Treasury (IRS) - Form 941	Payroll (W/E 11/03/24)	√	-3,142.92	
Liability Check	11/06/2024	ACH	Great-West	Payroll (W/E 11/03/24)	√	-678.41	
Liability Check	11/06/2024	ACH	Great-West	Payroll (W/E 11/03/24)	√	-200.00	
Bill Pmt -Check	11/07/2024	8039	Doug Scott	10/27-10/31/24 (26 Inspections)	√	-1,300.00	
Bill Pmt -Check	11/07/2024	8040	Scott Paddock	10/27-10/31/24 (19 Inspections)	√	-950.00	
Bill Pmt -Check	11/07/2024	8038	Butch Hayes/State Approved Insp Svcs	10/27-10/31/24 (14 Inspections + (1) Plan Review)	√	-800.00	
Bill Pmt -Check	11/07/2024	8041	Terry Thatcher/MP Services	10/27-10/31/24 (5 Mech / 7 Plumb Inspections)	√	-600.00	
Bill Pmt -Check	11/14/2024	8044	Doug Scott	11/03-11/09/24 (20 Inspections)	√	-1,000.00	
Bill Pmt -Check	11/14/2024	8046	Scott Paddock	11/03-11/09/24 (15 Inspections + Plan Review)	√	-850.00	
Bill Pmt -Check	11/14/2024	8047	Terry Thatcher/MP Services	11/03-11/09/24 (7 Mech / 8 Plumb Inspections)	√	-750.00	
Bill Pmt -Check	11/14/2024	8042	Butch Hayes/State Approved Insp Svcs	11/03-11/09/24 (3 Mech / 4 Plumb Inspections + Plan Review)	√	-450.00	
Bill Pmt -Check	11/14/2024	8045	Molly Maid	office cleaning:11/08	√	-120.00	
Bill Pmt -Check	11/14/2024	8043	CCU - Mastercard	Payroll Mthly Per Employee Fee Usage - Sept 2024	√	-30.00	
General Journal	11/18/2024	494		Check # 7354 (Homeowner received)	√	-4.00	
Liability Check	11/19/2024	ACH	QuickBooks Payroll Service	Payroll (W/E 11/17/24)	√	-8,382.85	

Kalamazoo Area Building Authority
Reconciliation Detail
1050 - Checking (Primary) / SMBT, Period Ending 11/30/2024

Type	Date	Num	Name	Memo	Clr	Amount	Balance
Liability Check	11/20/2024	EFTPS	Dept of Treasury (IRS) - Form 941	Payroll (W/E 11/17/24)	√	-3,148.12	
Liability Check	11/20/2024	ACH	Great-West	Payroll (W/E 11/17/24)	√	-679.65	
Liability Check	11/20/2024	ACH	Great-West	Payroll (W/E 11/17/24)	√	-200.00	
Bill Pmt -Check	11/21/2024	8048	BS&A	Field Inspection.net - 11/01/2024-11/01/2025	√	-3,112.00	
Bill Pmt -Check	11/21/2024	8053	Shamus Design	website support - 11/14/24-11/13/25 & web hosting - 11/14/24-11/13/25	√	-1,680.00	
Bill Pmt -Check	11/21/2024	8050	EMC Insurance	Dec 2024 & W/C Audit 2023-2024	√	-1,505.07	
Bill Pmt -Check	11/21/2024	8055	Terry Thatcher/MP Services	11/10-11/16/24 (7 Mech / 21 Plumb Inspections)	√	-1,400.00	
Bill Pmt -Check	11/21/2024	8049	Doug Scott	11/10-11/16/24 (18 Inspections)	√	-900.00	
Bill Pmt -Check	11/21/2024	8056	West Michigan Lawn Services	mowing: 10/01, 10/08, 10/15, 10/22 & puning hydranges & bushes	√	-684.00	
Bill Pmt -Check	11/21/2024	8051	Gordon Water Systems	(3) bottle water	√	-23.64	
Bill Pmt -Check	11/21/2024	8054	Spectrum VoIP	CR - Cancel AT&T in Sept 2024, 10/01-10/31/24, 11/01-11/30/24, & 12/01-12/31/24	√	-3.93	
Bill Pmt -Check	11/26/2024	online	Blue Cross Blue Shield	12/01-12/31/024	√	-3,894.82	
Bill Pmt -Check	11/26/2024	online	Sun Life Assurance	12/01-12/31/24	√	-377.98	
Bill Pmt -Check	11/27/2024	online	SMBT	Dec 2024	√	-1,565.29	
Bill Pmt -Check	11/27/2024	8058	Doug Scott	11/17-11/23/24 (26 Inspections)	√	-1,300.00	
Bill Pmt -Check	11/27/2024	8063	Terry Thatcher/MP Services	11/17-11/23/24 (11 Mech / 13 Plumb Inspections)	√	-1,200.00	
Check	11/30/2024	ACH	Southern Michigan Bank & Trust - Fees	Cash Management Fees for month	√	-45.00	

Total Checks and Payments

-59,297.61

Deposits and Credits - 122 items

Deposit	10/29/2024		Deposit ID # 165084060	√	120.00	
Deposit	10/29/2024		Deposit ID # 165060643	√	125.00	
Deposit	10/29/2024		Deposit ID # 165092948	√	226.00	
Deposit	10/29/2024		Deposit ID # 165084546	√	231.00	
Deposit	10/30/2024		Deposit ID # 165158737	√	81.00	
Deposit	10/30/2024		Deposit ID # 165157698	√	108.00	
Deposit	10/30/2024		Deposit ID # 165146960	√	120.00	
Deposit	10/30/2024		Deposit ID # 165145659	√	146.00	
Deposit	10/30/2024		Deposit ID # 165167723	√	146.00	
Deposit	10/30/2024		Deposit ID # 165139699	√	150.00	
Deposit	10/30/2024		Deposit ID # 165136205	√	182.00	
Deposit	10/30/2024		Deposit ID # 165170307	√	231.00	
Deposit	10/31/2024		Deposit ID # 165223699	√	121.00	
Deposit	10/31/2024		Deposit ID # 165215255	√	140.00	
Deposit	11/01/2024		Deposit ID # 165345625	√	291.00	
Deposit	11/04/2024		Deposit ID # 165462931	√	50.00	
Deposit	11/04/2024		Deposit ID # 165463379	√	140.00	
Deposit	11/04/2024		Deposit ID # 165492861	√	140.00	

Kalamazoo Area Building Authority
Reconciliation Detail
1050 - Checking (Primary) / SMBT, Period Ending 11/30/2024

Type	Date	Num	Name	Memo	Clr	Amount	Balance
Deposit	11/04/2024			Deposit ID # 165491348	√	150.00	
Deposit	11/04/2024			Deposit ID # 165501940	√	165.00	
Deposit	11/04/2024			Deposit ID # 165480478	√	170.00	
Deposit	11/04/2024			Deposit ID # 165492861	√	180.00	
Deposit	11/04/2024			Deposit ID # 165463994	√	280.00	
Deposit	11/04/2024			Deposit ID # 165481852	√	296.00	
Deposit	11/04/2024			Deposit	√	361.00	
Deposit	11/04/2024			Deposit	√	364.00	
Deposit	11/05/2024			Deposit ID # 165571234	√	10.00	
Deposit	11/05/2024			Deposit ID # 165575749	√	108.00	
Deposit	11/05/2024			Deposit ID # 165554959	√	115.00	
Deposit	11/05/2024			Deposit ID # 165563510	√	115.00	
Deposit	11/05/2024			Deposit ID # 165552862	√	116.00	
Deposit	11/05/2024			Deposit ID # 165547525	√	116.00	
Deposit	11/05/2024			Deposit ID # 165544665	√	116.00	
Deposit	11/05/2024			Deposit ID # 165550448	√	155.00	
Deposit	11/05/2024			Deposit ID # 165546522	√	182.00	
Deposit	11/05/2024			Deposit ID # 165548297	√	310.00	
Deposit	11/06/2024			Deposit ID # 165614101	√	120.00	
Deposit	11/06/2024			Deposit ID # 165627274	√	121.00	
Deposit	11/06/2024			Deposit ID # 165607147	√	126.00	
Deposit	11/06/2024			Deposit ID # 165608972	√	140.00	
Deposit	11/06/2024			Deposit ID # 165612010	√	231.00	
Deposit	11/06/2024			Deposit ID # 165610332	√	294.00	
Deposit	11/06/2024			Deposit ID # 165609723	√	652.00	
Deposit	11/06/2024			Deposit	√	900.00	
Deposit	11/07/2024			Deposit ID # 165671791	√	20.00	
Deposit	11/07/2024			Deposit ID # 165668663	√	60.00	
Deposit	11/08/2024			Deposit ID # 165762328	√	115.00	
Deposit	11/08/2024			Deposit ID # 165742688	√	202.00	
Deposit	11/08/2024			Deposit ID # 165737564	√	264.00	
Deposit	11/12/2024			Deposit ID # 165909494	√	115.00	
Deposit	11/12/2024			Deposit ID # 165938855	√	116.00	
Deposit	11/12/2024			Deposit ID # 165909925	√	125.00	
Deposit	11/12/2024			Deposit ID # 165910600	√	190.00	
Deposit	11/12/2024			Deposit ID # 165908633	√	195.00	
Deposit	11/12/2024			Deposit	√	225.00	

Kalamazoo Area Building Authority
Reconciliation Detail
1050 - Checking (Primary) / SMBT, Period Ending 11/30/2024

Type	Date	Num	Name	Memo	Clr	Amount	Balance
Deposit	11/12/2024			Deposit	√	11,976.00	
Deposit	11/13/2024			Deposit ID # 165990912	√	60.00	
Deposit	11/13/2024			Deposit ID # 165987661	√	140.00	
Deposit	11/13/2024			Deposit ID # 165978380	√	176.00	
Deposit	11/13/2024			Deposit ID # 165995977	√	182.00	
Deposit	11/13/2024			Deposit ID # 165983902	√	266.00	
Deposit	11/13/2024			Deposit ID # 166003961	√	285.00	
Deposit	11/14/2024			Deposit ID # 166048480	√	160.00	
Deposit	11/14/2024			Deposit ID # 166072169	√	373.00	
Deposit	11/15/2024			Deposit ID # 166156801	√	160.00	
Deposit	11/15/2024			Deposit ID # 166131452	√	195.00	
Deposit	11/15/2024			Deposit ID # 166122701	√	312.00	
Deposit	11/15/2024			Deposit ID # 166123669	√	560.00	
Deposit	11/18/2024			Deposit ID # 166261454	√	60.00	
Deposit	11/18/2024			Deposit ID # 166259984	√	100.00	
Deposit	11/18/2024			Deposit ID # 162263668	√	116.00	
Deposit	11/18/2024			Deposit ID # 166270890	√	200.00	
Deposit	11/18/2024			Deposit ID # 116262511	√	216.00	
Deposit	11/18/2024			Deposit	√	4,650.00	
Deposit	11/19/2024			Deposit ID # 166327912	√	60.00	
Deposit	11/19/2024			Deposit ID # 166345786	√	125.00	
Deposit	11/19/2024			Deposit ID # 166350366	√	125.00	
Deposit	11/19/2024			Deposit ID # 166328276	√	162.00	
Deposit	11/19/2024			Deposit ID # 166331884	√	176.00	
Deposit	11/19/2024			Deposit ID # 166340119	√	231.00	
Paycheck	11/20/2024	DD30930	Roy, Stephen A	Direct Deposit	√	0.00	
Paycheck	11/20/2024	DD30929	Feist, Erin L	Direct Deposit	√	0.00	
Paycheck	11/20/2024	DD30928	Cassidy, Penny M	Direct Deposit	√	0.00	
Paycheck	11/20/2024	DD30927	Alwine, Michael R	Direct Deposit	√	0.00	
Deposit	11/20/2024			Deposit ID # 166389458	√	140.00	
Deposit	11/20/2024			Deposit ID # 166391853	√	182.00	
Deposit	11/21/2024			Deposit ID # 166487485	√	60.00	
Deposit	11/21/2024			Deposit ID # 166480644	√	116.00	
Deposit	11/21/2024			Deposit ID # 166464346	√	170.00	
Deposit	11/21/2024			Deposit ID # 166463590	√	170.00	
Deposit	11/21/2024			Deposit ID # 166489097	√	230.00	
Deposit	11/21/2024			Deposit ID # 166460789	√	240.00	

Kalamazoo Area Building Authority
Reconciliation Detail
1050 - Checking (Primary) / SMBT, Period Ending 11/30/2024

Type	Date	Num	Name	Memo	Clr	Amount	Balance
Deposit	11/21/2024			Deposit ID # 166459146	√	324.00	
Deposit	11/21/2024			Deposit ID # 166471353	√	486.00	
Deposit	11/22/2024			Deposit ID # 166524383	√	60.00	
Deposit	11/22/2024			Deposit ID # 166516457	√	115.00	
Deposit	11/22/2024			Deposit ID # 166525727	√	116.00	
Deposit	11/22/2024			Deposit ID # 166516021	√	140.00	
Deposit	11/22/2024			Deposit ID # 166538475	√	140.00	
Deposit	11/22/2024			Deposit ID # 166527911	√	182.00	
Deposit	11/22/2024			Deposit ID # 166515156	√	231.00	
Deposit	11/22/2024			Deposit	√	1,704.00	
Deposit	11/22/2024			Deposit	√	3,945.00	
Deposit	11/25/2024			Deposit - Cash	√	15.00	
Deposit	11/25/2024			Deposit - Cash	√	60.00	
Deposit	11/25/2024			Deposit ID # 166657237	√	120.00	
Deposit	11/25/2024			Deposit - Cash	√	120.00	
Deposit	11/25/2024			Deposit ID # 166630270	√	170.00	
Deposit	11/25/2024			Deposit ID # 166639586	√	209.00	
Deposit	11/25/2024			Deposit - Cash	√	234.00	
Deposit	11/25/2024			Deposit - Cash	√	241.00	
Deposit	11/25/2024			Deposit ID # 166632518	√	256.00	
Deposit	11/25/2024			Deposit	√	278.00	
Deposit	11/25/2024			Deposit - Cash	√	392.00	
Deposit	11/25/2024			Deposit	√	3,053.00	
Deposit	11/27/2024			Deposit	√	231.00	
Deposit	11/27/2024			Deposit	√	4,076.00	
Deposit	11/30/2024			Interest	√	144.07	
Paycheck	12/04/2024	DD30932	Cassidy, Penny M	Direct Deposit	√	0.00	
Paycheck	12/04/2024	DD30933	Feist, Erin L	Direct Deposit	√	0.00	
Paycheck	12/04/2024	DD30934	Roy, Stephen A	Direct Deposit	√	0.00	
Paycheck	12/04/2024	DD30931	Alwine, Michael R	Direct Deposit	√	0.00	
Total Deposits and Credits							49,684.07
Total Cleared Transactions							-9,613.54
Cleared Balance							243,154.30
Uncleared Transactions							
Checks and Payments - 9 items							
Bill Pmt -Check	11/21/2024	8052	Scott Paddock	11/10-11/16/24 (11 Inspections)		-550.00	
Bill Pmt -Check	11/27/2024	8062	Scott Paddock	11/17-11/23/24 (19 Inspections)		-950.00	

Kalamazoo Area Building Authority
Reconciliation Detail
1050 - Checking (Primary) / SMBT, Period Ending 11/30/2024

Type	Date	Num	Name	Memo	Clr	Amount	Balance	
Liability Check	11/27/2024	8066	State of Michigan/Withhold	Nov 2024		-925.36		
Bill Pmt -Check	11/27/2024	8057	Butch Hayes/State Approved Insp Srvs	11/17-11/23/24 (7 Mech / 5 Plumb Inspections)		-600.00		
Bill Pmt -Check	11/27/2024	8059	Great America Financial	toshiba copier		-275.07		
Bill Pmt -Check	11/27/2024	8060	Molly Maid	office cleaning: 11/22		-120.00		
Bill Pmt -Check	11/27/2024	8061	Republic Services	11/01-11/30/24		-58.84		
Check	11/27/2024	8065	Consolidated Electrical Contractors	Refund - PE24-07-521 (over payment)		-20.00		
Bill Pmt -Check	11/27/2024	8064	Zemlick	binder		-8.25		
Total Checks and Payments								-3,507.52
Deposits and Credits - 10 items								
Deposit	11/26/2024			Deposit ID # 166709151		60.00		
Deposit	11/26/2024			Deposit ID # 166692102		150.00		
Deposit	11/26/2024			Deposit ID # 166690609		180.00		
Deposit	11/26/2024			Deposit ID # 166717455		200.00		
Deposit	11/26/2024			Deposit ID # 166694020		266.00		
Deposit	11/26/2024			Deposit ID # 166715582		892.00		
Deposit	11/27/2024			Deposit ID # 166781081		60.00		
Deposit	11/27/2024			Deposit ID # 166770042		125.00		
Deposit	11/27/2024			Deposit ID # 166749660		148.00		
Deposit	11/27/2024			Deposit ID # 166756213		234.00		
Total Deposits and Credits								2,315.00
Total Uncleared Transactions								-1,192.52
Register Balance as of 11/30/2024								241,961.78
New Transactions								
Checks and Payments - 4 items								
Liability Check	12/03/2024	ACH	QuickBooks Payroll Service	Payroll (W/E 12/01/24)		-8,286.48		
Liability Check	12/04/2024	EFTPS	Dept of Treasury (IRS) - Form 941	Payroll (W/E 12/01/24)		-3,116.14		
Liability Check	12/04/2024	ACH	Great-West	Payroll (W/E 12/01/24)		-672.20		
Liability Check	12/04/2024	ACH	Great-West	Payroll (W/E 12/01/24)		-200.00		
Total Checks and Payments								-12,274.82
Deposits and Credits - 1 item								
Deposit	12/30/2024			Deposit - Cash		362.00		
Total Deposits and Credits								362.00
Total New Transactions								-11,912.82
Ending Balance								230,048.96

Kalamazoo Area Building Authority
Profit & Loss Prev Year Comparison
November 2024

	Nov 24	Nov 23	% Change
Income			
4010 · Building Permits	17,504.00	62,974.00	-72.2%
4015 · Special Permits	1,050.00	1,020.00	2.9%
4020 · Electrical Permits	9,459.00	25,282.00	-62.6%
4030 · Mechanical Permits	12,469.00	11,121.50	12.1%
4040 · Plumbing Permits	8,404.00	7,510.00	11.9%
4100 · Zoning Administration	730.00	617.50	18.2%
4600 · Investment Income	168.73	348.79	-51.6%
Total Income	49,784.73	108,873.79	-54.3%
Gross Profit	49,784.73	108,873.79	-54.3%
Expense			
6200 · Bank Fees	45.00	45.00	0.0%
6500 · Payroll Expenses			
6501 · Salary - Building Official	7,914.04	7,280.62	8.7%
6503 · Salary - Building Inspector	6,331.24	5,824.50	8.7%
6505 · Wages - Administrative	7,985.71	7,293.44	9.5%
6510 · Payroll Taxes	1,731.52	1,591.36	8.8%
6511 · LTD / STD / AD&D / Life	377.98	377.98	0.0%
6512 · 401A (KABA)	1,358.06	1,248.13	8.8%
6513 · Health Insurance	3,843.45	4,140.84	-7.2%
Total 6500 · Payroll Expenses	29,542.00	27,756.87	6.4%
6700 · Insurance - General	1,500.10	1,218.63	23.1%
6800 · Legal Fees	0.00	567.00	-100.0%
6810 · Computer Support (External)	2,402.25	12,769.97	-81.2%
6820 · Accounting Services	0.00	314.00	-100.0%
7100 · Office Equipment	275.07	275.07	0.0%
7110 · Office Supplies	321.80	338.82	-5.0%
7120 · Water Cooler	23.64	0.00	100.0%
7125 · Computer (Hardware/Software)	519.00	493.50	5.2%
7130 · Resource Materials	109.50	0.00	100.0%
7420 · Lawn Care/Snow Removal	155.00	1,179.00	-86.9%
7450 · Maintenance & Repairs - Office	240.00	31,477.50	-99.2%
7500 · Utilities	506.59	432.28	17.2%
7550 · Trash Removal	63.84	55.44	15.2%
7600 · Security (Office)	1,649.75	2,902.57	-43.2%
7610 · Telephone - Office	220.17	280.04	-21.4%
7611 · Telephone - Cellular	167.93	185.46	-9.5%
7711 · Contracted Electrical Inspector	4,850.00	7,800.00	-37.8%
7712 · Contracted Mechanical Inspector	4,900.00	7,400.00	-33.8%
7713 · Contracted Plumbing Inspector	3,300.00	4,450.00	-25.8%
7715 · Contracted Zoning Administrator	585.00	285.00	105.3%
7721 · Plan Review - Electrical	0.00	250.00	-100.0%
7722 · Plan Review - Mechanical	150.00	300.00	-50.0%
7723 · Plan Review - Plumbing	50.00	50.00	0.0%
7800 · Mileage Reimbursement	938.00	1,095.17	-14.4%
7830 · Interest Expense	476.56	551.58	-13.6%
7920 · Capital Outlay	0.00	3,325.00	-100.0%
Total Expense	52,991.20	105,797.90	-49.9%
Net Income	-3,206.47	3,075.89	-204.3%

Kalamazoo Area Building Authority Profit & Loss Prev Year Comparison

January through November 2024

	Jan 24	Jan 23	% Change	Feb 24	Feb 23	% Change	Mar 24	Mar 23	% Change
Income									
4010 · Building Permits	7,813.00	30,547.00	-74.4%	19,387.00	17,355.00	11.7%	21,666.00	128,437.00	-83.1%
4015 · Special Permits	665.00	455.00	46.2%	1,015.00	955.00	6.3%	705.00	355.00	98.6%
4020 · Electrical Permits	10,376.00	5,791.00	79.2%	8,924.00	5,926.00	50.6%	12,719.00	13,538.00	-6.1%
4030 · Mechanical Permits	16,106.00	8,233.00	95.6%	22,795.50	8,423.00	170.6%	18,206.80	11,264.00	61.6%
4040 · Plumbing Permits	3,881.00	3,398.00	14.2%	7,094.00	3,595.00	97.3%	12,529.00	9,401.00	33.3%
4100 · Zoning Administration	150.00	411.25	-63.5%	336.25	1,232.50	-72.7%	1,025.00	746.25	37.4%
4600 · Investment Income	327.65	71.78	356.5%	288.69	132.18	118.4%	311.51	175.01	78.0%
4700 · Other Income	0.00	0.00	0.0%	23.40	-121.00	119.3%	0.00	0.00	0.0%
4710 · FOIA Income	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total Income	39,318.65	48,907.03	-19.6%	59,863.84	37,497.68	59.7%	67,162.31	163,916.26	-59.0%
Gross Profit	39,318.65	48,907.03	-19.6%	59,863.84	37,497.68	59.7%	67,162.31	163,916.26	-59.0%
Expense									
6010 · Advertising and Marketing	0.00	0.00	0.0%	0.00	0.00	0.0%	57.22	0.00	100.0%
6200 · Bank Fees	45.00	45.00	0.0%	45.00	57.00	-21.1%	45.00	45.00	0.0%
6500 · Payroll Expenses									
6501 · Salary - Building Official	7,914.04	3,640.31	117.4%	7,914.04	7,280.62	8.7%	7,914.04	10,920.93	-27.5%
6503 · Salary - Building Inspector	6,331.24	2,912.25	117.4%	6,331.24	5,824.50	8.7%	6,331.24	8,736.75	-27.5%
6505 · Wages - Administrative	8,006.40	4,241.60	88.8%	8,006.40	8,529.80	-6.1%	7,975.37	12,855.67	-38.0%
6510 · Payroll Taxes	2,531.51	1,622.91	56.0%	1,733.12	1,685.94	2.8%	1,742.23	2,539.29	-31.4%
6511 · LTD / STD / AD&D / Life	377.98	371.46	1.8%	377.98	371.46	1.8%	377.98	371.46	1.8%
6512 · 401A (KABA)	1,985.50	1,218.21	63.0%	1,359.30	1,252.40	8.5%	1,357.44	1,876.33	-27.7%
6513 · Health Insurance	15,390.81	10,194.48	51.0%	3,843.45	4,140.84	-7.2%	3,843.45	4,342.53	-11.5%
6500 · Payroll Expenses - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total 6500 · Payroll Expenses	42,537.48	24,201.22	75.8%	29,565.53	29,085.56	1.7%	29,541.75	41,642.96	-29.1%
6700 · Insurance - General	1,071.61	1,004.03	6.7%	1,071.60	1,004.03	6.7%	1,071.59	1,004.02	6.7%
6800 · Legal Fees	0.00	0.00	0.0%	0.00	0.00	0.0%	1,679.00	0.00	100.0%
6810 · Computer Support (External)	1,119.97	7,494.97	-85.1%	214.97	209.97	2.4%	214.97	209.97	2.4%
6820 · Accounting Services	495.08	1,166.25	-57.6%	5,324.00	4,517.50	17.9%	156.80	564.25	-72.2%
7100 · Office Equipment	563.01	769.71	-26.9%	275.07	275.07	0.0%	796.04	766.43	3.9%
7110 · Office Supplies	194.63	137.12	41.9%	154.13	596.83	-74.2%	372.24	108.02	244.6%
7115 · Postage	411.00	374.40	9.8%	0.00	0.00	0.0%	0.00	0.00	0.0%
7120 · Water Cooler	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
7125 · Computer (Hardware/Software)	2,721.77	2,540.97	7.1%	0.00	0.00	0.0%	849.00	130.00	553.1%
7130 · Resource Materials	0.00	0.00	0.0%	508.00	-126.00	503.2%	0.00	13.00	-100.0%
7420 · Lawn Care/Snow Removal	1,619.50	606.00	167.2%	168.25	0.00	100.0%	279.50	464.00	-39.8%
7450 · Maintenance & Repairs - Office	310.54	240.00	29.4%	240.00	240.00	0.0%	360.00	360.00	0.0%
7500 · Utilities	530.12	531.45	-0.3%	545.44	597.57	-8.7%	381.55	397.06	-3.9%
7550 · Trash Removal	66.47	59.34	12.0%	65.30	56.38	15.8%	65.89	56.44	16.7%
7600 · Security (Office)	90.00	90.00	0.0%	0.00	0.00	0.0%	135.00	135.00	0.0%
7610 · Telephone - Office	280.04	284.53	-1.6%	280.05	284.53	-1.6%	280.05	284.53	-1.6%
7611 · Telephone - Cellular	185.48	185.40	0.0%	185.48	185.40	0.0%	192.44	185.40	3.8%
7701 · At-Large/Alternate Board Member	0.00	0.00	0.0%	0.00	0.00	0.0%	75.00	75.00	100.0%
7711 · Contracted Electrical Inspector	7,350.00	5,300.00	38.7%	4,450.00	3,200.00	39.1%	6,300.00	5,750.00	9.6%
7712 · Contracted Mechanical Inspector	5,700.00	4,750.00	20.0%	6,600.00	3,200.00	106.3%	5,550.00	5,250.00	5.7%
7713 · Contracted Plumbing Inspector	5,850.00	2,650.00	120.8%	5,750.00	1,950.00	194.9%	6,400.00	3,100.00	106.5%
7715 · Contracted Zoning Administrator	120.00	375.00	-68.0%	270.00	1,035.00	-73.9%	870.00	555.00	56.8%
7721 · Plan Review - Electrical	250.00	600.00	-58.3%	50.00	250.00	-80.0%	350.00	400.00	-12.5%
7722 · Plan Review - Mechanical	800.00	150.00	433.3%	3,164.80	450.00	603.3%	50.00	450.00	-88.9%
7723 · Plan Review - Plumbing	50.00	100.00	-50.0%	50.00	150.00	-66.7%	50.00	150.00	-66.7%
7800 · Mileage Reimbursement	1,008.35	922.90	9.3%	944.03	736.88	28.1%	1,180.54	1,329.66	-11.2%
7810 · Training Expense	0.00	0.00	0.0%	0.00	0.00	0.0%	826.20	0.00	100.0%
7830 · Interest Expense	539.51	610.87	-11.7%	439.52	480.81	-8.6%	465.28	511.19	-9.0%
7920 · Capital Outlay	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
7999 · Misc Expense	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total Expense	73,909.56	55,189.16	33.9%	60,361.17	48,436.53	24.6%	58,670.06	63,936.93	-8.2%
Net Income	-34,590.91	-6,282.13	-450.6%	-497.33	-10,938.85	95.5%	8,492.25	99,979.33	-91.5%

Kalamazoo Area Building Authority Profit & Loss Prev Year Comparison

January through November 2024

	Apr 24	Apr 23	% Change	May 24	May 23	% Change	Jun 24	Jun 23	% Change
Income									
4010 · Building Permits	21,841.00	29,155.00	-25.1%	14,527.00	52,481.00	-72.3%	18,978.00	43,435.00	-56.3%
4015 · Special Permits	350.00	465.00	-24.7%	1,670.00	655.00	155.0%	210.00	1,105.00	-81.0%
4020 · Electrical Permits	11,412.00	12,945.00	-11.8%	12,701.00	11,747.00	8.1%	10,096.00	14,415.00	-30.0%
4030 · Mechanical Permits	9,248.65	11,393.00	-18.8%	23,854.00	15,402.00	54.9%	17,063.80	14,987.00	13.9%
4040 · Plumbing Permits	5,334.00	2,901.00	83.9%	9,274.00	8,034.00	15.4%	3,888.00	10,407.00	-62.6%
4100 · Zoning Administration	782.50	726.25	7.8%	1,102.50	1,167.50	-5.6%	577.50	1,157.50	-50.1%
4600 · Investment Income	295.28	180.91	63.2%	297.14	189.69	56.7%	282.71	183.27	54.3%
4700 · Other Income	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
4710 · FOIA Income	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total Income	49,263.43	57,766.16	-14.7%	63,425.64	89,676.19	-29.3%	51,096.01	85,689.77	-40.4%
Gross Profit	49,263.43	57,766.16	-14.7%	63,425.64	89,676.19	-29.3%	51,096.01	85,689.77	-40.4%
Expense									
6010 · Advertising and Marketing	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
6200 · Bank Fees	45.00	45.00	0.0%	45.00	45.00	0.0%	115.00	115.00	0.0%
6500 · Payroll Expenses									
6501 · Salary - Building Official	7,914.04	7,280.62	8.7%	7,914.04	7,280.62	8.7%	7,914.04	7,280.62	8.7%
6503 · Salary - Building Inspector	6,331.24	5,824.50	8.7%	6,331.24	5,824.50	8.7%	6,331.24	5,824.50	8.7%
6505 · Wages - Administrative	8,001.23	9,145.70	-12.5%	7,902.95	8,496.99	-7.0%	7,993.05	8,607.76	-7.1%
6510 · Payroll Taxes	1,732.70	1,733.06	0.0%	1,725.19	1,683.42	2.5%	1,737.83	1,697.64	2.4%
6511 · LTD / STD / AD&D / Life	377.98	371.46	1.8%	377.98	371.46	1.8%	377.98	371.46	1.8%
6512 · 401A (KABA)	1,358.99	1,251.26	8.6%	1,353.10	1,251.84	8.1%	1,358.50	1,248.69	8.8%
6513 · Health Insurance	3,843.45	4,140.84	-7.2%	3,843.45	4,140.84	-7.2%	3,843.45	4,140.84	-7.2%
6500 · Payroll Expenses - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total 6500 · Payroll Expenses	29,559.63	29,747.44	-0.6%	29,447.95	29,049.67	1.4%	29,556.09	29,171.51	1.3%
6700 · Insurance - General	1,071.59	1,004.01	6.7%	1,071.58	1,004.01	6.7%	1,071.58	1,003.99	6.7%
6800 · Legal Fees	230.00	525.00	-56.2%	644.00	0.00	100.0%	690.00	525.00	31.4%
6810 · Computer Support (External)	214.97	209.97	2.4%	897.47	209.97	327.4%	356.96	209.97	70.0%
6820 · Accounting Services	6,899.00	4,617.50	49.4%	24.00	1,017.50	-97.6%	155.00	144.25	7.5%
7100 · Office Equipment	275.07	275.07	0.0%	275.07	275.07	0.0%	865.71	797.22	8.6%
7110 · Office Supplies	511.08	0.00	100.0%	10.89	251.66	-95.7%	273.43	260.34	5.0%
7115 · Postage	389.80	378.00	3.1%	0.00	0.00	0.0%	0.00	392.40	-100.0%
7120 · Water Cooler	47.33	16.69	183.6%	0.00	0.00	0.0%	0.00	0.00	0.0%
7125 · Computer (Hardware/Software)	0.00	3,318.29	-100.0%	3,435.25	0.00	100.0%	1,203.84	0.00	100.0%
7130 · Resource Materials	0.00	-139.00	100.0%	442.00	0.00	100.0%	0.00	0.00	0.0%
7420 · Lawn Care/Snow Removal	232.25	153.50	51.3%	383.50	344.75	11.2%	362.50	330.25	9.8%
7450 · Maintenance & Repairs - Office	240.00	240.00	0.0%	3,225.00	240.00	1,243.8%	1,279.00	32,120.50	-96.0%
7500 · Utilities	384.72	312.73	23.0%	476.58	366.50	30.0%	325.65	254.22	28.1%
7550 · Trash Removal	65.89	55.61	18.5%	65.27	55.05	18.6%	65.00	54.83	18.6%
7600 · Security (Office)	0.00	0.00	0.0%	0.00	0.00	0.0%	135.00	135.00	0.0%
7610 · Telephone - Office	280.05	284.53	-1.6%	279.93	284.91	-1.8%	279.93	279.64	0.1%
7611 · Telephone - Cellular	189.46	185.30	2.3%	162.79	185.30	-12.2%	162.80	185.30	-12.1%
7701 · At-Large/Alternate Board Member	0.00	0.00	0.0%	0.00	0.00	0.0%	75.00	75.00	0.0%
7711 · Contracted Electrical Inspector	7,250.00	4,350.00	66.7%	5,450.00	6,450.00	-15.5%	7,050.00	5,000.00	41.0%
7712 · Contracted Mechanical Inspector	4,900.00	3,200.00	53.1%	6,050.00	5,700.00	6.1%	6,200.00	5,500.00	12.7%
7713 · Contracted Plumbing Inspector	4,950.00	2,600.00	90.4%	5,400.00	3,300.00	63.6%	4,000.00	3,400.00	17.7%
7715 · Contracted Zoning Administrator	630.00	765.00	-17.7%	840.00	675.00	24.4%	600.00	975.00	-38.5%
7721 · Plan Review - Electrical	450.00	300.00	50.0%	250.00	200.00	25.0%	0.00	300.00	-100.0%
7722 · Plan Review - Mechanical	0.00	75.00	-100.0%	2,750.00	500.00	450.0%	1,321.80	1,000.00	32.2%
7723 · Plan Review - Plumbing	0.00	75.00	-100.0%	0.00	50.00	-100.0%	0.00	100.00	-100.0%
7800 · Mileage Reimbursement	1,176.52	869.84	35.3%	1,294.44	1,068.97	21.1%	1,122.92	1,353.90	-17.1%
7810 · Training Expense	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
7830 · Interest Expense	429.13	523.54	-18.0%	484.38	483.78	0.1%	463.66	495.82	-6.5%
7920 · Capital Outlay	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
7999 · Misc Expense	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total Expense	60,421.49	53,988.02	11.9%	63,405.10	51,757.14	22.5%	57,730.87	84,179.14	-31.4%
Net Income	-11,158.06	3,778.14	-395.3%	20.54	37,919.05	-100.0%	-6,634.86	1,510.63	-539.2%

Kalamazoo Area Building Authority Profit & Loss Prev Year Comparison

January through November 2024

	Jul 24	Jul 23	% Change	Aug 24	Aug 23	% Change	Sep 24	Sep 23	% Change
Income									
4010 · Building Permits	22,934.00	10,214.00	124.5%	19,741.00	95,918.00	-79.4%	11,051.00	21,174.00	-47.8%
4015 · Special Permits	1,475.00	1,915.00	-23.0%	1,445.00	1,070.00	35.1%	1,300.00	1,525.00	-14.8%
4020 · Electrical Permits	10,459.00	11,086.00	-5.7%	7,130.00	13,264.00	-46.3%	9,043.00	40,069.00	-77.4%
4030 · Mechanical Permits	12,896.00	12,505.00	3.1%	14,487.30	18,391.00	-21.2%	12,710.50	13,794.00	-7.9%
4040 · Plumbing Permits	7,084.00	7,705.00	-8.1%	5,684.00	10,619.00	-46.5%	4,788.00	6,200.00	-22.8%
4100 · Zoning Administration	710.00	1,197.50	-40.7%	1,005.00	330.00	204.6%	1,180.00	1,603.75	-26.4%
4600 · Investment Income	283.68	187.28	51.5%	273.01	189.03	44.4%	190.03	271.59	-30.0%
4700 · Other Income	0.00	0.00	0.0%	0.00	22.98	-100.0%	0.00	0.00	0.0%
4710 · FOIA Income	0.00	0.00	0.0%	0.00	166.62	-100.0%	0.00	0.00	0.0%
Total Income	55,841.68	44,809.78	24.6%	49,765.31	139,970.63	-64.5%	40,260.53	84,637.34	-52.4%
Gross Profit	55,841.68	44,809.78	24.6%	49,765.31	139,970.63	-64.5%	40,260.53	84,637.34	-52.4%
Expense									
6010 · Advertising and Marketing	0.00	0.00	0.0%	637.00	0.00	100.0%	0.00	0.00	0.0%
6200 · Bank Fees	45.00	45.00	0.0%	45.00	80.00	-43.8%	45.00	45.00	0.0%
6500 · Payroll Expenses									
6501 · Salary - Building Official	11,871.06	7,280.62	63.1%	7,914.04	10,920.93	-27.5%	7,914.04	7,280.62	8.7%
6503 · Salary - Building Inspector	9,496.86	5,824.50	63.1%	6,331.24	8,736.75	-27.5%	6,331.24	5,824.50	8.7%
6505 · Wages - Administrative	12,027.11	7,782.37	54.5%	8,001.23	11,048.42	-27.6%	8,006.40	7,331.50	9.2%
6510 · Payroll Taxes	2,601.01	1,628.74	59.7%	1,732.72	2,395.32	-27.7%	1,738.86	1,599.99	8.7%
6511 · LTD / STD / AD&D / Life	377.98	371.46	1.8%	377.98	371.46	1.8%	377.98	371.46	1.8%
6512 · 401A (KABA)	2,040.00	1,253.69	62.7%	1,358.99	1,878.69	-27.7%	1,359.30	1,250.41	8.7%
6513 · Health Insurance	4,045.14	4,140.84	-2.3%	3,843.45	4,342.53	-11.5%	3,843.45	4,140.84	-7.2%
6500 · Payroll Expenses - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total 6500 · Payroll Expenses	42,459.16	28,282.22	50.1%	29,559.65	39,694.10	-25.5%	29,571.27	27,799.32	6.4%
6700 · Insurance - General	1,071.57	1,003.99	6.7%	1,221.57	1,153.99	5.9%	1,066.55	1,003.96	6.2%
6800 · Legal Fees	0.00	0.00	0.0%	345.00	525.00	-34.3%	805.00	525.00	53.3%
6810 · Computer Support (External)	3,995.22	8,279.97	-51.8%	852.25	6,436.94	-86.8%	1,112.25	3,069.97	-63.8%
6820 · Accounting Services	24.00	15.75	52.4%	24.00	21.00	14.3%	155.00	790.75	-80.4%
7100 · Office Equipment	275.07	-0.50	55,114.0%	14,544.07	275.07	5,187.4%	921.00	821.31	12.1%
7110 · Office Supplies	712.10	938.62	-24.1%	324.80	98.12	231.0%	574.69	291.50	97.2%
7115 · Postage	410.00	52.80	676.5%	0.00	28.75	-100.0%	0.00	0.00	0.0%
7120 · Water Cooler	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
7125 · Computer (Hardware/Software)	0.00	24,498.95	-100.0%	0.00	-76.47	100.0%	161.54	399.00	-59.5%
7130 · Resource Materials	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
7420 · Lawn Care/Snow Removal	266.25	614.25	-56.7%	237.00	344.75	-31.3%	237.00	289.75	-18.2%
7450 · Maintenance & Repairs - Office	1,521.84	240.00	534.1%	360.00	240.00	50.0%	240.00	360.00	-33.3%
7500 · Utilities	384.66	279.16	37.8%	532.64	512.43	3.9%	316.88	284.27	11.5%
7550 · Trash Removal	64.28	53.91	19.2%	64.48	53.71	20.1%	64.16	55.28	16.1%
7600 · Security (Office)	0.00	0.00	0.0%	0.00	0.00	0.0%	135.00	135.00	0.0%
7610 · Telephone - Office	279.93	279.64	0.1%	280.03	279.66	0.1%	220.08	279.68	-21.3%
7611 · Telephone - Cellular	162.85	185.31	-12.1%	162.85	185.31	-12.1%	162.89	185.35	-12.1%
7701 · At-Large/Alternate Board Member	0.00	0.00	0.0%	0.00	0.00	0.0%	75.00	75.00	0.0%
7711 · Contracted Electrical Inspector	6,800.00	5,350.00	27.1%	6,050.00	6,300.00	-4.0%	5,150.00	6,650.00	-22.6%
7712 · Contracted Mechanical Inspector	6,750.00	4,350.00	55.2%	5,250.00	6,250.00	-16.0%	6,300.00	5,600.00	12.5%
7713 · Contracted Plumbing Inspector	4,650.00	3,300.00	40.9%	4,150.00	4,050.00	2.5%	3,800.00	4,550.00	-16.5%
7715 · Contracted Zoning Administrator	615.00	1,005.00	-38.8%	675.00	975.00	-30.8%	1,080.00	795.00	35.9%
7721 · Plan Review - Electrical	50.00	300.00	-83.3%	200.00	150.00	33.3%	200.00	450.00	-55.6%
7722 · Plan Review - Mechanical	0.00	650.00	-100.0%	500.00	50.00	900.0%	1,350.00	150.00	800.0%
7723 · Plan Review - Plumbing	0.00	0.00	0.0%	0.00	50.00	-100.0%	150.00	200.00	-25.0%
7800 · Mileage Reimbursement	1,157.76	1,132.49	2.2%	1,230.12	1,360.44	-9.6%	1,072.00	1,007.39	6.4%
7810 · Training Expense	0.00	0.00	0.0%	375.00	0.00	100.0%	0.00	0.00	0.0%
7830 · Interest Expense	413.64	575.26	-28.1%	408.27	469.12	-13.0%	489.20	546.86	-10.5%
7920 · Capital Outlay	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
7999 · Misc Expense	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total Expense	72,108.33	81,431.82	-11.5%	68,028.73	69,506.92	-2.1%	55,454.51	56,359.39	-1.6%
Net Income	-16,266.65	-36,622.04	55.6%	-18,263.42	70,463.71	-125.9%	-15,193.98	28,277.95	-153.7%

Kalamazoo Area Building Authority
Profit & Loss Prev Year Comparison
 January through November 2024

							TOTAL		
	Oct 24	Oct 23	% Change	Nov 24	Nov 23	% Change	Jan - Nov 24	Jan - Nov 23	% Change
Income									
4010 · Building Permits	50,365.00	54,225.00	-7.1%	17,504.00	62,974.00	-72.2%	225,807.00	545,915.00	-58.6%
4015 · Special Permits	820.00	210.00	290.5%	1,050.00	1,020.00	2.9%	10,705.00	9,730.00	10.0%
4020 · Electrical Permits	9,734.00	16,450.00	-40.8%	9,459.00	25,282.00	-62.6%	112,053.00	170,513.00	-34.3%
4030 · Mechanical Permits	17,804.50	21,405.60	-16.8%	12,469.00	11,121.50	12.1%	177,642.05	146,919.10	20.9%
4040 · Plumbing Permits	6,123.00	12,612.00	-51.5%	8,404.00	7,510.00	11.9%	74,081.00	82,382.00	-10.1%
4100 · Zoning Administration	1,345.00	220.00	511.4%	730.00	617.50	18.2%	8,943.75	9,410.00	-5.0%
4600 · Investment Income	171.08	325.97	-47.5%	168.73	348.79	-51.6%	2,889.51	2,255.50	28.1%
4700 · Other Income	15.00	0.00	100.0%	0.00	0.00	0.0%	38.40	-98.02	139.2%
4710 · FOIA Income	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	166.62	-100.0%
Total Income	86,377.58	105,448.57	-18.1%	49,784.73	108,873.79	-54.3%	612,159.71	967,193.20	-36.7%
Gross Profit	86,377.58	105,448.57	-18.1%	49,784.73	108,873.79	-54.3%	612,159.71	967,193.20	-36.7%
Expense									
6010 · Advertising and Marketing	0.00	0.00	0.0%	0.00	0.00	0.0%	694.22	0.00	100.0%
6200 · Bank Fees	45.00	45.00	0.0%	45.00	45.00	0.0%	565.00	612.00	-7.7%
6500 · Payroll Expenses									
6501 · Salary - Building Official	7,914.04	7,280.62	8.7%	7,914.04	7,280.62	8.7%	91,011.46	83,727.13	8.7%
6503 · Salary - Building Inspector	6,331.24	5,824.50	8.7%	6,331.24	5,824.50	8.7%	72,809.26	66,981.75	8.7%
6505 · Wages - Administrative	7,985.71	7,131.68	12.0%	7,985.71	7,293.44	9.5%	91,891.56	92,464.93	-0.6%
6510 · Payroll Taxes	1,731.52	1,578.96	9.7%	1,731.52	1,591.36	8.8%	20,738.21	19,756.63	5.0%
6511 · LTD / STD / AD&D / Life	377.98	371.46	1.8%	377.98	377.98	0.0%	4,157.78	4,092.58	1.6%
6512 · 401A (KABA)	1,358.06	1,238.42	9.7%	1,358.06	1,248.13	8.8%	16,247.24	14,968.07	8.6%
6513 · Health Insurance	3,843.45	4,140.84	-7.2%	3,843.45	4,140.84	-7.2%	54,027.00	52,006.26	3.9%
6500 · Payroll Expenses - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total 6500 · Payroll Expenses	29,542.00	27,566.48	7.2%	29,542.00	27,756.87	6.4%	350,882.51	333,997.35	5.1%
6700 · Insurance - General	1,184.46	1,141.51	3.8%	1,500.10	1,218.63	23.1%	12,473.80	11,546.17	8.0%
6800 · Legal Fees	0.00	655.00	-100.0%	0.00	567.00	-100.0%	4,393.00	3,322.00	32.2%
6810 · Computer Support (External)	722.25	2,839.97	-74.6%	2,402.25	12,769.97	-81.2%	12,103.53	41,941.64	-71.1%
6820 · Accounting Services	28.00	14.00	100.0%	0.00	314.00	-100.0%	13,284.88	13,182.75	0.8%
7100 · Office Equipment	275.07	275.07	0.0%	275.07	275.07	0.0%	19,340.25	4,804.59	302.5%
7110 · Office Supplies	0.00	0.00	0.0%	321.80	338.82	-5.0%	3,449.79	3,021.03	14.2%
7115 · Postage	0.00	410.40	-100.0%	0.00	0.00	0.0%	1,210.80	1,636.75	-26.0%
7120 · Water Cooler	0.00	0.00	0.0%	23.64	0.00	100.0%	70.97	16.69	325.2%
7125 · Computer (Hardware/Software)	0.00	81.00	-100.0%	519.00	493.50	5.2%	8,890.40	31,385.24	-71.7%
7130 · Resource Materials	0.00	0.00	0.0%	109.50	0.00	100.0%	1,059.50	-252.00	520.4%
7420 · Lawn Care/Snow Removal	684.00	234.75	191.4%	155.00	1,179.00	-86.9%	4,624.75	4,561.00	1.4%
7450 · Maintenance & Repairs - Office	240.00	367.18	-34.6%	240.00	31,477.50	-99.2%	8,256.38	66,125.18	-87.5%
7500 · Utilities	249.92	289.46	-13.7%	506.59	432.28	17.2%	4,634.75	4,257.13	8.9%
7550 · Trash Removal	63.83	30.98	106.0%	63.84	55.44	15.2%	714.41	586.97	21.7%
7600 · Security (Office)	0.00	0.00	0.0%	1,649.75	2,902.57	-43.2%	2,144.75	3,397.57	-36.9%
7610 · Telephone - Office	220.08	279.68	-21.3%	220.17	280.04	-21.4%	2,900.34	3,101.37	-6.5%
7611 · Telephone - Cellular	167.93	111.97	50.0%	167.93	185.46	-9.5%	1,902.90	1,965.50	-3.2%
7701 · At-Large/Alternate Board Member	0.00	0.00	0.0%	0.00	0.00	0.0%	300.00	225.00	33.3%
7711 · Contracted Electrical Inspector	6,000.00	7,500.00	-20.0%	4,850.00	7,800.00	-37.8%	66,700.00	63,650.00	4.8%
7712 · Contracted Mechanical Inspector	6,050.00	6,550.00	-7.5%	4,900.00	7,400.00	-33.8%	64,250.00	57,750.00	11.3%
7713 · Contracted Plumbing Inspector	5,050.00	5,150.00	-1.9%	3,300.00	4,450.00	-25.8%	53,300.00	38,500.00	38.4%
7715 · Contracted Zoning Administrator	990.00	210.00	371.4%	585.00	285.00	105.3%	7,275.00	7,650.00	-4.9%
7721 · Plan Review - Electrical	300.00	500.00	-40.0%	0.00	250.00	-100.0%	2,100.00	3,700.00	-43.2%
7722 · Plan Review - Mechanical	50.00	1,724.60	-97.1%	150.00	300.00	-50.0%	10,136.60	5,499.60	84.3%
7723 · Plan Review - Plumbing	50.00	0.00	100.0%	50.00	50.00	0.0%	400.00	925.00	-56.8%
7800 · Mileage Reimbursement	1,076.02	975.91	10.3%	938.00	1,095.17	-14.4%	12,200.70	11,853.55	2.9%
7810 · Training Expense	0.00	0.00	0.0%	0.00	0.00	0.0%	1,201.20	0.00	100.0%
7830 · Interest Expense	412.06	492.06	-16.3%	476.56	551.58	-13.6%	5,021.21	5,740.89	-12.5%
7920 · Capital Outlay	0.00	0.00	0.0%	0.00	3,325.00	-100.0%	0.00	3,325.00	-100.0%
7999 · Misc Expense	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total Expense	53,400.62	57,445.02	-7.0%	52,991.20	105,797.90	-49.9%	676,481.64	728,027.97	-7.1%
Net Income	32,976.96	48,003.55	-31.3%	-3,206.47	3,075.89	-204.3%	-64,321.93	239,165.23	-126.9%

Kalamazoo Area Building Authority Profit & Loss Budget Performance

November 2024

	Nov 24	Budget	Jan - Nov 24	YTD Budget	Annual Budget
Income					
4010 · Building Permits	17,504.00	24,020.00	225,807.00	375,789.00	404,607.00
4015 · Special Permits	1,050.00	830.00	10,705.00	6,675.00	8,169.00
4020 · Electrical Permits	9,459.00	15,510.00	112,053.00	129,457.00	141,192.00
4030 · Mechanical Permits	12,469.00	13,663.00	177,642.05	139,021.00	153,060.00
4040 · Plumbing Permits	8,404.00	5,353.00	74,081.00	48,972.00	53,868.00
4100 · Zoning Administration	730.00		8,943.75		
4600 · Investment Income	168.73	10.00	2,889.51	110.00	120.00
4700 · Other Income	0.00		38.40		
Total Income	49,784.73	59,386.00	612,159.71	700,024.00	761,016.00
Gross Profit	49,784.73	59,386.00	612,159.71	700,024.00	761,016.00
Expense					
6010 · Advertising and Marketing	0.00	0.00	694.22	710.00	2,000.00
6200 · Bank Fees	45.00	45.00	565.00	565.00	890.00
6450 · Dues & Subscriptions	0.00	0.00	0.00	0.00	720.00
6500 · Payroll Expenses					
6501 · Salary - Building Official	7,914.04	7,914.04	91,011.46	94,968.48	102,882.52
6503 · Salary - Building Inspector	6,331.24	6,331.24	72,809.26	75,974.86	82,306.10
6505 · Wages - Administrative	7,985.71	8,006.40	91,891.56	112,688.64	120,695.04
6510 · Payroll Taxes	1,731.52	1,919.14	20,738.21	23,081.29	25,017.64
6511 · LTD / STD / AD&D / Life	377.98	378.00	4,157.78	4,158.00	4,536.00
6512 · 401A (KABA)	1,358.06	1,359.30	16,247.24	16,311.63	17,670.93
6513 · Health Insurance	3,843.45	3,843.45	54,027.00	54,027.00	58,515.98
6500 · Payroll Expenses - Other	0.00		0.00		
Total 6500 · Payroll Expenses	29,542.00	29,751.57	350,882.51	381,209.90	411,624.21
6700 · Insurance - General	1,500.10	1,500.00	12,473.80	12,402.59	14,102.59
6800 · Legal Fees	0.00	690.00	4,393.00	5,199.00	12,000.00
6910 · Computer Support (External)	2,402.25	2,403.00	12,103.53	11,895.00	17,995.00
6820 · Accounting Services	0.00	30.00	13,284.88	13,340.00	15,994.50
7100 · Office Equipment	275.07	275.07	19,340.25	20,050.39	20,867.00
7110 · Office Supplies	321.80	0.00	3,449.79	3,000.00	3,000.00
7115 · Postage	0.00	0.00	1,210.80	1,200.00	2,400.00
7120 · Water Cooler	23.64	30.00	70.97	80.00	80.00
7125 · Computer (Hardware/Software)	519.00	588.29	8,890.40	8,965.29	8,965.29
7130 · Resource Materials	109.50	110.00	1,059.50	552.00	1,000.00
7400 · Rent/Lease Expense	0.00	1,600.00	0.00	17,600.00	19,200.00
7420 · Lawn Care/Snow Removal	155.00	155.00	4,624.75	5,630.00	7,100.00
7450 · Maintenance & Repairs - Office	240.00	240.00	8,256.38	8,275.00	13,120.00
7500 · Utilities	506.59	475.00	4,634.75	4,350.00	4,700.00
7550 · Trash Removal	63.84	65.00	714.41	715.00	780.00
7600 · Security (Office)	1,849.75	0.00	2,144.75	495.00	540.00
7610 · Telephone - Office	220.17	300.00	2,900.34	3,300.00	3,600.00
7611 · Telephone - Cellular	167.93	200.00	1,902.90	2,200.00	2,400.00
7700 · Building Board of Appeals	0.00	0.00	0.00	0.00	375.00
7701 · At-Large/Alternate Board Member	0.00	0.00	300.00	675.00	900.00
7710 · Contracted Building Inspector	0.00	0.00	0.00	0.00	5,000.00
7711 · Contracted Electrical Inspector	4,850.00	3,837.00	66,700.00	49,739.00	53,400.00
7712 · Contracted Mechanical Inspector	4,900.00	3,361.00	84,250.00	42,263.00	45,600.00
7713 · Contracted Plumbing Inspector	3,300.00	2,861.00	53,300.00	29,016.00	31,200.00
7715 · Contracted Zoning Administrator	585.00		7,275.00		
7721 · Plan Review - Electrical	0.00		2,100.00		
7722 · Plan Review - Mechanical	150.00		10,136.60		
7723 · Plan Review - Plumbing	50.00		400.00		
7800 · Mileage Reimbursement	938.00	1,300.00	12,200.70	14,300.00	15,600.00
7810 · Training Expense	0.00	0.00	1,201.20	1,201.80	1,600.00
7830 · Interest Expense	476.56		5,021.21		
7920 · Capital Outlay	0.00	0.00		0.00	7,000.00
7999 · Misc Expense	0.00	0.00	0.00	0.00	2,000.00
Total Expense	52,991.20	49,816.93	676,481.64	638,928.97	725,743.59
Net Income	-3,206.47	9,569.07	-64,321.93	61,095.03	35,272.41

Kalamazoo Area Building Authority

Balance Sheet

As of November 30, 2024

12/10/24

Accrual Basis

	<u>Nov 30, 24</u>
ASSETS	
Current Assets	
Checking/Savings	
1001 · Cash on Hand (Cash Bags)	300.00
1050 · Checking (Primary) / SMBT	242,021.78
1060 · Checking (Reserves) / CCU	200,607.49
1065 · Savings / CCU	25.00
Total Checking/Savings	<u>442,954.27</u>
Accounts Receivable	
1200 · Accounts Receivable	675.00
Total Accounts Receivable	<u>675.00</u>
Other Current Assets	
1250 · Accounts Receivables / ADJ	362.00
1400 · Prepaid Items	7,986.87
Total Other Current Assets	<u>8,348.87</u>
Total Current Assets	<u>451,978.14</u>
Other Assets	
1600 · Accumulated Depreciation	-67,311.49
1900 · Capital Assets	329,819.25
Total Other Assets	<u>262,507.76</u>
TOTAL ASSETS	<u>714,485.90</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	5,825.14
Total Accounts Payable	<u>5,825.14</u>
Credit Cards	
2010 · CCU - Mastercard	164.95
Total Credit Cards	<u>164.95</u>
Other Current Liabilities	
2070 · Notes Payable - SMBT	83,011.27
2100 · Accrued Items	718.65
2300 · Accounts Payables / ADJ	1,645.44
Total Other Current Liabilities	<u>85,375.36</u>
Total Current Liabilities	<u>91,365.45</u>
Total Liabilities	<u>91,365.45</u>
Equity	
3010 · Net Position	687,442.38
Net Income	-64,321.93
Total Equity	<u>623,120.45</u>
TOTAL LIABILITIES & EQUITY	<u>714,485.90</u>

2024 MONTHLY PERMITS BY JURISDICTION

MONTH OF NOVEMBER 2024

<u>JURISDICTION</u>	<u>PERMIT CATEGORY</u>	<u># PERMITS</u>	<u>PERMIT REVENUE</u>
COMSTOCK	BUILDING	9	1,915.00
COMSTOCK	ELECTRICAL	13	3,177.00
COMSTOCK	MECHANICAL	22	4,683.00
COMSTOCK	PLUMBING	12	3,072.00
COMSTOCK	SPECIAL - JURISDICTION	4	400.00
COMSTOCK	SPECIAL - HOMEOWNER	1	60.00
TOTAL COMSTOCK		61	\$ 13,307.00
KALAMAZOO	BUILDING	10	2,413.00
KALAMAZOO	ELECTRICAL	10	1,774.00
KALAMAZOO	MECHANICAL	30	4,505.00
KALAMAZOO	PLUMBING	11	1,443.00
KALAMAZOO	SPECIAL - JURISDICTION	3	300.00
KALAMAZOO	SPECIAL - HOMEOWNER	2	120.00
TOTAL KALAMAZOO		66	\$ 10,555.00
PARCHMENT	BUILDING	-	-
PARCHMENT	ELECTRICAL	-	-
PARCHMENT	MECHANICAL	1	140.00
PARCHMENT	PLUMBING	1	115.00
PARCHMENT	SPECIAL - JURISDICTION	-	-
PARCHMENT	SPECIAL - HOMEOWNER	-	-
TOTAL PARCHMENT		2	\$ 255.00
PINE GROVE	BUILDING	1	373.00
PINE GROVE	ELECTRICAL	3	736.00
PINE GROVE	MECHANICAL	7	945.00
PINE GROVE	PLUMBING	-	-
PINE GROVE	SPECIAL - JURISDICTION	-	-
PINE GROVE	SPECIAL - HOMEOWNER	1	60.00
TOTAL PINE GROVE		12	\$ 2,114.00
RICHLAND	BUILDING	15	13,053.00
RICHLAND	ELECTRICAL	13	3,372.00
RICHLAND	MECHANICAL	12	2,311.00
RICHLAND	PLUMBING	20	3,853.00
RICHLAND	SPECIAL - JURISDICTION	-	-
RICHLAND	SPECIAL - HOMEOWNER	1	60.00
TOTAL RICHLAND		61	\$ 22,649.00
RICHLAND VILLAGE	BUILDING	-	-
RICHLAND VILLAGE	ELECTRICAL	1	125.00
RICHLAND VILLAGE	MECHANICAL	1	140.00
RICHLAND VILLAGE	PLUMBING	-	-
RICHLAND VILLAGE	SPECIAL - JURISDICTION	-	-
RICHLAND VILLAGE	SPECIAL - HOMEOWNER	-	-
TOTAL RICHLAND VILLAGE		2	\$ 265.00
TOTAL		204	\$ 49,145.00

REVENUE	REVENUE
NOVEMBER 2023	% PREV YEAR MONTH
\$ 107,179.50	45.9%

PERMITS	PERMITS
NOVEMBER 2023	% 2023 - YTD
239	85%



2024 MONTHLY PERMITS BY JURISDICTION

YEAR TO DATE AS OF: NOVEMBER

JURISDICTION	PERMIT CATEGORY	# PERMITS	PERMIT REVENUE
COMSTOCK	BUILDING	163	79,565.00
COMSTOCK	ELECTRICAL	177	37,987.00
COMSTOCK	MECHANICAL	315	73,918.30
COMSTOCK	PLUMBING	162	30,411.00
COMSTOCK	SPECIAL - JURISDICTION	28	2,800.00
COMSTOCK	SPECIAL - HOMEOWNER	6	340.00
TOTAL COMSTOCK		851	\$ 225,021.30
KALAMAZOO	BUILDING	160	38,217.00
KALAMAZOO	ELECTRICAL	163	30,695.00
KALAMAZOO	MECHANICAL	300	50,897.75
KALAMAZOO	PLUMBING	138	19,095.00
KALAMAZOO	SPECIAL - JURISDICTION	42	4,050.00
KALAMAZOO	SPECIAL - HOMEOWNER	41	2,325.00
TOTAL KALAMAZOO		844	\$ 145,279.75
PARCHMENT	BUILDING	13	1,513.00
PARCHMENT	ELECTRICAL	14	2,095.00
PARCHMENT	MECHANICAL	22	2,785.00
PARCHMENT	PLUMBING	6	535.00
PARCHMENT	SPECIAL - JURISDICTION	5	500.00
PARCHMENT	SPECIAL - HOMEOWNER	0	-
TOTAL PARCHMENT		60	\$ 7,428.00
PINE GROVE	BUILDING	36	15,679.00
PINE GROVE	ELECTRICAL	48	8,194.00
PINE GROVE	MECHANICAL	54	8,934.00
PINE GROVE	PLUMBING	15	3,352.00
PINE GROVE	SPECIAL - JURISDICTION	1	100.00
PINE GROVE	SPECIAL - HOMEOWNER	3	170.00
TOTAL PINE GROVE		157	\$ 36,429.00
RICHLAND	BUILDING	137	91,483.00
RICHLAND	ELECTRICAL	136	29,809.00
RICHLAND	MECHANICAL	201	38,560.50
RICHLAND	PLUMBING	96	19,385.00
RICHLAND	SPECIAL - JURISDICTION	2	200.00
RICHLAND	SPECIAL - HOMEOWNER	4	220.00
TOTAL RICHLAND		576	\$ 179,657.50
RICHLAND VILLAGE	BUILDING	7	1,196.00
RICHLAND VILLAGE	ELECTRICAL	7	901.00
RICHLAND VILLAGE	MECHANICAL	17	2,469.50
RICHLAND VILLAGE	PLUMBING	7	813.00
RICHLAND VILLAGE	SPECIAL - JURISDICTION	1	100.00
RICHLAND VILLAGE	SPECIAL - HOMEOWNER	0	-
TOTAL RICHLAND VILLAGE		39	\$ 5,479.50
TOTAL KABA	YTD	2527	\$ 599,295.05

REVENUE	REVENUE
YTD - NOVEMBER 2023	% 2023 - YTD
\$ 937,621.10	63.9%

REVENUE
% 2024 YTD BUDGET
86%

PERMITS	PERMITS
YTD - NOVEMBER 2023	% 2023 - YTD
2810	89.9%

2024 MONTHLY CUMULATIVE TOTALS			
# PERMITS	REVENUE		
204	\$ 38,815.00		JAN
232	\$ 56,847.50		FEB
258	\$ 68,773.80		MAR
203	\$ 47,519.65		APR
306	\$ 64,501.00		MAY
218	\$ 50,490.80		JUN
242	\$ 54,285.00		JUL
229	\$ 47,401.30		AUG
197	\$ 37,887.50		SEP
234	\$ 83,628.50		OCT
204	\$ 49,145.00		NOV
-	\$ -		DEC
2,527	\$ 599,295.05		

BUILDING REPORT

NOVEMBER 2024

Residential / Commercial Building Permits and Construction Values

- A. Total Number of Commercial & Agricultural Permits Issued – 5
- B. Total Construction Value for Commercial & Agricultural Permits - \$0
- C. Total Number of New Residential Construction Permits Issued – 7
- D. Total Construction Value for New Residential Permits – \$2,908,998
- E. Total Number of All Other Residential Permits Issued – 23
- F. Total Construction Value for All Other Residential Permits – \$485,175

Revenue / Permit Summary YTD

- A. Total KABA Revenue in November 2024 - \$49,145.00 vs. Total KABA Revenue in November 2023 - \$107,179.50. **This is a decrease of 54.1%.**
- B. Total Number of Permits Issued in November 2024 – 204 vs. Total Number of Permits issued in November 2023 – 239. **This is a decrease of 14.6%.**
- C. Total KABA YTD Revenue in November 2024 - \$599,295.05 vs. Total KABA YTD Revenue in November 2023 - \$937,621.10. **This is a decrease of 36.1%.**
- D. Total Number of Permits Issued YTD 2024 – 2527 vs. Total Number of Permits Issued this time in 2023 – 2810. **This is a decrease of 10.1%.**
- E. The November 2024 Revenue of \$49,145.00 is **7%** of the forecast for November YTD 2024 Revenue (\$697,488).
- F. The YTD 2024 Revenue of \$599,295.05 is **78.8%** of the forecast for the entire 2024 Projected Budget of \$760,896.

Monthly Building Permits Issued

12/02/2024

Permit #	Address	Work Description	Applicant Name	Date Issued	Value	Amount Billed
PB24-03-418	6889 N 28TH ST	Install 18' x 36' inground pool with safety	Hometown Pools	11/22/2024	50,000.00	\$108.00
PB24-03-497	8736 E STURTEVANT AVE	New 1812 s.f. 2 story 4 bed, 2.5 bath	Allen Edwin Homes	11/04/2024	360,903.00	\$1,407.00
PB24-03-502	8746 E Sturtevant Ave	New 1860 s.f. 2 story 4 bed, 2.5 bath	Allen Edwin Homes	11/04/2024	364,968.00	\$1,423.00
PB24-03-503	8775 E Sturtevant Ave	New 2049 s.f. 1 story 4 bed, 2 bath single	Allen Edwin Homes	11/04/2024	301,483.00	\$1,175.00
PB24-03-507	6732 CHAFFEY CREEK TR	New 2383 s.f. 1 story 3 bed 3.5 bath single	AVB Inc.	11/12/2024	522,977.00	\$2,039.00
PB24-03-509	9623 STERLING AVE	RELOCATE TOILET ROOM IN	Hawks Hollow Builders	11/01/2024	0.00	\$182.00
PB24-03-511	6587 E HIDDEN LAKE CIR	Add 14 panel roof mounted solar array to	Helios Solar	11/05/2024	0.00	\$108.00
PB24-03-515	6456 BRIDLE TRL	40' x 60' post frame detached accessory	Schmucker Quality Construction LLC	11/06/2024	75,600.00	\$294.00
PB24-03-521	6006 N 24TH ST	New 40' x 72' x 16' sidewall post frame	ANDERSON, BRYCE	11/12/2024	90,720.00	\$375.00
PB24-03-526	8745 E Sturtevant Ave	New 1910 s/f two story home with 4	Allen Edwin Homes	11/21/2024	356,912.00	\$1,392.00
PB24-03-527	8761 E STURTEVANT AVE	New 1880 s/f two story home with 4	Allen Edwin Homes	11/21/2024	351,126.00	\$1,369.00
PB24-03-528	10552 WILDWOOD DR	Remodel main floor bathroom with new	Hawks Hollow Builders	11/14/2024	0.00	\$182.00
PB24-03-529	10070 DOUBLE DAY DR	New 2925 s.f. 1 story 3 bed, 2.5 bath	JONES, BRYAN M	11/27/2024	650,629.00	\$2,537.00
PB24-03-530	5762 E DE AVE	New 16' x 12' 3 season room addition per	Hutcherson Construction	11/22/2024	12,451.00	\$231.00
PB24-03-536	6578 HIDDEN LAKE CIR	Finihls approx 990 s.f. of exisitng	LOHMAN, CALEB & SARAH	11/19/2024	42,075.00	\$231.00
PB24-06-319	521 E MOSEL AVE	Construct 22' x 14' x 7' tall enclosure	FCC Construction Inc	11/06/2024	0.00	\$104.00
PB24-06-339	1822 ALAMO AVE	16' x 20' living room addition to nw corner	ABBAS, WAFAA	11/26/2024	33,897.00	\$362.00
PB24-06-501	1701 OLMSTEAD RD	Interior renovation and change of	Marvin Riedel	11/20/2024	0.00	\$846.00
PB24-06-505	1214 BARCLAY DR	Remove carport, replace roof and strip and	MANDEVILLE INVESTMENTS I	11/06/2024	0.00	\$231.00
PB24-06-514	1416 NASSAU ST	Re-roof: Redecking as	Lyster Contracting Inc	11/05/2024	0.00	\$182.00
PB24-06-517	2931 RIVERVIEW DR	Install carbon fiber basement foundation	Bluebird CFW/Troy Miller	11/05/2024	0.00	\$108.00
PB24-06-518	2711 CHAPARRAL ST	Renovation to existing finished basement	Mills Design & Management LLC	11/13/2024	0.00	\$182.00
PB24-06-531	3150 MEADOWCROFT LN	New 25 panel roof mounted solar array	Ambia Energy, LLC	11/27/2024	0.00	\$108.00
PB24-06-537	3618 CROYDEN AVE	Tear off exisiting shingles & reroof with	VanBecks Roofing & Siding	11/19/2024	0.00	\$108.00
PB24-06-553	2107 BROOK DR	Repair damage to exterior bearing wall	John Grace Construction	11/22/2024	0.00	\$182.00
PB24-07-512	5437 COMSTOCK AVE	Repair wall damage to structure due to	Glas Associates	11/01/2024	0.00	\$182.00
PB24-07-513	8870 E MAIN ST	Completion of 480 s/f addition with 1	POPE JODIE TRUST	11/01/2024	0.00	\$269.00
PB24-07-516	5581 E MAIN ST	Complete interior and exterior renovation	CR SELECT INVESTMENTS LLC	11/06/2024	62,256.00	\$375.00

PB24-07-519	6708 E G AVE	Install 1 internally illuminated pylon sign	Sign Art, Inc.	11/15/2024	0.00	\$182.00
PB24-07-524	6093 E L AVE	Install 302 panel ground mounted solar	Penters LLC	11/18/2024	0.00	\$108.00
PB24-07-525	5886 MARKET ST	Install 324 panel ground mounted solar	Penters LLC	11/18/2024	0.00	\$108.00
PB24-07-532	4726 BATTENKILL DR	REMOVE FRONT DOOR, REFRAME	Tichenor Inc	11/20/2024	0.00	\$182.00
PB24-07-551	370 LEENHOUTS ST	Remove pitched roof over back porch,	Tyler Home Improvements	11/27/2024	0.00	\$231.00
PB24-07-552	3362 N 35TH ST	Remodel of the existing sunroom that	Pennings & Sons INC	11/22/2024	55,000.00	\$278.00
PB24-20-419	15060 31ST ST	New 576 s/f studio apartment with 1 full	VANHEUKELUM MARC & MICHELE	11/22/2024	63,176.00	\$373.00

Number of Permits: 35

Total Billed: \$17,754.00

Total Construction Value

\$3,394,173.00

Population: All Records

Permit.DateIssued in <Previous month> [11/01/24 - 11/30/24]

AND

Permit.PermitType = Building

Monthly Trade Permits Issued

12/02/2024

Permit #	Address	Work Description	Applicant Name	Date Issued	Amount Billed
<u>Electrical</u>					
PE24-03-511	6185 MEDINAH LN	New home w/ generator	Morgan Electrical Services Inc	11/04/2024	\$393.00
PE24-03-515	6587 E HIDDEN LAKE CIR	Adding 14 roof mounted solar panels to existing array	Bowker Electric LLC	11/06/2024	\$126.00
PE24-03-516	9421 FRAULIN DR	Demo/rebuild. Service being fed from existing panel in	VANDERLUGT, DOUG & SAND	11/05/2024	\$410.00
PE24-03-522	8773 E B AVE	EV charger install	Hi-Tech Electric	11/06/2024	\$121.00
PE24-03-525	9394 WHIM TRL	Kitchen remodel	Signature Wiring	11/08/2024	\$264.00
PE24-03-527	10605 WILDWOOD DR	Generator install	Motor Shop Electric	11/12/2024	\$125.00
PE24-03-528	9394 WHIM TRL	Low voltage speaker wiring and network wiring	Integrated Smart Technologies, LLC	11/13/2024	\$176.00
PE24-03-530	9070 N 34TH ST	New home	H & M Electrical	11/14/2024	\$373.00
PE24-03-533	9623 STERLING AVE	Bathroom Remodel	Signature Wiring	11/19/2024	\$176.00
PE24-03-541	8775 E Sturtevant Ave	New home	Consolidated Electrical Contractors	11/22/2024	\$361.00
PE24-03-542	8736 E STURTEVANT AVE	New home	Consolidated Electrical Contractors	11/22/2024	\$361.00
PE24-03-543	8746 E Sturtevant Ave	New home	Consolidated Electrical Contractors	11/22/2024	\$361.00
PE24-03-550	9432 W GULL LAKE DR	Temp service/temp poleER# 1072081235	ROC Electric LLC	11/27/2024	\$125.00
PE24-06-514	1018 GAYLE AVE	Replace existing receptacles, install new light fixtures &	Buford Electrical Services	11/04/2024	\$127.00
PE24-06-523	202 W MOSEL AVE	Replacing mast	LUZ, HILARIO SANDOVAL	11/06/2024	\$120.00
PE24-06-526	1015 ASHLEY DR	Addition: Service upgrade, mini split, smoke detectors,	Hammond Electric	11/25/2024	\$273.00
PE24-06-535	2312 KENWOOD ST	Generator install	Duthler Electric LLC	11/19/2024	\$125.00
PE24-06-536	1822 ACADEMY ST	Fire: Unit 5rework wiring for water heater	A + Electric	11/20/2024	\$119.00
PE24-06-537	816 COOPER AVE	Relocate 100 AMP panel, wire kitchen, bathroom, and	Webster Electric Co	11/21/2024	\$324.00
PE24-06-539	2500 LAKE/Animal Control	Adding outlets and lights in garage	Moore Electrical Service	11/21/2024	\$121.00
PE24-06-540	2700 N PITCHER ST	Adding 12 DC low voltage circuits and 12 AC circuits in	Airway Solutions	11/21/2024	\$230.00
PE24-06-546	708 NICHOLS RD	Re-wiring and adding outlets in kitchen	Heyboer & Komdeur Electric	11/25/2024	\$209.00
PE24-06-549	3150 MEADOWCROFT LN	Roof mounted solar array	Ambia Energy, LLC	11/27/2024	\$126.00
PE24-07-512	8868 E MAIN ST	Generator install11/25: Per Eric @ Steensma, add panel	Steensma Lawn & Power	11/04/2024	\$135.00
PE24-07-517	10325 CRAVEN WAY	New home	Consolidated Electrical Contractors	11/06/2024	\$361.00
PE24-07-518	10335 CRAVEN WAY	New home	Consolidated Electrical Contractors	11/06/2024	\$361.00
PE24-07-519	10345 CRAVEN WAY	New home	Consolidated Electrical Contractors	11/06/2024	\$361.00
PE24-07-520	10295 CRAVEN WAY	New home	Consolidated Electrical Contractors	11/06/2024	\$361.00
PE24-07-521	10305 CRAVEN WAY	New home	Consolidated Electrical Contractors	11/06/2024	\$361.00
PE24-07-524	112 FAIRMONT AVE	Basement bedroom, bath, and living room	SEAGER JACOB & TAMARA &	11/08/2024	\$202.00
PE24-07-531	6708 E G AVE	1 internally illuminated pylon sign and 1 internally	Sign Art, Inc.	11/15/2024	\$130.00
PE24-07-532	4658 BATTENKILL DR	100 AMP service upgrade and generator install	Webster Electric Co	11/15/2024	\$195.00

PE24-07-544	6727 E MAIN ST	Demo/rebuild of detached garage	Pryor & Osborn Electric LLC	11/25/2024	\$256.00
PE24-07-545	3620 N 26TH ST	Generator install	Steensma Lawn & Power	11/25/2024	\$125.00
PE24-07-547	383 COURTNEY ST	3 season room	Diamond Electric	11/26/2024	\$181.00
PE24-07-548	8500 E H AVE	800 AMP/480 Volt service upgradeER# 1071083924	Hi-Tech Electric	11/27/2024	\$148.00
PE24-19-534	7630 RICHLAND WOODS C	EV charger install	Bazen Electric Company	11/19/2024	\$125.00
PE24-20-513	33437 6TH AVE	Generator install	Michigan Critical Power	11/04/2024	\$125.00
PE24-20-529	9122 32ND ST	Generator install	Steensma Lawn & Power	11/14/2024	\$125.00
PE24-20-538	24999 CR 388	New homeER # 1071252639	Consolidated Electrical Contractors	11/21/2024	\$486.00

Number of Permits: 40

Total Billed: \$9,184.00

Mechanical

PM24-03-829	5600 E G AVE	Furnace & AC replacementLOCATION: 5617	Royal Comfort Mechanical	11/04/2024	\$170.00
PM24-03-857	6508 CHAFFEY CREEK TRI	New home w/ radiant floor heat	JL Nieboer & Sons Heating & Coolir	11/04/2024	\$535.00
PM24-03-858	6431 STURBRIDGE DR	Water heater replacement	Vredevoogd Heating & Cooling	11/05/2024	\$116.00
PM24-03-861	7650 COTTONWOOD ST	Furnace replacement	Vredevoogd Heating & Cooling	11/05/2024	\$140.00
PM24-03-883	6568 E HIDDEN LAKE CIR	Prefab fireplace	Williams Distributing	11/18/2024	\$200.00
PM24-03-892	9623 STERLING AVE	Venting 2 bath fans	Metzger's Heating & Cooling	11/22/2024	\$120.00
PM24-03-893	9421 FRAULIN DR	Demo/rebuild of home	Metzger's Heating & Cooling	11/22/2024	\$305.00
PM24-03-896	5249 PINEARBOR RDG	Furnace replacement	Dan Wood Co	11/22/2024	\$140.00
PM24-03-897	6400 N 32ND ST	Furnace & AC replacement	Vredevoogd Heating & Cooling	11/25/2024	\$170.00
PM24-03-899	9568 STERLING AVE	LP tank set	Crystal Flash	11/25/2024	\$130.00
PM24-03-901	5707 N 32ND ST	Furnace replacement	Rogers Refrigeration	11/25/2024	\$140.00
PM24-03-902	6328 MEDINAH LN	Pool heater	Chris Moberg Heating & Air	11/25/2024	\$145.00
PM24-06-807	3311 OLD FARM RD	Generator install	Alliance Electric Of Michigan	11/05/2024	\$145.00
PM24-06-830	127 N DARTMOUTH ST	Water heater replacement	Nieboer Heating & Cooling	11/01/2024	\$116.00
PM24-06-836	1032 CLEARVIEW ST	Water heater replacement	Nieboer Heating & Cooling	11/04/2024	\$116.00
PM24-06-844	4126 GRAND PRAIRIE RD	Furnace replacement	Nieboer Heating & Cooling	11/04/2024	\$140.00
PM24-06-846	222 S KENDALL #31	Furnace replacement	DeHaan Heating & Cooling	11/04/2024	\$140.00
PM24-06-849	222 S KENDALL #37	Furnace replacement	DeHaan Heating & Cooling	11/04/2024	\$140.00
PM24-06-852	2407 CLARK AVE	Furnace, AC, & humidifier replacement	Service Professor	11/04/2024	\$180.00
PM24-06-853	524 WEALTHY AVE	Furnace, AC, & humidifier replacement	Bel Aire Heating & Air	11/04/2024	\$180.00
PM24-06-855	4916 WESTON AVE	Furnace replacement & install humidifier	Temperature Pro	11/04/2024	\$150.00
PM24-06-860	546 DWILLARD DR	Furnace & AC replacement	Vredevoogd Heating & Cooling	11/05/2024	\$170.00
PM24-06-862	1302 BAKER DR	Furnace, chimney liner, & humidifier replacement	SGI Heating & Cooling	11/05/2024	\$155.00
PM24-06-866	2225 CORN CRIB LANE	Furnace replacement	Rogers Refrigeration	11/07/2024	\$140.00
PM24-06-868	1822 ACADEMY ST	Furnace, AC, ductwork & dryer ventUnit 1	Anthony Brust	11/08/2024	\$265.00
PM24-06-869	2500 LAKE/Animal Control	Install new 1 1/4" underground plastic gas line	W Soule & Company	11/12/2024	\$195.00

PM24-06-870	3708 DEVONSHIRE AVE	Water heater replacement	Home Energy Solutions	11/12/2024	\$116.00
PM24-06-872	2109 SCHIPPERS LN	Remodel: new furnace, seal all joints and ductwork and	George Wade Builders	11/12/2024	\$241.00
PM24-06-873	3308 W MAIN 303	Water heater replacement	Royal Comfort Mechanical	11/21/2024	\$116.00
PM24-06-875	1415 GRAND PRE AVE	Water heater replacement	Vredevoogd Heating & Cooling	11/13/2024	\$116.00
PM24-06-876	2962 MEADOWCROFT LN	Furnace replacement	Temperature Pro	11/13/2024	\$140.00
PM24-06-880	214 LOCHCARREN CT APT	Water heater replacement	Nieboer Heating & Cooling	11/18/2024	\$116.00
PM24-06-881	1214 BARCLAY DR	Furnace, AC, duct work, & gas piping	Charles Cool	11/15/2024	\$260.00
PM24-06-882	3106 OLD FARM RD.	Water heater replacement	Metzger's Heating & Cooling	11/18/2024	\$116.00
PM24-06-886	1902 COLGROVE AVE 112	P-Tac replacement	Bel Aire Heating & Air	11/21/2024	\$120.00
PM24-06-887	1925 Elkerton Ave 213	P-Tac replacement	Bel Aire Heating & Air	11/21/2024	\$120.00
PM24-06-891	912 DWILLARD DR	Furnace replacement	Nieboer Heating & Cooling	11/25/2024	\$140.00
PM24-06-895	3132 EDLING DR.	Water heater replacement	Vredevoogd Heating & Cooling	11/22/2024	\$116.00
PM24-06-904	1623 MARYWOOD ST	Humidifier replacement	Home Energy Solutions	11/25/2024	\$120.00
PM24-06-905	4110 WINDING WAY	Furnace, AC, & humidifier replacement	Bel Aire Heating & Air	11/26/2024	\$180.00
PM24-06-908	2802 VALLEY GLENN CIR	Water heater replacement	Vredevoogd Heating & Cooling	11/26/2024	\$116.00
PM24-06-909	3308 W MAIN 101	Furnace replacement	Royal Comfort Mechanical	11/26/2024	\$140.00
PM24-07-722	6065 GULL RD	Replace stock room fire sprinkler heads and sprinkler main	Brave Fire Protection	11/26/2024	\$892.00
PM24-07-793	670 DANIEL ST	Water heater replacement	Aire Serv - Benjamin Farrer	11/05/2024	\$116.00
PM24-07-847	1795 PRESCOTT TRL	New home	B & A Mechanical	11/01/2024	\$291.00
PM24-07-848	6441 MEADOWVIEW AVE	2 zone mini split	Temperature Pro	11/04/2024	\$140.00
PM24-07-850	8868 E MAIN ST	Generator install	Steensma Lawn & Power	11/04/2024	\$145.00
PM24-07-854	9506 TREETOP DR	Water heater replacement	Bel Aire Heating & Air	11/04/2024	\$116.00
PM24-07-856	528 WOODLARK ST	Furnace & return air replacement	Bel Aire Heating & Air	11/04/2024	\$165.00
PM24-07-859	10120 SHADOWLANE AVE	Water heater replacement	Temperature Pro	11/05/2024	\$116.00
PM24-07-864	428 WORDEN AVE	Furnace replacement	Dan Wood Co	11/06/2024	\$140.00
PM24-07-865	6708 E G AVE	Gas piping for Planet Fitness	D & M Plumbing Specialists, Inc	11/06/2024	\$215.00
PM24-07-867	10040 E HJ AVE	New home w/ fireplace	Premier Heat & Cool, LLC	11/07/2024	\$400.00
PM24-07-871	3702 SARATOGA AVE	Furnace replacement	Nieboer Heating & Cooling	11/14/2024	\$140.00
PM24-07-877	2845 S 26TH ST	Furnace, air cleaner, & humidifier replacement	JP Heating & Air Conditioning Inc	11/14/2024	\$160.00
PM24-07-878	1855 ORISTA DR	New home	B & A Mechanical	11/15/2024	\$280.00
PM24-07-879	10340 CRAVEN WAY	New home	B & A Mechanical	11/15/2024	\$280.00
PM24-07-884	5460 GULL RD	Interior buildout for Ivy Physical Therapy	Alex Marchwinski	11/19/2024	\$162.00
PM24-07-885	5786 E HJ AVE	Furnace replacement	Vredevoogd Heating & Cooling	11/20/2024	\$140.00
PM24-07-889	5591 E H AVE	Furnace & AC replacement	Dan Wood Co	11/21/2024	\$170.00
PM24-07-890	6382 CRESTWOOD AVE	Furnace & AC replacement	Temperature Pro	11/21/2024	\$170.00
PM24-07-898	3620 N 26TH ST	Generator install	Steensma Lawn & Power	11/25/2024	\$145.00
PM24-07-906	3909 COUNTRY MEADOWS	Furnace & humidifier replacement	Service Professor	11/26/2024	\$150.00
PM24-07-907	2488 GAYWOOD ST	Furnace & humidifier replacement	Vredevoogd Heating & Cooling	11/26/2024	\$150.00

PM24-18-894	205 DEVON	Furnace replacement	Service Professor	11/22/2024	\$140.00
PM24-19-863	9482 RICHWOOD AVE	Furnace replacement	Nieboer Heating & Cooling	11/08/2024	\$140.00
PM24-20-785	31395 CR 388	New LP tank set	Crystal Flash	11/04/2024	\$130.00
PM24-20-843	27773 NORTH ST	Furnace replacement	Service Professor	11/04/2024	\$140.00
PM24-20-845	15186 31ST ST	Line for propane tank	Excel Propane	11/01/2024	\$130.00
PM24-20-851	13932 29TH ST	New line from tank to generator	Crystal Flash	11/04/2024	\$130.00
PM24-20-874	25681 CHATY LN	Furnace & humidifier replacement	Vredevoogd Heating & Cooling	11/13/2024	\$150.00
PM24-20-888	24999 CR 388	LP tank install	Excel Propane	11/21/2024	\$130.00
PM24-20-900	22010 PAULSON RD	Line from tank to generator	Crystal Flash	11/25/2024	\$135.00

Number of Permits: 73

Total Billed: \$12,724.00

Plumbing

PP24-03-380	9394 WHIM TRL	Kitchen remodel	Portage Plumbing	11/07/2024	\$205.00
PP24-03-382	8736 E STURTEVANT AVE	Sewer connection	Allen Edwin Homes	11/04/2024	\$115.00
PP24-03-383	8746 E Sturtevant Ave	Sewer connection	Allen Edwin Homes	11/04/2024	\$115.00
PP24-03-384	8775 E Sturtevant Ave	Sewer connection	Allen Edwin Homes	11/04/2024	\$115.00
PP24-03-392	8037 ENGELWOOD AVE	Water heater replacement	Dale W Hubbard Inc	11/04/2024	\$115.00
PP24-03-401	8559 N 32ND ST	Water heater replacement	Aker Mechanical Inc	11/12/2024	\$115.00
PP24-03-402	8557 N 32ND ST	Water heater replacement	Aker Mechanical Inc	11/12/2024	\$115.00
PP24-03-403	9659 E D AVE	Water heater replacement	Aker Mechanical Inc	11/12/2024	\$115.00
PP24-03-405	7532 E C AVE	Remodel of main floor bath and clean up some water	Priority Plumbing & Mechancial	11/12/2024	\$190.00
PP24-03-406	9623 STERLING AVE	Master bath remodel	Portage Plumbing	11/12/2024	\$195.00
PP24-03-408	9070 N 34TH ST	New home	Elite Plumbing	11/13/2024	\$318.00
PP24-03-409	10438 COUNTRY CLUB DR	New home	Elite Plumbing	11/13/2024	\$348.00
PP24-03-410	6583 CHAFFEY CREEK TRI	New home	Elite Plumbing	11/13/2024	\$353.00
PP24-03-411	8761 E STURTEVANT AVE	Sewer connection	Allen Edwin Homes	11/21/2024	\$115.00
PP24-03-412	8745 E Sturtevant Ave	Sewer connection	Allen Edwin Homes	11/21/2024	\$115.00
PP24-03-415	8736 E STURTEVANT AVE	New home	Superior Plumbing Services	11/22/2024	\$260.00
PP24-03-416	8746 E Sturtevant Ave	New home	Superior Plumbing Services	11/22/2024	\$325.00
PP24-03-418	8775 E Sturtevant Ave	New home	Superior Plumbing Services	11/22/2024	\$309.00
PP24-03-420	10552 WILDWOOD DR	Main and 2nd floor bath remodel	Portage Plumbing	11/20/2024	\$200.00
PP24-03-423	6921 WILD PLUM RDG	Water heater replacement	Dale W Hubbard Inc	11/22/2024	\$115.00
PP24-06-390	1338 GRAND PRE AVE	Water heater replacement	Dale W Hubbard Inc	11/01/2024	\$115.00
PP24-06-394	708 NICHOLS RD	Kitchen remodel	Lameyer Plumbing	11/04/2024	\$185.00
PP24-06-395	3416 Country View	Water heater replacement	Service Professor	11/05/2024	\$115.00
PP24-06-396	1335 CLIMAX AVE	Water heater replacement	Bergsma Plumbing	11/05/2024	\$115.00
PP24-06-404	3520 SHADOW BEND DR A	Water heater replacement	Service Professor	11/12/2024	\$115.00

PP24-06-413	2303 CLARK AVE	Water heater replacement	Dale W Hubbard Inc	11/15/2024	\$115.00
PP24-06-414	444 N BERKLEY ST	Water heater replacement	Dale W Hubbard Inc	11/15/2024	\$115.00
PP24-06-417	1112 CHRYSLER ST	Water heater replacement	Dale W Hubbard Inc	11/19/2024	\$115.00
PP24-06-419	2109 SCHIPPERS LN	Remodel	Portage Plumbing	11/20/2024	\$223.00
PP24-06-421	905 ARTHUR AVE	Water heater replacement	Bergsma Plumbing	11/22/2024	\$115.00
PP24-06-424	2657 HICKORY NUT LANE	Water heater replacement	Dale W Hubbard Inc	11/25/2024	\$115.00
PP24-07-385	10305 CRAVEN WAY	New home	Superior Plumbing Services	11/04/2024	\$325.00
PP24-07-386	10325 CRAVEN WAY	New home	Superior Plumbing Services	11/04/2024	\$325.00
PP24-07-387	10335 CRAVEN WAY	New home	Superior Plumbing Services	11/04/2024	\$325.00
PP24-07-388	10295 CRAVEN WAY	New home	Superior Plumbing Services	11/04/2024	\$325.00
PP24-07-389	10345 CRAVEN WAY	New home	Superior Plumbing Services	11/04/2024	\$325.00
PP24-07-391	5400 PERCY AVE	Water heater replacement	Dale W Hubbard Inc	11/04/2024	\$115.00
PP24-07-393	2913 HUNTERS PL	Water heater replacement	Dale W Hubbard Inc	11/04/2024	\$115.00
PP24-07-397	6708 E G AVE	New construction: Planet Fitness	D & M Plumbing Specialists, Inc	11/06/2024	\$437.00
PP24-07-398	5623 GULL RD	Replacing 100 gal. water heater with 2 tankless	Mitchell Simon	11/06/2024	\$120.00
PP24-07-399	112 FAIRMONT AVE	Basement finish	Clyde Hanger Plumbing & Heating	11/07/2024	\$260.00
PP24-07-400	5980 JACILLE AVE	Water heater replacement	Rhino's Plumbing	11/08/2024	\$115.00
PP24-07-407	10040 E HJ AVE	Uitlity Building - 1-1/2 baths in barn with kitchen	Devries Plumbing	11/13/2024	\$285.00
PP24-18-422	610 KEYES DR	replacing sewer connection	BUONVICINO, JEAN	11/21/2024	\$115.00

Number of Permits: 44

Total Billed: \$8,483.00

Number of Permits: 157

Total Billed: \$30,391.00

Population: All Records

Permit.PermitType = Electrical OR

Permit.PermitType = Mechanical OR

Permit.PermitType = Plumbing

AND

Permit.DateIssued in <Previous month> [11/01/24 - 11/30/24]

Monthly Property Maintenance Requests

12/02/2024

Special Permit

Permit #	Job Address	Parcel Number	Owner	Date Entered	Fee Total
PS23-07-080	675 REX AVE	07-18-376-341	HAYES MARGARET E	12/05/2023	\$400.00
Work Description:	Property Maintenance request from Comstock				
Inspections:	11/26/2024	Court Appearance	Disapproved		
Inspections:	11/25/2024	Property Maintenance Inspectio	Disapproved		
Inspections:	11/18/2024	Court Appearance	Disapproved		
Inspections:	12/06/2023	Property Maintenance Inspectio	Disapproved		
PS24-06-024	930 AVONDALE DR	06-13-215-690	SCHANTZ, THOMAS E. 8	04/12/2024	\$300.00
Work Description:	Property Maintenance request from Kalamazoo				
Inspections:	11/21/2024	Property Maint. Re-inspection	Partially Approved		
Inspections:	10/28/2024	Court Appearance	Disapproved		
Inspections:	08/09/2024	Court Appearance	Disapproved		
Inspections:	04/17/2024	Property Maintenance Inspectio	Disapproved		
PS24-06-066	2337 CARLETON AVE	06-24-306-020	SEHY RONALD D & ROS	08/02/2024	\$200.00
Work Description:	Property Maintenance request from Kalamazoo				
Inspections:	11/01/2024	Court Appearance	Disapproved		
Inspections:	08/05/2024	Property Maintenance Inspectio	Disapproved		
PS24-06-096	2104 Sunnyside B14	06-12-180-050	COUNTRY MEADOW, L.L.C.	11/20/2024	\$100.00
Work Description:	Property Maintenance request from Kalamazoo				
Inspections:	11/21/2024	Property Maintenance Inspectio	Disapproved		
PS24-07-048	5892 COMSTOCK AVE	07-19-290-430	PECK LARRY & TERRY	06/03/2024	\$400.00
Work Description:	Property Maintenance request from Comstock				
Inspections:	11/12/2024	Property Maint. Re-inspection	Approved		
Inspections:	10/24/2024	Property Maint. Re-inspection	Disapproved		
Inspections:	10/02/2024	Property Maint. Re-inspection	Disapproved		

Total Permits For Type: 5

Total Fees For Type: \$1,400.00

Report Summary

Grand Total Fees: \$1,400.00

Grand Total Permits: 5

Population: All Records

Permit.PermitType = Special
Permit AND

Permit.Category = Jurisdiction
Request AND

Inspection.DateTimeScheduled

Between 11/01/2024 AND

11/30/2024

Monthly Special Permit - Owner Request

12/02/2024

Special Permit

Permit #	Job Address	Parcel Number	Owner	Date Entered	Fee Total
PS24-03-094	9432 W GULL LAKE DR	03-12-260-110	DOCTOR, UMAKANT & :	11/15/2024	\$60.00
Work Description:	Meter socket inspection				
Inspections:	11/18/2024	Meter Socket Inspection	Disapproved		
PS24-06-093	1229 FOSTER AVE	06-24-445-090	CKT REAL ESTATE	11/13/2024	\$60.00
Work Description:	Meter socket inspection				
Inspections:					
PS24-06-097	1214 BARCLAY DR	06-11-130-180	MANDEVILLE INVESTM	11/26/2024	\$60.00
Work Description:	Meter socket inspection - electric off since May 2024				
Inspections:	12/02/2024	Meter Socket Inspection	Approved		
PS24-07-098	250 WORDEN AVE	07-17-368-045	SHROUT WILLIAM DOU	11/27/2024	\$60.00
Work Description:	Meter socket inspection				
Inspections:	12/02/2024	Meter Socket Inspection	Approved		
PS24-20-095	9633 34TH ST	80-15-018-009-45	FERRARI PHILIP	11/18/2024	\$60.00
Work Description:	Meter socket inspection on out building				
Inspections:	11/25/2024	Meter Socket Inspection	Disapproved		

Total Permits For Type: 5

Total Fees For Type: \$300.00

Report Summary

Population: All Records

Permit.DateIssued Between
11/1/2024 12:00:00 AM AND
11/30/2024 11:59:59 PM
AND

Permit.Category = Meter Socket
Inspection OR

Permit.Category = Hood
Suppression OR

Permit.Category = Special Permit
OR

Permit.Category = Owner Request

Grand Total Fees: \$300.00

Grand Total Permits: 5

2025 Board Meeting Schedule



PUBLIC MEETING NOTICE

The Kalamazoo Area Building Authority (KABA) Board of Directors approved the following meeting dates for 2025 on :

3rd Tuesday of the Month

Meeting Date	Meeting Date	Meeting Date	Meeting Date
Jan 21, 2025	April 15, 2025	July 15, 2025	Oct 21, 2025
Feb 18, 2025	May 20, 2025	Aug 19, 2025	Nov 18, 2025
Mar 18, 2025	June 17, 2025	Sept 16, 2025	Dec 16, 2025

Meetings will begin at 2:00 p.m. at the Kalamazoo Area Building Authority offices:
2322 Nazareth Road, Kalamazoo, MI 49048

Engagement Letter – Siegfried Crandall

No change in rates from 2023

SiegfriedCrandallPC

Certified Public Accountants & Advisors

246 E. Kilgore Road
Portage, MI 49002-5599
www.siegfriedcrandall.com

Telephone 269-381-4970
800-876-0979
Fax 269-349-1344

December 10, 2024

Members of the Authority Board
Kalamazoo Area Building Authority
2322 Nazareth Road
Kalamazoo, MI 49048

We are pleased to confirm our understanding of the services we are to provide the Kalamazoo Area Building Authority. This engagement letter sets forth the engagement's objective and scope of services, identifies management's responsibilities during the engagement, explains the limitations of the engagement, and presents the fees for our services.

Engagement objective

The objective of our engagement is to provide the Kalamazoo Area Building Authority with ongoing accounting services.

Scope of services

We will provide the following services, from information you have provided to us, for the fiscal year ending December 31, 2024:

- Preparation of financial statements, including the related notes to the financial statements, and supporting work papers to be provided to the Authority's independent auditor
- Assistance with the preparation of the Management's Discussion and Analysis
- Preparation and filing of forms for submission to the State, including Form 5047

We will also provide accounting assistance, as needed throughout the year, which includes the following: special projects, review of budgets, cash receipts, cash disbursements, payroll, and provide assistance to the Authority's director and accountant.

Limitations

None of the services described above can be relied upon to disclose errors, fraud, or illegal acts. However, we will inform you of any material errors and of any evidence or information that comes to our attention during the performance of these services. In addition, we will inform you of any evidence or information that comes to our attention during the performance of these services regarding illegal acts that may have occurred. We have no responsibility to identify and communicate significant deficiencies or material weaknesses in your internal control as part of this engagement.

Management's responsibilities

Management is responsible for establishing and maintaining internal controls, including monitoring ongoing activities. Management is also responsible for making all management decisions and for performing all management functions. You are required to designate a competent individual with the following specific responsibilities regarding the services we will perform in connection with this engagement:

1. Oversee the services we will perform
2. Evaluate the adequacy and results of the services
3. Accept responsibility for the results of the services

Administration, fees, and other

Our fees for these services will be based on the actual time spent at our standard hourly rates, which vary according to the degree of responsibility involved and the experience level of the personnel assigned to this engagement. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation.

The hourly rates for our governmental team are as follows:

	<u>Standard</u>	<u>Discounted</u>
Shareholder	\$250	\$170
Associate/Manager	\$175	\$135
Staff Accountant	\$135	\$110

We will be available throughout the contract period to provide the Authority with advice and guidance on financial accounting and reporting issues. Joel Frederickson will be responsible for responding to the Authority's phone calls and e-mail communications, which will not be billed separately, in a timely manner.

We appreciate the opportunity to be of service to the Kalamazoo Area Building Authority and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

The terms communicated in this letter will remain in effect until mutually modified or canceled by either party.

Sincerely,

SIEGFRIED CRANDALL P.C.



Joshua H. Gabrielse, Shareholder

RESPONSE:

This letter correctly sets forth the understanding of the Kalamazoo Area Building Authority.

By: _____

Title: _____

Date: _____

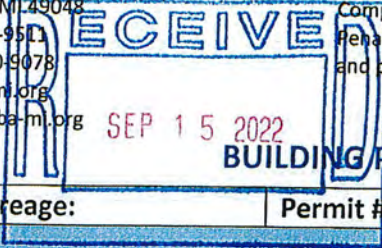
Business: Item E



2322 Nazareth Road
 Kalamazoo, MI 49048
 Ph: 269-216-9511
 Fax: 269-250-9078
 www.kaba-mi.org
 permits@kaba-mi.org

Authority: 1972 PA 230
 Completion: Mandatory to obtain permit
 Penalty: Application must be completed, signed,
 and proper fee paid, or permit will not be issued

A



BUILDING PERMIT APPLICATION

Parcel# 07-11-380-075 Acreage: _____ Permit # B

Project Information

Address: 1701 N 33rd ST Jurisdiction: COMSTOCK
 Applicant: Owner Architect Licensee Agent

Identification

A. Owner/Lessee/Agent
 Name: Ben Martin Telephone: 269-348-1567
 Address: (if different from above) _____ Email: Sales@SoilFriends.com
 City: Galesburg State: MI Zip Code: 49053

B. Architect/Engineer
 Name: Jeff Crites AIA, LEED AP Telephone: _____
 Address: 5945 W Main E-mail: _____
 City: Kalamazoo State: MI Zip Code: _____
 License #: _____ Expiration Date: _____

C. Contractor /Licensee

Company/Contractor Name: _____ Telephone: _____
 Address: _____ E-mail: _____
 City: _____ State: _____ Zip Code: _____
 License Name and #: _____ Expiration Date: _____
 FEIN: _____ W/C Insurance: _____ UIA/MESC #: _____

Type of Work **Construction Valuation \$**

<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial (Construction Type: _____ Use Group: _____ Occ. Load: _____)	
<input type="checkbox"/> New Building	<input type="checkbox"/> Deck	<input type="checkbox"/> Manufactured
<input checked="" type="checkbox"/> Addition	<input type="checkbox"/> Demolition	<input type="checkbox"/> Re-Roofing
<input checked="" type="checkbox"/> Alteration	<input type="checkbox"/> Detached Garage/Accessory Bldg.	<input type="checkbox"/> Siding
<input type="checkbox"/> Fence	<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Foundation Only
<input type="checkbox"/> Other: _____		<input type="checkbox"/> Sign

Dimensions

Floor Area

Basement: (width) _____ x (depth) _____ = _____ square feet
 Is the basement finished? _____

1st Floor: (width) _____ x (depth) _____ = _____ square feet

2nd Floor: (width) _____ x (depth) _____ = _____ square feet

Garage: (width) _____ x (depth) _____ = _____ square feet

Setbacks

Front: _____ Left Side: _____ Right Side: _____ Rear: _____

Description of Work

Please provide a brief description of the work: Working venue, farm market

** No work shall be started until a permit has been obtained, and work shall not be concealed until it has been inspected.

** When ready for an inspection, call KABA, providing a 24 hour notice. KABA will need the job location and/or permit number.

** Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the times the work is commenced.

** \$50.00 of the permit fee is non-refundable for cancelled permits.

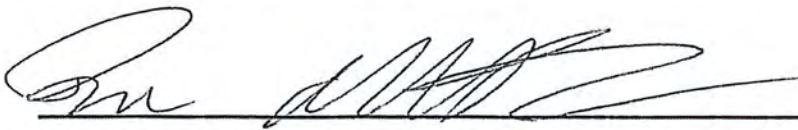
** "As Built" plans are required before a Certificate of Occupancy is issued for all commercial projects and any residential projects that have had changes made to the original drawings.

** One Courtesy Re-Inspection per Type with a \$55 Fee for every Re-Inspection Following

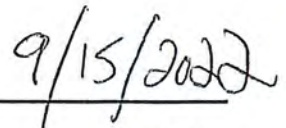
Section 23a of the State Construction Code Act of 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT. WE AGREE TO COMPLY WITH ALL APPLICABLE ORDINANCES OF THE LOCAL JURISDICTION IN WHICH THIS PROPERTY IS LOCATED, AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN. ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

WITH MY SIGNATURE BELOW, I HEREBY CERTIFY THAT THE PROPOSED PROJECT WILL ADHERE TO ALL REQUIREMENTS OF THE CURRENT MICHIGAN BUILDING CODE.



Licensee/Homeowner Signature



Date

Permit Fee

Approval Signature

Date

B

Mike Alwine

From: Jodi Stefforia <jstefforia@comstockmi.gov>
Sent: Monday, September 19, 2022 3:01 PM
To: Ben Martin
Cc: Mike Alwine; Ordinance Officer
Subject: FW: Approval for expanded activity at 1701 N 33rd Street
Attachments: 1a Planning and Zoning Application Form FILLABLE_Sept2020.pdf; 1d Site Plan Review Checklist (Oct 2018).pdf; 1e Site Plan Info-Kal Cnty&SOM (7-2018).pdf; Event Barns in AGR district.pdf

Ben,

KABA has provided a copy of the permit you requested for establishing a wedding venue at the above address. The permit(s) cannot be issued unless and until the Planning Commission grants special exception use and site plan approval. For your convenience, I have included the earlier email I sent addressing the requirements and process, including the attachments.

Jodi Stefforia
Comstock Township Community Development Director
269-381-2360



From: Jodi Stefforia
Sent: Thursday, April 7, 2022 12:47 PM
To: Ben Martin <sales@soilfriends.com>
Cc: Ordinance Officer <ordofficer@comstockmi.gov>
Subject: RE: Approval for expanded activity at 1701 N 33rd Street

Ben,

I have attached the zoning ordinance provisions for an event barn. Please read them over as you prepare your application, narrative and site plan. I have also attached the site plan review checklist. Some of the checklist items will not be applicable, but most will.

Event barns are a special exception use subject to Planning Commission approval. The Planning Commission meets the 2nd and 4th Thursday of the month. Application deadline is one month. Agendas are filled as applications come in and space is first come first serve. Special use fee is \$500; site plan review fee is also \$500.

I will state again, however, that before this project is considered by the Planning Commission you should have met with the Building Official so that you and the Planning Commission are aware of the building modifications that are necessary for this expanded/change in use of the barn.

Please let me know if you have any questions. I look forward to walking your through this process.

Jodi Stefforia
Comstock Township Community Development Director
269-381-2360



From: Ben Martin <sales@soilfriends.com>
Sent: Friday, April 1, 2022 1:58 PM
To: Mike Alwine <malwine@kaba-mi.org>
Cc: Jodi Stefforia <jstefforia@comstockmi.gov>; Ordinance Officer <ordofficer@comstockmi.gov>
Subject: Re: Approval for expanded activity at 1701 N 33rd Street

Thank you for the information. This would be something new for our farm so we will remove it from our offering for the time being and not hold private events until we have gone through the process necessary to do so. We will continue on with our current farm operation as is without this concept until permitted to do so. Looking forward to working with you all in the near future.

On Fri, Apr 1, 2022 at 1:01 PM Mike Alwine <malwine@kaba-mi.org> wrote:

Ben,

Greetings, your proposed use would constitute a Change of Occupancy category which will require a Code Compliance plan design by a registered design professional (state licensed architect or engineer) demonstrating compliance and detailing what changes are necessary to comply with the code provision for life and fire safety, egress, ADA compliance, plumbing fixture compliance, etc.

Feel free to contact me should you have questions.

Regards,

Mike Alwine

Building Official



O. 269-216-9861

C. 269-506-5967

Kaba-mi.org

From: Jodi Stefforia <jstefforia@comstockmi.gov>

Sent: Friday, April 1, 2022 12:31 PM

To: Ben Martin <sales@soilfriends.com>

Cc: Ordinance Officer <ordofficer@comstockmi.gov>; Mike Alwine <malwine@kaba-mi.org>; Jodi Stefforia <jstefforia@comstockmi.gov>

Subject: Approval for expanded activity at 1701 N 33rd Street

Ben,

We have become aware that you are offering the opportunity to hold private events and parties or rent your barn/property for such events. This use at 1301 North 33rd Street is allowed but requires special exception use approval of the Planning Commission. By definition, if used for gatherings such as weddings, private parties, meetings and similar events, the barn is an event barn. Event barns are a special exception use in the AGR, Agriculture-

Residential zoning district. Temporary outdoor events are also allowed with special exception use approval of the Planning Commission.

Use of the barn for private parties, etc. warrants a review by the Building Official to make sure all applicable building code provisions are satisfied. The Planning Commission will want input from the Building Official as they review your request. Please do make contact with Mike Alwine of the Kalamazoo Area Building Authority (269-216-9511). He is copied on this email.

We can 'package' together an application for special exception use approval to include the event barn and, if you have an outdoor event planned, that as well. This way, one \$500 application and fee would be necessary to request Planning Commission approval.

I am sure you will have questions. I am happy to answer them and guide you through the special exception use approval process. I have attached the application form to get you started.

Jodi Stefforia

Comstock Township Community Development Director

269-381-2360



--
Ben Martin, Owner
Soil Friends L.L.C.
Soil Friends Hard Cider CO
269-348-1567

C

From: [Joel Stefforia](#)
To: [Joel Stefforia](#); [Mike Alwine](#); [Scott Hess](#); [Ordinance Officer](#)
Subject: Soil Friends post
Date: Monday, October 17, 2022 5:49:23 PM
Attachments: [IMG_5263.PNG](#)

5:48



Soil Friends Hard Cider CO

2h · 🌐

We are open! The wood stove is on so feel free to warm up in the barn! Burgers and hotdogs are ready to be made! S... See more





Kalamazoo Area Building Authority
www.kaba-mi.org
2322 Nazareth Road, Kalamazoo, MI 49048
Phone: 269-216-9511 Fax: 269-250-9078
permits@kaba-mi.org

D

10/19/2022

SOIL FRIENDS LLC
9369 E MAIN ST
GALESBURG, MI 49053

To Whom It May Concern:

On 10/19/2022, our Inspector performed an inspection for the property located at 1701 N 33RD ST. Listed below are the violations noted during the inspection.

Inspection Results for 1701 N 33RD ST:

Perform requested property maintenance inspection. Listed below are the conditions observed that are in violation of the 2015 International Property Maintenance Code and the 2015 Michigan Building Code

- 1. Unlawful structure 2015 IPMC Sec. 108.1.4. Operating an Assembly group occupancy in existing building without obtaining required permits, inspections or zoning approval.**
- 2. Failure to obtain required permits for change of occupancy and associated work MBC Sec. 105.1**
- 3. Occupying structure without first obtaining certificate of occupancy 2015 MBC Sec. 111.1.**

Due to the above listed conditions(s) the structure is deemed dangerous and unsafe in accordance with Sec. 108 2015 IPMC. The structure is hereby ordered condemned and all occupancy is strictly prohibited.

Due to the observed conditions, the structure is hereby ordered CONDEMNED and all occupancy is strictly prohibited. Per Section 108.5 of the 2015 International Property Maintenance Code, any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

Transfer of ownership. In accordance with Sec 107.6, It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a **signed and notarized statement** from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

Please be aware that you have the right to appeal this decision. Per the 2015 International Property Maintenance Code, Section 111.1, any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Respectfully Submitted,

Mike Alwine
Building Official
Kalamazoo Area Building Authority
(269) 216-9511
malwine@kaba-mi.org

E

STATE OF MICHIGAN
IN THE 8th JUDICIAL DISTRICT COURT -CROSSTOWN
FOR THE COUNTY OF KALAMAZOO

COMSTOCK CHARTER TOWNSHIP,

Plaintiff,

v

Mag. Nicholas J. Schaberg

SOIL FRIENDS, LLC,

Case No: 22C40157

Defendant.

Catherine P. Kaufman (P65412)
Bauckham, Thall, Seeber, Kaufman &
Koches, P.C.
470 W Centre Ave.,
Portage, MI 49024
(269) 382-4500
seeber@michigantownshiplaw.com
Attorneys for Plaintiff

Joseph M. Infante (P68719)
Christopher J. Gartman (P83286)
Miller, Canfield, Paddock and Stone, P.L.C.
99 Monroe Avenue NW, Suite 1200
Grand Rapids, MI 49503
(616) 454-8656
infante@millercanfield.com
gartman@millercanfield.com
Attorneys for Defendant

STIPULATED AMENDED ORDER REQUIRING COMPLIANCE WITH ORDINANCE

At a Session of said Court
held in Kalamazoo, Kalamazoo County, Michigan
on this 21 day of February, 2023

PRESENT: MAGISTRATE NICHOLAS J. SCHABERG
District Court Magistrate Judge

WHEREAS, on November 18, 2022, this Court issued an Order Requiring Compliance
With Ordinance;

WHEREAS, the parties have agreed to amend that order by stipulation,

WHEREAS, Defendant admitted responsibility or was found responsible by default/after
a hearing for violation of the zoning ordinance of the Charter township of Comstock; and the
Unlawful Building Provisions of the State Construction Code as administered and enforced by
Comstock Township, which violation occurred on October 19, 2022 with respect to the property

owned and/or occupied by the Defendant at 1701 N. 33rd Street, within the Township (hereinafter "subject property"); and

WHEREAS, in addition to the fines/costs imposed pursuant to such finding of responsibility, the Court deems it appropriate to enter an Order requiring compliance with the Ordinance;

NOW THEREFORE IT IS HEREBY ORDERED as follows:

1. By no later than 15 days after the date of the signing of this Order the Defendant shall eliminate the commercial use and access to the red barn on the subject property by locking and enclosing the same and by placing a sign on the door prohibiting entry therein. No person other than the owner of the subject property and its farm laborers shall be permitted to occupy or access the red barn until the parameters of this Order are complied with. This requirement has been met and Defendant shall continue to meet this requirement until such time as it has satisfied all required zoning and building requirements for use of the red barn for its desired activities.

2. By no later than 15 days after the date of signing of this Order the Defendant shall eliminate the use and occupancy of the red barn on the subject property excepting for exclusive agricultural purposes, such as storage of feed, machinery and equipment and as a shelter for farm animals and processing of agricultural products. This requirement has been met and Defendant shall continue to meet this requirement until such time as it has satisfied all required zoning and building requirements for use of the red barn for its desired activities.

3. After 15 days after the date of signing this Order the Defendant shall not operate a commercial business entity inside the red barn on the subject property. The Defendant shall not allow music, retail sales, food, alcohol or beverage inside the red barn. Defendant may engage in activities allowed under the Farm Market GAAMP and the Michigan Liquor Control Code related

to a small wine maker; but not inside the red barn. Such activities may include sale of produce, sale of wine/cider and the sale of food among other activities allowed by the Michigan Liquor Control Code and the Farm Market GAAMP. Defendant shall continue to meet this requirement until such time as it has satisfied all required zoning and building requirements for use of the red barn for its desired activities.

4. The Township's Ordinance Enforcement Officer and/or its zoning administrator and building official are permitted to access the red barn and the subject property 15 days after the date of signing this Order for a compliance inspection.

5. Within five days of the entry of this Order, Defendant shall dismiss its Complaint for Superintending Control which is pending before the Kalamazoo County Circuit Court.

6. Each side to bear its own costs and fees.

7. Within twenty-one (21) days, Soil Friends shall submit an application for special exception with the Township for use of the red barn for a winery tasting room and wine production space. The Township shall review the application in good faith and process the application in a timely manner without undue delay.

8. If either party fails to abide by the terms of this Order, upon request, the Court will enter an Order requiring the offending party to appear before the Court at a specified date and time to show cause why that party should not be found in contempt of the compliance provisions of this Order and be punished therefore as allowed by law.

9. Once Defendant obtains approval from the Township to utilize the red barn, the restrictions contained within this Order shall no longer be in effect.

Dated: 2/21/2023

NICHOLAS J. SCHABERG

Mag. Nicholas J. Schaberg

Catherine Kaufman

Catherine P. Kaufman, Esq.
Attorneys for Plaintiff

Dated: 2-14-2023

P6541Z

Joseph M. Infante

Joseph M. Infante, Esq.
Attorneys for Defendant

Dated: 2/15/2023

P68719

FILED ON OR ABOUT
12/1/23 **F**

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SOIL FRIENDS LLC, BENJAMIN MARTIN,
and SARAH MARTIN,

Plaintiffs,

Case No. 1:23-cv-1267

v.

HON. JANE M. BECKERING

CHARTER TOWNSHIP OF COMSTOCK, et
al.,

Defendants.
_____ /

OPINION AND ORDER

Plaintiffs allege a plethora of claims under federal and state law stemming from a long running dispute with officials of Defendant Charter Township of Comstock (“the Township”) regarding zoning and property rights. Plaintiffs sued sixteen Defendants: the Township, the Township’s officials, the members of the Township Planning Commission, the local building department, and the two private sector attorneys who represented those Defendants. Now pending before the Court are Defendants’ motions to dismiss (ECF Nos. 23 & 25). For the following reasons, the Court grants their motions as to Plaintiffs’ federal claims, dismisses the motions as moot as to Plaintiffs’ state-law claims, and closes this case.

I. BACKGROUND

A. Factual Background

1. Plaintiffs’ Business Expansion (2017–19)

Plaintiffs Benjamin and Sarah Martin own Soil Friends, LLC (“Soil Friends”), a 22-acre farm located in an agricultural-residential zoning district in the Township (First Amended

Complaint [FAC, ECF No. 20] ¶¶ 1–3, & 27–28). In 2017, Plaintiffs applied to the Michigan Liquor Control Commission (“MLCC”) for a small winemaker license (10/12/2017 Memo to Township Board [Pls. Ex. 4 to FAC, ECF No. 20-4]). As part of the application process, Plaintiffs were required to obtain a recommendation from the Township (*id.*). Township Community Development Director Jodi Stefforia reviewed their request and indicated that she was “inclined to find it accessory to the existing use of the property and/or a ‘similar bona fide agricultural enterprise or use of land and structures,’” noting that “wine will be sold to retail customers in the farm market with the other items” (*id.*). On October 16, 2017, the Township unanimously recommended that Plaintiffs’ application for a small winemaker license with the MLCC be approved (10/16/17 Approval [Pls. Ex. 3 to FAC, ECF No. 20-3]). Plaintiffs allege that on December 19, 2018, the MLCC issued Plaintiffs a small winemaker license and an on-premises tasting room permit (FAC ¶ 33). Plaintiffs further allege that in June 2018 and again in May 2019, the MLCC issued Plaintiffs permits for two outdoor service areas (*id.* ¶ 34).

At some point in 2019, Plaintiffs built a new barn (“the Barn”) (*id.* ¶ 36). Plaintiffs indicate that they started using the Barn as a farm market and for hard cider tastings (*id.* ¶ 43). Plaintiffs do not indicate in their First Amended Complaint whether they sought or received a building permit for constructing the Barn.

2. The Township’s Citation & Enforcement (2022)

On April 1, 2022, Stefforia sent Plaintiffs an email message with the subject line “Approval for expanded activity” (4/1/22 Email [Pls. Ex. 5 to FAC, ECF No. 20-5]). Stefforia indicated that the Township had “become aware that you are offering the opportunity to hold private events and parties or rent your barn/property for such events” (*id.*). She indicated that “[t]his use ... is allowed but requires special exception use approval of the Planning Commission” (*id.*). She further

indicated that “[u]se of the barn for private parties, etc. warrants a review by the Building Official to make sure all applicable building code provisions are satisfied,” and she encouraged Plaintiffs to contact Mike Alwine of the Kalamazoo Area Building Authority (“KABA”) (*id.*). She indicated that they could work together to “package” a single application for the special exception use to include both the Barn and any planned outdoor events (*id.*). Alwine, who was copied on the email, informed Plaintiffs that same day that their proposed use would constitute a Change of Occupancy category that requires a Code Compliance design by a registered design professional demonstrating compliance with various code provisions (*id.*).

In May 2022, the MLCC renewed Soil Friends’ small winemaker license and permits for its on-premises tasting room permit and two outdoor service areas effective May 1, 2022 through April 30, 2023 (5/1/22 MLCC License [Pls. Ex. 1 to FAC, ECF No. 20-1]). The Michigan Department of Agriculture also issued Soil Friends a License as a “Retail Food Establishment” also through April 30, 2023 (5/1/22 MDAG License [Pls. Ex. 2 to FAC, ECF No. 20-2]).

On September 20, 2022, Alwine emailed Plaintiffs again, noting that two matters remained outstanding for their proposed change of occupancy: the need for a drinking fountain and an accessible route to the public parking area (9/20/22 Email [Pls. Ex. 7 to FAC, ECF No. 20-7]).

On October 19, 2022, the Township initiated a case against Soil Friends in the 8th District Court for the County of Kalamazoo with the filing of a citation declaring that Soil Friends did not have “zoning approval or permits for how barn is being used to serve Food/alcohol/Live Music” (FAC ¶ 54; Citation [Pls. Ex. 8 to FAC, ECF No. 20-8]) (*Comstock Charter Twp. v. Soil Friends, LLC*, Case No. 22C40157 [“the District Court case”]). The District Court case was assigned to District Court Judge Christopher T. Haenicke and Magistrate Nicholas J. Schaberg.

The Township Planning Commission held a meeting on October 27, 2022 (10/27/22 Minutes [Pls. Ex. 10 to FAC, ECF No. 20-10]). Present at the meeting were Commission members Jeff Ampey, Allan Faust, Patrick Hanna, Jennifer Jones-Newton, Larry Nichols, and Ron Sportel (*id.*). Also present were Stefforia and Township Attorney Catherine Kaufman (*id.*). At the conclusion of the meeting, Stefforia asked about “interest in pursuing ordinance amendments that would allow for agritourism in the agricultural district” and mentioned Plaintiffs’ business (*id.* at PageID.367). One Commission member asked what was “happening at the site now that that the ordinance may or may not address,” and Stefforia answered “hot food, alcohol sales, bar and live music and possibly other activities” (*id.*). Stefforia indicated that she would work with attorney Kaufman to gather information to share at a future meeting (*id.*).

Plaintiffs allege that on October 31, 2022, Township Supervisor Randy Thompson requested that Plaintiffs take down certain Facebook posts they had made because the posts placed the Township “in a negative light and would cause further issues” (FAC ¶¶ 7, 205–06; *see, e.g.*, 10/20/22 Facebook Post [Pls. Ex. 9 to FAC, ECF No. 20-9]). Plaintiffs allege that they instead “continued to post on Facebook statements that criticized” the Township, KABA, Stefforia, Thompson, and Township Superintendent Hess (FAC ¶ 207; *see, e.g.*, 11/30/22 & 12/7/22 Facebook Post [Pls. Exs. 12 & 15 to FAC, ECF Nos. 20-12 & 20-15]).

A hearing was held on Plaintiffs’ citation on November 18, 2022 in District Court before Magistrate Schaberg (11/18/22 District Court Order [Pls. Ex. 11 to FAC, ECF No. 20-11]). Attorney Roxanne Seeber appeared on behalf of the Township (*id.*). Following the hearing, Magistrate Schaberg issued an Order indicating that Soil Friends “was found responsible” for violating both the Township’s Zoning Ordinance and the Unlawful Building Provisions of the State Construction Code as administered and enforced by the Township (*id.*). In addition to

imposing fines and costs, Magistrate Schaberg required Plaintiffs to limit use of the Barn to agricultural activities, only, until they complied with all Township zoning ordinances and building requirements (*id.*). The Order provided that “[i]f the [Plaintiffs] wishe[d] to undertake any activity other than agricultural use,” then they had to “first apply for and obtain zoning approval, if available, for the use” (*id.*). The Order further provided that “[i]f the [Plaintiffs] obtain[ed] zoning approval for any use that allows access to the Barn by anyone other than immediate family and farm laborers,” then they had to “obtain an after-the-fact building permit from the Township’s Building Department, KABA” (*id.*). The Order directed that “[t]here shall be no occupancy of the barn for anything other than sole agricultural use unless and until the building department has undertaken inspections and certified it as compliant with the building code and safety standards and has allowed occupancy thereof” (*id.*).

On December 2, 2022, the Township issued a “Statement” for immediate release, pointing out that Plaintiffs had constructed the Barn “without building permits” and explaining that Plaintiffs’ operation was “not ‘shut down,’” that agricultural use of the property continues, and that only the commercial aspect of the site was required to cease “until zoning and building code approval is obtained through the formal process expected of any other business in Comstock Township” (12/2/22 Statement [Pls. Ex. 13 to FAC, ECF No. 20-13]).

Plaintiffs allege that on December 5, 2022, attorney Kaufman attended a Township Board meeting in her capacity as attorney for the Township and that at this meeting Kaufman stated that (1) Plaintiffs’ “additional uses were not covered by their MLCC license” and (2) the Township’s prior approval of Plaintiffs’ application for a liquor license “was conditioned solely under the Right to Farm accessory agricultural use” (FAC ¶¶ 104 & 107).

Following the meeting, on December 7, 2022, Stefforia sent Plaintiffs a letter summarizing “what [was] needed to bring [their] operations” into compliance with the Township zoning ordinances and indicating that Plaintiffs could presently apply for a special exception use permit or wait to apply until after certain text amendments under consideration by the Commission about cideries and agritourism were approved (12/7/22 Letter [Pls. Ex. 14 to FAC, ECF No. 20-14]).

Instead, on January 18, 2023, Plaintiffs filed in Kalamazoo County Circuit Court a Complaint for Superintending Control against the District Court (FAC ¶ 113) (*In re. Soil Friends, LLC*, Case No. 23-0019-AS [“the Circuit Court case”]). Plaintiffs alleged that Magistrate Schaberg had “exceeded” his authority, violated due process, and “ignored” Michigan law (Circuit Court Compl. [Pls. Ex. 16 to FAC, ECF No. 20-16]). Plaintiffs requested, in pertinent part, that the circuit court vacate Magistrate Schaberg’s November 18, 2022 Order (*id.*).

On February 21, 2023, in the District Court case, the parties entered into a “Stipulated Amended Order Requiring Compliance with Ordinance,” which Magistrate Schaberg entered (FAC ¶ 117). In the Stipulated Order, Magistrate Schaberg indicated that Plaintiffs had complied with the requirement to eliminate commercial use and access to the Barn (2/21/23 Stip. Order [Pls. Ex. 17 to FAC, ECF No. 20-17]). The Order continued to prohibit Plaintiffs from operating a commercial business entity inside the Barn until such time as “all required zoning and building requirements” were satisfied, but the Order permitted certain activities related to the sale of produce, wine/cider, and food outside of the Barn (*id.*). The Order indicated that Plaintiffs would submit an application for a special exception with the Township, which the Township would review in good faith and process without undue delay (*id.*). That same day, Plaintiffs dismissed their Complaint for Superintending Control in the Circuit Court case (2/21/23 Dismissal [Defs. Seeber & Kaufman’s Ex. 2, ECF No. 23-3]).

3. **The Commission's Conditional Approval of Plaintiffs' Special Use Exception (2023)**

On March 2, 2023, Stefforia emailed Plaintiffs with “initial review comments” on their application and attached a letter from the Fire Marshal indicating that the site plan could be “approved with [certain] requirements” being satisfied (3/2/23 Email [Pls. Ex. 18 to FAC, ECF No. 20-18]).

The Township Planning Commission held a meeting on April 13, 2023 (4/13/23 Minutes [Pls. Ex. 19 to FAC, ECF No. 20-19]). Present at the meeting were Commission members Ampey, Faust, Hanna, Jones-Newton, Nichols, Bub Sherwood, and Sportel (*id.*). Also present were Stefforia and Township Attorney Kaufman (*id.*). At the meeting, the Commission considered Plaintiffs' special exception use application and site plan for a winery and tasting room (*id.*). The motion to vote on the application was not unanimously carried and therefore failed (*id.* at PageID.436). The Minutes reflect that the Commission wanted confirmation about several items, including the “adequacy of Plaintiffs' well and septic for the size of the operation,” approval from the Fire Department, and a statement that ADA-compliant bathrooms would be provided (*id.*).

The Township Planning Commission held another meeting on April 27, 2023 (4/27/23 Minutes [Pls. Ex. 21 to FAC, ECF No. 20-21]). Present at the meeting were Commission members Ampey, Faust, Hanna, Jones-Newton, Nichols, Sherwood, and Sportel (*id.*). Also present were Stefforia and Township Attorney Kaufman (*id.*). According to the Minutes of the meeting, attorney Kaufman informed the Commission that Plaintiffs had supplied approval from the health department about the well and septic system and an updated site plan as to the ADA spaces and had contacted the road commission (*id.* at PageID.446). The Minutes further reflect that Plaintiffs expressed frustration that the Commission was “making up rules on the fly” and opined that the Commission should “look at the MLCC rules” (*id.* at PageID.447–448). According to the Minutes,

a Commission member explained that even if the MLCC approves a license, the license holder is still required to meet the local zoning requirements and regulations (*id.* at PageID.447). The Commission ultimately approved Plaintiffs' special exception use in a unanimous vote, subject to certain conditions such as business hours and noise and lighting considerations (4/27/23 Minutes at PageID.449; FAC ¶ 141). The Commission also approved the site plan, subject to approval by the Fire Department and the Kalamazoo County Road Commission (4/27/23 Minutes at PageID.449; FAC ¶ 142).

Also on April 27, 2023, the MLCC held a meeting and approved Plaintiffs' application to "redefine" their licensed premises to include the Barn and permit sales on Sundays (MLCC 4/27/23 Approval Order [Def. Seeber & Kaufman's Ex. 3, ECF No. 23-4]). Noting that the licensee was currently in litigation with the Township, the MLCC expressly indicated in its Order that "[a]pproval of the request does not waive the requirement that the licensee be in compliance with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances, nor does this approval allow the licensee to violate any order of the court" (*id.* at PageID.532). The MLCC referenced the governing administrative rule, which provides that a "licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the license," and the licensee "must obtain all other required licenses, permits, and approvals *before opening the business for operation*" (*id.* at PageID.533) (emphasis added).

On May 22, 2023, Plaintiffs emailed Alwine about the approvals they had received from the Commission and indicated that they would "like to move forward with purchasing the building permits to allow guest[s] into [their] wine tasting room" (5/22/23 & 5/23/23 Emails [Pls. Ex. 23 to FAC, ECF No. 20-23]). On May 23, 2023, Alwine responded and indicated that because Plaintiffs'

previous application was for a “wedding venue/farm market,” a new application for their “wine tasting room” was necessary (*id.*).

Plaintiffs allege that on or about June 8, 2022, “Soil Friends was told by MLCC that an individual on behalf of Comstock Township informed MLCC that Soil Friends did not have approval to manufacture wine/cider in the Barn” (FAC ¶ 150). Plaintiffs attribute this statement to Superintendent Hess (*id.* ¶¶ 8 & 151).

On June 30, 2023, Plaintiffs filed a Motion for Order to Show Cause in the District Court case, requesting that the Township be held in contempt (6/30/23 Motion [Defs. Seeber & Kaufman’s Ex. 5, ECF No. 23-6; Twp. & KABA Defs. Ex. B, ECF No. 26-3]). The Township opposed the motion (7/11/23 Answer [Defs. Seeber & Kaufman’s Ex. 6, ECF No. 23-7; Twp. & KABA Defs. Ex. C, ECF No. 26-4]). Following a hearing on August 21, 2023, District Court Judge Haenicke denied Plaintiffs’ motion “for the reasons stated on the record” (9/1/23 Order [Defs. Seeber & Kaufman’s Ex. 7, ECF No. 23-8; Twp. & KABA Defs. Ex. D, ECF No. 26-5]).

B. Procedural Posture

On December 1, 2023, Plaintiffs initiated this action with the filing of a Complaint (ECF No. 1). On February 16, 2024, Plaintiffs filed a First Amended Complaint, naming sixteen Defendants: the Township, Stefforia, Thompson, Hess, Matthew Miller, Jones-Newton, Sportel, Faust, Ampey, Nichols, Hanna, Sherwood (collectively “the Township Defendants”); KABA and Alwine (collectively “the KABA Defendants”); and Township attorneys Seeber and Kaufman (ECF No. 20). In pertinent part, Plaintiffs allege that Soil Friends’ “service of food, alcohol and the ability to have live music, is governed by the State of Michigan, pursuant to Soil Friends’ MLCC winemaker license” (*id.* ¶ 92). They allege that the Township “did not have the authority to restrict the service of food, alcohol and the ability to have live music, because Michigan law

preempted any local ordinance with regard to these matters” (*id.* ¶ 93). According to Plaintiffs, “Defendants ... and others pursued a course of action wherein they tried to interfere with Soil Friends’ legal rights to operate under Michigan Law and its MLCC winemaker license” (*id.* ¶ 94).

Plaintiffs allege the following twelve claims:

- I. First Amendment Retaliation
- II. Unconstitutional Conditions
- III. Violation of Due Process
- IV. Regulatory Takings
- V. Conspiracy to Interfere with Civil Rights
- VI. State Law Preemption by Michigan Liquor Control Code
- VII. State Law Preemption by Michigan Right to Farm Act
- VIII. Tortious Interference with a Business Relationship or Expectancy under State Law
- IX. Defamation under State Law
- X. Violation of Michigan’s Open Meetings Act, MICH. COMP. LAWS § 15.261 *et seq.*
- XI. Intentional Infliction of Emotional Distress under State Law
- XII. Civil Conspiracy

(ECF No. 20).

On March 1, 2024, Defendants Seeber and Kaufman filed their motion to dismiss (ECF No. 23). Plaintiffs filed a response in opposition (ECF No. 31), and Defendants Seeber and Kaufman filed a reply to the response (ECF No. 33). On March 1, 2024, the Township and KABA Defendants filed a joint motion to dismiss (ECF No. 24, as corrected by ECF No. 25). Plaintiffs filed a response in opposition (ECF No. 30), and the Township and KABA Defendants filed a

reply to the response (ECF No. 32). Having considered the parties' submissions, the Court concludes that oral argument is unnecessary to resolve the issues presented. *See* W.D. Mich. LCivR 7.2(d).

II. ANALYSIS

A. Motion Standards

1. Rule 12(b)(1)

Defendants' motions are filed pursuant to Federal Rule of Civil Procedure 12(b)(1) and (b)(6). Rule 12(b)(1) authorizes the court to dismiss a claim for relief in any pleading if the court "lack[s] subject-matter jurisdiction." FED. R. CIV. P. 12(b)(1). If a movant challenges the court's subject-matter jurisdiction under Rule 12(b)(1), then "the plaintiff has the burden of proving jurisdiction in order to survive the motion." *Houchens v. Beshear*, 850 F. App'x 340, 342 (6th Cir. 2021). "Rule 12(b)(1) motions to dismiss based upon subject matter jurisdiction generally come in two varieties"—a facial attack or a factual attack. *Ohio Nat. Life Ins. Co. v. United States*, 922 F.2d 320, 325 (6th Cir. 1990). "In a facial attack, a 'movant accepts the alleged jurisdictional facts as true and 'questions merely the sufficiency of the pleading' to invoke federal jurisdiction.'" *Polselli v. United States Dep't of the Treasury—Internal Revenue Serv.*, 23 F.4th 616, 621 (6th Cir.) (citations omitted), *aff'd sub nom. Polselli v. Internal Revenue Serv.*, 598 U.S. 432 (2023). "In a factual attack, a movant presents evidence outside of the pleadings to contest jurisdictional facts alleged in the petitions." *Id.* In reviewing a facial attack, "a trial court takes the allegations in the complaint as true, which is a similar safeguard employed under 12(b)(6) motions to dismiss. On the other hand, when a court reviews a complaint under a factual attack ..., no presumptive truthfulness applies to the factual allegations." *Ohio Nat. Life, supra*.

2. **Rule 12(b)(6)**

Rule 12(b)(6) authorizes the court to dismiss a claim for relief in any pleading if it “fail[s] to state a claim upon which relief can be granted[.]” FED. R. CIV. P. 12(b)(6). To survive a motion to dismiss, a complaint must present “enough facts to state a claim to relief that is plausible on its face.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 557, 570 (2007). “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009). Although the plausibility standard is not equivalent to a “probability requirement,” ... it asks for more than a sheer possibility that a defendant has acted unlawfully.” *Id.* at 678 (quoting *Twombly*, 550 U.S. at 556). “[W]here the well-pleaded facts do not permit the court to infer more than the mere possibility of misconduct, the complaint has alleged—but it has not ‘show[n]’—that the pleader is entitled to relief.” *Id.* at 679 (quoting FED. R. CIV. P. 8(a)(2)).

In deciding a motion to dismiss for failure to state a claim, the court must construe the complaint in the light most favorable to the non-movant and accept all well-pleaded factual allegations in the complaint as true. *Thompson v. Bank of Am., N.A.*, 773 F.3d 741, 750 (6th Cir. 2014). “[T]he tenet that a court must accept as true all of the allegations contained in a complaint is inapplicable to legal conclusions. Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.” *Iqbal*, 556 U.S. at 678.

When considering a motion to dismiss for failure to state a claim, the Court generally does not consider matters outside the pleadings unless the Court treats the motion as one for summary judgment under Rule 56 of the Federal Rules of Civil Procedure. *Gavitt v. Born*, 835 F.3d 623, 640 (6th Cir. 2016); *see also* FED. R. CIV. P. 12(d) (“If, on a motion under Rule 12(b)(6) ..., matters outside the pleadings are presented to and not excluded by the court, the motion must be treated

as one for summary judgment under Rule 56.”). On the other hand, the Court may, as here, consider “exhibits attached to the complaint, public records, items appearing in the record of the case, and exhibits attached to defendant’s motion to dismiss, so long as they are referred to in the complaint and are central to the claims contained therein, without converting the motion to one for summary judgment.” *See Gavitt, supra*.

B. Discussion

The Court turns first to considering the arguments for dismissal of Plaintiffs’ federal claims in Counts I through V, which form the bases for the Court’s original jurisdiction over the subject matter of this case.

1. Plaintiffs’ Federal Claims Against Defendants Seeber and Kaufman

Defendants Seeber and Kaufman, the Township attorneys, are referenced in Counts I, III, V, VIII, XI, and XII of Plaintiffs’ First Amended Complaint. Defendants Seeber and Kaufman argue under Federal Rule of Civil Procedure 12(b)(1) that Plaintiffs’ federal civil rights claims against them in Counts I, III, and V should be dismissed because they are barred by absolute immunity (ECF No. 23 at PageID.495–500).¹

In response, Plaintiffs argue that Defendants Seeber and Kaufman “cannot avail themselves of the claims to privilege or immunity” because they were not acting solely in a prosecutorial capacity (ECF No. 31 at PageID.723, 737–740). Plaintiffs also opine that applying absolute immunity to the facts of this case, where Defendants’ conduct was “barred by state law” and/or

¹ Defendants Seeber and Kaufman also argue that Plaintiffs’ claims against them should be dismissed based on application of the *Rooker-Feldman* doctrine and/or failure to state any claim upon which relief may be granted (ECF No. 23 at PageID.500–510). Given the Court’s resolution of the immunity issue and decision to decline supplemental jurisdiction over the state-law claims, the Court declines to consider their alternative arguments for dismissal.

because Defendants “knew [their] actions were illegal,” would result in a “miscarriage of justice” (*id.* at PageID.740–741).

The federal claims against Defendants Seeber and Kaufman are properly dismissed.

Absolute prosecutorial immunity is a common-law doctrine that shields prosecutors from liability under the federal civil rights laws. *Imbler v. Pachtman*, 424 U.S. 409, 427–31 (1976). The Supreme Court has indicated that “[a]bsolute immunity is designed to free the *judicial process* from the harassment and intimidation associated with litigation.” *Watts v. Burkhardt*, 978 F.2d 269, 273 (6th Cir. 1992) (quoting *Burns v. Reed*, 500 U.S. 478, 494 (1991) (emphasis in original)). The immunity of participants in the judicial process stems not from the “location” of the judicial process in one branch of government or another but from the “characteristics” of the process. *Id.* (quoting *Butz v. Economou*, 438 U.S. 478, 512 (1978)). The Supreme Court has held that because litigation is often “intense,” and the “loser, given an opportunity to do so, will frequently charge the participants in the process with unconstitutional animus,” absolute immunity is “necessary to assure that judges, advocates, and witnesses can perform their respective functions without harassment or intimidation.” *Id.* (quoting *Butz*, 438 U.S. at 512).

The Supreme Court endorses a “functional approach” for determining whether an official is entitled to absolute prosecutorial immunity, explaining that a court should look to the “nature of the function performed, not the identity of the actor who performed it.” *Forrester v. White*, 484 U.S. 219, 229 (1988). The functional approach focuses on whether the prosecutor’s activities are “intimately associated with the judicial phase of the criminal process.” *Imbler*, 424 U.S. at 430. The Sixth Circuit has explained that the “analytical key to prosecutorial immunity ... is advocacy—whether the actions in question are those of an advocate.” *Skinner v. Govorchin*, 463 F.3d 518, 525 (6th Cir. 2006). If the challenged actions of the prosecutor were not performed in

her role as advocate, i.e., if they “do not relate to an advocate’s preparation for the initiation of a prosecution or for judicial proceedings,” then only “[q]ualified immunity” applies. *Id.* (quoting *Buckley v. Fitzsimmons*, 509 U.S. 259, 273 (1993)).

The Sixth Circuit has previously held that attorneys for a municipality who pursue a civil action for public nuisance and ordinance violations are entitled to absolute immunity “when their duties are functionally analogous to those of a prosecutor’s regardless of whether those duties are performed in the course of a civil or criminal action.” *Cooper v. Parrish*, 203 F.3d 937, 947 (6th Cir. 2000) (citation omitted). “[A]s long as the prosecutors were functioning in an enforcement role and acting as advocates for the state in initiating and prosecuting judicial proceedings, they are entitled to an absolute immunity defense.” *Id.*

Here, it is undisputed that, at all times relevant in this case, Defendants Seeber and Kaufman were private sector attorneys acting in their capacities as attorneys for the Township Defendants. *See* FAC ¶¶ 18–19, 61, 72–73, & 104. In their capacities as attorneys for the Township Defendants, they pursued Plaintiffs’ ordinance violations and assisted the Township and its Planning Commission and building officials in connection with Plaintiffs’ application for a special use exception. Plaintiffs describe Defendants’ involvement as “initiating and pursuing an enforcement action to ensure compliance with local zoning ordinances,” appearing at the hearing in the District Court case, and preparing a proposed Compliance Order “tantamount to an injunction” that was entered by the District Court magistrate (FAC ¶¶ 263–64). The Court concludes that the actions about which Plaintiffs complain were taken in connection with pursuing and enforcing Plaintiffs’ ordinance violations and are functionally analogous to those of a prosecutor and therefore entitle them to absolute immunity.

Plaintiffs' view of how Defendants Seeber and Kaufman applied state law in this case does not compel a different conclusion. Defendants Seeber and Kaufman are absolutely immune from suit in connection with these actions even if their actions were wrongful or malicious. The decision to prosecute an ordinance violation, even if malicious, enjoys absolute immunity. *See Burns*, 500 U.S. at 492–93. “So ‘strong’ is the ‘medicine’ of absolute immunity that it does not delve into a prosecutor’s motive.” *Stockdale v. Helper*, 979 F.3d 498, 505 (6th Cir. 2020) (quoting *Forrester*, 484 U.S. at 230). *See, e.g., Ireland v. Tunis*, 113 F.3d 1435, 1443 (6th Cir. 1997) (holding that even the commission of “grave procedural errors” by a judge exercising his or her authority will not strip the judge of the shield of absolute judicial immunity) (citing *Stump v. Sparkman*, 435 U.S. 349, 359 (1978)). The Sixth Circuit has explained that “the judicial process is largely self-correcting: procedural rules, appeals, and the possibility of collateral challenges obviate the need for damages actions to prevent unjust results.” *Id.* (quoting *Mitchell v. Forsyth*, 472 U.S. 511, 522–23 (1985)).

In short, Plaintiffs’ federal claims against Defendants Seeber and Kaufman in Counts I, III, and V are properly dismissed with prejudice.

2. Plaintiffs’ Federal Claims Against the Township & KABA Defendants

The Township and KABA Defendants argue that the individual Defendants (Stefforia, Thompson, Hess, Matthew Miller, Jones-Newton, Sportel, Faust, Ampey, Nichols, Hanna, Sherwood, and Alwine) are entitled to dismissal of Plaintiffs’ constitutional claims against them because they are entitled to qualified immunity (ECF No. 26 at PageID.620–623). The Township and KABA Defendants argue that Plaintiffs’ allegations do not state a claim upon which relief can be granted under the First, Fifth, or Fourteenth Amendments (*id.* at PageID.623). The Township and KABA Defendants argue that even if the allegations give rise to any constitutional violations,

Plaintiffs cannot offer any case law to prove violation of a clearly established right under the particularized circumstances alleged where the Township and KABA (through the individually named Defendants) “merely acted pursuant to multiple State Court orders that required Plaintiffs to satisfy all required zoning and building approvals before using the [Barn] as a winery tasting room” (ECF No. 26 at PageID.623).²

In response, Plaintiffs argue that the individual Defendants³ are not entitled to qualified immunity (ECF No. 30 at PageID.694). Plaintiffs argue that their “allegations, taken as a whole, establish that the Defendants, known and unknown, sought to retaliate against Plaintiffs by, at minimum, delaying them from receiving their special exception use approval with a clear goal of effectively ruining Plaintiffs’ business in its entirety” (*id.* at PageID.701).

The federal claims against the Township and KABA Defendants are properly dismissed.

Section 1983 makes “liable” “[e]very person” who “under color of” state law “subjects, or causes to be subjected,” another person “to the deprivation of any rights, privileges, or immunities secured by the Constitution[.]” 42 U.S.C. § 1983. Section 1983 does not confer substantive rights but merely provides a statutory vehicle for vindicating rights found in the United States Constitution. *Harlow v. Fitzgerald*, 457 U.S. 800, 818 (1982); *Dibrell v. City of Knoxville, Tenn.*, 984 F.3d 1156, 1160 (6th Cir. 2021). To bring a claim under § 1983, a plaintiff must “identify a

² The Township and KABA Defendants also briefly argue that certain of Plaintiffs’ claims against them should be dismissed based on application of the *Rooker-Feldman* doctrine (ECF No. 26 at PageID.620), the duplicative nature of the claims (*id.* at PageID.624–626), and/or the application of governmental immunity (*id.* at PageID.626–628). Given the Court’s resolution of the qualified immunity issue and decision to decline supplemental jurisdiction over the state-law claims, the Court declines to consider their alternative arguments for dismissal.

³ By way of clarification, Plaintiffs indicate that while they named the Township and KABA as Defendants, they are “seeking a course of action against the individuals themselves,” as evidenced by their omission of a § 1983 *Monell* claim in both their Complaint and First Amended Complaint (ECF No. 30 at PageID.708–709).

right secured by the United States Constitution and the deprivation of that right by a person acting under color of state law.” *Troutman v. Louisville Metro Dep’t of Corr.*, 979 F.3d 472, 482 (6th Cir. 2020) (citation omitted). Plaintiffs identify deprivations of their First, Fifth and Fourteenth Amendment rights in Counts I, II, III, and IV.⁴

Additionally, in Count V, Plaintiffs allege a conspiracy to interfere with their civil rights. The civil-conspiracy prohibition contained in § 1985(3) was enacted as a significant part of the civil rights legislation. *Ziglar v. Abbasi*, 582 U.S. 120, 150 (2017). The statute imposes liability on two or more persons who “conspire ... for the purpose of depriving ... any person or class of persons of the equal protection of the laws.” 42 U.S.C. § 1985(3).

Qualified immunity is an absolute defense to civil rights claims under 42 U.S.C. § 1983, *Binay v. Bettendorf*, 601 F.3d 640, 647 (6th Cir. 2010), and claims of conspiracy to commit civil rights violations, 42 U.S.C. § 1985(3), *Ziglar*, 582 U.S. at 155 (holding that the petitioners were entitled to qualified immunity with respect to the § 1985(3) claims). *See, e.g., Bettio v. Vill. of Northfield*, 775 F. Supp. 1545, 1566 (N.D. Ohio 1991) (finding that the defendant-village officials were entitled to qualified immunity on the plaintiff’s §§ 1983 and 1985 claims).

The Supreme Court has held that a defendant asserting qualified immunity is entitled to dismissal before the commencement of discovery “[u]nless the plaintiff’s allegations state a claim of violation of clearly established law[.]” *Mitchell*, 472 U.S. at 526. Hence, the Sixth Circuit has instructed that district courts have a “duty” to address qualified immunity when it is “properly raised prior to discovery.” *Myers v. City of Centerville, Ohio*, 41 F.4th 746, 758 (6th Cir. 2022)

⁴ As the Sixth Circuit has pointed out, “[t]he United States Constitution does not contain an Unconstitutional Conditions Clause.” *Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 911 (6th Cir. 2019). However, the Court has presumed that Plaintiffs intend to rely on the due process guarantees in the Fifth and Fourteenth Amendments for their claim in Count II.

(citation omitted). Qualified immunity shields government defendants from not only liability but also litigation and discovery because “[i]nquiries of this kind can be peculiarly disruptive of effective government.” *Id.* (quoting *Harlow*, 457 U.S. at 817). The purpose of the defense is to strike a balance that “accommodates the tension between permitting litigants to recover damages, which is often the only realistic avenue for vindication of constitutional guarantees, and the social costs of such suits, including the expenses of litigation, the diversion of official energy from pressing public issues, and the deterrence of able citizens from acceptance of public office.” *Champion v. Outlook Nashville, Inc.*, 380 F.3d 893, 900 (6th Cir. 2004) (quotation marks and citation omitted). “The entitlement is an *immunity from suit* rather than a mere defense to liability [because] it is effectively lost if a case is erroneously permitted to go to trial.” *Mitchell*, 472 U.S. at 526 (emphasis in original).

“A defendant is not entitled to qualified immunity at the pleadings stage if (1) ‘the facts alleged make out a violation of a constitutional right’ and (2) that right ‘was clearly established when the event occurred so that a reasonable offic[ial] would have known that his conduct violated it.’” *Myers*, 41 F.4th at 757 (quoting *Crawford v. Tilley*, 15 F.4th 752, 762–63 (6th Cir. 2021)). Courts may address these two prongs in either order. *Pearson v. Callahan*, 555 U.S. 223, 236 (2009). However, both questions “must be answered in the affirmative for the plaintiff’s claim to proceed.” *Courtright v. City of Battle Creek*, 839 F.3d 513, 518 (6th Cir. 2016). “[The] plaintiff bears the burden of overcoming [the defense of] qualified immunity.” *Crawford*, 15 F.4th at 760.

Here, like the Township and KABA Defendants, the Court limits its qualified-immunity analysis to the second question: whether the rights at issue were clearly established. Plaintiffs bear the burden to demonstrate that the individually named Defendants violated a right that was so clearly established that a reasonable officer confronted with the “same situation” would have

known that his conduct violated that right. *Johnson v. Mosley*, 790 F.3d 649, 653 (6th Cir. 2015). The Court “must examine the particular situation that [the defendants] confronted and ask whether the law clearly established that their conduct was unlawful.” *Howse v. Hodous*, 953 F.3d 402, 407 (6th Cir. 2020). It is not necessary that there be a case with the exact same fact pattern, or even fundamentally similar or materially similar facts. *Murray v. Ohio*, 29 F.4th 779, 790 (6th Cir. 2022) (citation omitted). What is important is that the law provided the defendants with “fair warning that their actions were unconstitutional.” *Id.* (citation omitted). In other words, “existing precedent must have placed the statutory or constitutional question beyond debate.” *Ashcroft v. al-Kidd*, 563 U.S. 731, 741 (2011). “Qualified immunity gives government officials breathing room to make reasonable but mistaken judgments about open legal questions” and “protects ‘all but the plainly incompetent or those who knowingly violate the law.’” *Id.* at 743 (quoting *Malley v. Briggs*, 475 U.S. 335, 341 (1986)).

As a threshold matter, despite having already amended their Complaint once, Plaintiffs’ identification of the specific conduct of each individual Defendant at issue in their federal claims is extremely thin.⁵ Plaintiffs’ allegations (and their response to the motion) mostly reference actions by “Defendants” in general, making it difficult to always identify the precise conduct at issue. “[I]t is well-settled that qualified immunity must be assessed in the context of each individual’s specific conduct.” *Hopper v. Phil Plummer*, 887 F.3d 744, 756 (6th Cir. 2018) (citation omitted). *See also Robertson v. Lucas*, 753 F.3d 606, 615 (6th Cir. 2014) (“[T]o establish liability and to overcome a qualified immunity defense, an individual must show that his or her

⁵ Indeed, Plaintiffs did not specify which of the sixteen Defendants they named in this case were associated with any particular count. For purposes of analyzing these federal claims, the Court has presumed that Plaintiffs intended to allege that all of the individual Township and KABA Defendants violated their First, Fifth, and Fourteenth Amendment rights.

own rights were violated, and that the violation was committed *personally* by the defendant.”) (emphasis in original).

Regarding their claims in Counts II through V, Plaintiffs wholly fail to argue—let alone identify—a case with sufficiently similar facts that would have provided fair warning to each individual Defendant that his or her respective alleged conduct (or conspiracy to commit such conduct) unlawfully violated Plaintiffs’ rights under the Fifth or Fourteenth Amendments. *See, e.g., Lawrence v. Chabot*, 182 F. App’x 442, 452 (6th Cir. 2006) (affirming the district court’s dismissal on grounds of qualified immunity where the plaintiff “failed to argue, much less provide any case law to demonstrate, that the defendants violated clearly established constitutional rights”).

With regard to their First Amendment claim in Count I, Plaintiffs assert that the actions of the “Township, KABA, and its officials against Plaintiffs unquestionably mirror those of the plaintiff in *Fritz v. Charter Twp. of Comstock*, 592 F.3d 718 (6th Cir. 2010)]” (ECF No. 30 at PageID.703). However, aside from the obvious similarity in naming the same township, the zoning dispute in *Fritz* has significant factual differences from Plaintiffs’ allegations in this case.

Fritz was an independent agent for Farm Bureau Insurance Company who worked from her home office. *Id.* at 720. She alleged that in retaliation for her public comments at public meetings and in the press via letters to the editor, the township supervisor called her supervisor on three occasions, “warning Farm Bureau that its presence in the community would be jeopardized if [*Fritz*] did not refrain from [her speech] in the future.” *Id.* at 723. *Fritz* also alleged that she was denied zoning and signage variances in retaliation for her protected conduct. *Id.* at 723, 725.

With regard to the township official’s phone calls to Farm Bureau, the Sixth Circuit agreed that the calls constituted adverse action for purposes of *Fritz*’s § 1983 First Amendment retaliation claim as “few aspects of one’s life are more important than gainful employment, [and] it is likely

that a person of ordinary firmness would be deterred by this conduct.” *Id.* at 728. However, regarding the defendants’ denial of her requests for variances, the Sixth Circuit was not convinced that such conduct constituted adverse action. The panel pointed out that after her variances were denied, Fritz continued to publicly criticize Comstock officials and attend public meetings, which suggested to the panel that Fritz herself was “neither deterred nor chilled from speaking.” *Id.* The Sixth Circuit noted that while “actual deterrence on the part of the plaintiff is not necessary to state a claim of an adverse action,” courts must “be careful to ensure that real injury is involved, lest we ‘trivialize the First Amendment’ by sanctioning a retaliation claim even if it is unlikely that the exercise of First Amendment rights was actually deterred.” *Id.* (citation omitted). A majority of the Sixth Circuit ultimately concluded that, given the combination of the threatening telephone conversations and the denial of variances, the district court had erred in ruling that Fritz had not alleged an adverse action on the motion to dismiss. *Id.* at 729.

The Sixth Circuit has since held that “*Fritz* does not stand for the proposition that defamatory statements alone are sufficient. Instead, the defamatory statements *and* the encouragement of termination were sufficient.” *Hilton v. Mish*, 720 F. App’x 260, 265 (6th Cir. 2018) (emphasis added). *See also Stockdale*, 979 F.3d at 507 (6th Cir. 2020) (acknowledging that “*Fritz* called the question a ‘close’ one that turns on whether an official ‘ha[d] the power to substantially affect’ the employer’s ‘ability to do business in’ the city”).

Here, Plaintiffs’ allegations do not concern any facts analogous to the repeated telephone calls to Fritz’s supervisor, nor do Plaintiffs’ allegations even concern a denial of their application for a special exception use. In this case, the Planning Commission conditionally approved Plaintiffs’ application. The Court concludes that the decision in *Fritz* therefore does not constitute precedent that “places the constitutional question beyond debate.” The Sixth Circuit’s holding in

Fritz would not have served to give fair warning to each individual Defendant in this case that his or her respective (albeit ill defined) conduct constituted a violation of Plaintiffs' rights under the First Amendment.

In sum, Plaintiffs have not demonstrated a clearly established right based on the alleged conduct of each individual Defendant. Therefore, Plaintiffs have failed to satisfy their burden of overcoming the defense of qualified immunity for the individual Defendants' discretionary decisions at issue in Counts I through V. "Under *Harlow*, an exercise of such discretion only loses the protection of qualified immunity when a clearly established right has been violated." *Vaughn*, 65 F.3d at 1328. Therefore, Plaintiffs' federal claims in Counts I through V against the Township and KABA Defendants are properly dismissed.

3. Dismissal with Prejudice

"Ordinarily, if a district court grants a defendant's 12(b)(6) motion, the court will dismiss the claim without prejudice to give parties an opportunity to fix their pleading defects." *CNH Am. LLC v. Int'l Union, United Auto., Aerospace & Agr. Implement Workers of Am. (UAW)*, 645 F.3d 785, 795 (6th Cir. 2011). Here, however, Plaintiffs have already had an opportunity to amend their original Complaint. Further, "[d]ismissal with prejudice and without leave to amend is [] appropriate when it is clear ... that the complaint could not be saved by an amendment." *Stewart v. IHT Ins. Agency Grp., LLC*, 990 F.3d 455, 457 n.* (6th Cir. 2021). Consequently, the Court will dismiss Plaintiffs' federal claims with prejudice.

4. Dismissal of State-Law Claims

Having resolved the federal claims in this case, the Court, in its discretion, declines to exercise supplemental jurisdiction over Plaintiffs' remaining state-law claims in Counts VI through XII. *See* 28 U.S.C. § 1367(c)(3) (providing that a district court may decline to exercise

its supplemental jurisdiction if “the district court has dismissed all claims over which it has original jurisdiction”); *Gamel v. City of Cincinnati*, 625 F.3d 949, 952 (6th Cir. 2010) (“When all federal claims are dismissed before trial, the balance of considerations usually will point to dismissing the state law claims...”). *See, e.g., Brooks v. Rothe*, 577 F.3d 701, 709 (6th Cir. 2009) (“Upon dismissing Brooks’ federal claims, the district court properly declined to exercise supplemental jurisdiction over Brooks’ remaining state-law claims.”). Plaintiffs’ state-law claims will be dismissed without prejudice.

III. CONCLUSION

For the foregoing reasons,

IT IS HEREBY ORDERED that Defendants Seeber and Kaufman’s Motion to Dismiss (ECF No. 23) is GRANTED as to Plaintiffs’ federal claims and DISMISSED AS MOOT as to Plaintiffs’ state-law claims.

IT IS FURTHER ORDERED that the Township and KABA Defendants’ Motion to Dismiss (ECF No. 25) is GRANTED as to Plaintiffs’ federal claims and DISMISSED AS MOOT as to Plaintiffs’ state-law claims.

IT IS FURTHER ORDERED, pursuant to 28 U.S.C. § 1367(c)(3), that this Court declines to exercise supplemental jurisdiction over Plaintiffs’ state-law claims, which are DISMISSED WITHOUT PREJUDICE.

Because this Opinion and Order resolves all pending claims, the Court will also enter a Judgment to close this case. *See* FED. R. CIV. P. 58.

Dated: September 17, 2024

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge



Generally Accepted Agricultural and Management Practices for Farm Markets

2024

Michigan Commission of Agriculture & Rural
Development
PO BO 30017
Lansing, MI 48909

In the event of an agricultural pollution emergency such as a chemical/fertilizer spill, manure lagoon breach, etc., the Michigan Department of Agriculture & Rural Development and/or Michigan Department of Environment, Great Lakes, and Energy should be contacted at the following emergency telephone numbers:

Michigan Department of Agriculture & Rural Development: 800-405-0101
Michigan Department of Environment, Great Lakes, and Energy's Pollution
Emergency Alert System: 800-292-4706

If there is not an emergency, but you have questions on the Michigan Right to Farm Act, or items concerning a farm operation, please contact the:

Michigan Department of Agriculture & Rural Development
Right to Farm Program
P.O. Box 30017
Lansing, Michigan 48909
517-284-5619
877-632-1783
517-335-3329 FAX

Table of Contents

<i>PREFACE</i>	<i>iii</i>
<i>INTRODUCTION</i>	<i>1</i>
<i>DEFINITIONS</i>	<i>2</i>
<i>PHYSICAL CHARACTERISTICS OF A FARM MARKET</i>	<i>3</i>
Location	3
Buildings	3
Parking and Driveways	3
Vehicle Ingress and Egress	3
Signage	3
<i>REFERENCES</i>	<i>4</i>
<i>ADVISORY COMMITTEE</i>	<i>5</i>

PREFACE

The Michigan legislature passed into law the Michigan Right to Farm Act (Act 93 of 1981, as amended) which requires the establishment of Generally Accepted Agricultural and Management Practices (GAAMPs). These practices are written to provide uniform, statewide standards and acceptable management practices based on sound science. These practices can serve producers in the various sectors of the industry to compare or improve their own managerial routines. New scientific discoveries and changing economic conditions may require necessary revision of the practices. The GAAMPs are reviewed annually and revised as considered necessary.

The GAAMPs that have been developed are as follows:

- 1) 1988 Manure Management and Utilization
- 2) 1991 Pesticide Utilization and Pest Control
- 3) 1993 Nutrient Utilization
- 4) 1995 Care of Farm Animals
- 5) 1996 Cranberry Production
- 6) 2000 Site Selection and Odor Control for New and Expanding
Livestock Facilities
- 7) 2003 Irrigation Water Use
- 8) 2010 Farm Markets

These practices were developed with industry, university, and multi-governmental agency input. As agricultural operations continue to change, new practices may be developed to address the concerns of the neighboring community. Agricultural producers who voluntarily follow these practices are provided protection from public or private nuisance litigation under the Right to Farm Act.

The website for the GAAMPs is <http://www.michigan.gov/righttofarm>.

INTRODUCTION

As farmers look for ways to keep their businesses economically viable, many have chosen to shift their operations from a farmer-to-processor to a direct market business model. This includes selling raw and value-added products directly to the consumer through on-farm establishments, farmers markets, and other agricultural outlets. This allows farms to take advantage of consumer interest in agritourism, the “buy local” movement, and a desire for a connection with farmers and food production. These activities have far-reaching economic impacts. Many regions have capitalized on the growth of farm markets by developing regional farm market and culinary trails, and tourism promotion based on authentic culinary experiences offered by local farm markets. Farm markets provide the opportunity for visitors to meet a farmer, learn about modern agricultural practices, and gain access to fresh, local, nutritious food. Finally, farm markets and the associated farm, help maintain green space adding to the quality of life. Thriving farmland enhances the beauty of communities, retains residents, and attracts visitors. As farm operations engage in direct sales and on-farm activities, conflicts have arisen regarding oversight of these businesses.

Michigan is a Right to Farm (RTF) state and the RTF Act defines a “farm operation” as meaning the operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products. This definition includes, but is not limited to, marketing produce at roadside stands or farm markets. Farm markets offer farm related experiences and farm products through a variety of agritourism activities. The experience in turn promotes sale of more farm products and provides an added income stream to support the farm business, the farm family, and surrounding communities; and keeps farmland in production.

Although the RTF Act includes farm markets in the definition of a farm operation, this definition does not define a farm market or describe specific marketing activities. These GAAMPs for Farm Markets were developed to provide guidance as to what constitutes an on-farm market and farm market activities.

DEFINITIONS

Affiliated – “Affiliated” means a farm under the same ownership or control (e.g., leased) as the farm and does not need to be on the same parcel of land.

Expanding Farm Market – An addition to an existing farm market that increases the square footage of the farm market.

Farm – A “farm” means the land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Farm Market – A farm market is a year-round or seasonal location where transactions and marketing activities between farm market operators and customers take place. A farm market may be a physical structure such as a building or tent, or simply an area where a transaction between a customer and a farmer is made. The farm market does not have to be a physical structure. The farm market must be located on property owned or controlled (e.g., leased) by the producer of the products offered for sale at the market. Fresh products as well as processed products may be sold at the farm market. At least 50 percent of the products offered must be produced on and by the affiliated farm measured by retail floor space during peak production season, or 50 percent of the average gross sales for up to the previous five years or as outlined in a business plan. Processed products will be considered as produced on and by the farm if at least 50 percent of the product’s primary or namesake ingredient was produced on and by the farm, such as apples used in apple pie, maple sap in maple syrup, strawberries in strawberry jam, etc.

Farm Product – A “farm product” means those plants and animals useful to humans produced by agriculture and includes, but is not limited to forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock (including breeding and grazing), equine, fish and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur as determined by the Michigan Commission of Agriculture & Rural Development.

Marketing – Promotional and educational activities at the farm market incidental to farm products with the intention of selling more farm products. These activities include, but are not limited to, farm tours (walking or motorized), demonstrations, cooking and other classes utilizing farm products, and farm-to-table dinners.

Processed – A farm product or commodity that has been converted into a product for direct sales. Processing may include, but is not limited to, packing, washing, cleaning, grading, sorting, pitting, pressing, fermenting, distilling, packaging, cutting, cooling, storage, canning, drying, freezing, or otherwise preparing the product for sale.

PHYSICAL CHARACTERISTICS OF A FARM MARKET

Location

A new or expanding farm market that is greater than 120 square feet must meet a minimum setback of 165 feet from all non-farm residences.

New or expanding farm markets are not authorized under this GAAMP on platted lots within a subdivision created under the Michigan Land Division Act (Act 288 of 1967, MCL 560.101, *et seq.*) or preceding statutes and on condominium units within a condominium (sometimes referred to as "site-condos") created under the Michigan Condominium Act (Act 59 of 1978, MCL 559.101, *et seq.*). However, farm markets are permitted in such areas if authorized by association rules or pursuant to a local ordinance designed for that purpose, unless prohibited by association rules.

A farm market should have a written site plan for potential MDARD review that preempts local government regulations.

Buildings

If the farm market is housed in a physical structure as defined and regulated by the Stille-Derossett-Hale Single State Construction Code Act (Act 230 of 1972), the structure must comply with the Stille-Derossett-Hale Single State Construction Code Act (Act 230 of 1972), including road right-of-way areas and ingress and egress points.

Parking and Driveways

Parking and driveway surfaces may be vegetative, ground, pavement, or other suitable material. However, other parking and driveway requirements must comply with all applicable regulations.

Vehicle Ingress and Egress

Any farm market and affiliated parking operating along a public road must obtain all appropriate ingress and egress permits.

Signage

The operator of the farm market must comply with all applicable state and federal regulations for signs. A minimum of one roadside sign is allowed pursuant to local sign ordinance setbacks, lighting, height, and size requirements.

For further information concerning this GAAMP you may contact the Michigan Department of Agriculture and Rural Development or Michigan State University Extension.

H



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

In the matter of the request of)
SOIL FRIENDS L.L.C.)
1701 N 33rd Street)
Galesburg, Mi 49053-9782)
)
Comstock Township)
Kalamazoo County)

Request ID No. 2211-14016

At the April 27, 2023 meeting of the Michigan Liquor Control Commission in Lansing, Michigan.

PRESENT: Dennis Olshove, Commissioner
Kristin Beltzer, Commissioner

REDEFINE LICENSED PREMISES APPROVAL ORDER

Soil Friends L.L.C. ("licensee") has filed an application to redefine the licensed premises; and request new Sunday Sales Permit (A.M.).

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

Commission records reflect licensee is the holder of 2023 Small Wine Maker and Direct Shipper licenses with an On-Premises Tasting Room Permit, Beer and Wine Tasting Permit and Outdoor Service (2 areas) located at the above noted address.

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure.

Under administrative rule R 436.1023(2), a licensee shall obtain prior written approval from the Commission before adding space to or dropping space from the physical structure of the licensed premises or redefining the licensed premises.

The Commission finds that the licensee is requesting to utilize a new building as licensed premises, both for the purposes of manufacturing wine and for On-Premises Tasting Room activities. The Commission further finds that the licensee is currently in litigation with Comstock Township with regard to use of the newly proposed building and the local ordinances and zoning laws. Approval of this request does not waive the requirement that the licensee be in compliance with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances, nor does this approval allow the licensee to violate any order of the court.

The Commission finds that a final inspection by Enforcement will be required to verify the licensee is in compliance with all local ordinances and zoning laws before they are able to utilize the new building for any manufacturing or tasting room activities.

After reviewing the file and discussion of the issues at the meeting, the Commission finds that all the requirements have been met and this request should be approved.

THEREFORE, IT IS ORDERED that:

- A. The licensee's request to redefine the licensed premises is APPROVED.
- B. The licensee's request for new Sunday Sales Permit (A.M.) is APPROVED subject to the following:
 1. A reference to the time of day includes daylight savings time, when observed.
 2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

- C. Activation of the redefined licensed premises for manufacturing and tasting room activities is APPROVED subject to the following:
1. **Final inspection by Enforcement to determine renovations have been completed as proposed; to obtain diagram for new building which details where all manufacturing and tasting room activities will occur; to determine all furniture, fixtures and equipment have been installed; to determine seating capacity has been established and posted; and to obtain documentary proof that the court order prohibiting use of the redefined space for manufacturing and/or tasting room activities has been lifted or reversed.**
- D. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
- E. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
- F. **Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.**

G. Failure to comply with all laws and rules may result in the revocation of the approval contained in this order.

MICHIGAN LIQUOR CONTROL COMMISSION



Dennis Olshove, Commissioner



Kristin Beltzer, Commissioner

D4

Date Mailed: May 17, 2023



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: SOIL FRIENDS L.L.C.

1701 N 33RD ST
GALESBURG, MI 49053

COMPLAINT NO. CV-513100
BUSINESS ID NO. 259128
DIRECT SHIPPER SM WN MKR
SLSPRN ON PRM TST RM
OD-SERV BR/WN TASTING

CHARGES – DECEMBER 6, 2022

- (1) Added space to the physical structure of the licensed premises, without prior written approval of the Commission, contrary to Rule 436.1023(2)(a).
- (2) Allowed alcoholic liquor to be kept or stored off the licensed premises without prior written order of the Commission, contrary to Rule 436.1025.
- (3) Failed to comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances, specifically: Zoning ordinances of Comstock Township regarding occupancy of pole barn without a permit, as determined by the state and local law enforcement officials who have jurisdiction, contrary to Rule 436.1003.

FINDINGS OF FACT

The Commissioner finds as fact, based upon the signature on the Michigan Liquor Control Commission's (MLCC) Waiver and Acknowledgment form of Ben Martin, member of the above-noted Licensed Limited Liability Company, that under administrative rule R 436.1907 of the Michigan Administrative Code, the Licensee in this case has voluntarily waived the right to a hearing to contest the cited allegations in this matter and has entered a plea of acknowledgment to the three (3) charges stated in Case No. CV-513100.

The Commissioner accepts the Violation Report of this case, along with any attachments therein, and a True Copy of the prior record of this Licensee at the above-noted location as evidence in lieu of testimony in this matter.

The Commissioner finds as fact, based on the Violation Report and attachments therein, MLCC Investigator Jon Reeder conducted a December 6, 2022, inspection and discovered the above-noted licensee had added an additional pole barn type building during September 2019 without MLCC approval. The unapproved building has been used for storing, fermenting, and canning alcohol. The Commissioner further finds that the subject licensee was also not in compliance with the local ordinances, zoning, rules, regulations and requirements due to the additional building.

CONCLUSIONS OF LAW

Based upon the aforementioned Findings of Fact, the Commissioner concludes that the Licensee in Case No. CV-513100 did violate administrative rules R 436.1023(2)(a), R 436.1025 and R 436.1003 of the Michigan Administrative Code, as cited.

ORDER

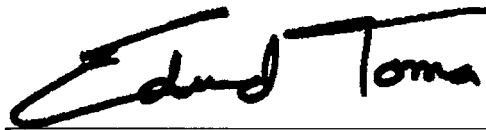
In determining this violation's penalty, the Commissioner considered the Licensee's total record at the above-noted location, which shows one prior dissimilar violation since securing MLCC licensure on June 8, 2018.

Therefore, the Commissioner Orders a penalty fine of \$200 for each charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of thirty (30) continuous days, to run consecutively and not concurrently with any other suspension

Ordered by the MLCC, if the total fine of \$600 is not paid within forty-five (45) days from the mailing date of this Order.

As additional penalty, the Commissioner Orders the subject Licensee to cease and desist in storing alcoholic beverages in an unapproved area of any kind until obtaining the proper MLCC approval.

MICHIGAN LIQUOR CONTROL COMMISSION

A handwritten signature in black ink that reads "Edward Toma". The signature is written in a cursive style with a large, sweeping initial "E".

Edward Toma, Commissioner

Date Signed: March 6, 2023

Date Mailed: March 7, 2023

ET: CV-513100/AL

J

Mike Alwine

From: Mike Alwine
Sent: Tuesday, May 23, 2023 3:19 PM
To: 'Ben Martin'
Subject: RE: Soil Friends Special Exemption Approval

Ben,
Greetings, you will need to submit a new application and plans specific for this use. The previous application was for "wedding venue/farm market", not wine tasting room.

The information that will be need for the pole barn will be a structural evaluation submitted by a registered design professional verifying the footing/foundation and all structural components and design of the structural assembly itself along with the additional components required for assembly groups such as energy compliance, mechanical and ventilation compliance, plumbing etc.. Your designer will know what needs to be included in the plans. We typically receive calls from designers in the plan design phase of construction if they have any questions on required info or code compliance. Let your designer know that he can contact me anytime if he has any question or comments.

Regards,

Mike Alwine

Building Official



Kalamazoo Area Building Authority

O. 269-216-9861

C. 269-506-5967

Kaba-mi.org

From: Ben Martin <sales@soilfriends.com>
Sent: Monday, May 22, 2023 3:00 PM
To: Mike Alwine <malwine@kaba-mi.org>
Subject: Soil Friends Special Exemption Approval

Hi Mike,

Last fall we applied for building permits for our barn with mixed use occupancy for beverage manufacturing in the back and assembly in the front. We have received special exemption approval from the township and would like to move forward with purchasing the building permits to allow guest into our wine tasting room.

Could you provide us with the information you need from us for our pole barn at 1701 N 33rd Galesburg, MI 49053.

Thank you

--

Ben Martin, Owner
Soil Friends L.L.C.
Soil Friends Hard Cider CO
Soil Friends Excavation L.L.C.
269-348-1567





Kalamazoo Area Building Authority
www.kaba-mi.org
2322 Nazareth Road, Kalamazoo, MI 49048
Phone: 269-216-9511 Fax: 269-250-9078
permits@kaba-mi.org

K

10/09/2024

SOIL FRIENDS LLC
9369 E MAIN ST
GALESBURG, MI 49053

FINAL NOTICE

To Whom It May Concern:

On 10/19/2022, our Inspector performed an inspection for the property located at 1701 N 33RD ST. Listed below are the violations noted during the inspection.

Inspection Results for 1701 N 33RD ST:

Perform requested property maintenance inspection. Listed below are the conditions observed that are in violation of the 2015 International Property Maintenance Code and the 2015 Michigan Building Code

- 1. Unlawful structure 2015 IPMC Sec. 108.1.4. Operating an Assembly group occupancy in existing building without obtaining required permits, inspections or zoning approval.**
- 2. Failure to obtain required permits for change of occupancy and associated work MBC Sec. 105.1**
- 3. Occupying structure without first obtaining certificate of occupancy 2015 MBC Sec. 111.1.**

As a result of the above violations, you shall have 30 days to bring the matter into compliance. The following are the three options available to achieve compliance:

- 1. Obtain the required permit(s) for the work performed on the structure (red barn) and remove all materials necessary to perform the required inspections.**
- 2. Dismantle and remove all work and equipment and return structure to original configuration as an agricultural use only barn.**
- 3. Demolish and remove the structure (red barn) in accordance with all local ordinances and regulations.**

Additionally, the attached **REDEFINE LICENSED PREMISES APPROVAL ORDER** issued by the State of Michigan **DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, LIQUOR CONTROL COMMISSION** states that the validity of your liquor license is contingent upon compliance with state building laws. In specific, the **2015 Michigan Building Code and the Stille-Derossett-Hale Single State Construction Code Act (P.A. 230 of 1972)**

Due to the observed conditions, the structure is hereby ordered CONDEMNED and all occupancy is strictly prohibited. Per Section 108.5 of the 2015 International Property Maintenance Code, any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

Failure to bring the matter into compliance will result in further enforcement action specifically prescribed in Stille-Derossett-Hale Single State Construction Code Act (P.A. 230 of 1972) to effectuate the actions necessary to bring the matter into compliance.

Transfer of ownership. In accordance with Sec 107.6, It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a **signed and notarized statement** from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.



Kalamazoo Area Building Authority
www.kaba-mi.org
2322 Nazareth Road, Kalamazoo, MI 49048
Phone: 269-216-9511 Fax: 269-250-9078
permits@kaba-mi.org

Please be aware that you have the right to appeal this decision. Per the 2015 International Property Maintenance Code, Section 111.1, any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Mike Alwine", with a long horizontal flourish extending to the right.

Mike Alwine
Building Official
Kalamazoo Area Building Authority
(269) 216-9511
malwine@kaba-mi.org

CC: STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY
AFFAIRS LIQUOR CONTROL COMMISSION



MICHIGAN LEGISLATURE

Michigan Compiled Laws Complete Through PA 150 of 2024

Senate adjourned until Tuesday, November 26, 2024 10:00 AM

House adjourned until Tuesday, November 26, 2024 1:30 PM

[Home](#) [Legislature](#) [Laws](#) [More](#)

[Sign Up](#) [Log In](#)

MCL - Section 125.1510

[Download Section](#)

[Chapter 125](#)

[Act 230 of 1972](#)

[◀ Previous Section](#) [Next Section ▶](#)

STILLE-DEROSSETT-HALE SINGLE STATE CONSTRUCTION CODE ACT (EXCERPT) Act 230 of 1972

125.1510 Application for building permit; form; fee; contents; statement; site plan; affidavit; filing written instrument designating agent, attorney, architect, engineer, or builder; additional information required for residential builder or residential maintenance and alteration contractor, plumbing contractor or master or journeyman plumber, electrical contractor or master or journeyman electrician, or mechanical contractor; statement required in building application form; filing application; availability of application and other writings to public; custody of application; imposition of requirements for additional permits; building permit not required; qualifying roadside stand; tent exempt from act and code.

Sec. 10.

(1) Except as otherwise provided in the code, before construction of a building or structure, the owner, or the owner's builder, architect, engineer, or agent, shall submit an application in writing to the appropriate enforcing agency for a building permit. The application shall be on a form prescribed by the commission and shall be accompanied by payment of the fee established by the enforcing agency. The application shall contain a detailed statement in writing, verified by affidavit of the individual making it, of the specifications for the building or structure, and full and complete copies of the plans drawn to scale of the proposed work. A site plan showing the dimensions, and the location of the proposed building or structure and other buildings or structures on the same premises, shall be submitted with the application. The application shall state in full the name and residence, by street and number, of the owner in fee of the land on which the building or structure will be constructed, and the purposes for which it will be used.

(2) If construction is proposed to be undertaken by a person other than the owner of the land in fee, the statement shall contain the full name and residence, by street and number, of the owner and also of the person proposing the construction. The affidavit shall state that the specifications and plans are true and complete and contain a correct description of the building or structure, lot or parcel, and proposed work. The statements and affidavits may be made by an owner, or the owner's attorney, agent, engineer, architect, or builder, by the person who proposes to make the construction or alteration, or by that person's agent, engineer, architect, or builder. A person shall not be recognized as the agent, attorney, engineer, architect, or builder of another person unless the person seeking recognition files with the enforcing agency a written instrument, which shall be an architectural, engineering, or construction contract, power of attorney, or letter of authorization signed by that other person designating the person seeking recognition as the agent, attorney, architect, engineer, or builder and, in case of a residential builder or maintenance and alteration contractor, architect, or engineer, setting forth the license number of the person seeking recognition and the expiration date of the license.

(3) A person licensed or required to be licensed as a residential builder or residential maintenance and alteration contractor under the occupational code, 1980 PA 299, MCL 339.101 to 339.2919, a plumbing contractor or master or journeyman plumber under article 11 of the skilled trades regulation act, MCL 339.6101 to 339.6133, an electrical contractor, master electrician, or electrical journeyman under article 7 of the skilled trades regulation act, MCL 339.5701 to 339.5739, or pursuant to a local ordinance, or a mechanical contractor under article 8 of the skilled trades regulation act, MCL 339.5801 to 339.5819, who applies for a building permit to perform work on a residential building or a residential structure shall, in addition to any other information required pursuant to this act, provide on the building permit application all of the following information:

(a) The occupational license number of the applicant and the expiration date of the occupational license.

(b) One of the following:

(i) The name of each carrier providing worker's disability compensation insurance to the applicant if the applicant is required to be insured pursuant to the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941.

(ii) The reasons for exemption from the requirement to be insured if the applicant is not required to be insured under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941.

(c) One of the following:

(i) The employer identification number, if the applicant is required to have an employer identification number pursuant to section 6109 of the internal revenue code, 26 USC 6109.

(ii) The reasons for exemption from the requirement to have an employer identification number pursuant to section 6109 of the internal revenue code of 1986, 26 USC 6109, if the applicant is not required to have an employer identification number pursuant to that section.

(d) One of the following:

(i) The Michigan employment security commission employer number, if the applicant is required to make contributions pursuant to the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.1 to 421.75.

(ii) If the applicant is not required to make contributions, the reasons for exemptions from the requirement to make contributions under the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.1 to 421.75.

(4) The building permit application form shall contain the following statement in 8-point boldfaced type immediately above the location for the applicant's signature:

"Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 125.1523a, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subjected to civil fines."

(5) The application for a building permit shall be filed with the enforcing agency and the application and any other writing prepared, owned, used, in the possession of, or retained by the enforcing agency in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. An application shall not be removed from the custody of the enforcing agency after a building permit has been issued.

(6) This section shall be construed to allow the imposition of requirements in the code, or in other laws or ordinances, for additional permits for particular kinds of work, including plumbing and electrical, or in other specified situations. The requirements of the code may provide for issuance of construction permits for certain of the systems of a structure and allow construction to commence on those systems approved under that permit even though the design and approval of all the systems of the structure have not been completed and subsequent construction permits have not been issued.

(7) A building permit is not required for ordinary repairs of a building or structure.

(8) A building permit is not required for a building incidental to the use for agricultural purposes of the land on which the building is located if the building is not used in the business of retail trade.

(9) A qualifying roadside stand is exempt from the plumbing fixture requirements of this act and the code and is not required to have electric power. However, a qualifying roadside stand that has electric power must comply with the electrical code. This subsection does not exempt a qualifying roadside stand from a requirement to obtain a building permit. As used in this subsection, "qualifying roadside stand" means a roadside stand that meets all of the following requirements:

(a) Is used only for seasonal retail trade in agricultural products.

(b) At least 50% of the agricultural products offered for sale at the roadside stand are produced on a farm that is owned or controlled by the person who owns the roadside stand.

(c) Is not larger than 400 square feet.

(d) Is securely anchored to the ground.

(10) A tent that meets the requirements of subsection (9)(a), (b), and (c) is exempt from this act and the code.

History: 1972, Act 230, Eff. Jan. 1, 1973 ;-- Am. 1977, Act 195, Imd. Eff. Nov. 17, 1977 ;-- Am. 1989, Act 135, Eff. Oct. 1, 1989 ;-- Am. 1999, Act 245, Imd. Eff. Dec. 28, 1999 ;-- Am. 2013, Act 125, Imd. Eff. Oct. 1, 2013 ;-- Am. 2016, Act 409, Eff. Apr. 4, 2017

Popular Name: Act 230

Popular Name: Uniform Construction Code

[Acceptable Use Policy](#) [Privacy Policy](#) [DMCA Policy](#) [Comment Form](#)
[Legislative Directory](#) [Accessibility](#) [Site Map](#)

 [Bills](#)  [Meetings](#)  [Laws](#)

The Michigan Legislature Website is a free service of the Legislative Service Bureau in cooperation with the Michigan Legislative Council, the Michigan House of Representatives, the Michigan Senate, and the Library of Michigan. This site is intended to provide accurate and timely legislative information to the citizens of the State of Michigan and other interested parties. Additional historical documents can be found at <https://www.michigan.gov/libraryofmichigan>. The information obtained from this site is not intended to replace official versions of that information and is subject to revision. The Legislature presents this information, without warranties, express or implied, regarding the accuracy of the information, timeliness, or completeness. If you believe the information is inaccurate, out-of-date, or incomplete or if you have problems accessing or reading the information, please send your concerns to the appropriate agency using the online Comment Form in the bar above this text.