

CLIENT ALERTS

Proposed Detroit Ordinance to Require Geotechnical Investigations

Client Alert

6.28.2022

The City of Detroit recently announced that it is proposing to amend Chapter 8 (BUILDING CONSTRUCTION AND PROPERTY MAINTENANCE) of its Code of Ordinances to require geotechnical reports from businesses that have “loading” of material or equipment over 360 pounds per square foot (psf).

The proposal is allegedly in response to the recent highly publicized collapses at a property along the Detroit River and at a site at Fort and Dearborn Streets. The recently passed Shoreline Protection Ordinance which goes into effect in July, already requires businesses adjacent to a waterbody that store bulk materials, use heavy equipment or where remediation, redevelopment, restoration, or construction is taking place to provide a geotechnical report to the City’s Buildings, Safety Engineering and Environmental Department (BSEED). This new ordinance will affect not only those businesses along the river, but any business that store or use material, equipment or vehicles in excess of 360 psf. This incredibly low threshold can be triggered by as little as a truck or hi-low forklift, a waist high level pile of dirt, or a couple pallets of bricks.

In order to obtain a Certificate of Compliance allowing loading beyond the threshold of 360 psf, a geotechnical engineer will have to perform a thorough investigation of onsite soils, groundwater, utilities and infrastructure conditions and certify that the intended use of the property will be safe. This includes a minimum of one boring per acre and may require test pits as well as evaluation of materials and equipment managed or stored on site.

While the proposed ordinance has not yet been submitted to City Council for review and approval, BSEED has indicated that they want to get this through City Council by year end. We have included copies of BSEED’s engineering firm’s Ordinance Summary and Recommendations as well as a link to the

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recorded stakeholders meeting held on June 15, 2022.

Please contact us immediately if you believe this will impact your Detroit operations.

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