

The Law Offices of Bryan Yaldou, PLLC
23000 Telegraph Road, Suite 5, Brownstown, MI 48134

November 18, 2016

Mr. Mario Bouchard
Mrs. Nancy Bouchard
22351 Columbia Street
Dearborn, MI 48124

**Re: Demand for Retraction and Apology in Reference to Letter of January 20, 2016
Submitted by Mario Bouchard to City of Dearborn officials**

**Demand for Retraction and Apology in Reference to Repeated and Ongoing
Slanders Committed by Mario and Nancy Bouchard**

Proper Issuance of Auto Repair Expense Payment

Dear Mrs. and Mr. Bouchard,

This demand for retraction and apology is submitted on behalf of Mr. Paul V. Sheridan. It has come to our attention that you have made several false and defamatory statements about him to City of Dearborn officials. The first reference is in the form of correspondence submitted to the City of Dearborn dated January 20, 2016. Because you submitted these written defamatory statements about Mr. Sheridan to Dearborn officials, these statements are and have been subject to further public dissemination under the Freedom of Information Act (Attachment 1).

It is imperative that you retract your letter of January 20, 2016, in its entirety, and issue a written apology to Mr. Sheridan to be shared with the City of Dearborn.

Your false and defamatory written statements include:

1. On January 20, 2016, you advised the City of Dearborn in writing that you have parked a vehicle provided to you by your employer in an alley easement for years and it has never prevented your neighbor from accessing his driveway.

This is known by you to be false. You are aware that the parking of this employer-provided vehicle, in combination with the illegal parking of your many personal vehicles, has frequently interfered with Mr. Sheridan's access to his property. Contrary to your verbiage that insinuates otherwise, this has occurred over several years. Your false portrayal of the facts, in connection with other false assertions in your correspondence, intentionally serves to paint Mr. Sheridan in a false light as a poor and unreasonable neighbor.

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2. On January 20, 2016, your allegation that you maintain the “*entire alley behind your property as none of the other neighbors that border it take care of it*” is known to be patently false:

You do not maintain the area. Your innuendo that Mr. Sheridan does not maintain this easement is also false, and portrays him as a poor neighbor, uninterested in maintaining his surroundings in a responsible order. Mr. Sheridan is an extremely fastidious maintainer of his property and surrounding areas, and did so long before you moved to Columbia Street. This is innate to his effort to maintain his status as a good neighbor, a person well thought of in the neighborhood, and by the City of Dearborn. Your false written portrayal of him purposely portrays him in a poor and unfavorable light to the general public.

3. In your secret submission to the City of January 20, 2016, which you purposely obscured from the scrutiny of Mr. Sheridan, you make the absurd claim, “*In the past he and we have even considered buying the alley from the city.*” You have never considered buying the alley, and in truth have continuously rebutted any overtures from Mr. Sheridan in that regard on the basis of “*financial hardship,*” the exact wording you yourself used in a prior paragraph as a basis to cajole the City into allowing dilution of the commercial vehicle parking waiver.

4. On January 20, 2016, you advised Dearborn City officials in writing:

“We do however; have a neighbor that we believe may be the one reporting the complaints. He has a history of having issues with the neighbors around him for years and he is the neighbor we share the alley with. We have tried to be friendly and on many occasions were, as was he. In the past he and we have even considered buying the alley from the city and we have shared common ground on a few other issues as well. But over the years our relationships has been a bumpy road of sorts. On public service days, when we have to park our vehicles in the alley behind our property overnight, he has mentioned being temporarily inconvenienced, although he can still come and go with ease. We are certainly not sure of this and don’t want to be the cause of any insult or slander but it just seems oddly coincidental and as a result did not ask his signature on the petition because we didn’t want to take a chance and upset him further.”

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This is patently false. Mr. Sheridan has never had any adverse issues with any of his neighbors,¹ and has, in fact, been the source of many kindnesses and favors for other neighbors, as well as yourself, and members of your family. These include free repair of vehicles for you and your family, the free repair and installation of personal computer equipment, whole-house hot water heaters, repeated repair and maintenance of your grounds-keeping equipment such as lawn mowers, snow blowers and lawn edgers.

Further, we have personally interviewed high level officials in the City of Dearborn, including those members of its Law Department. All have confirmed that they readily and immediately recognized that Mr. Sheridan was the person that you coyly identified as “neighbor” and “he” and “*he is the neighbor we share the alley with.*”

5. Also, as you are fully aware, you personally gave Mr. Sheridan access to the keys for the large employer work van that you had been illegally parking in the City easement. While you were out-of-town during July 2015, you requested that Mr. Sheridan move the van anticipating that routine police patrols resulted in re-ticketing. Although you never disclosed this truth to your former employer, this fact is known to several neighbors, as well as staff at the Image Hair Salon (See top photo, Attachment 2).
6. Your accusations, which portray Mr. Sheridan as an unapproachable neighbor, whom frequently makes trouble for you and others, are false and baseless. In truth, he is an unfailingly cooperative, helpful and generous individual, whom is well-known as such to both the neighbors and the City of Dearborn. You have purposely and publically portrayed him in a decidedly opposite manner, raising the need for a fulsome retraction by you.
7. In your secret submission to the City of Dearborn you stated, “*We are certainly not sure of this and don’t want to be the cause of any insult or slander...*” However, your recent behavior confirms that your alleged concerns about “insult or slander” have no credibility, and evidence exists that you fully intended the exact opposite. For example, in addition to the false written statements, it has been confirmed, through extensive interviews with witnesses, that you have repeatedly vocalized false and injurious statements to Mr. Sheridan’s reputation. These slanderous comments have been made to Dearborn officials, to neighbors, to existing and potential business associates, and to the general public. It has been confirmed that your slanders even include a local church

¹ As you know, the only adverse relationship that occurred was the result of your altercation with a neighbor on Oxford Street which concluded with your acquisition of a court-ordered Personal Protection Order (PPO) which, characteristically, was accommodated and funded by the wherewithal and generosity of Mr. Sheridan (Enclosure).

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parish. It is clear that you have no genuine concern about being “*the cause of any insult or slander...*” to our client.

8. In truth, it is you that is unapproachable. This was dramatically demonstrated by your abusive profanity and threats against a roofing crew. Your behavior of Tuesday, November 1, 2016 was witnessed by several neighbors, at least five members of the roofing crew, and Mr. Sheridan. Your penchant for causing trouble in the neighborhood included your initial telephone call to the Dearborn Police, insinuating that the crew was blocking access to the City easement, and that they refused to move their work truck. The latter too, was just another slanderous accusation (Incident Report 16-62887).

Further, your recent public diatribe that Mr. Sheridan is somehow responsible for loss of employment is also known by you to be completely false. In truth, it is widely known that you had made blatantly false verbal and written claims to City of Dearborn officials, that you were a “licensed electrician.” As you are fully aware, you are still not a “licensed electrician.”

These recent slanderous statements about the cause of your loss of employment have been made repeatedly by Mrs. Nancy Bouchard to Ms. Devon Maloney, co-proprietor of the Image Hair Salon, and have since been repeated in that setting to other salon employees, including but not limited to Ms. Rebecca Geney, Ms. Carol Christopher and Mr. Daniel Dykas. Again, you have no genuine concern about being “*the cause of any insult or slander...*” to our client.

There are many other falsehoods implied in your secret submission to the City of Dearborn of January 20, 2016, which involve, but are not limited to, your repeated failure to reimburse Mr. Sheridan in a timely and courteous manner. Your most recent abuse of Mr. Sheridan’s generosity involves repair expenses related to your daughter’s Volkswagen. Enclosed we are returning your improperly received and post-dated check of August 2, 2015. Mr. Sheridan was legally and morally correct in his hesitation to accept this payment. Please forward to this office a re-issued, properly dated check in the proper amount, consummating a debt you have owed Mr. Sheridan since July 2015 (See bottom photo, Attachment 2).

Mr. Sheridan has been a resident on Columbia Street in Dearborn for 34 years, and has never been subjected to false or defamatory statements such as those you have made about him. For example, your stated reason of January 20, 2016 to Dearborn City Council, that solicitation of Mr. Sheridan’s approval for a commercial vehicle parking waiver was avoided due to your claim that “*he has mentioned being temporarily inconvenienced*” is nothing more than a diversion:

You are fully aware that your vile behavior and threatening actions against Mr. Sheridan, for merely asking for reimbursement of your daughter’s Volkswagen repair expense, on the evening of July 30, 2015, were the true reasons you were unable to solicit his approval (Attachment 3).

Bryan Yaldou
Attorney At Law

Phone: (734) 692-9200
Fax: (734) 692-9201

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Demand is hereby therefore made upon both of you to issue a full and complete retraction, in writing, and an apology to Mr. Sheridan for having made these false and defamatory statements. These statements have damaged Mr. Sheridan's reputation, as well as caused him great consternation that you would damage his reputation which he has worked for many, many years to earn, create and maintain, and which is of particular importance to him and the people he serves in his highly esteemed profession.

You must issue your retraction and apology in writing, and we must be in receipt of such within ten business days. Please forward this retraction letter to my attention at your earliest convenience, and if you have any questions do not hesitate to have your counsel call me directly.

Cordially,

Bryan Yaldou

Attachments/Enclosures

ATTACHMENT 1

Mario Bouchard
22351 Columbia Street
Dearborn, MI 48124
313-274-3979
313-657-2064

City Council Member Board
16901 Michigan Ave. Suite 10
Dearborn, Michigan 48126

January 20, 2016

Re: Appeal for alley parking exemption request/possible amendment for city ordinance sec. 18-356

Members of city council;

I am respectfully requesting to appear before the board and appeal a recent decision by Traffic /Safety Commission to deny a 24 hour parking permit for my work van to be parked in the alley behind my garage.

We have lived at this address since 1988, 15 years of which I have worked as a licensed electrician. For much of this time I have parked either a company van or a company step van in this exact spot without issue. This vehicle is absolutely critical to my livelihood and a highly valued compensation from my employer. It is a new 2015 van that is not unsightly in any way. Without the 24 hour availability of this vehicle I would no longer have transportation to and from Madison Heights, where I work. It is impossible to predict how often I get emergency calls or when. Having my work vehicle located miles away would hinder my response time to those who need these services.

Losing this vehicle will also cause me and my family financial hardship. We are not in a position to afford any additional vehicles and this company van also allows me to carry the necessary tools, equipment and bulky supplies required to perform my trade. Losing the van could potentially mean losing my job. The van is parked at the inside dead end of the alley directly behind my property and has never been in the way of alley maintenance nor has it ever prevented my neighbor from accessing his driveway.

We have always been very diligent on keeping the alley clear of leaves, cutting the grass and picking up trash that is dropped from time to time and packing down the snow. Although we live at the inside dead end of the alley, we maintain the entire alley as none of the other neighbors that boarder it take care of it. We care for it as we do our own property.

In 2004-5 my wife spoke with then Mayor Giudo who assured us that our vehicles both personal and work related would be allowed to park in the alley without offence. Well, that was obviously years ago yet we have never had an issue until recently.

We just want to continue living and working as usual. We've received several warnings and a couple of tickets prior to finding a very temporary place to relocate the work van and we don't see a permanent solution other than receiving the variance being requested by this letter.

Every officer that came out to mention the ordinance agreed it was outdated and many of the neighbors that signed my petition were also surprised how much effort the city was putting into removing my van which was not at issue with any of them. After being told by officers that came out that there were several complaints, we find it difficult to understand this since every one of our neighbors wasn't bothered by the van being in the alley and they understood its presence there.

We do however; have a neighbor that we believe may be the one reporting the complaints. He has a history of having issues with the neighbors around him for years and he is the neighbor we share the alley with. We have tried to be friendly and on many occasions were, as was he. In the past he and we have even considered buying the alley from the city and we have shared common ground on a few other issues as well. But over the years our relationships has been a bumpy road of sorts. On public service days, when we have to park our vehicles in the alley behind our property overnight, he has mentioned being temporarily inconvenienced, although he can still come and go with ease. We are certainly not sure of this and don't want to be the cause of any insult or slander but it just seems oddly coincidental and as a result did not ask his signature on the petition because we didn't want to take a chance and upset him further.

We were eventually referred to Sgt. Steve White who told us "to do what we had to do and if we had any trouble to see him", but we hate to continue to involve him as we are sure he has many more important things to do. We tried covering the van with a tarp to hide the work related writing but were still asked to remove it from the alley.

Since our house and garage were built in 1942, the dimensions of the garage door will not allow for me to park my work van inside.

Please look into my request and find it in your heart to allow the permanent exemption for parking my work van in the alley. I have included all the required documentation to support my request and look forward to attending a hearing or providing whatever is additionally required regarding this matter.

Thank you for your time and consideration.

Respectfully,

Mario Bouchard



ATTACHMENT 3

This attachment contains five pages, which document the materials that were returned to Mr. Sheridan on Thursday July 30, 2015. This took place while Mr. Sheridan was not at home after the following:

At 5pm on Thursday, July 30, 2015, Mr. Mario Bouchard launched into **violent yelling and screaming**, at Mr. Sheridan, in response to the last two pages of this attachment.

First Page of this Attachment

Contains handwritten Bouchard note with the acronym **“WWJD.”** This is a grotesque affront to, not only Mr. Sheridan’s religious beliefs, which are well-known to Bouchard, but it represents a vane personal abuse of the Lord’s name over money: For the record, there was no such day as *“Monday Aug. 2”* in 2015.

Second Page of this Attachment

Envelope taped to the side door of the Sheridan residence at 22357 Columbia Street, Dearborn, MI, containing items that related to the repair of the Dayna Bouchard Volkswagen. (The envelope included a meal replacement bar offered to Bouchard in-friendship by Mr. Sheridan.)

Third Page of this Attachment

Cell telephone record to Bouchard residence. Mr. Sheridan was attempting to politely inquire about belated payment of parts-only reimbursement (for Bouchard daughter’s Volkswagen, see photo on page 3 of cover letter).

On Saturday 7/25 and Monday 7/27, calls were attempted while all Bouchard vehicles were present. But with the Sheridan caller ID unmasked, there was no answer.

Another attempt was made to the Bouchard land line (313-274-3979) on “Thursday 7/30.” With the Sheridan caller ID unmasked there was still no answer. Later, on that same day, the second attempt was answered but presumably because the caller ID was masked :

After twenty minutes of listening to Mrs. Nancy Bouchard’s machinations about upcoming lawyer expenses to fund another ‘Personal Protection Order’ (PPO for daughter Kimberly), “budget issues,” “piles of bills,” etc., **Mr. Sheridan did not demand payment**, but instead politely stated:

“Please do the best you can.”

Last Two Pages of this Attachment

Sheridan’s polite reminder note was dropped off at Bouchard residence on Thursday July 30, 2015. This note was discussed for 20 minutes with Mrs. Bouchard. See telephone record, listed as *“2:33pm Thursday 7/30.”*

Upon his reading this note, rather than acting as a neighbor and a gentleman, Mr. Bouchard launched into violent yelling and screaming across the fence at Mr. Sheridan. He did this prior to conferring with Mrs. Bouchard.

Later that evening, knowing the Mr. Sheridan was not at-home, Mr. Bouchard trespassed onto Mr. Sheridan’s property and then sneakily plastered the **“WWJD”** note to Sheridan side door .

WWJD

Please wait till Monday
Aug. 2 to CASH

DAYCO

More information for DAYCO 83284/3



DAYCO Poly Rib Ball, Alternator, Excess of Specifications
Effective Length 13.08 / Top Width .82 / No of Ribs 6 / Thickness 9.24

DAYCO approaches the market differently from most of its competitors, believing that one suspension ball construction will not perform best with all applications.

For the car and light-duty trucks, DAYCO's extensive line of demanding drives focus on today's vehicles. As the manufacturer of the first original equipment multi-ribbed suspension and driveline components.

The DAYCO Poly Rib W Profile suspension ball is the most innovative advancement in suspension ball design in over 25 years. Developed through extensive laboratory and actual road testing, this unique rib profile EPDM ball that does not deform to conform to high roadloads, wear or misaligned.

Constructed with several reinforced EPDM compounds, DAYCO W Poly Rib suspension ball delivers the required quality & delivers a long life.

DAYCO

More information for DAYCO 89284

89284™



RockAuto.com

DAYCO Import Line Designed for Foreign Nameplate Vehicles

DAYCO's Automotive Ball Technology features a patented "flat spring" design that's engineered to provide best operating characteristics in temperature. This reduces the risk of premature failure due to high tension when a new ball is installed. It also minimizes the risk of ball equal and collapse, poor accessory performance caused by low tension when the ball begins to stretch and wear. A Teflon strip, secured within the ball, helps to stretch and wear. The flat spring itself is coated to resist spring retraction.

Other superior design features:

- Heavy-duty cast aluminum spring carrier
- and fatigue

ACDelco

More information for ACDELCD 3341393



Dayco / Nancy / Mario

Please review the photos / file cd (two copies)

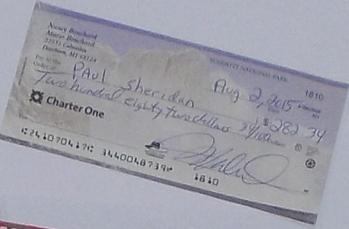
Parts only due:

Alternator	\$ 132.61
Belt and Tensioner	86.41
Oil Dipstick Tube*	11.75
Oil and Air Filter, and oil	39.57
Metric ball temp dipstick	1.00
Stainless clamps for Muffler ratio fix	3.00
Stainless hook-up spring and bolt for Hatch fix	4.00
Two cd's for photo record	0.00
TOTAL DUE (check please)	\$ 278.34

* May arrive at 2317 Columbia this week, watch.



Dayna Mario Nancy
My credit card payment check has already gone out. All VW parts (alternator, belt, oil filter, etc.) were listed. I began these purchases on July 1.
So my check for \$283.34 is needed by Monday, August 3 (see first attachment)
Paul



PAUL



DAYNA/NANCY/MARIO

WWJD

Please wait till Monday
Aug. 2 to CASH



PAUL V. SHERIDAN
 22357 COLUMBIA ST
 DEARBORN, MI 48124-3431

Page: A-1 of 1
 Bill Cycle Date: 07/12/15 - 08/11/15
 Account: 691872869

Visit us online at: www.att.com

607 280-9790
 PAUL V. SHERIDAN

Call Detail

Time	Place	Number Called	Rate Code	Feature Code	Min	Airtime Charges	LD/Addl Charges
Monday, 07/13							
03:16p	ITHACA NY	607-257-2000	RM45		1	0.00	0.00
08:32p	DETROI MI	313-277-5095	RM45		3	0.00	0.00
Tuesday, 07/14							
11:37a	DETROI MI	313-277-5095	RM45		1	0.00	0.00
11:38a	DETROI MI	313-277-5095	RM45		1	0.00	0.00
Wednesday, 07/15							
11:07a	ITHACA NY	607-274-9242	RM45		1	0.00	0.00
11:49a	ITHACA NY	607-274-9242	RM45		10	0.00	0.00
12:57p	ROYAL MI	248-548-3557	RM45		2	0.00	0.00
Thursday, 07/16							
12:08p	FRONTR VA	540-635-7607	RM45		1	0.00	0.00
12:08p	MIDDLE VA	540-454-2161	MME0	M2MC	18	0.00	0.00
03:25p	DETROI MI	313-277-5095	RM45		3	0.00	0.00
07:55p	WALTHA MA	781-647-0622	RM45		42	0.00	0.00
Friday, 07/17							
12:02p	ITHACA NY	607-274-9242	RM45		1	0.00	0.00
Tuesday, 07/21							
12:05p	ITHACA NY	607-274-9242	RM45		1	0.00	0.00
03:08p	DETROI MI	313-277-5095	RM45		1	0.00	0.00
Wednesday, 07/22							
12:15p	ITHACA NY	607-274-9242	RM45		1	0.00	0.00
02:34p	DETROI MI	313-277-5095	RM45		1	0.00	0.00
04:43p	DETROI MI	313-277-5095	RM45		1	0.00	0.00
Friday, 07/24							
08:41a	DETROI MI	313-274-6784	RM45		2	0.00	0.00
08:42a	DETROI MI	313-274-6784	RM45		2	0.00	0.00
Saturday, 07/25							
01:14p	DETROI MI	313-274-3979	5KNW		1	0.00	0.00
Monday, 07/27							
01:05p	NEWBRU NJ	908-239-9239	RM45		29	0.00	0.00
06:17p	VMAIL CL	607-280-9790	RM45		1	0.00	0.00
07:37p	DETROI MI	313-274-3979	RM45		1	0.00	0.00
Thursday, 07/30							
02:33p	DETROI MI	313-274-3979	RM45		20	0.00	0.00
04:28p	ORANGE NJ	973-243-2099	RM45		1	0.00	0.00
04:29p	NEWBRU NJ	908-239-9239	RM45		70	0.00	0.00
Friday, 08/07							
11:30a	VMAIL CL	607-280-9790	RM45		1	0.00	0.00
Subtotal					217	0.00	0.00

Data Detail

Time	To/From	Type/Unit	Rate Code
Text Messages			
Wednesday, 07/15			
04:48p	Rcvd 224444	Text Message	TMI10 0.20
Subtotal for Text Messages: 1			0.20
Total Data Detail			0.20

Rate Code:

TMI10 = Pay Per Use Text/Instant Messaging

Sheridan telephone ID
 not masked; no answer

Sheridan telephone ID
 not masked; no answer

Sheridan telephone ID
 masked; now receives answer

Rate Code:

5KNW = 5000 Night & Weekend
 MME0 = Unltd Mobile to AT&T Mobile
 RM45 = 450 Anytime w/Rollover

Feature Code:

M2MC = EXPANDED M2M

Dayna/Mario/Nancy:

My credit card payment check has already gone out, all VW parts (alternator, belt, oil, filters, etc.) were listed, I began these purchases/orders on July 1.

So my check for **\$282 .34** is needed by Monday, August 3 (see first attachment).

Paul

Dayna / Nancy / Mario:

Please review the photos / file cd (two copies).

Parts only due:

Alternator	\$ 132 . 61
Belt and Tensioner	86 . 41
Oil Dipstick Tube *	11 . 75
Oil and Air Filter, and oil	39 . 57
Metric bolt temp dipstick	1 . 00
Stainless clamps for Muffler rattle fix	3 . 00
Stainless back-up spring and bolt for Hatch fix	4 . 00
Two cd's for photo record	<u> n/c</u>

TOTAL DUE (check please) \$ 278 . 34

Update (forgot to add the quart for the power steering; took WHOLE quart! see Sunoco trans fluid bottle in box of parts)

 4 . 00

TOTAL DUE (check please) \$ 282 . 34

* May arrive at 22357 Columbia this week; watch (hand delivered)

ENCLOSURE

Five Pages

Approved, SCAO

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	PETITION FOR PERSONAL PROTECTION ORDER AGAINST STALKING (NON DOMESTIC)	CASE NO.
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Court address

Court telephone no.

A Petitioners' Name Ages 42/45 Age Nancy/Mario Bouchard 22351 Columbia Street Dearborn, MI 48124 313-274-3979	v	F Respondent's Name Age 41 Age Larry Allen 22372 Oxford Street Dearborn, MI 48124 313-359-9852
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1. The petitioner and respondent have never been husband and wife, resided in the same household together, had a child in common, or had a dating relationship with one another

B 2. The respondent is required to carry a firearm in the course of his/her employment. Unknown.

C 3. a. There are are not other pending actions in this or any other court regarding the parties.

Case number 03C246246	Name of court and county 19th Judicial Court	Name of judge Sabatka, Virginia A.
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b. There are are not orders/judgments entered by this or any other court, regarding the parties.

Case number	Name of court and county	Name of judge
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D 4. I need a personal protection order because: Explain what has happened (attach additional sheets)

1) Respondent has previously and recently falsely reported our family vehicle as being 'abandoned' resulting in our vehicle being tagged by the city as such with the potential of being towed. 2) Respondent repeatedly expressed verbal and visual anger when approached with our attempts to discuss the maintenance of the easement. 3) In retaliation, respondent has poured used concrete and piled up yard waste into the easement. 4) Respondent lit off illegal fireworks from his yard directly into our yard which led to one of my enrolled children finding it and causing a safety concern for all. 5) Also in retaliation, respondent has repeatedly parked his mobile home on Pardee which made it visibly impossible to see oncoming traffic or allowing us to pull safely out of the easement. 6) Respondent has used vulgar language and gestures in front of his own children as well as my husband on several occasions. Details are listed on attached Exhibit A.

E 5. I make this petition under the authority of MCL 600.2950a and ask the court to grant a personal protection order prohibiting the respondent from stalking me as defined under MCL 750.411h and MCL 750.411i which includes but is not limited to:

- following me or appearing within my sight.
- appearing at my workplace or residence.
- approaching or confronting me in a public place or on private property.
- entering onto or remaining on property owned, leased, or occupied by me.
- sending mail or other communications to me.
- contacting me by telephone.
- placing an object on or delivering an object to property owned, leased, or occupied by me.
- threatening to kill or physically injure me.
- purchasing or possessing a firearm.
- other: please see attached Exhibit 'B'.

F 6. I ask the court to grant a personal protection order against stalking:
 I request an ex parte order because immediate and irreparable injury, loss, or damage will occur between now and a hearing or because notice itself will cause irreparable injury, loss, or damage before the order can be entered.

G 7. I have a next friend petitioning for me. I certify that the next friend is not disqualified by statute and is an adult.

I declare that the statements above are true to the best of my information, knowledge, and belief.

H Dec. 23, 2003
Date

Nancy Bouchard
Petitioner's signature

MCL 600.2950a, MCR 3.703

Form CC - 377

Petition for Personal Protection Order
Against Stalking (Non Domestic)

Exhibit A
(Addendum to Paragraph 4)

Petitioners: Nancy and Mario Bouchard

Respondent Larry Allen

Respondent has been observed using offensive physical gestures,

Respondent has been heard using profane language,

Respondent has been observed shooting illegal fireworks on several occasions, and as recently as September 2003,

Respondent has been, and has recently admitted to making anonymous telephone calls to the City of Dearborn Police Department for the purposes of filing false or misleading police reports that allege that our properly licensed and insured vehicles parked in our driveway or property are "abandoned."

Respondent has been dumping garbage and any other forms of refuse, including but not limited to grass clippings, tree leaves, etc. in the City of Dearborn driveway easement, located off of Pardee Street between Columbia and Oxford, which has been utilized by us for 16 years.

Respondent has been dumping excess housing construction materials, such as uncured concrete, etc., in the City of Dearborn driveway easement, located off of Pardee Street between Columbia and Oxford, which has been utilized by us for 16 years.

Respondent has been allowing his dog to curb in the easement and not properly removing and disposing of the waste.

Form CC - 377

Petition for Personal Protection Order
Against Stalking (Non Domestic)

Exhibit B
(Addendum to Paragraph 5)

Petitioners: Nancy and Mario Bouchard

Respondent Larry Allen

Using offensive physical gestures for the purposes of humiliating, embarrassing and/or inciting us

Using profane language for the purposes of humiliating, embarrassing and/or inciting us

Using profane physical gestures while driving his motor vehicle, for the purposes of humiliating, embarrassing and/or inciting us

Driving his motor vehicle in an erratic or unsafe manner, for the purposes of humiliating, embarrassing and/or inciting us

Spitting in the general vicinities of our home or surrounding areas

Spitting in the general vicinities of our physical persons

Shooting illegal fireworks in any direction at any time

Anonymously telephoning the City of Dearborn Police Department for the purposes of filing false or misleading police reports that allege that the vehicles parked in our driveway or property are "abandoned."

Dumping garbage and any other form of refuse, including but not limited to grass clippings, tree leaves, etc., in the City of Dearborn driveway easement, located off of Pardee Street between Columbia and Oxford, which has been utilized by us for ~~X~~ years.

Dumping of excess housing construction materials, such as uncured concrete, etc., in the City of Dearborn driveway easement, located off of Pardee Street between Columbia and Oxford, which has been utilized by us for 16 years.

Allowing the respondent or any members of his family to approach our property. Through the city easement in attempts to 'curb' his dog or give attention to our dog.

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the copies of the petition for personal protection order and file proof of service with the clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE

<input type="checkbox"/> OFFICER CERTIFICATE I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104(A)(2)), and that: (notary not required)	OR	<input type="checkbox"/> AFFIDAVIT OF PROCESS SERVER Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notary required)
--	----	---

I served a copy of the petition for personal protection order against stalking by:

personal service registered mail, delivery restricted to the respondent (return receipt attached)

on:

Respondent's name	Complete address of service	Day, date, time

I have personally attempted to serve a copy of the petition for personal protection order against stalking on the following respondent and have been unable to complete service.

Respondent's name	Complete address of service

Service fee	Miles traveled	Mileage fee	Total fee
\$		\$	\$

Signature _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.

Date

My commission expires: _____ Date Signature: _____

Deputy court clerk/Notary public

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received a copy of the petition for personal protection order against stalking on _____

Day, date, time

Signature of respondent

Approved, SCAO

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	A	PERSONAL PROTECTION ORDER AGAINST STALKING (NON DOMESTIC) <input type="checkbox"/> EX PARTE	B	CASE NO.
--	----------	---	----------	-----------------

Court address _____ Court telephone no. _____

ORI	MI-	Peti Petitioners' Name Ages 42/45 Nancy/Mario Bouchard 22351 Columbia Street Dearborn, MI 48124 313-274-3979	v	Res Respondent's Name Age 41 Larry Allen 22372 Oxford Street Dearborn, MI 48124 313-359-9852		
------------	------------	--	----------	--	--	--

D	Full name of respondent (type or print)* <u>Lawrence W. Allen, Jr.</u>	Social security no. (if known)	Driver's license number (if known)				
Height	Weight	Race*	Sex*	Date of birth or Age*	Hair color	Eye color	Other identifying information
<u>6'4"</u>	<u>220 lbs</u>	<u>Cau.</u>	<u>M</u>	<u>11/03/62</u>	<u>BLK</u>		

*these items must be filled in for the police/sheriff to enter on LEIN; the other items are not required but are helpful

Date: _____ Judge: _____ Bar no. _____

1 This order is entered without a hearing. after hearing.

THE COURT FINDS:

- 2. A petition requesting an order to restrain conduct prohibited under MCL 750.411 h and 750.411 i has been filed under the authority of MCL 600.2950a.
- 3. Petitioner requested an ex parte order which should be entered without notice because irreparable injury, loss, or damage will result from delay required to give notice or notice itself will precipitate adverse action before an order can be issued.
- 4. Respondent committed the following acts of willful, unconsented contact: (state the reasons for issuance)

IT IS ORDERED:

5. _____ is prohibited from stalking as defined under

Full name of respondent

MCL 750.411h and MCL 750.411i which includes but is not limited to:

- following or appearing within sight of the petitioner.
- appearing at workplace/residence of the petitioner.
- approaching or confronting the petitioner in a public place or on private property.
- entering onto or remaining on property owned, leased, or occupied by the petitioner.
- sending mail or other communications to the petitioner.
- contacting the petitioner by telephone.
- placing an object on or delivering an object to property owned, leased, or occupied by the petitioner.
- threatening to kill or physically injure the petitioner.
- purchasing or possessing a firearm.
- other: _____

6. Violation of this order subjects the respondent to immediate arrest and to the civil and criminal contempt power of the court. If found guilty, respondent shall be imprisoned for not more than 93 days and may be fined not more than \$500.00.

7. This order is effective when signed, enforceable immediately, and remains in effect until _____
This order is enforceable anywhere in the United States by any law enforcement agency when signed by a judge, and upon service, may also be enforced by another state, an Indian tribe, or a territory of the United States. If respondent violates this order in a jurisdiction other than this state, respondent is subject to enforcement and penalties of the state, Indian tribe, or United States territory under whose jurisdiction the violation occurred.

8. The court clerk shall file this order with _____ who will enter it into the LEIN.

9. Respondent may file a motion to modify or terminate this order. For ex parte orders, the motion must be filed within 14 days after being served with or receiving actual notice of the order. Forms and instructions are available from the clerk of the court.

10. A motion to extend the order must be filed 3 days before the expiration date in item 6 or else a new petition must be filed.

Date and time issued

Judge

MCL 600.2950a,

ADDITIONAL DOCUMENTS



Department of Licensing and Regulatory Affairs

Announcements Logged in as: Paul Sheridan Collections (0) Cart (0) Account Management Logout

The license information listed on the LARA website <https://aca3.accela.com/lara> may be recognized as a license and all the authority granted with that specific license. Enforcing agencies should rely on this information to issue permits.

- Home
- BCC Licenses
- BCC Permits
- Plan Review

- Dashboard
- My Records
- My Account
- Advanced Search

License Information: Electrical Apprentice MI-6413356

Licensee Detail

License Type: Electrical Apprentice	Type: Individual
License Number: 6413356	Name: MARIO G BOUCHARD
License State: MI	Title:
Business Type: Electrical Apprentice	Address: 22351 COLUMBIA DEARBORN MI 48124
Business Name:	Phone 1: 3132743979
Business License Number:	Phone 2:
Business License Expiration Date:	FAX:
License Issue Date: 02/05/2003	E-mail:
License Expiration Date: 08/31/2017	
License Status: Issued	
Insurance Company:	
Insurance Policy:	

▶ Related Records

▶ Public Documents

LAW OFFICES

MORGAN & MEYERS, PLC

3200 GREENFIELD, SUITE 260
DEARBORN, MICHIGAN 48120-1802

TELEPHONE (313) 961-0130

FAX (313) 961-8178

www.morganmeyers.com

May 27, 2016

Debra A. Walling, Esq.
Corporation Counsel
Department of Law
City of Dearborn
16901 Michigan Avenue
Dearborn, MI 48126

**Re: City of Dearborn Ordinance 16-1529, Section 18-356
Mario Bouchard Petition(s)
City Council Meeting of March 1, 2016, Resolution 30**

Dear Ms. Walling,

Please be advised that the undersigned forwards this communication on behalf of 34-year resident and homeowner Mr. Paul Sheridan. I write specifically to request that your office provide an update to the Dearborn Police Department. Previous information had curtailed the latter from enforcing the referenced ordinance as written, and specifically as it pertains to Mr. Mario Bouchard of 22351 Columbia Street.

According to information I received through a FOIA request, in December 2015, Mr. and Mrs. Bouchard submitted a completed petition to the Dearborn Police Traffic Safety Bureau (TSB), seeking an exemption from the above ordinance's requirement that marked commercial vehicles not be parked on any Dearborn residential driveway or street, after regular business hours, and while not providing service. On January 13, 2016 the TSB correctly denied the original Bouchard petition.

The Bouchard petition appeared to be focused on Subsection (f) of the ordinance which permitted the otherwise prohibited parking, but only to persons who had documented that their employment required them to be on call twenty-four hours a day.

A copy of the Bouchard petition is included for reference. Completed in his own handwriting, when Bouchard answers the question "Are you on call twenty-four hours per day?" he states:

"No."

In answer to a directly related question on that same form: "How many calls do you take per month from home?" Bouchard answers:

"None."

Debra A. Walling, Esq.
Corporation Counsel
Department of Law
City of Dearborn
May 27, 2016
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Thus, by his own admission and in his own handwriting, Mr. Bouchard cannot qualify for the narrow exemption that the ordinance provides. I do not see how these handwritten admissions could be clearer to conclusively establish the lack of merit in Bouchard's petition.

As you know, the ordinance also requires an affidavit from the petitioner's employer, verifying the on-call status and indicating the times per month the employee will be called in to work.

The petition filed by Mr. Bouchard containing the above-mentioned admissions is also signed by his employer, Mr. Mike Pavelka. Thus, it is documented that Mr. Pavelka agrees that Bouchard is NOT on twenty-four-hour call, nor has he taken any work assignments from home. I note that no sworn affidavit of any kind was submitted by either Bouchard or Pavelka. I assume, however, the petition has been accepted as such and for purposes of this correspondence only, so does Mr. Sheridan.

Mr. Pavelka also submitted a second unsworn document wherein he affirms that, although Bouchard is an employee, the company van is merely part of a "compensation package" for Bouchard and not a work necessity. No parking exemption is provided by ordinance in these circumstances. In fact, nowhere does Mr. Pavelka affirm under oath and in writing that Bouchard is on twenty-four-hour call or that he has EVER been called out to work at any time from home. If anything, this signed writing would seem to contradict any such assertions by the Bouchards or Pavelka, either verbally or in writing.

The Dearborn Police Traffic Safety Bureau (TSB) also sensibly requires the signatures of the five household heads on either side of the petitioner, although this is not strictly required by ordinance. At 4:15 pm on January 14, 2016, Mrs. Nancy Bouchard had stated that the "*neighbors have signed a petition to allow the van to be parked there.*"

If you were unaware of the misleading nature of that statement, please let me assure you now:

The signature of Mr. Sheridan, the person that has used the affected easement alley longer than any other person (34 years), the only other person that uses said easement, and Bouchard's neighbor was never solicited and said signature does not appear on any petition.

On this basis and the above handwritten responses, the decision of the TSB to deny the Bouchard petition was very straightforward, and was supported not only by the evidence submitted by Bouchard himself, but by long-standing policy. Bouchard is not, per his admission, on twenty-

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Debra A. Walling, Esq.
Corporation Counsel
Department of Law
City of Dearborn
May 27, 2016
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four-hour call, and takes no calls from his home. Therefore, there is no basis under the ordinance to grant a parking exception, regardless of Bouchard's alleged "economic hardship".

Nevertheless, Bouchard then submitted an additional writing, this time to "City Council Member Board" on January 20, 2016. I enclose a copy herewith for review.

Nowhere in this letter does Bouchard aver that he is on twenty-four-hour call or that he has ever taken a work assignment from home. The only potential reference to "on call" is the following:

"Without the twenty-four-hour availability of this vehicle I would no longer have transportation to and from Madison Heights where I work. It is impossible to predict how often I get emergency calls or when."

Firstly, the notion proposed by Bouchard that, without availability of a commercial van he "*would no longer have transportation to and from Madison Heights,*" even if true, is not relevant. Bouchard already owns a personal vehicle. There is no reason he can't drive it to and from work. The purpose of the ordinance is the recognized necessity that some workers legitimately are on twenty-four-hour emergency call, and the safety and security of their employer's customers may be in jeopardy. Thus the need for the exception to the ordinance. The personal economic well-being of one citizen is no reason to burden another citizen's use and enjoyment of his property, and the ordinance clearly strikes that balance.

Please also note that if, in-fact, these statements are an allegation that Bouchard is on twenty-four-hour call and he actually does get "emergency calls", they are flatly contradicted by his own handwritten petition, which, again, states he is NOT on call twenty-four hours a day, and has never taken an emergency call from his house at any time during the fifteen years that he alleges he has been a licensed electrician. Certainly if he had EVER been called out from home to assist in addressing an emergency, he could have said so, his employer would have said so, and both could have provided proper documentation of such as required by the TSB. The fact that Bouchard instead chose to obfuscate the issue in his unsigned January 20, 2016 writing is telling.

You should also be aware that in-fact Bouchard is NOT a licensed electrician. He is merely registered as an apprentice electrician, beginning February 2003. One does not need a license *per se* to be an apprentice electrician. I enclose herewith records of Bouchard's most recent filing with the State of Michigan. As you can see, he is registered as an apprentice, which expires August 2016. Two successive license levels are available for electricians: journeyman and master. One must have years of training and experience, AND pass written exams in order to acquire these licenses. Bouchard is not a journeyman electrician or a master electrician. It appears Bouchard

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has made a misrepresentation, regarding his license status, in an effort to bolster support of his petition. (<https://aca3.accela.com/lara/>)

Despite all the foregoing, and no doubt due to more pressing matters before you, on February 25, 2016, you represented to the Dearborn City Council that Mr. Bouchard is a “licensed electrician” and “on call 24 hours a day.” You recommended that he be given a permit to park his employer’s commercial vehicle in the alley at the rear of his home, and you further affirmed, “The permit will be valid only while Mr. Bouchard’s on-call 24 hours a day.” To the best of our knowledge, at this point, no direct contact had been made by you or your staff with either Bouchard or his employer.

You were present at the referenced City Council meeting of March 1, 2016. Based upon your prior written factual assertions and recommendation, City Council conditionally approved Bouchard’s request, but again specifically linking its validity to his 24 hour on-call status, and subject to all ordinances. As a result of these combined events, Bouchard now regularly parks his vehicle in the alley, even though, by his own written admission, he is NOT on twenty-four-hour call, and never has been.

I’m sure by now you can see the problem: Bouchard does NOT maintain twenty-four-hour on-call employment, and he never has. Therefore, the March 1, 2016, Council resolution is meaningless, and Bouchard’s actions are not legal; but rather, constitute a clear violation of your City ordinance. Bouchard is exercising “rights” he simply does not have.

Subsequent to the March 1 approval by City Council, Mr. Sheridan contacted all Family Electric locations. All affirmed, without hesitation, that they have never, do not currently, and have no plans to offer 24-hour emergency service, and their employees are NOT on-call 24 hours a day. This information was presented to Mr. William Irving, Assistant City Attorney by Sheridan. Thereafter, I understand you then directed that a member of your staff make telephone contact with someone at Family Electric. I understand when challenged about the Bouchard status versus the requirement of being on-call 24 hours a day, this unnamed Family Electric representative made claims about Bouchard being “on call 24 hours for large clients.” However, I further understand no documentation for this claim was sought or received.

Of course, this alleged verbal assertion falls far short of the ordinance’s requirements, and is flatly contradicted by Bouchard’s own petition. Yet it is apparently on the strength of this verbal, unsupported, unidentified and factually dubious assertion, which in no way complies with the dictates of the city ordinance, Mr. Bouchard is now being permitted to park a large commercial vehicle overnight in the City of Dearborn in direct violation of both the ordinance and the city council resolution of exception.

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Corporation Counsel
Department of Law
City of Dearborn
May 27, 2016
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As I read the ordinance in question and TSB's application of it, in order for the "large clients" notion to have any validity, it must be supported by:

A signed and sworn affidavit submitted by Bouchard.

A signed and sworn affidavit submitted by Bouchard's employer legally affirming the following:

Proof of 24 hour on-call status including but not limited to time-stamped work orders, receipts, dispatch logs, driver logs, etc. (At this time no proof has even been submitted, let alone reviewed.)

Verifiable data regarding the number of times per month the employee will be called in to work.

Signature of Mr. Paul V. Sheridan approving waiver of ordinance.

I enclose herewith a copy of a "screen shot" taken from Bouchard's employer's website. You will note it does NOT advertise the availability of twenty-four-hour emergency call services. Review of their Yellow Pages telephone advertisement reveals the same. I think you can infer from this that representations to the contrary, ad hoc and otherwise, are not credible. If, in fact, such valuable services are available, why is there no advertisement of same?

We make a simple request: Please update the Dearborn Police Department and City Council regarding the facts presented above. Please enforce the City ordinance in question as written, and as to Mr. Bouchard. Not only does his improper use of the alley violate the ordinance with impunity, it encourages others to behave similarly, thus undermining the laudable intention of the ordinance, as well as the enforcement ability of the Dearborn Police Department.

I appreciate your taking the time to read this, and look forward to your written reply.

Sincerely,



Courtney E. Morgan, Jr.

CEM/alw
Enclosures

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Corporation Counsel
Department of Law
City of Dearborn
May 27, 2016
Page 6

cc: Mayor John O'Reilly
Chief Ronald Haddad
William H. Irving, Esq.
Dearborn City Council President, Susan Dabaja
Dearborn City Council
Thomas P. Tafelski
Michael T. Sareini
Brian C. O'Donnell
David Bazzy
Robert A. Abraham
Mark Shooshanian
Robert D. Kaplow, Esq.

Petition For Commercial Vehicle Parking Permit Dearborn Police Traffic Safety Bureau

What is your occupation? Electrician

Are you on call 24 hours per day? No

How many days per week are you on call? Emergency

How many weeks per year are you on call? Basis only

How many calls per month do you take from home? None

Do you work exclusively out of your home? No

What is the name, address and telephone number of your employer and immediate supervisor?

Family Heating, Cooling and Electrical

26324 John R. Rd. Madison Heights, Mi. 48071

Sup. Mike Pavelka

What type of commercial vehicle do you propose to park at your house, and how is this vehicle used in the course of your employment?
(Include a photograph)

My Company Electrical Van. Back + Forth to work (Madison Heights)

Do you propose to park the vehicle in the street or driveway?

ally/driveway END OF Ally

Do you have a garage? yes

If you have a garage, what are the dimensions of the door opening?
(Include height and width in feet and inches)

Height: 6'11" Width 16ft.

Truck Height 8'6"

The undersigned is aware that any individual, employee or employer who provides false information to the Traffic Safety Commission for the purpose of obtaining a 24-hour Commercial Vehicle Parking Permit shall be guilty of a misdemeanor.

MARIE BEUCHARD
Name of Petitioner (Print)


Signature

22351 Columbia, Dearborn
Address

MMBeuch@yahoo.com
email address

Daytime and Evening Phone Numbers

MIKE PAVELKA
Name of Employer (Print)


Signature

26324 JOHN R
Address

Daytime and Evening Phone Numbers

Documents necessary to forward petition to the Traffic Safety Commission:

- Completed and signed petition form to include signatures of the five heads of household on each side of petitioner's house as well as 10 heads of household for residences directly across the street from petitioner's house.
- Photograph of Commercial Vehicle
- Affidavit from Employer verifying on-call status and indicating approximate number of times per month the employee will be called in to work.
- Any other proof of on-call status and typical work assignments that may assist the Traffic Safety Commission in determining the on-call status of the petitioner. For example: Time-stamped work orders, receipts, dispatch logs, driver logs, etc.
- Receipt that indicates payment \$50.00 processing fee (payable at Dearborn Police Records Bureau)

COUNCIL OFC, 25JAN2016 4:12:58

Family

HEATING, COOLING & ELECTRICAL, INC.
26324 JOHN R RD
MADISON HEIGHTS, MI 48071
(248)548-9565 FAX (248)398-2686

NOVEMBER 24, 2015

TO WHOM IT MAY CONCERN:

MARIO BOUCHARD IS AN EMPLOYEE OF FAMILY HEATING,
COOLING, AND ELECTRICAL.

PART OF HIS COMPENSATION PACKAGE IS A COMPANY
TRUCK TO DRIVE TO AND FROM HIS HOME.

MIKE PAVELKA, MANAGER

A handwritten signature in black ink, appearing to read "MP", with a long horizontal line extending to the right.

PETITION

TO: City Council
City of Dearborn
Dearborn, MI

Representative: Mario Bouchard

Address: 22351 Columbia St.

Phone Number: _____

We the undersigned property owners respectfully petition your Honorable Body as follows:

To allow Mario Bouchard to park his work van in the alley behind his garage.

Reason for Request: parking exemption permit

Name	Address	Date
Darren Berry	22343 Columbia St.	12-3-2015
HENRY KIBIT	22329 Columbia St.	12-3-2015
Janice Kibit	22329 Columbia	12-3-2015
JERRY A. OLSON	22325 COLUMBIA	12-3-2015
Maryl Olson	22325 Columbia	12-3-2015
Kyle CARUSO	22372 OXFORD ST.	12-3-2015
Rhonda Huer	22340 Oxford St	12-3-2015
Jim Voss	22332 Oxford St.	12-3-15
Brenda Buterik	22341 OXFORD	12-3-15
Jim McE	22347 OXFORD ST	12-3-15
Monica R. John	22347 Oxford	12-3-15

Mario Bouchard
22351 Columbia Street
Dearborn, MI 48124
313-274-3979
313-657-2064

City Council Member Board
16901 Michigan Ave. Suite 10
Dearborn, Michigan 48126

January 20, 2016

Re: Appeal for alley parking exemption request/possible amendment for city ordinance sec. 18-356

Members of city council;

I am respectfully requesting to appear before the board and appeal a recent decision by Traffic /Safety Commission to deny a 24 hour parking permit for my work van to be parked in the alley behind my garage.

We have lived at this address since 1988, 15 years of which I have worked as a licensed electrician. For much of this time I have parked either a company van or a company step van in this exact spot without issue. This vehicle is absolutely critical to my livelihood and a highly valued compensation from my employer. It is a new 2015 van that is not unsightly in any way. Without the 24 hour availability of this vehicle I would no longer have transportation to and from Madison Heights, where I work. It is impossible to predict how often I get emergency calls or when. Having my work vehicle located miles away would hinder my response time to those who need these services.

Losing this vehicle will also cause me and my family financial hardship. We are not in a position to afford any additional vehicles and this company van also allows me to carry the necessary tools, equipment and bulky supplies required to perform my trade. Losing the van could potentially mean losing my job. The van is parked at the inside dead end of the alley directly behind my property and has never been in the way of alley maintenance nor has it ever prevented my neighbor from accessing his driveway.

We have always been very diligent on keeping the alley clear of leaves, cutting the grass and picking up trash that is dropped from time to time and packing down the snow. Although we live at the inside dead end of the alley, we maintain the entire alley as none of the other neighbors that boarder it take care of it. We care for it as we do our own property.

In 2004-5 my wife spoke with then Mayor Guido who assured us that our vehicles both personal and work related would be allowed to park in the alley without offence. Well, that was obviously years ago yet we have never had an issue until recently.

We just want to continue living and working as usual. We've received several warnings and a couple of tickets prior to finding a very temporary place to relocate the work van and we don't see a permanent solution other than receiving the variance being requested by this letter.

Every officer that came out to mention the ordinance agreed it was outdated and many of the neighbors that signed my petition were also surprised how much effort the city was putting into removing my van which was not at issue with any of them. After being told by officers that came out that there were several complaints, we find it difficult to understand this since every one of our neighbors wasn't bothered by the van being in the alley and they understood its presence there.

We do however; have a neighbor that we believe may be the one reporting the complaints. He has a history of having issues with the neighbors around him for years and he is the neighbor we share the alley with. We have tried to be friendly and on many occasions were, as was he. In the past he and we have even considered buying the alley from the city and we have shared common ground on a few other issues as well. But over the years our relationships has been a bumpy road of sorts. On public service days, when we have to park our vehicles in the alley behind our property overnight, he has mentioned being temporarily inconvenienced, although he can still come and go with ease. We are certainly not sure of this and don't want to be the cause of any insult or slander but it just seems oddly coincidental and as a result did not ask his signature on the petition because we didn't want to take a chance and upset him further.

We were eventually referred to Sgt. Steve White who told us "to do what we had to do and if we had any trouble to see him", but we hate to continue to involve him as we are sure he has many more important things to do. We tried covering the van with a tarp to hide the work related writing but were still asked to remove it from the alley.

Since our house and garage were built in 1942, the dimensions of the garage door will not allow for me to park my work van inside.

Please look into my request and find it in your heart to allow the permanent exemption for parking my work van in the alley. I have included all the required documentation to support my request and look forward to attending a hearing or providing whatever is additionally required regarding this matter.

Thank you for your time and consideration.

Respectfully,

Mario Bouchard



Department of Licensing and Regulatory Affairs

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The license information listed on the LARA website <https://aca3.accela.com/lara> may be recognized as a license and all the authority granted with that specific license. Enforcing agencies should rely on this information to issue permits.



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License Information: Electrical Apprentice MI-6413356

Licensee Detail

License Type: Electrical Apprentice

License Number: 6413356

License State: MI

Business Type:

Business Name:

Business License Number:

Business License Expiration Date:

License Issue Date: 02/05/2003

License Expiration Date: 08/31/2016

License Status: Issued

Insurance Company:

Insurance Policy:

Type: Individual

Name: MARIO G BOUCHARD

Title:

Address: 22351 COLUMBIA
DEARBORN MI 48124

Phone 1: 3132743979

Phone 2:

FAX:

E-mail:

Application for Journeyman or Master Electrician Examination or Re-examination

Michigan Department of Licensing and Regulatory Affairs

Bureau of Construction Codes / Electrical Division

P.O. Box 30254, Lansing, MI 48909

Phone: 517-241-9320

www.michigan.gov/bcc

Agency Use Only

--

Authority: 1956 PA 217

Penalty: Failure to provide the information requested may result in denial of your request.

LARA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Note: In accordance with 2012 PA 313, any veteran providing satisfactory proof of separation from the armed forces of the United States under "honorable" or "general under honorable conditions" is exempt from registration, licensing and examination fees. For consideration, please attach a copy of either a DD-214, and/or DD-215 to your application. You may email your application and documentation to bccelec@michigan.gov if you are requesting a veterans exemption only.

NOTICE: ONCE YOUR APPLICATION IS APPROVED YOU WILL BE NOTIFIED BY A THIRD PARTY TESTING AGENCY (PSI) WITH INSTRUCTIONS ON HOW TO SCHEDULE YOUR EXAMINATION. ALL EXAMINATION FEES WILL BE PAID TO PSI AT THAT TIME. PLEASE DO NOT SEND PAYMENT TO THE STATE OF MICHIGAN.

General Instructions

- Mail completed application and required documents to the address listed above.

Important Information

Upon achieving a minimum passing score of 75% or higher, the applicant will be billed \$40.00 for the journeyman electrician license or \$50.00 for the master electrician license prior to issuance of the license. Failure of examination 2 times within 2 years requires a 1 year waiting period from the date of the second failure and proof of successful completion of a course on code, electrical fundamentals or theory to be eligible for reexamination.

Request for veterans exemption (Copy of DD-214 or DD-215 enclosed)

Please Check One: **Journeyman Electrician Examination** **Master Electrician Examination**

Applicant Information

NAME (Last Name, First Name, Middle Initial)		LAST 4 DIGITS OF SOCIAL SECURITY NUMBER	
		XXX-XX-	
ADDRESS	CITY	APPRENTICE REGISTRATION OR JOURNEYMAN LICENSE NUMBER IF APPLICABLE	
COUNTY	STATE	ZIP CODE	TELEPHONE NUMBER (Include Area Code)
E-MAIL ADDRESS			

By checking this box you are certifying that you are at least 20 years of age for the journeyman exam or 22 years of age for the master exam.

Have you previously taken this examination? Yes No If yes, when? _____.

If you have a disability and require an accommodation to take the examination, please submit written documentation from a professional (education professional, doctor, psychologist, psychiatrist) to certify that your disabling condition requires the requested test accommodation.

Examination Eligibility of Applicants From Other States or Countries

A person who is licensed as a journeyman or master electrician in another state or country may qualify for examination upon determination by the department that the license was obtained by the person through substantially the same or equal requirements as those of the state of Michigan.

JOURNEYMAN ELECTRICIAN EXAMINATION REQUIREMENTS

- Applicant must not be less than 20 years of age.
- Applicant must provide notarized documentation from present and former employers verifying the applicant has not less than 8,000 hours of practical experience obtained over a period of not less than 4 years related to electrical construction or electrical maintenance of buildings under the direct supervision of a person licensed pursuant to the act. Documentation must include the beginning (month, day, year) to the ending (month, day, year) dates of employment and signed by the qualified master electrician.

Note: The 8,000 hours of practical work experience over 4 years must be attained prior to submitting the examination application.

MASTER ELECTRICIAN EXAMINATION REQUIREMENTS

- Applicant must not be less than 22 years of age.
- Applicant must provide notarized documentation from present and former employers verifying the attainment of 4,000 hours in not less than 2 years of practical experience under the direct supervision of a master electrician, subsequent to initial journeyman issue date.
- If the journeyman license was not issued by the State of Michigan, provide a copy of the license that was issued by the municipality providing the licensing pursuant to the provisions of Section 6 of the act or a statement from the licensing authority that verifies the license issued date.

Note: A separate license is required for an electrical contractor.

Certification and Signature

I certify the information provided is true and accurate to the best of my ability. I further understand falsification of any statement is cause for rejection of application or revocation of license, if issued.

APPLICANT'S SIGNATURE

DATE

CITY COUNCIL OFFICE



To: Legal via City Clerk
From: Council Office
Date: Jan. 27, 2016
Subject: Requests for work van parking permits

The City Council has received two requests from parties who were turned down when they went before the Traffic commission to ask for permits to park their work vans on their residential property. They were advised that their only recourse was to seek permission from the City Council and they have done so.

Mario Bouchard, 22351 Columbia Street, Dearborn, submitted a letter, petition and photos on Jan. 20, 2016-see attached.

Francis Maroeusz, 3067 Pardee, Dearborn, came to the City Council Meeting of Jan. 26th and was told his request would be referred to legal. See attached for the information he provided at that time. I have asked Sgt. Tim Stacy to provide the paperwork Mr. Maroeusz submitted to the Traffic Commission.

DEPARTMENT OF LAW



TO: CITY COUNCIL
FROM: CORPORATION COUNSEL
VIA: MAYOR JOHN B. O'REILLY, JR.
SUBJECT: CODE AMENDMENT; CHAPTER 18
PARKING OF COMMERCIAL VEHICLES; EXCEPTION
C.R. 1-52-16
C.W. 2-8-16
DATE: FEBRUARY 25, 2016

Currently, the City Code makes it unlawful "for any person to park any commercial vehicle ... on any street within the city or upon private property within a residential area of the city." (Sec. 18-356.) The same Code section includes an exception for individuals who are required, due to their employment, to be on-call 24-hours a day, with a commercial vehicle (e.g., a plumber). This Code section establishes a procedure for these individuals to present proof of their on-call employment status to the Traffic Commission and gives the Traffic Commission the authority to issue permits allowing such commercial vehicles to be parked in residential neighborhoods. However, Sec. 18-356 clearly states that "no such permit shall be issued to an individual who proposes to park a commercial vehicle on property where a garage exists." The Traffic Commission does not have the discretion to waive this portion, or any portion of the Code.

Recently, the Traffic Commission has received two petitions for commercial vehicle parking permits from individuals who have otherwise complied with Sec. 18-356 (proof of on-call employment) and have provided supporting petitions signed by neighbors. However, because garages are located on the petitioners' property, the Traffic Commission is required to deny the request for a permit. Unfortunately, the commercial vehicles used by the petitioners are too tall to fit into the existing garages.

After review, it is recommended that the Council take the following action:

1. MARIO BOUCHARD, 22351 COLUMBIA (C.W. 2-8-16): Mr. Bouchard is a licensed electrician and is on-call 24 hours a day. Mr. Bouchard's garage door opening is 6'11" and the height of his truck is 8'6". There is no driveway at 22351 Columbia; the garage is accessed from a rear alley. The alley

dead ends at 22351 Columbia (photographs are attached) – there is no through traffic. Therefore, it is recommended that Mr. Bouchard be issued a permit to park his commercial vehicle adjacent to his garage in the alley at the rear of his home. The permit will be valid only while Mr. Bouchard's on-call 24 hours a day employment exists.

2. FRANCIS MARDEUSZ, 3067 PARDEE (C.R. 1-52-16): Mr. Mardeusz works for Home Repair Remodeling and is on-call 24 hours a day to provide board-up services, emergency plumbing and/or electrical repair, etc. The height of Mr. Mardeusz's commercial vehicle exceeds the height of his garage door opening. There is a driveway at 3067 Pardee. Therefore, it is recommended that Mr. Mardeusz be issued a permit to park his commercial vehicle at the back of his driveway (furthest from the street). The permit will be valid only while Mr. Mardeusz's on-call 24 hours a day employment exists.

3. It is recommended that Sec. 18-356 of the Code be amended to give the Traffic Commission some discretion to issue permits where there is a garage on the petitioner's property, but the commercial vehicle does not fit in the garage. In this situation, the attached proposed amendment to the Code indicates that a permit may be issued restricting parking to a driveway (where a driveway exists) or to the public street (where there is no driveway).

Recommendation is made for adoption.

Respectfully submitted,



LAURIE M. ELLERBRAKE
Deputy Corporation Counsel

APPROVED:



DEBRA A. WALLING
Corporation Counsel

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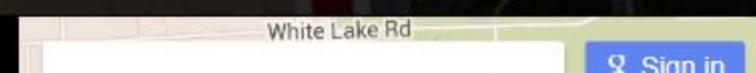
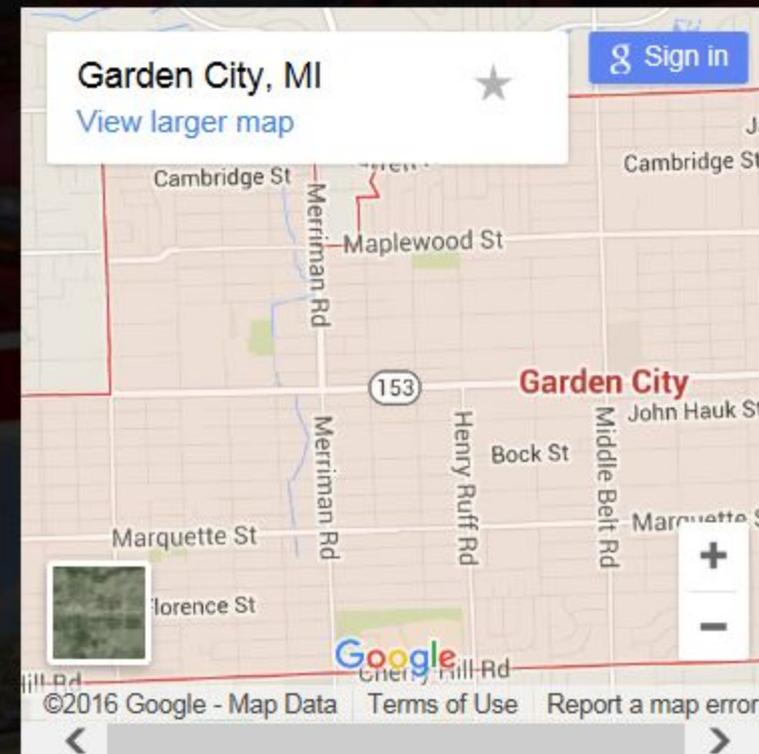
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ORDINANCE NO. 16 – 1529

AN ORDINANCE TO AMEND THE TRAFFIC AND MOTOR VEHICLE CHAPTER (CHAPTER 18) OF THE CODE OF THE CITY OF DEARBORN BY AMENDING SECTION 18-356, ENTITLED “ALL NIGHT PARKING OF COMMERCIAL VEHICLES PROHIBITED.”

THE CITY OF DEARBORN ORDAINS TO:

Amend Chapter 18 of the Code of the City of Dearborn by amending section 18-356, to read as follows:

Sec. 18-356. - Parking of commercial vehicles.

- (a) It shall be unlawful for any person to park any commercial vehicle as defined in section 18-63 or any commercial motor vehicle as defined in section 18-63.1 on any street within the city or upon private property within a residential area of the city.
- (b) This section shall not apply to commercial vehicles or commercial motor vehicles when the operation of such is necessary for the purpose of making deliveries, picking up persons, materials, goods or merchandise, or providing service.
- (c) If a breakdown of a commercial vehicle or commercial motor vehicle prevents its removal from any street, that vehicle shall display warning devices as set forth in section 18-440.
- (d) For the purpose of this section, the term "commercial vehicle" shall also include a trailer used as, or customarily attached to, a commercial vehicle.
- (e) This section shall not apply to pick-up trucks and vans utilized as family vehicles and which bear no commercial message, logo, symbol or equipment.
- (f) Exception: An individual whose employment requires him/her to be on call 24 hours a day, and whose employment requires the use of a commercial vehicle, may present proof of such employment to the traffic commission. The proof presented must include an affidavit from the employer verifying the on-call status and indicating the approximate number of times per month the employee will be called in to work. Upon review of the proof presented, the traffic commission may issue a permit allowing the commercial vehicle to be parked in a residential neighborhood contrary to this section, **subject to the following conditions:** ~~However, no such permit shall be issued to an individual who proposes to park a commercial vehicle on property where a garage exists.~~

1. Conditions:

- a. **If the individual has a garage on the residential property identified on the petition for a permit, and the dimensions of the garage door**

opening would allow the vehicle to be parked fully inside the garage, the commercial vehicle shall be parked within that garage.

- b. If the commercial vehicle does not fit through the door opening of the garage on the residential property identified in the petition for a permit, or if no garage exists, the vehicle shall be parked in the driveway for that property and not on the residential street. When possible, the commercial vehicle shall be parked at the back of the driveway, furthest from the street.
- c. If the commercial vehicle does not fit through the door opening of the garage and there is no driveway on the residential property identified in the petition for a permit, a permit may be issued to allow the commercial vehicle to be parked on the residential street. A permit to park on a residential street shall not be issued if there is a driveway on the residential property identified in the petition for a permit.
- d. Only one commercial vehicle shall be permitted on the residential property identified in the petition for a permit if a permit is granted by the Traffic Commission or City Council. If it is determined that the permit-holder has more than one commercial vehicle on the residential property identified in the petition for a permit, or if it is determined that the permit-holder has obtained additional permits for other residential property within the City of Dearborn, all permits shall be revoked.

END OF DOCUMENT

This page added to courtesy copies and electronic version for clarity only.

This page was not included in original that was delivered to addressees due to their familiarity with issues.

All other pages included with version delivered to addresses from legal counsel.