

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30212  
LANSING, MICHIGAN 48909

DANA NESSEL  
ATTORNEY GENERAL

April 14, 2020

Ali Sobh  
Owner Fast Splash Car Washes  
141 Lakeshore Road  
Grosse Pointe Farms, MI 48236

*Hand Delivered*

***Re: Cease & Desist Notice (Executive Order of the Governor 2020-42)***

To Whom It May Concern,

On March 10, 2020, Governor Gretchen Whitmer issued Executive Order 2020-4 declaring a state of emergency across the State of Michigan under sec. 1, art. 5 of the Michigan Constitution of 1963, the Emergency Management Act, MC 30.401, *et seq.*, and the Emergency Powers of the Governor Act of 1945, MCL 10.31, *et seq.*

Pursuant to those authorities, she subsequently issued Executive Order 2020-42, which temporarily suspends activities that are not necessary to sustain or protect life. The Order is to be “construed broadly to prohibit in-person work that is not necessary to sustain or protect life.” See EO 2020-42, ¶1.

The Governor has posted “Guidance for Business” on the State’s website ([www.michigan.gov/coronavirus](http://www.michigan.gov/coronavirus)) to help assist businesses in determining if their on-site operations are “necessary to sustain or protect life.” This page also has a Frequently Asked Questions (FAQ) section to address specific questions of interpretation related to the Executive Orders issued by the Governor. These FAQs can be viewed by clicking Executive Order 2020-42 FAQs at the top of the Governor’s Covid-19 Webpage. ([https://www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98455-525278--,00.html](https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-525278--,00.html)).

The Governor has posted the following guidance relevant to:

**Q: Are car wash employees considered critical infrastructure employees?**

A: No, car washes or car detailing businesses do not employ critical infrastructure workers, and so they may not designate workers to leave their homes to provide car

Fast Splash Car Wash

Page 2

April 14, 2020

washing or car detailing services. As needed, however, a business may designate workers to leave their homes for work if their in-person presence is strictly necessary to conduct the minimum basic operations listed in section 4(b) of the order. Minimum basic operations do not include serving members of the public. Under the order, all work must be carried out remotely to the greatest extent possible, and any in-person work that is permitted must be done in accordance with the mitigation measures required under section 10 of the order.

Despite this clear guidance, Fast Splash Car Washes located at 6026 Livernois, 18344 W. McNichols, and 20823 W. 7 Mile, all located in Wayne County, are still open and are maintaining on-site operations in violation of the Governor's Executive Order 2020-42.

Accordingly, in cooperation with the Wayne County Prosecutor we request that you take immediate action to ensure that all three Fast Splash Car Washes are closed in compliance with the Governor's Order. The failure to voluntarily comply with this request will result in additional enforcement action.

We appreciate your prompt attention to this matter.

Sincerely,

*Dana Nessel*

Dana Nessel  
Attorney General  
State of Michigan

*Kym L. Worthy*

Kym L. Worthy  
Prosecuting Attorney  
Wayne County