

ORDINANCE No. 294-D
(File in container and make notation
after Chapter 169 on page 342)

AN ORDINANCE to amend Ordinance No. 171-D, entitled: "An Ordinance to establish districts in the City of Detroit; to regulate the use of land and structures therein; to regulate and limit the height, the area, the bulk and location of buildings; to regulate and restrict the location of trades and industries and the location of buildings designed for specified uses; to regulate and determine the area of yards, courts and other open spaces; to regulate the density of population; to provide for the administration and enforcement of this Ordinance; to provide for a Board of Appeals, and its powers and duties; and to provide a penalty for the violation of the terms thereof," as amended, by repealing Paragraph (i) of Section 20.7 thereof and substituting therefor a new Section to be known as Section 18.20 and by amending Section 3.7 thereof.

IT IS HEREBY ORDAINED BY THE
PEOPLE OF THE CITY OF DETROIT:

Section 1. That Ordinance No. 171-D, entitled: "An Ordinance to establish districts in the City of Detroit; to regulate the use of land and structures therein; to regulate and limit the height, the area, the bulk and location of buildings; to regulate and restrict the location of trades and industries and the location of buildings designed for specified uses; to regulate and determine the area of yards, courts and other open spaces; to regulate the density of population; to provide for the administration and enforcement of this Ordinance; to provide for a Board of Appeals, and its powers and duties; and to provide a penalty for the violation of the terms thereof," as amended, be and the same is hereby amended by repealing Paragraph (i) of Section 20.7 thereof and substituting therefor a new Section to be known as Section 18.20, and by amending Section 3.7 thereof, reading as follows:

Section 18.20 — Temporary Nurseries

During the period of national emergency the temporary occupancy of any existing building, structure, or premises in any district as a nursery for the care and supervision of children shall be permitted, notwithstanding any prohibition in this Ordinance, subject to the requirements and limitations of this section.

The Department of Buildings and Safety Engineering is hereto

by authorized to issue permits for such use in conformity with the provisions of this Section.

Such temporary use and permits issued thereto shall be subject to the following conditions and limitations:

1. Where such nurseries are located in R1 or R2 Districts the maximum number of children permitted to be enrolled shall not exceed twenty (20) at any given period.

2. The proprietor of the nursery shall maintain his or her residence on the premises for the duration of the period in which the premises are occupied as a nursery except in the case of a non-residential structure.

3. The applicant shall file with the application for such a permit, a statement from the owners of residential structures within thirty (30) feet of the premises to be occupied for nursery purposes, signifying agreement to the establishment thereof.

4. Such use of a structure for nursery purposes shall not involve or cause the violation of any other applicable law or ordinance.

5. Such use of a structure for nursery purposes shall only be permitted when and during the time a valid building permit has been issued and remains in effect covering such use.

6. Any building permit issued under this section for the temporary use of a structure for nursery purposes shall expire thirty (30) days after the Common Council shall have determined by resolution that the need for such temporary nursery facilities shall have terminated, or in the absence of any such determination, six (6) months after the President of the United States shall have declared that the period of unlimited national emergency has ended.

Failure to comply with and observe all of the requirements and limitations of this section or to discontinue the temporary use of a structure for nursery purposes after the building permit for such use has terminated or has been revoked shall constitute a violation of this Ordinance.

The Department of Buildings and Safety Engineering is hereby authorized and empowered after notice and hearing to revoke any building permit issued under this section for the temporary use of a structure for nursery purposes where such use has not been carried on in full compliance with all of the requirements and limitations of this section.

ORD 294-D