

Title III Chapter I, Section 22, which provides as follows:

"Sec. 22. The Common Council may by ordinance determine to open or widen any street on or before a future date.

"The ordinance shall fix the proposed line or lines of said street and shall not be repealed without the consent of, or without compensating property owners abutting upon said street who have built on their property in accordance with said proposed line or lines."

It appears from the enclosed communication from the City Plan Commission that that body recommended a set back line but did not fix the time for the completion of this project. The foregoing Charter provision requires that the ordinance specify a date when the widening will be accomplished. We would therefore ask your Honorable Body to determine this date and insert the same in this proposed ordinance.

We call to your attention the provisions of the Charter which provide that this ordinance, when adopted, can not be repealed without the consent of or without compensating the abutting property owners who have built in accordance with the established line.

Very truly yours,

WALTER E. VASHAK,

Assistant Corporation Counsel.

Approved:

WILLIAM E. DOWLING,
Corporation Counsel.

By Councilman Rogell:

Wayne St. Set-Back Line

AN ORDINANCE to establish a line for the future widening of Wayne Street from Lafayette Boulevard to the first alley south of Michigan Avenue, and to provide penalties for the violation of the provisions thereof.

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

Section 1. That a public street known as Wayne Street, shall be widened from its present width of fifty (50) feet to eighty (80) feet in width from Lafayette Boulevard to the first alley southerly of Michigan Avenue, on or before the 1st day of July, 1948.

Sec. 2 That there is hereby established for the future widening of Wayne Street a thirty (30) foot set back line on the easterly side of said street from Lafayette Boulevard to the first alley southerly of Michigan Avenue.

Sec. 3. No person, firm, company or corporation shall hereafter build or erect any building or structure of any description on Wayne Street between Lafayette Boulevard and the first alley southerly of Michigan Avenue, which

does not conform to the set back line as herein established.

Sec. 4. Any person, firm, company or corporation who violates or refuses to comply with or who resists or opposes the execution of Section 3 hereof shall be subject to a fine of not less than five hundred (\$500.00) dollars, and every such person, firm, company or corporation shall be deemed guilty of a separate offense for every day such violation or refusal shall continue, and shall be subject to the penalty imposed by this section for each and every such separate offense; and any builder and contractor who shall construct any building in violation of any of the provisions of Section 3 of this ordinance, and any architect designing or having charge of such building who shall permit it to be so constructed, shall be liable to the penalties provided and imposed by this section; and any person fined for violation of Section 3 of this ordinance may be committed to the Detroit House of Correction until such fine is paid: Provided, such commitment shall not be for longer period than ninety (90) days, or both such fine and imprisonment in the discretion of the Court.

Sec. 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Approved:

WILLIAM E. DOWLING,
Corporation Counsel.

Read twice by title, ordered printed and laid on the table.

Corporation Counsel

August 4, 1945.

To the Honorable, the Common Council:

Gentlemen—The verdict has been received in Recorder's Court File No. 1803, In the Matter of the Widening of Second Boulevard between Webb Avenue and the southerly line of the City of Highland Park, where not already widened as a public street and highway.

This verdict in the amount of \$800.00 will be confirmed as of August 8, 1945.

In order to stop the interest upon the judgment rendered in this verdict roll, which is at the rate of five (5%) per cent per annum from the date of confirmation until the date funds are posted for payment thereof, we request your Honorable Body to adopt the attached resolution.

Respectfully submitted,

VANCE G. INGALLS,
Assistant Corporation Counsel.

Approved:

WILLIAM E. DOWLING,
Corporation Counsel.

By Councilman Sweeny:

Whereas verdict was rendered in amount of Eight Hundred (\$800.00) Dollars in Case No. 1803 in the Recorder's Court entitled:

"In the mater of: The Widening of Second Boulevard between Webb Avenue and the southerly line of the City of Highland Park, where not already widened, as a public street and highway."

Therefore, Be It

Resolved, That the City Controller and the City Treasurer be and they are hereby authorized and directed to transfer \$800.00, together with interest at the rate of five (5%) per cent per annum from Account 507 to Account 523 — Widening Second Avenue at Webb, within the Street Opening Fund; And Be It Further

Resolved that the City Treasurer be and he is hereby directed to make and file duplicate certificates showing the amount of money that is in the treasury for the payment of awards as provided for under the provisions of the Charter of the City of Detroit.

Approved:

WILLIAM E. DOWLING,
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

Reconsideration

Councilman Sweeny moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Castator, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

Councilman Comstock then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

City Election Commission

Aug. 1, 1945.

To the Honorable, the Common Council:

Gentlemen—In the last report on the audit of the City Election Commission transactions, Mr. Tobin recommended that a charge be made to the Wayne County Jury Commission for the list of electors furnished them biennially.

Under Act 330, Public Acts of 1931, the City Clerk is required to furnish periodically, to the Municipal Court Jury Commission, lists of reg-

istered electors. At the time this list is struck off, several carbon copies are made, one of which is furnished the Wayne County Jury Commission. The balance are for sale, \$1,818.03 having been realized on the last set.

There has always been a question as to whose responsibility it was to furnish this list, but inasmuch as it would have to be assumed by the City of Detroit, regardless of which department stood the expense, nothing has been done towards billing the Municipal Court Jury Commission for these lists.

As far as the Wayne County Jury Commission is concerned, we have always believed, in view of the fact the list must be run for the Municipal Court Jury Commission anyway, that it could be furnished the County Jury Commission gratis. We receive many courtesies and services from several County Departments for which no charge is made. The County Clerk, in compliance with the Charter provisions that they assume certain functions in connection with municipal primaries and elections, has always kept his office open and furnished necessary help, although as a matter of fact, the Charter could not impose these duties upon a county office and there is no provision governing it in the State Law. Many photostats of records, etc., have been furnished this Commission.

If it is therefore agreeable to your Honorable Body, we would like to continue furnishing a carbon copy of the list of registered electors to the Wayne County Jury Commission, without charge.

Awaiting such action as you may desire to take in this connection, I remain

Respectfully,

THOMAS D. LEADBETTER,
City Clerk and Chairman.

By Councilman Castator:

Resolved, That the City Election Commission be and it is hereby authorized to continue furnishing a copy of the list of registered electors to the Wayne County Jury Commission without charge.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

Parks and Recreation

July 30, 1945.

To the Honorable, the Common Council:

Gentlemen—We are submitting herewith an amendment to Chapter 165, Compiled Ordinances of the City of Detroit for the year 1936, bearing the title of: