

be prepared.

Respectfully submitted,

JOHN E. CROSS,

Asst. Corporation Counsel.

By Councilman Miriani:

**AN ORDINANCE to Amend Chapter 47, Article 1, Section 47-1-12 of the Code of the City of Detroit to provide for the elimination of the necessity of a bond and require only private patrol service licensees to provide an insurance policy.**

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

Section 1. That Chapter 47, Article 1, Section 47-1-12 of the Code of the City of Detroit be and the same is hereby amended to read as follows:

Sec. 47-1-12. The mayor is hereby authorized to issue a license to any person for the purpose of operating a private patrol service within the city upon the filing of an application stating the company name, places to patrol and such other information as may be required by the commissioner of police ~~and upon the execution and filing of a bond in the sum of twenty five hundred dollars if a person or a partnership or corporation~~ ~~Conditioned that the license shall comply with every provision contained in this article and in all other provisions of this code and other ordinances of the City applicable thereto~~ **APPLICANTS FOR PRIVATE PATROL SERVICE LICENSE SHALL ALSO FURNISH A POLICY OF INSURANCE APPROVED BY THE CORPORATION COUNSEL, NAMING THE LICENSEE AND THE CITY AS CO-INSURED IN THE AMOUNT OF TEN THOUSAND DOLLARS PROPERTY DAMAGES, FIFTY THOUSAND DOLLARS FOR INJURY TO OR DEATH OF ONE PERSON, AND ONE HUNDRED THOUSAND DOLLARS FOR INJURIES TO OR DEATHS OF MORE THAN ONE PERSON ARISING OUT OF THE OPERATION OF SUCH PRIVATE PATROL SERVICE. THE POLICY SHALL BE FILED WITH THE CITY CONTROLLER. NO PRIVATE PATROL SERVICE LICENSE SHALL BE ISSUED UNTIL THE CITY CONTROLLER NOTIFIES THE COMMISSIONER OF POLICE THAT SUCH INSURANCE POLICY HAS BEEN FILED IN THE OFFICE OF THE CITY CONTROLLER.**

Section 2. This ordinance is declared necessary for the preservation of the peace, health, safety and welfare of the people of the City of Detroit and is hereby given immediate effect.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Approved as to form:

ROBERT REESE,

Corporation Counsel.

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

**RESOLUTION SETTING HEARING**

By Councilman Miriani:

Resolved, That a Public Hearing be held before this body, the Common Council of the City of Detroit, on MONDAY, NOVEMBER 21, 1966, at 10:15 A.M., in the Committee Room, 13th floor, City-County Building, on the foregoing proposed ordinance to amend Section 47-1-12 of Article 1, Chapter 47 of the Code of Detroit, to require an Insurance Policy instead of a Bond for Private Patrol Service licensees, at which time all interested parties are invited to be present and be heard as to their views.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—9.  
Nays—None.

**Corporation Counsel**

November 4, 1966.

Honorable Common Council:

Gentlemen—You have referred to this Office Petition No. 2396 of Laurence Wolf to construct a wrought-iron fence with lights and canopy on public property at 112 Seward Avenue.

Inasmuch as the erection of a canopy is subject to the provisions of the Building Code as amended by Ordinance No. 744-F in Chapter 12, Article 6 of the Code of Detroit, requiring the advance filing of a corporate surety bond with the City Controller, we are preparing separate resolutions—one for the canopy and one for the construction of the fence.

Respectfully submitted,

CHRISTINE M. ROSSI,

Assistant Corporation Counsel.

By Councilman Miriani:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Laurence Wolf to construct and maintain a wrought iron fence and gas lights enclosing the area of public property between the main sidewalk and property line at 112 Seward Avenue, Detroit, Michigan subject to petitioner furnishing an indemnity agreement in accordance with this resolution, and further

Provided, That same shall be constructed and maintained under the rules and regulations of the Department of Public Works and the Department of Buildings and Safety Engineering in accordance with plans submitted to and approved by those departments, and further

Provided, That the permittee, for himself, his heirs, legal representatives, successors and assigns shall accept such permit on the conditions hereby imposed, and with the further distinct understanding that during the life of said encroachment the permittee will assume full liability for any and all claims and damages

which may be sustained by the City arising by reason of the granting of said permit, and that said permittee will, before the issuance of said permit, file with the City Controller the type of document as above set forth, naming the City of Detroit as obligee therein, conditioned to indemnify and save harmless the City of Detroit from any and all claims, loss or damage, including claims, loss or damage emanating from personal injury and property damage, costs and expenses it may suffer arising during the life of said encroachment by reason of the issuance of said permit. The said document shall be approved by the Corporation Counsel as to form and execution before filing same with the City Controller, and further

Provided, That the permittee shall acquire no implied or other privileges hereunder not expressly stated herein; that no rights in the public streets, alleys or other public property shall be considered waived by this permission, which is granted expressly on the condition that the encroachment hereby permitted shall be removed at the expense of the permittee at any time said structure or installation is remodeled, rebuilt or otherwise changed so that the street, alley or other public property affected thereby shall remain free of such encroachment, and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds, by and at the permittee's expense, and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and that at any time said permit is revoked by the Council the said encroachment shall be removed by the permittee within the time directed, and that upon failure to do so, the Commissioner of the Department of Buildings and Safety Engineering or his agents may enter into and upon the premises and remove at permittee's expense, any part of said structure or installation which encroaches into or upon a street, alley or other public property, and further provided, that the permittee hereby waives any right to claim damages or compensation from the City of Detroit, or from any official agent thereof, due to the trespass or damage resulting from removing any such encroachment upon a street, alley, or other public property. Approved:

ROBERT REESE,  
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—9.  
Nays—None.

By Councilman Miriani:

Resolved, That the Department of

Public Works be and it is hereby authorized and directed to issue permit to Laurence Wolf to erect a canopy on public property located at the front entrance of 112 Seward Avenue, Detroit, Michigan, and maintain same for a period of one year from date of issuance; and further, subject to the provisions of the Building Code as amended by Ordinance No. 744-F in Chapter 12, Article 6 of the Code of Detroit, relative to canopies over public property requiring the advance filing with the City Controller of a corporate surety bond approved by the Corporation Counsel in the penal sum of \$5,000.00; and further

Provided, That the work shall be performed by a licensed awning erector under another permit to be secured from the Department of Buildings and Safety Engineering, and under the supervision of that department and the Department of Public Works, and in accordance with plans approved by said departments, and the Department of Streets and Traffic, and further

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said canopy and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department by said grantee at its expense, and further

Provided, That said permit issued by the Department of Public Works is granted with the distinct understanding that in the event of the Charter of the City of Detroit being amended in such manner as will provide for the levying of a fee, charge or rental, to be hereafter determined upon, or in the event of an ordinance or resolution being enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said Charter, or ordinance or resolution, and that said grantee does hereby bind himself thereunto and to accept said permit on the conditions hereby imposed, and in the event of the said grantee contesting the validity of said Charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, this permit shall immediately become void, and further,

Provided, This resolution is revocable at the will, whim or caprice of the Common Council and grantee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further that grantee acquires no implied or other privileges hereunder not ex-