

Sections 55-3-1 through 55-3-3; by repealing Article VI, *Operation of Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-4-1 through 55-4-30, Division 2, *Speed Regulations*, containing Sections 55-4-39 through 55-4-46, Division 3, *Turning Movements*, containing Sections 55-4-58 through 55-4-64, and Division 4, *Operating a Vehicle While Intoxicated by Alcohol, a Controlled Substance or a Combination Thereof*, containing Sections 55-4-70 through 55-4-82 and adding a new Article IV, *Local Regulations*, which shall consist of Division I, *Generally*, containing Sections 55-4-1, Division 2, *Operation of Bicycles*, containing Sections 55-4-11 through 55-4-13, Division 3, *Stopping, Standing and Parking*, containing Sections 55-4-31 through 55-4-45, Division 4, *Parking Meters*, containing Sections 55-4-61 through 55-4-68, Division 5, *Size, Weight and Load of Vehicles*, Subdivision A, *Generally*, containing Sections 55-4-81 through 55-4-82, and Subdivision B, *Weights, Loads and Wheel Pressures*, containing Sections 55-4-91 through 55-4-93, and Division 6, *Miscellaneous Regulations*, containing Sections 55-4-101 through 55-4-115; by repealing Article V, *Traffic-control Devices*, which consists of Sections 55-5-1 through 55-5-11; by repealing Article VI, *Stopping, Standing and Parking*, which consists of Division 1, *Generally*, containing Sections 55-6-1 through 55-6-32, Division 2, *Parking Meters*, containing Sections 55-6-44 through 55-6-54, Division 3, *Parking of Inoperable Vehicles*, containing Sections 55-6-66 through 55-6-72, Division 4, *Abandoned Vehicles*, containing Sections 55-6-84 through 55-6-90, Division 5, *Idling Prohibition for Commercial Vehicles Exceeding Gross Vehicle Weight Rating of 8,500 Pounds*, containing Sections 55-6-91 through 55-6-94; by repealing Article VII, *Equipment on Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-7-1 through 55-7-16, Division 2, *Lights*, containing Sections 55-7-28 through 55-7-44, and Division 3, *Noise Regulations*, containing Sections 55-7-56 through 55-7-61; by repealing Article VIII, *Size, Weight and Load of Vehicles*, which consists of Division 1, *In General*, containing Sections 55-8-1 through 55-8-9, Division 2, *Width, Height and Length*, containing Sections 55-8-11 through 55-8-18, and Division 3, *Weight, Loads and Wheel Pressure*, containing Sections 55-8-21 through 55-8-29; by repealing Article IX, *Motorcycles, Motor-driven Cycles and Bicycles*, which consists of Division 1, *Generally*, containing Sections 55-9-1 through 55-9-16, Division 2, *Motorcycle Clubs*, containing Sections 55-9-28

through 55-9-30, and Division 3, *Voluntary Bicycle Registration*, containing Sections 55-9-41 through 55-9-49; by repealing Article X, *School Busses*, which consists of Sections 55-10-1 through 55-10-3; by repealing Article XI, *Ice Cream Trucks*, which consists of Sections 55-11-1 through 55-11-9; by repealing Article XII, *Pedestrians' Rights and Duties*, which consists of Division 1, *Generally*, containing Sections 55-12-1 through 55-12-4 and Division 2, *White Canes for Blind Persons*, containing Sections 55-12-25 through 55-12-28; by repealing Article XIII, *Accidents*, which consists of Sections 55-13-1 through 55-13-7; by repealing Article XIV, *Impoundment of Vehicles*, which consists of Sections 55-14-1 through 55-14-11; by repealing Article XV, *Police Authorized Towing*, which consists of Sections 55-15-1 through 55-15-8; by repealing Article XVI, *Snow Emergency Routes*, which consists of Sections 55-16-1 through 55-16-8; to repeal the current Chapter 55 in its entirety; to adopt and incorporate by reference the Michigan Vehicle Code, being MCL 257.1 through MCL 257.923, in accordance with Section 3(k) of the Michigan Home Rule City Act; to adopt and incorporate by reference the Michigan Uniform Traffic Code for Cities, Townships and Villages, being R 28.1001 *et seq.*, of the Michigan Administrative Code, in accordance with Section 1 of the Michigan Uniform Traffic Code being MCL 257.951; and to reenact those provisions in current Chapter 55, which, under the police powers of the City, are tailored to the needs of the City of Detroit.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

#### **Planning & Development Department**

April 15, 2014

Honorable City Council:

Re: Petition No. 145 — Vicentes Cuban Cuisine for Outdoor Café Permit at 1250 Library St.

The above named petitioner has requested permission for Outdoor Café Service. This service will convene every April 1st through November 30th, for a period of three (3) years, from the date of your Honorable Body's approval.

The Department of Public Works/City Engineering Division (DPW/CED) who has jurisdiction over temporary encroachment on City right-of-ways has approved this request contingent upon the petitioners compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to

the Permit Section of the DPW/CED. In addition, a clear sidewalk width of six feet shall be maintained between the boundary of the outdoor seating area and the parking meters.

The Institute for Population Health (IPH) has approved this petition, subject to petitioner's strict adherence to the 1999 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Institute of Population Health Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Planning and Development Department (P&DD) is not aware of any objections from any other City Agencies involved. It is the recommendation of the P&DD that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene every April 1st through November 30th for a period of three (3) years, from the date of your Honorable Body's approval, subject to final approval by the Detroit Emergency Financial Manager.

Respectfully submitted,

JOHN SAAD, P.E.

Engineering Services Coordinator  
Planning & Development Department  
By Council Member Leland:

Resolved, That the Department of Public Works — City Engineering Division (DPW/CED) is hereby authorized and directed to issue a Use-permit to Vicentes Cuban Cuisine, Detroit "permittee", whose address is at 1250 Library, Detroit, Michigan 48226 to install and maintain an outdoor café, which will convene every April 1st through November 30th, for a period of three (3) years from the date of your Honorable Body's approval, subject to final approval by the Detroit Emergency Financial Manager, contingent upon licensee of such premises obtaining approval of the Michigan Liquor Control Commission, if necessary, and compliance with applicable City Ordinance in connection with outdoor café activities, prior to the issuance of said use permit; and

Provided, That the café meets the regulations set by the "Outdoor Café Guidelines" as adapted by the City Council and guided by Chapter 58, Section 50-2-8.1 of the City Code; and

Provided, That the petitioner obtains all necessary licenses and permits every year from Departments having jurisdiction

over the outdoor café process; and

Provided, That said activities are conducted under the rules and regulations of the Department of Transportation, Department of Public Works and the supervision of the Police Department; and

Provided, That the sale of food and soft drinks is held under the direction and inspection of the Institute for Population Health; and

Provided, That the "permittee" remit the required annual fee(s) to DPW/CED for issuance of a use-permit and confirm license of the establishment in compliance with the City Code; and

Provided, That the "permittee", prior to obtaining said permit, file an indemnity agreement in a form approved by the Law Department, saving and protecting the City of Detroit harmless from any or all claims, damages or expenses that may arise by reason of the issuance of said permit and the faithful performance by the "permittee" of the terms thereof; and in addition, to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and

Provided, That the filing of said indemnity agreement for this current year shall be construed as acceptance of this Resolution by the "permittee"; and

Provided, That the permit is revocable at the will, whim and caprice of the City Council; and hereby expressly waives any right to claim damages or compensation for removal of encroachment, and further, that "permittee" acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That no other rights in the public streets, alley or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the "permittee" at any time when so directed by City Council, and that the public property so affected shall be restored to a condition satisfactory to the DPW/CED by said "permittee" at its expense; and

Provided, That the permit shall not be assigned or transferred without a written approval of the City Council; and

Provided, That the petitioner follow the mandated minimum six (6) foot wide pedestrian clearance on the sidewalk, free of all obstacles such as existing planters, parking meters, utility poles, transformer boxes, etc., to allow for pedestrian movement; and

Provided, That the designated outdoor seating area shall be properly identified through the use of railings in order to regulate and control the serving of liquor within the perimeter of the café; and

Provided, That if any tent or other enclosure is to be utilized on the subject

site, the applicant shall secure prior approval from Buildings, Safety Engineering and Environmental Department and the Department of Public Works/City Engineering Division; and

Provided, That all railing equipment and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

Provided, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Planning & Development Department**

April 8, 2014

Honorable City Council:

Re: Request for Public Hearing to Establish an Obsolete Property Rehabilitation District, in the area of 114 W. Adams Street, Detroit, MI in accordance with Public Act 146 of 2000. Submitted by The Residence @ Grand Circus Park, LLC.

The Residence @ Grand Circus Park, LLC proposes to rehabilitate the 114 W. Adams property, thus creating 118 single family apartments and 4000 square feet of first floor retail. The Residence @ Grand Circus Park, LLC is requesting that an Obsolete Property Rehabilitation District be established. The Planning & Development Department and the Finance Department have reviewed the application and find that it satisfies the criteria set forth by P.A. 146 of 2000 and would be consistent with the development and economic goals of the Master Plan.

The Act requires that, prior to your Honorable Body's passage of a resolution establishing the District, a Public Hearing must first be conducted. We respectfully request that a Public Hearing be scheduled on the issue of approving the establishing of an Obsolete Property Rehabilitation District. Attached for your consideration, please find a resolution establishing a date and time for the public hearing.

Respectfully submitted,  
BRIAN ELLISON  
Deputy Director  
Planning Department

By Council Member Leland:

Whereas, Pursuant to Public Act No. 146 of 1992 ("the Act") this City Council may adopt a resolution which approves the application of an Obsolete Property Rehabilitation District within the boundaries of the City of Detroit; and

Whereas, The Residence @ Grand Circus Park, LLC has requested an Obsolete Property Rehabilitation District to be established as particularly described in Exhibit A (legal description) and illustrated in the map attached hereto; and

Whereas, Prior to such approval, the City Council shall provide an opportunity for a Public Hearing, at which Public Hearing on such adoption of a resolution providing such tax exemption, at which Public Hearing representatives of any taxing authority levying *ad valorem* taxes within the City, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter.

Now Therefore Be It

Resolved, That on Thursday, June 5, 2014 at 10:20 a.m. in the City Council Committee Room, 13th Floor, Coleman A. Young Municipal Center, a Public Hearing be held on the above described application.

And be it finally

Resolved, That the City Clerk shall give notice of the Public Hearing to the general public and shall give written notice of the Public Hearing by certified mail to all taxing authorities levying an *ad valorem* tax within the City of Detroit, such notices to be provided no later than fourteen (14) days prior to the public hearing.

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

The land situated in the County of Wayne, City of Detroit, State of Michigan, is described as follows:

Lots 89 through 95, both inclusive, Plat of Browns Subdivision of Park Lots 84, 85 and 86, as recorded in Liber 7, Page 27 of City Records, Wayne County Records.

Commonly known as: 114 W. Adams, Detroit, Michigan.

Tax ID Number: Ward 02; Item No. 000380-1.

**114 W. Adams**

Parcel #02000380-1

Current Assessment: \$441,018

Land Value: \$56,000

Legal Description: N ADAMS W. 95 THRU 89 PLAT OF PARK LOTS, 84, 85 & 86 L7 P27 CITY RECORDS, WCR 2/71 280 X 100.