

continue supporting the active operation of businesses in a safe manner that protects the patrons and employees of food service establishments and other businesses within the City; and

Whereas, The Department of Public Works has attached a report to this resolution identifying the criteria which must be met as determined by the Department of Public Works for the temporary closure of a street, alley, or public place, and

Whereas, This Honorable Body acknowledges the City's goals of supporting local businesses and allow for such businesses to maximize their use of available outdoor space; and Now Therefore Be It

Resolved, That the Detroit City Council approves an expedited process and grants approval to the temporary closure of a street, alley, or public place as outlined in this resolution and in the attached report; and Now Therefore Be It Further

Resolved, That if the temporary closure of the street, alley, or public place will pose a significant impact on the surrounding neighborhood by altering or restricting vehicular or pedestrian traffic, the details of the closure shall be posted on the City website and emailed to all residents within the impacted area that are registered with the Department of Neighborhoods and to all City Council Members that represent the impacted area; and Now Therefore Be It Further

Resolved, That the Department of Public Works shall provide a report to the Detroit City Council commencing thirty (30) days from the adoption of this resolution, and every thirty (30) days thereafter, identifying any temporary closure of a street, alley, or public place for the preceding thirty (30) days; and Now Therefore Be It Finally

Resolved, That the grant of authority by this Honorable Body to the Director of the Department of Public Works for the automated process authorized by this resolution shall expire on March 31, 2024.

Adopted as follows:

Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Whitfield-Calloway and President Sheffield — 8.

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 22) Per motions before adjournment.

**Department of Public Works  
City Engineering Division**

October 11, 2023

Honorable City Council:

Re: **Petition Number x2023-345** Joseph Zainea, request for the temporary closure of a public alley located adjacent to 4104 Woodward Avenue, for a period of five (5) years.

**Petition Number x2023-345** Joseph Zainea, request for the temporary closure of a public alley, varied width, located

easterly of and adjacent to 4104 Woodward Avenue, for a period of five (5) years.

The petition was referred to the City Engineering Division — DPW for investigation (utility clearance) and report. This is our report.

DTE Energy objected to the proposed petition. All other city departments and utilities have reported no objections to the temporary closure, provided that the right to 24-hour access is provided to their facilities. Provisions protecting the rights of the utilities and the City are a part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division — DPW

By Council Member Santiago-Romero:

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue a permit for the temporary closure of the public right-of-way, further described as:

Public alley, varied width, lying easterly of and adjacent to part of lot 26 and 28, excluding the southerly 50.32 ft. of lot 26, of the "Plat of Park Lots" as recorded in Liber 34, Page 542 of Plats, Wayne County Records, lying east of Woodward Avenue, 120 ft. wide, between Willis Avenue, 100 ft. wide, and Alexandrine Avenue, 120 ft. wide, and that part of the public alley lying northerly of and adjacent to lots 22 through 25 of the "Med Center Urban Renewal Plat No. 2" as recorded in Liber 90, Page 89-91 of Plats, Wayne County Records.

Provided, That the petitioner shall file with the Finance Department and/or City Engineering Division — DPW an indemnity agreement in the form approved by the Law Department. The agreement shall save and protect the City of Detroit from all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful or unfaithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public street closing; and

Provided, The property owned by the petitioner and adjoining the temporary public street closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the street; and

Provided, No building or other structures of any nature whatsoever, including, but not limited to, concrete slabs or driveways, retaining or partition walls, line fences or gates, shall be constructed on or over the public right of way. The petitioner shall observe the rules and regulations of the City Engi-

neering Division — DPW. The City of Detroit retains all rights and interests in the temporary closed public right of way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporary closed public rights of way. Further, the petitioner shall comply with all specific conditions imposed to ensure unimpeded 24 hour-per-day access to the City and utility companies; and

Provided, This resolution does not permit the storage of materials, displays of merchandise or signs within the temporary closed public rights of way. Further, the placement of materials, merchandise, or signs on any adjacent temporary area is prohibited; and

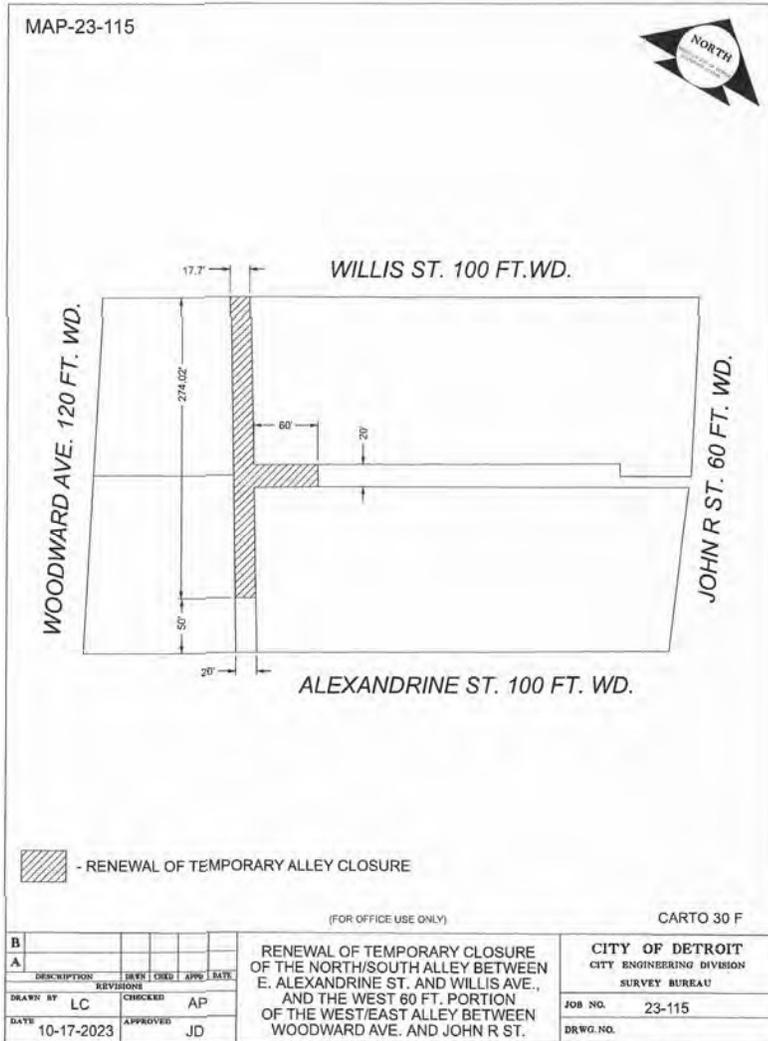
Provided, That if there is still a need for access from any of the abutting property owners to said temporary closed street, access shall and must be maintained for those properties; and

Provided, That this resolution is revocable at the will, whim, or caprice of the Detroit City Council without cause. The petitioner waives the right to claim damages or compensation for removal of encroachments. Further, the permittee acquires no implied or other privileges hereunder not expressly stated herein. If this permit is continued for the five (5) year period, the City Council may (Upon written request and if the circumstances justify accordingly) grant an extension thereto; and

Provided, That the 5-year period for the temporary closure shall begin on the date City Council approves this resolution; and further

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

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:  
 Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Whitfield-Calloway and President Sheffield — 8.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**

October 20, 2023

Honorable City Council:  
 Re: Wayne County Annual Special Events Permits for 2024.

An Annual Permit granting permission to temporarily close a County road for a reasonable length of time for a parade, marathon, celebration, festival or similar activity, or to use a County road as a

detour for traffic around such activity taking place on a non-County road may be issued by the Wayne County Permit Office to the City of Detroit.

As a condition of the annual permit, the County requires that the governing body pass a blanket resolution, effective for all permitted road closures for special events and installation of banners planned throughout the year which:

- 1) Agrees to fulfill all permit obligations and conditions for the current year.
- 2) To the extent allowed by law, hold harmless and defends Wayne County and its officials and employees against any and all damage claims, suits or judgments of any kind or nature arising as a result of the permitted activity.