

(b) Spoons and dishes used in the dispensing of ice cream or other products defined in Section 2, at retail, shall be individual, sterile spoons and/or dishes to be destroyed after once being used, provided that the dispenser of ice cream or other products defined in Section 2, at retail, may use spoons and dishes which can be re-serviced, but only if he is provided with approved equipment for the washing and sterilizing of spoons and/or dishes and that said spoons and/or dishes are suitably washed and sterilized each time after being once used and before being used again.

Sec. 15. Any ice cream, sherbets, ices or imitation ice cream or other products defined in this ordinance which do not conform with the definitions, standards or requirements as herein set forth, or if sold under another name, or is misbranded, wrongly labeled or billed, or if sold from containers of any type which are wrongly labeled or branded or are misrepresented, shall be deemed adulterated and misbranded within the meaning of this ordinance and no person, firm or corporation shall manufacture for sale, keep for sale, sell, barter or deal in any such product which is adulterated or misbranded. Each unit or package of such product manufactured and delivered by manufacturer shall bear the manufacturer's name and the true name of the product prominently embossed or printed on the main body thereof, and no advertising for any such product shall be displayed by any retailer in misrepresentation of the source of such manufactured products. Containers or packages when used for the sale at retail of sherbets, ices or imitation ice cream, shall have printed, stamped or stenciled on the main body of the package, the word "sherbets," "ices," or "imitation ice cream" in ordinary bold-faced letters not less than 3/8 in. high in size; and all places where sherbets, ices or imitation ice cream are sold in cones, shall conspicuously display a sign containing the words, "Sherbets sold here," "Ices sold here," or "Imitation ice cream sold here," as the case may be, in plain block letters at least 6 in. high. Provided, that nothing in this section shall prohibit the manufacturer's name being printed or embossed in a legible manner on the cover of packages of eight fluid ounces or less.

Sec. 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 3. This ordinance is hereby declared to be 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.

Approved as to form:

FRANK G. SCHEMANSKE,  
Corporation Counsel.

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

Department of Public Works

August 10, 1950.

To the Honorable, the Common Council:

Gentlemen—Petitions of E. R. Kirkman (Kikmar) et al (No. 387), Edwin S. Cay et al (No. 2018), Walter W. Eberhardt et al (No. 5920), and Wm. H. Longden et al (No. 7421), requesting the conversion into easements of certain alleys at the locations mentioned in the attached resolutions, were referred by your Committee of the Whole to this office for investigation and report, and are returned herewith. The conversion of said alleys into easements was previously approved by the City Plan Commission.

We wish to advise that all of our investigations have been completed. In reply to our inquiries all City departments and privately owned utility companies reported that they will be unaffected by the proposed changes, or that they have reached satisfactory agreements with the petitioners regarding their installations in the alleys to be vacated.

The conversion of these alleys into easements conforms with Common Council resolution of November 13, 1943, J.C.C. Page 2230.

We recommend the adoption of the attached resolutions.

Respectfully submitted,  
CARL D. WARNER,  
Commissioner.

By Councilman Beck:

Resolved, That all that part of north-south public alley, 18 feet wide, in block bounded by Warwick, Artesian, Dover and Cathedral Avenues, as platted in Fitzpatrick's Villas, being a subdivision of the S. E. 1/4 of the S. W. 1/4 of Sec. 35, T. 1 S., R. 10 E., Redford Twp., and the N. E. 1/4 of the N. W. 1/4 of Sec. 2, T. 2 S., R. 10 E., Dearborn Twp., Wayne County, Michigan, as recorded in Liber 54 of plats, Page 23, Wayne County Records, lying east of and adjoining the east line of lots 169 to 182, both inclusive, and west of and adjoining the west line of lots 183 to 196, both inclusive, all lots herein mentioned, being the same as platted in last mentioned subdivision;

Also, all of north-south public alley, 20 feet wide, in block bounded by Vaughan, Evergreen, Eaton and Outer Drive, as platted in B. E. Taylor's Coronado Subdivision lying south of Grand River Avenue, being a part of the N.E. 1/4 of Sec. 22, T. 1 S., R. 10 E.,

as recorded in Liber 54 of plats, Page 84, Wayne County Records, lying west of and adjoining the west line of lots 200 to 227, both inclusive, and east of and adjoining the east line of lots 287 to 300, both inclusive, all lots herein mentioned being the same as platted in last mentioned subdivision;

Also, all that part of north-south public alley, 18 feet wide, in block bounded by Lamphere, DaCosta, Sawyer and Tireman Avenues, as platted in Rouge Park Subdivision No. 2 as recorded in Liber 62 of plats, Page 70, Wayne County Records, and in Frischkorn's Park View Subdivision as recorded in Liber 41 of plats, Page 95, Wayne County Records, lying east of and adjoining the east line of lots 390 to 396, both inclusive, of last mentioned subdivision, east of and adjoining the east line of lots 1033 to 1043, both inclusive, of above mentioned Rouge Park Subdivision No. 2, west of and adjoining the west line of lots 1022 to 1032, both inclusive, of Rouge Park Subdivision No. 2 and west of and adjoining the west line of lots 488 to 494, both inclusive, of said Frischkorn's Park View Subdivision;

Also, all that part of east-west alley, 20 feet wide, south of Tireman Avenue and west of Dacosta Avenue, as platted in Rouge Park Subdivision No. 2 as recorded in Liber 62 of plats, Page 70, Wayne County Records, lying between the west line of the alley first west of Dacosta and the west line of Dacosta Avenue;

Also, all that part of north-south public alley, 18 feet wide, in block bounded by Fenton, Lenore, McNichols and Santa-Maria Avenues, as platted in B. E. Taylor's Grand River-Telegraph Subdivision as recorded in Liber 58 of plats, Page 67, Wayne County Records, lying west of and adjoining the west line of lots 468 to 482, both inclusive, and west of and adjoining the west line of the north 28.33 feet of lot 483, all lots herein mentioned being the same as platted in last mentioned subdivision;

Be and the same are hereby vacated as public alleys and converted into public easements, which easements shall be subject to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of the lots abutting on said alleys and by their grantees and assigns, and their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right of way over said vacated public alleys, hereinabove described, for the purpose of installing, maintaining, repairing, removing or replacing any sewer, conduit, telephone, telegraph, electric light or other poles or things usually placed

or installed in a public alley in the City of Detroit, with the right to ingress or egress at any time to and over said easement for the purposes above set forth;

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever, (except necessary line fences) shall be built or placed upon said easements or any part thereof, so that said easements shall be forever of easy access for the purposes named above.

Third, that said easements shall be used for the same purposes for which public alleys are generally used in the City of Detroit, excepting the same shall not be opened for the passage of vehicles therein.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, Smith, and the President—8.

Nays—None.

#### Department of Public Works

August 10, 1950.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Roman Catholic Archdiocese of Detroit, et al (No. 8394) requesting the vacation of Riverdale Avenue, between Davison and Schoolcraft Avenues, and the vacation of the east-west alley south of Schoolcraft Avenue between Virgil and Riverdale Avenues. The vacation of said street and alley was approved by the City Plan Commission in their communication to your Honorable Body of June 1, 1950.

Please be advised that all of our investigations are completed.

As per our directive, on August 3, 1950, the petitioners paid into the City Treasury the sum of \$2100.00, Receipt No. 7663, credited to Department of Water Supply Fund Code No. 601-9300-0-6290-908, said amount representing the cost of abandoning the existing water main in Riverdale Avenue, and the cost of constructing approximately 310 linear feet of water main in Davison Avenue, necessitated by the vacation of said Riverdale Avenue.

Proper provisions are incorporated in the vacating resolution protecting the City's interest in the sewer located in the alley to be vacated.

In reply to our inquiries all other City departments and privately owned utility companies reported that they will be unaffected by the vacation of the street and alley, or that they have reached satisfactory agreements with the petitioners regarding their installations therein.