

March 15

1960

vided, further, that such son or sons may act as such helper or assistant during school vacation periods and on Saturdays and on such other days as schools of the City of Detroit are not in regular session, and further, that such son or sons shall be exempt from the usual fee of \$3.00 for helper or assistant and shall be licensed by the License and Censor Bureau as a foot vendor.

Sec. 18. (a) It shall be unlawful for any street vendor to park, stand or stop for the purpose of making any sale within two hundred (200) feet of any school property.

(b) It shall be unlawful for any vendor to make any sale or delivery to any person while such person is standing in the roadway.

(c) Each vendor and/or his vehicle shall be equipped with a receptacle for the disposing of wrappers, papers and envelopes, or other containers; and it is hereby made the duty of the vendor to pick up such wrappers, papers and envelopes after any sale or delivery of his products.

Sec. 19. The Commissioner of Health may from time to time adopt such reasonable rules and regulations not inconsistent with this ordinance as he may deem necessary to regulate and govern the sale of any food or food products intended for human consumption upon the streets, public sidewalks or public places in the City of Detroit.

Sec. 20. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine not to exceed Five Hundred Dollars (\$500.00) or imprisonment in the Detroit House of Correction, not to exceed ninety days or both such fine and imprisonment at the discretion of the Court.

Sec. 21. That if any section of this ordinance shall be declared unconstitutional, the same shall not affect any other section and shall not affect the validity of this ordinance as a whole.

Sec. 22. All ordinances or parts of ordinances inconsistent herewith are hereby repealed, and particularly Chapter 216 of the Compiled Ordinances of the City of Detroit for 1954, as amended.

Sec. 23. This ordinance is declared necessary for the preservation of the peace, health, welfare and safety of the people of the City of Detroit and is hereby given immediate effect.

Approved as to Form:

NATHANIEL H. GOLDSTICK,
Corporation Counsel.

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

Corporation Counsel

March 9, 1960.

Honorable Common Council:
Gentlemen—Your Honorable Body, by resolution, authorized acquisition of the following described properties:

Case No. 2367. In the Recorder's Court, entitled: In the Matter of Acquisition of Land for Parks and Recreational and Other Municipal Public Purposes, Located North of 7 Mile Road Between Riverview and Appleton Avenues.

The taking covers 1.80 acres. However, the appraisal covers 13.075 acres as this is a partial taking.

Case No. 2353. In the Recorder's Court, entitled: In the Matter of Acquisition of Land for the Widening of Glenfield Avenue Between Gratiot and Gunston Avenues, Where Not Already Opened and Widened as a Public Street and Highway.

The taking is a parcel 15 by 175.21 feet. However, the appraisal covers a large parcel of improved property approximately 412 by 107 by 315 with 115 feet on Gratiot, as this is a partial taking.

Ralph Vigliotti has submitted an estimate of \$250.00 for Case No. 2367 and \$150.00 for Case No. 2353 to make the appraisals and assemble the necessary information, plus \$50.00 per day for Court testimony.

If this meets with your approval, the attached resolution is submitted for your consideration.

Respectfully submitted,

BERT R. SOGGE,

Assistant Corporation Counsel.

By Councilman Rogell:

Resolved, That the City Controller be and he is hereby authorized and directed to honor vouchers when presented, in accordance with the foregoing communication.

Approved:

NATHANIEL H. GOLDSTICK,
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Corporation Counsel

March 8, 1960.

Honorable Common Council:

Gentlemen—This is to inform your Honorable Body that Orders were entered vacating the alleys in the following cases:

Wayne Circuit Court No. 291-929.
Location: Mark Twain, Freeland, Thatcher and Curtis Avenues (9728).

Wayne Circuit Court No. 308-778.
Location: Evergreen, Plainview, McNichols and Santa Maria Avenues (4582).

Wayne Circuit Court No. 308-779.
Location: Queen, Hayes, Hazelridge and Cedar Grove Avenues (4659).

Wayne Circuit Court No. 308-780.
Location: Mendota, Birwood, Chipewa and Norfolk Avenues (4660).

The Orders, among other matters, provide that public easements for

public utility purposes shall be retained in the land comprising the alleys and, further, that the Clerk of the Court forward a certified copy to the Auditor General of the State of Michigan.

We submit a resolution directing the City Clerk to record the attached certified copies of the Orders with the Wayne County Register of Deeds.

Respectfully submitted,
RAYMOND F. STACHURA,
 Asst. Corporation Counsel.

Approved:
WALTER E. VASHAK,
 Acting Corporation Counsel.

By Councilman Smith:

Resolved, That the City Clerk be and he is hereby directed to record the Orders vacating the public alleys in the office of the Wayne County Register of Deeds within thirty (30) days from the date hereof in accordance with the foregoing communication from the Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
 Nays—None.

Corporation Counsel
 March 11, 1960.

Honorable Common Council:

Gentlemen — Recently a meeting was held in the Office of the Director of Traffic of the Detroit Police Department relating to the recent changes in the State Statute affecting night operation of motor driven cycles at which time it was found desirous to seek an amendment to the Traffic Ordinance in order to comply with said Statute.

In accordance therewith the Police Department has requested that such an ordinance be prepared and your attention called to the fact that the State Law goes into effect on March 19, 1960. However, we do not expect any serious difficulty prior to April 1, 1960.

We are, therefore submitting to your Honorable Body an amendment to Section 19 of Ordinance 115-D being Chapter 325 of the Compiled Ordinances of the City of Detroit for 1954 for your consideration.

Respectfully submitted,
LAWRENCE E. EATON,
 Asst. Corporation Counsel.

Approved:
NATHANIEL H. GOLDSTICK,
 Corporation Counsel.

By Councilman Van Antwerp:
AN ORDINANCE to amend Chapter 325 being Ordinance 115-D as amended by amending Section 19. IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT: SECTION 1. That Chapter 325 being Ordinance 115-D, as amended is here-

by amended by amending Section 19 to read as follows:

Section 19 (a) A person propelling OR OTHERWISE OPERATING a bicycle, or motorcycle OR MOTOR DRIVEN CYCLE shall not ride other than upon the permanent and regular seat attached thereto, nor carry any other person upon such A bicycle or motorcycle MOTOR DRIVEN CYCLE other than upon a firmly attached and regular seat thereon ~~nor~~ nor shall any OTHER person ride upon a bicycle, or motorcycle OR MOTOR DRIVEN CYCLE other than as ~~above~~ ~~authorized~~ PROVIDED HEREIN.

(b) No ~~bicycle or~~ motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(c) Persons riding bicycles, or motor cycles OR MOTOR DRIVEN CYCLES upon a highway shall not ride more than two abreast; provided that this restriction shall not apply to bicycles on paths or parts of highways set aside for the exclusive use of bicycles.

(d) No person riding a bicycle, or motorcycle OR MOTOR DRIVEN CYCLES shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handle bars.

(e-1) No person shall ride a bicycle OR MOTOR DRIVEN CYCLE unless it is equipped with a bell, HORN or other device capable of giving a signal audible for a distance of at least 100 feet, except that no bicycle OR MOTOR DRIVEN CYCLE shall be equipped with nor shall any person use upon a bicycle OR MOTOR DRIVEN CYCLE any siren or whistle.

(e-2) NO PERSON SHALL OPERATE A MOTOR DRIVEN CYCLE DURING SAID NIGHT HOURS UNLESS SUCH PERSON SHALL HAVE OBTAINED A NIGHT OPERATING PERMIT ISSUED BY THE COMMISSIONER OF POLICE UPON PROOF OF NECESSITY FOR SUCH PERMIT AND QUALIFICATION AS A LICENSED OPERATOR. MINORS, UNDER 18 YEARS OF AGE, MUST BE ACCOMPANIED BY A PARENT OR LEGAL GUARDIAN WHEN APPLYING FOR NIGHT OPERATING PERMIT.

(e-3) NO PERSON SHALL RIDE A MOTOR DRIVEN CYCLE DURING THE PERIOD ONE-HALF HOUR AFTER SUNSET TO ONE-HALF HOUR BEFORE SUNRISE UNLESS SUCH MOTOR DRIVEN CYCLE IS EQUIPPED WITH AT LEAST 1 AND NOT MORE THAN 2 HEADLAMPS WHICH SHALL EACH OR BOTH BE OF SUFFICIENT INTENSITY TO REVEAL A PERSON OR A VEHICLE AT A DISTANCE OF NOT LESS THAN 100 FEET WHEN THE MOTOR DRIVEN CYCLE IS OPERATED AT A SPEED LESS THAN 25 MILES PER HOUR AND AT A DISTANCE OF NOT