

the north-south public alley, 16 feet wide, in the block bounded by Lesure, Tracey, Chalfonte, and Fenkell abutting the rear line of lots 33 to 45 and lots 52 to 64 all inclusive of the Monnier Park Subdivision of the north ½ of the northeast ¼ of Section 19, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 37, Page 34, Plats, Wayne County records; and abutting the rear line of lots 220 to 222 and lots 223 and 225 all inclusive of the Huron Heights Subdivision on the east ½ of the northeast ¼ of Section 19, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 34, Page 71, Plats, Wayne County records,

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley and by 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 alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and 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 including but not limited to concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Environmental Protection and Maintenance Department,

THIRD, that if at any time in the future the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

PROVIDED FURTHER, that if any utility located or to be located in said property shall break or be damaged as

a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 2 mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility, and be it further

RESOLVED, That the City Clerk is hereby directed to send a copy of this resolution to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, McFadden, Rogell, and President Henderson — 8.

Nays — None.

**Environmental Protection & Maintenance Department**

February 13, 1978

Honorable City Council:

Re: Petition No. 2578 and 3648. Ward Foods, Inc. Conversion to Easement of certain alleys and a temporary closing of a portion of West Grand Boulevard north of Toledo.

The above petition requests the conversion of the remaining alleys in the block bounded by West Grand Boulevard, vacated 25th Street, Toledo, and the NYCRR into an easement for public utilities and the temporary closing of the easterly 22 feet of West Grand Boulevard between Toledo and the NYCRR.

The requested conversion into easement for public utilities and temporary closing was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

The Recreation Department has replied that they have no objection to the temporary closing of the portion of the West Grand Boulevard subject to the standard provisions of a temporary closing.

All other involved City Departments and privately-owned utility companies reported that they have no objections to the conversions of public right of ways into easements and temporary closing provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

JAMES W. WATTS  
Director



By Councill Member Cleveland:

RESOLVED, That all that part of the north-south public alley, 18.8 feet wide, north of Toledo Avenue, between West Grand Boulevard and vacated 25th Street abutting the rear line of lots 127 to 130, lots 135 to 138 and the southerly 20 feet of lots 143 and 144 all inclusive of Scotten, Lovett and Davis Subdivision of Scotten and Lovett's Subdivision of all that part of P.C. 78, Alexis Campau Farm (so-called) lying between Dix Road (so-called) and the Michigan Central Railroad, Town of Springwells (now Detroit) Wayne County, Michigan, as recorded in Liber 2, Page 19, Plats, Wayne County records; also

All that part of the east-west public alley, 20 feet wide, north of Toledo, between West Grand Boulevard and vacated 25th Street having been platted as the southerly 20 feet of the easterly 107 feet of Lot 143 of the above mentioned subdivision

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

FIRST, said owners hereby grant to and for the use of the public easements or right of ways over said vacated public alleys hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth,

SECOND, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including but not limited to concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easements, nor any change of surface grade made, without prior approval by the Environmental Protection and Maintenance Department;

THIRD, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, such owners, upon whose

property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

PROVIDED FURTHER, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility, and be it further

RESOLVED, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permit to Ward Foods, Inc., 3600 Toledo Avenue, to close the easterly 22 feet of West Grand Boulevard between the north line of Toledo and the south line of the New York Central Railroad right of way being a part of Scotten, Lovett and Davis Subdivision as recorded in Liber 2, Page 19, Plats, Wayne County Records, on a temporary basis for a period not to exceed three years, and to expire on January 4, 1981,

PROVIDED, That petitioner shall be subject to any tax which may be levied against him pursuant to law with regard to such use of public property, and further

PROVIDED, Petitioner furnishes an Agreement, in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the terms hereof, and files same with the Finance Department, 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 no building or other structure is constructed in said alley; that petitioner shall observe the rules of the Environmental Protection and Maintenance Department; and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said



area of temporarily closed alley;

That the petitioners maintain the present service drive as a fire route and construct a chain link fence along the westerly boundary of said service drive to prevent vehicles from parking on the landscaped portion of West Grand Boulevard;

Where a fence is placed across the temporarily closed portion of the service drive, a gate must be installed to permit access for D.M.W.D. forces. The gate shall remain unlocked 24 hours a day, unless a guard is stationed near the gate to allow the Detroit Metro Department ingress and egress at any time to and from the temporarily closed area. The minimum dimensions of the gate or gates shall provide 13 foot vertical and 13 foot horizontal clearance for freedom of D.M.W.D. equipment movement.

PROVIDED, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the Environmental Protection and Maintenance Department, by and at the permittee's expense; and further

PROVIDED, This resolution is revocable at the will, whim or caprice of the City Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, McFadden, Rogell, and President Henderson — 8.

Nays — None.

**Fire Department  
Fire Marshal Division**

February 14, 1978

Honorable City Council:

Hereto attached you will find an ordinance to amend Chapter 23 of the Detroit City Code by adding a new article which would require the installation and maintenance of smoke detectors in all existing residential units containing four families or less upon their sale, transfer or repair in excess of \$3,000.00.

In 1977 eighty-one percent (81%) of the fire deaths in the City of Detroit occurred in residential occupancies. As the first step toward our goal of reducing the number of fire deaths, we are proposing that the attached ordinance be enacted. The initial impact will be minimal. However, as the number of installations increase, an eventual decline in fire-related deaths and injuries will result. The reduction of fire deaths, while the primary pur-

pose of this ordinance, is not the only benefit to be derived. A significant reduction in the dollar loss relating to fire can be expected. An additional economic benefit will also result due to the reduction in fire-suppression costs.

This document is based on the available statistical information gathered over the last 18 months and represents a realistic approach to the problem facing our community.

Respectfully submitted,  
DONALD L. ROBINSON,

Fire Marshal

By Council Member Eberhard:

**AN ORDINANCE to amend Chapter 23 of the Detroit City Code by adding a new article to be known as Article 15 to provide for regulations requiring the installation and maintenance of smoke detection devices in buildings with up to four residential units, upon their sale, transfer or repair in excess of \$3,000.00.**

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

Section 1. That Chapter 23 of the Detroit City Code be amended by adding a new article to be known as Article 15 to read as follows:

Sec. 23-15-1. **DEFINITIONS.**

**A. RESIDENTIAL UNIT: ALL BUILDINGS OR STRUCTURES IN WHICH FAMILIES OR HOUSEHOLDS LIVE OR IN WHICH SLEEPING ACCOMMODATIONS ARE PROVIDED FOR INDIVIDUALS WITH OR WITHOUT DINING FACILITIES. THE TERM RESIDENTIAL UNITS SHALL ONLY INCLUDE THOSE EXISTING SINGLE, MULTIPLE AND MIXED OCCUPANCY BUILDINGS WITH UP TO FOUR RESIDENTIAL UNITS INCLUDING BUT NOT LIMITED TO THE FOLLOWING TYPES: ONE-FAMILY, TWO-FAMILY, MULTIFAMILY, APARTMENT HOUSE, BOARDING HOUSE, TOURIST HOUSE, DORMITORY AND SENIOR CITIZEN AND ADULT FOSTER CARE FACILITY.**

**B. SMOKE DETECTOR: AN INSTRUMENT WHICH DETECTS VISIBLE OR INVISIBLE PARTICLES OF COMBUSTION AND ACTIVATES A SIGNALING DEVICE.**

**C. SINGLE STATION ALARM DEVICE: ANY ASSEMBLY INCORPORATING THE SMOKE DETECTOR, CONTROL EQUIPMENT, AND THE SIGNALING DEVICE IN ONE UNIT, OPERATED FROM A POWER SUPPLY EITHER IN THE UNIT, OR OBTAINED AT THE POINT OF INSTALLATION.**