

the Department in September 1977, indicates this ordinance in its present form mandates a system that is physically impossible to administer. We are currently attempting to develop recommended changes for your consideration which will assure retention of the spirit and intent of the ordinance, yet allow for a workable code enforcement effort which will result in minimizing deferred maintenance and code-related closing of basically sound structures.

It should be noted that the guidelines for special extensions must be approved by Council prior to the effective date of this ordinance, which is March 1, 1978.

Respectfully submitted,
CREIGHTON C. LEDERER

Director

RULES AND REGULATIONS FOR GRANTING SPECIAL EXTENSIONS FOR COMPLIANCE WITH NOTICES OF VIOLATION OR ORDERS ISSUED BY THE BUILDINGS AND SAFETY ENGINEERING DEPARTMENT

I When a special extension is required for compliance with a notice of violation or an order to correct a code deficiency, the person to whom the notice or order is issued must request an administrative hearing within the specified time for compliance or within (10) days of the issuance of the notice or order, whichever is less. The Department will schedule a hearing within (15) working days from receipt of the request.

II The notice of violation or order will be reviewed with respects to the adverse effect of the violation on the habitability or use of the premises, blighting influence of the violation on the immediate neighborhood and the work required to make corrections.

III At the time of hearing proof of ownership and/or responsibility must be presented along with copies of all documents supporting the need for a special extension. Three (3) working days after the hearing, a written decision will be rendered. The granting or denial of a special extension is appealable to the Director of the Department.

IV The Department shall consider as supportive evidence in the demonstration of cause for a special extension conditions, such as:

- A. Financial Hardship (Documentation required)
 - Available financial resources versus expenses
 - Unanticipated and/or unmet needs.
- B. Dependency Upon others For

Funding Repairs (Documentation required)

- Recipient of public assistance
- Eligible for grant or low interest loan

- Civil action pending
- Insurance claims

C. Willingness to Comply/ Unavoidable Delay

- Inclement weather (exterior work)
- Availability of craftsmen and/or material (documented by contracts, purchase orders, etc.)

D. Major Restoration, Rehabilitation and/or Additions (Documentation required)

- In progress or planned
- Permits and plans filed
- Historical designation

E. Terminating ownership and/or Occupancy (Documentation required)

- To be acquired by governmental agency
- Private sale pending-supported by a purchase agreement
- Vacating tenancy for demolition or future rehabilitation

V. Any extension granted by the Department is subject to revocation at any time, if the conditions of issuance are not met. The revocation of an extension shall become effective (10) working days after the revocation is mailed by first class mail to the last known address of the extension grantee. The Department reserves the right to review extensions and adjust compliance time when conditions change that affect the health safety and welfare of the public and the community.

By Council Member Kelley:

Resolved, That, in accordance with Ordinance 207-H, the Rules and Regulations for Granting Special Extensions for Compliance with Notices of violation or Orders Issued by the Buildings and Safety Engineering Department, as outlined in the foregoing communication from the Buildings and Safety Engineering Department, be and the same are hereby approved.

Adopted as follows:

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

Nays — None.

*RECONSIDERATION (No. 7) per Motions before Adjournment.

Environmental Protection & Maintenance Department

February 24, 1978

Honorable City Council:
 Re: Petition No. 6060. Calumet Limited Housing Association.

March 1

Amending Resolution due to change in Property Description.

On December 14, 1977, (J.C.C. Pages 2897-2898) your Honorable Body vacated a portion of the public utility easement retained in vacated Canfield Avenue between the Lodge Freeway and Third Avenue.

The petitioner has submitted a property description which amends the description originally furnished to the City and as used in the vacating resolution.

It will be necessary to rescind the resolution adopted on December 14, 1977, and adopt the attached resolution which includes the new description.

Respectfully submitted,
JAMES W. WATTS
Director

By Council Member Kelley:

RESOLVED, That the resolution adopted on December 14, 1977, (J.C.C. Pages 2897 and 2898) granting Petition No. 6060 of the Calumet Limited Housing Association.

Be and the same is hereby rescinded and replaced by the following:

RESOLVED, That all that part of the public utility easement (formerly Canfield) between Third Avenue and the John C. Lodge Freeway described as:

Parcels of land in the City of Detroit, the first of which is described as being part of vacated Canfield Avenue, 50 feet wide, vacated on October 5, 1977, described as beginning at a point distant N. 67 deg. 27 min. 00 sec. E., 146.61 feet along the south line of said vacated Canfield Avenue, and N. 22 deg. 33 min. 00 sec. W., 15.00 feet from the intersection of the south line of said vacated Canfield Avenue, and the east line of the John C. Lodge Service Drive, said intersection also being the Northwest corner of Lot 23 of the Plat of the Subdivision of Lot 9 of the Subdivision of the Rear of the Forsyth Farm for the Estate of James, Connor as recorded in Liber 1, Page 77, Plats, Wayne County records; thence from said point of beginning N. 22 deg. 33 Min. 00 sec. W., 35 feet to the north line of said vacated Canfield Avenue, to a point, said point also being the Southwest corner of Lot 1 of Subdivision of Blocks 14 and 15 and the north part of Block 11, Crane Farm as recorded in Liber 1, Page 226, Plats, Wayne County records; thence N. 67 deg. 27 min. 00 sec. E. along said north line of vacated Canfield Avenue, 50 feet; thence S. 22 deg. 33 min. 00 sec. E., 35 feet; thence S. 67 deg. 27 min. 00 sec. W., 50 feet along a line parallel to and 15 feet north of the south line of said

vacated Canfield Avenue to the point of beginning; and the second of which is described as beginning at a point distant N. 67 deg. 27 min. 00 sec. E., 337.15 feet and N. 22 deg. 33 min. 00 sec. W., 15.00 feet from the said intersection of the south line of vacated Canfield Avenue, and said east line of John C. Lodge Service Drive, said intersection also being the said Northwest corner of Lot 23; thence from said point of beginning N. 22 deg. 33 min. 00 sec. W., 35.00 feet to the north line of said vacated Canfield Avenue; thence along said north line N. 73 deg. 54 min. 00 sec. E. 50.01 feet to the west line of the vacated alley, 16.9 feet wide, (vacated October 5, 1977) being the alley first west of Third Avenue, 70 feet wide, thence S. 22 deg. 14 min. 48 sec. E. along said west line of the 16.9 feet vacated alley extended southerly to a point of intersection with a line 15 feet north of and parallel to the south line of vacated Canfield, 50 feet wide; thence S. 67 deg. 27 min. 00 sec. W., 49.46 feet along the north line of a 15 foot wide public walkway, said line being 15 feet north of and parallel to the south line of said vacated Canfield Avenue, to the point of beginning;

Be and the same are hereby vacated as public utility easements; 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.

*RECONSIDERATION (No. 8) per Motions before Adjournment.

From the Clerk

March 1, 1978

That on February 23, 1978, he presented that portion of the proceedings of February 22, 1978, which was "reconsidered" as is required by the Charter to be so presented to His Honor, the Mayor, for approval, and same was approved on February 24, 1978.

That the balance of the proceedings of February 15, 1978 was presented to His Honor, the Mayor, on February 21, 1978 and was approved by the Mayor on February 24, 1978.

Also, That an ordinance to amend Chapter 21, Article 1 of the Code of Detroit, by adding new sections to be known as Sections 21-1-12 through