

tor to implement the collection effort through payroll deductions; and BE IT FURTHER

RESOLVED, That the administrative costs incurred by the City as a result of payroll deductions implemented for those "causes" whose membership is restricted to a single agency, shall be assumed by the "cause", and BE IT FURTHER

RESOLVED, That a minimum of 1000 payroll deduction authorizations will be required for a "cause" to qualify for the payroll deduction process, except where the membership of a "cause" is restricted to employees of a single City agency, in which case, a minimum participation of 10% of the agency total or minimum of 150 will be required, with Pledges to be renewed by employees on an annual basis; and BE IT FURTHER

RESOLVED, That an annual report explaining the distribution of funds shall be made available for review by the organizations membership, the City Council, the Mayor and the Finance Department. Failure to adhere to the foregoing stipulation shall result in the discontinuance of the payroll deduction authorization; and BE IT FURTHER

RESOLVED, That the Finance Director shall annually review the number of payroll deductions processed for any specific "cause" and may discontinue processing deductions for those "causes" which do not maintain a minimum of 1000 payroll deduction authorizations or 10% of the agency total or minimum of 150 where applicable; and BE IT FINALLY

RESOLVED, That the payroll system must have the capability to make the required deduction from the employees' paychecks.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

**City Engineering Department**

February 10, 1987

Honorable City Council:

Re: Petition No. 162 & 163 St. Augustine Convent. Gerald T. Chuhran, Director, Archdiocesan Properties. Conversion to easement of portions of alleys in the block bounded by Justine, Eureka, Luce and East Davison.

Petition No. 162 and 163 of St. Augustine Convent requests the conversion of portions of the north-south public alley, 15 feet wide, and the east-west public alley, 20 feet wide, in the block bounded by Justine, Eureka, Luce and East Davison Avenues into an easement for public utilities.

The requested conversion into an

easement for public utilities was approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation and report. This is our report:

The petitioner plans to use the paved alley return entrance and requests such remain in its present status. The petitioner shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

City departments and privately-owned utility companies have reported no objection to the conversion of public right-of-way into a utility easement. Provisions protecting utility installations are part of the resolution.

The adoption of the attached resolution is recommended.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Collins:

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Justine, Eureka, Luce and East Davison Avenues platted as the south 20.00 feet of Lot 44, Block 14, of "Mechanics Park being John M. Dwyer's Subdivision" of part of Fractional Section 17, and Fractional Section 18, Town 1 South, Range 12 East, Hamtramck Township, City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 1, Plats, Wayne County Records; also

All that part of the north-south public alley, 15 feet wide, in the block bounded by Justine, Eureka, Luce and East Davison Avenues lying easterly of and abutting the south 20.00 feet of Lot 44, the north 7.00 feet of Lot 42, and Lot 43, also lying westerly of and abutting the south 20.00 feet of Lot 19, the north 7.00 feet of Lot 21, and Lot 20 of the above mentioned Block 14, "Mechanics Park being John M. Dwyer's Subdivision" as recorded in Liber 26, Page 1, Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are hereby converted into a public easement of the full width of the alleys, 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 alleys herein above 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 purpose above set forth.

Second, Said utility easement or right-of-way in and over said vacated alleys herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above-mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition.

Third, 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 of the City Engineering Department.

Fourth, That if 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 easement, such owners, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Fifth, That if any utility 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 3, 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

Provided, That if it becomes necessary to remove the paved alley return at the alley entrance, such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all

costs borne by the petitioner, his heirs or assigns; and

Provided Further, That a certified copy of this resolution shall be recorded with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

#### City Planning Commission

February 12, 1987

Honorable City Council:

Re: Proposed ordinance to amend the Environmental Code.

Before you today is the proposed ordinance to amend the environmental code of the City of Detroit.

The amendments were drafted by City Council's Task Force on the Clean-up and Beautification of Detroit, co-chaired by Council members Hood and Collins. These amendments were taken up by Your Honorable Body at the October 17, 1986 session of the Committee of the Whole, along with the task force's additional recommendations and a resolution supporting the proposed creation of an "Environmental Court" within 36th District Court.

The proposed ordinance was referred to City Council Research & Analysis and to the Law Department; the proposed ordinance has been approved as to format and has been signed by the Deputy Corporation Counsel of the Law Department.

The proposed ordinance is ready for formal introduction and for scheduling the statutory public hearing.

Respectfully submitted,

MARSHA S. BRUHN,

Director

By Council Members Hood and Collins:

**AN ORDINANCE to amend Chapters 22 and 57 of the City Code, by amending Sections 22-2-87, 22-2-88.3, 22-2-88.5, 22-2-89, 57-5-3, 57-5-4, and 57-5-5 and by adding Sections 22-2-84.1 and 57-5-2.1 which provide for the control of litter and weeds in the City of Detroit.**

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

Section 1. That Chapters 22 and 57 of the City Code be amended by adding Sections 22-2-84.1 and Section 57-5-2.1; and by amending Sections 22-2-87, 22-2-88.3, 22-2-88.5, 22-2-89, 57-5-3, 57-5-4, and 57-5-5 as follows:

Sec. 22-2-84.1. EVIDENCE OF OWNERSHIP AND RESPONSIBILITY.

IT WILL BE PRIMA FACIE EVIDENCE OF OWNERSHIP THAT A CORPORATION, PARTNERSHIP OR INDIVIDUAL