

taining the necessary conditions, attached for consideration by your Honorable Body.

Respectfully submitted,

RICHARD DOHERTY

City Engineer

City Engineering Division — DPW
By Council President Pro Tem Brown:

Whereas, Three petitions to temporarily close part of Burt Road, 66 feet wide, between Grand River Avenue and W. McNichols Road have been previously granted by City Council: Petition No. 4854 on September 17, 1984 (J.C.C. pages 1788-89); Petition No. 3444 on June 20, 1990 (J.C.C. pages 1392-93); Petition No. 629 on August 4, 1995 (J.C.C. pages 2157-58);

Whereas, The last temporary closing renewal expired on September 1, 2000 and the petitioner has requested a further extension (Petition No. 2710; referred to the City Engineering Division — DPW); and

Whereas, The Petitioner/abutting property owner(s) is hereby held to the same conditions and provisions set in the previously granted Council resolutions; therefore be it

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue permits to "Christ the King Church" to close part of Burt Road, 66 feet wide, between Grand River Avenue and W. McNichols Road lying westerly of and abutting the west line of the south 24.20 feet of Lot 321, and Lots 316 through 320 of "Mayfair Park Subdivision of the East Half of the West Half of the Southeast Quarter, Section 10, and part of the Northeast Quarter of Section 15, Town 1 South, Range 10 East, lying North of Grand River Avenue, Redford Township, now City of Detroit, Wayne County, Michigan, Wayne County, Michigan as recorded in Liber 41, Page 78, Plats, Wayne County Records; also lying westerly of and abutting the west line of the eastern 251.18 feet of the western 284.18 feet of the southern 337.56 feet of the northern 681.88 feet of part of the Northeast Quarter of Section 15, Town 1 South, Range 10 East, Redford Township, now City of Detroit, Wayne County, Michigan, between Burt Road and Pierson Avenue; also lying easterly of and abutting the east line of the south 34.60 feet of Lot 313 and Lots 314 through 323 of the "Grand River Suburban Subdivision of part of North Half of Section 15, Town 1 South, Range 10 East, Redford Township and the Village of Wayne County Michigan, City of Detroit, Wayne County, Michigan as recorded in Liber 35, Page 16, Plats, Wayne County Records; on a temporary basis to expire on June 1, 2018;

Provided, That the petitioner shall file with the Finance Department and/or City

Engineering Division — DPW an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit harmless from all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful or unfaithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public alley closing; and

Provided, The property owned by the petitioner and adjoining the temporary public alley closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the alley; and

Provided, The petitioner's fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles and must only be installed in such a way to not prohibit pedestrian traffic within the sidewalk space; and

Provided, No buildings or other structures of any nature whatsoever (except necessary barricades), shall be constructed on or over the public rights-of-way. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW. The City of Detroit retains all rights and interests in the temporarily closed public rights-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public rights-of-way. Further, the petitioner shall comply with all specific conditions imposed to ensure unimpeded 24-hour-per-day access to the City and utility companies; and

Provided, This resolution does not permit the storage of materials, displays of merchandise, or signs within the temporarily closed public rights-of-way. Further, the placement of materials, merchandise, or signs on any adjacent temporary area is prohibited; and

Provided, That at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division — DPW by the petitioner at the petitioner's expense; and

Provided, This resolution is revocable at the will, whim or caprices of the Detroit City Council without cause. The petitioner waives the right to claim damages or compensation for removal of encroachments. Further, the permittee acquires no implied or other privileges hereunder not expressly stated herein. If this permit is continued for the five (5) year period, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and

Provided, This permit shall not be

assigned or transferred without the written approval of the Detroit City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Cockrel, Jr., Jenkins, Jones, Spivey, Watson, and President Pro Tem Brown — 6.

Nays — None.

**NEW BUSINESS
Law Department**

May 29, 2013

Honorable City Council:

Re: Proposed Ordinance to Amend Chapter 33 of the 1984 Detroit City Code, *Minors, Article III, Regulation of Minors in Public Places and Adult Responsibility for Violation, Division 2, Curfew.*

The above-referenced proposed ordinance was requested by the Police Department. The proposed ordinance has been approved as to form.

Pursuant to the applicable provisions of the 2012 Detroit City Charter, the above-referenced proposed emergency ordinance is being submitted to your Honorable Body for consideration. This proposed ordinance amends Chapter 33 of the 1984 Detroit City Code, *Minors, Article III, Regulation of Minors in Public Places and Adult Responsibility for Violation, Division 2, Curfew*, by adding Sections 33-3-14 and 33-3-15 to provide for a superseding curfew for all minors on the scheduled date for the Detroit Annual Fireworks Display, or on any rescheduled date for this event.

We are available to answer any questions that you may have concerning this proposed emergency ordinance.

Thank you for your consideration.

Respectfully submitted,
EDWARD V. KEELEAN
Acting Corporation Counsel

By Council Member Jones:

AN EMERGENCY ORDINANCE to amend Chapter 33, *Minors, Article III, Regulation of Minors in Public Places and Adult Responsibility for Violations, Division 2, Curfew*, of the 1984 Detroit City Code by adding Sections 33-3-14 and 33-3-15 to provide for a superseding curfew for all minors on June 24, 2013, the scheduled date for the Detroit Annual Fireworks Display, or on any rescheduled date for this event, from 6:00 p.m. through 11:59 p.m., and on June 25, 2013, or on any following day where the event is rescheduled, 12:00 midnight through 6:00 a.m., with limited exceptions for any minor: 1) accompanied by his or her

parent or legal guardian; 2) traveling to and from his or her place of employment; or 3) traveling to and from an education or training program or an organized sponsored recreational activity during the specified period.

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

Section 1. DECLARATION OF EMERGENCY

WHEREAS, On the evenings of the Detroit Annual Fireworks Display that takes place on the Detroit River there have been numerous incidents of harassment, nuisance, vandalism, and violence committed by persons at the viewing, parking, and public places of the City before, during, and after the fireworks display;

WHEREAS, These acts of harassment, nuisance, vandalism, and violence have been committed, in part, by unsupervised minors before and during the City's regular curfew hours for minors and have endangered the peace, health, safety, and welfare of the People of the City of Detroit and the thousands of persons traveling from outside the City limits to attend this annual event;

WHEREAS, There exists public peace, health, safety, and welfare needs for effectively governing the conduct of such minors as it pertains to harassment, nuisance, vandalism, and violence for the purpose of alleviating and eliminating these problems;

WHEREAS, Due to law enforcement considerations and logistics concerns, a City-wide curfew is necessary to enhance the public peace, health, safety and welfare for the thousands of persons who attend this annual event;

WHEREAS, Due to the fact that spectators begin to gather in the viewing areas in advance of the commencement of the Detroit Annual Fireworks Display on the day of the event, the regular curfew hours for minors provided for in the City's Curfew Ordinance are not sufficient to alleviate and curtail criminal activity by unsupervised minors in the fireworks display viewing areas;

WHEREAS, The peace, health, safety, and welfare of minors and the community-at-large will benefit from additional curfew controls for minors in the City during the Detroit Annual Fireworks Display; and

WHEREAS, The curfew for minors in the City provides for reasonable exceptions to allow for minors accompanied by his or her parent or legal guardian, for minors traveling to and from places of employment, education and training facilities, and for minors traveling to and from sponsored recreational activities during the specified curfew period.

Section 2. Chapter 33, *Minors, Article*