

# The McKownville Improvement Association

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McKOWNVILLE  
ALBANY 3, NEW YORK

June 10, 1975

Director  
Division of Minimal Housing Standards  
City Housing Authority  
Cranston, Rhode Island

Dear Sir:

I noted a reference in *Legal Decisions* (The American City, Dec. 1974) of your ordinance or law aimed at preventing the "development of blight" (see attached copy.).

Would you please send me a copy of this ordinance for our information? Thank you.

Very truly yours,

John K. Esler, P.E.  
PRESIDENT

JKE:at

11/10/75 JKE called Cranston City Hall  
1/401/461-1000

Spoke w/ Charlie Hager in  
Div. of Min. Housing Standards

- He'll send their bldg code which has the  
requirements for painting exterior of houses, etc.

- Also send an ordinance on removal of debris



**Charles S. Rhyne**  
General Counsel

National Institute of  
Municipal Law Officers

**Negative impact statement required**

In a class action brought to enjoin further construction of a channel improvement project in a slough area, on the grounds of noncompliance with the National Environmental Policy Act, held that:

- Even though no formal impact statement is thought to be necessary, the National Environmental Policy Act initially requires the agency to de-

velop affirmatively a reviewable environmental record.

- Where as a result of a hearing, the court concluded that there would be no significant environmental impact if the channel improvement project as modified was completed as represented by the Soil Conservation Service, its decision not to prepare a formal environmental impact statement was not erroneous, but a negative declaration with an environmental appraisal should have been prepared so as to furnish, inter alia, documentary support for claimed project modifications comprising the bulk of environmental mitigation for the project.

*Simmand v. Grant*, 370 F. Supp. 5 (S.D. Texas, Jan. 22, 1974).

**Homeowners required to paint home**

In a petition for certiorari to review a decision of the Housing Board of Review denying petitioner's appeal from a compliance order issued by the director of the city Division of Minimum Housing Standards, held that:

- Enactment of legislation to prevent development of blight and thereby prevent creation of slums is well within police power of state.

- A city may properly require a homeowner to paint his home and thus prevent blighting of a residential area by a dilapidated, peeling house.

*Berberian v. Housing Authority of City of Cranston*, 315 A.2d 747 (R.I., March 8, 1974).

**Residency ruled bargaining subject**

In an unfair labor practice proceeding filed by city police officers association against city, held that:

- Residency requirement for policemen in Detroit was mandatory subject for collective bargaining.

- The city did not commit unfair labor practice by unilateral action in adopting residency ordinance but that the city would be required to bargain in the future on residency requirement if presented with the issue.

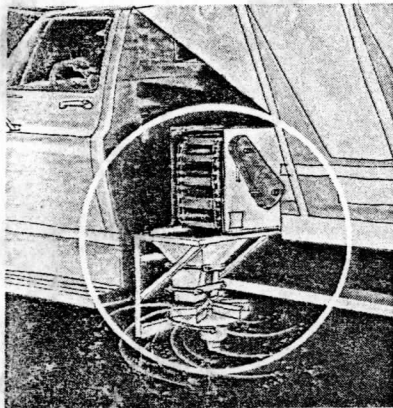
- Changes in the police retirement plan were mandatory subjects of bargaining.

- Voter approval was not necessary in order to change the police retirement plan contained in city charter.

*Detroit Police Officers Association v. City of Detroit*, 214 N.W. 2d 803 (Mich., Feb. 14, 1974).

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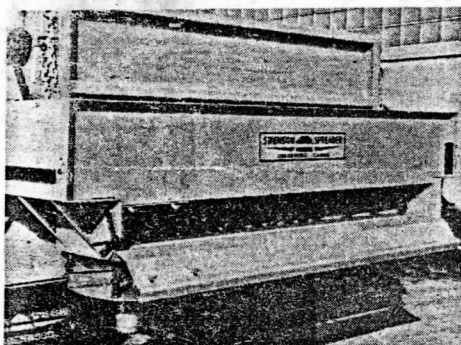
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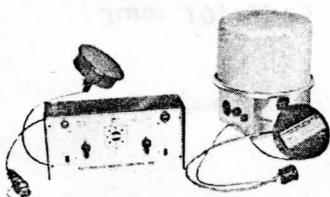
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