



RANDY BOST/Staff photographer

### Going to the dogs

Merchants at the Village Mall in downtown Farmington hosted a Have a Heart lobby display Friday and Saturday to benefit the Michigan Humane Society. Proceeds from the sale of new-print sweatshirts, beaded dog scarves, catnip mice and other handmade crafts went to the private, non-profit group, dedicated to protecting and fighting for animal rights. Mall stores will sport collection canisters through Friday. Above, society volunteer Laurie Busch dispensed humane society gifts and

literature Friday with her 8-year-old dog, Sweetie. Busch adopted the beagle two years ago after it was struck by a car in Troy and suffered a broken pelvis, landing it in the society's Rochester Hills shelter for three months. "When I first adopted her, they had a hard time finding her a home because she was 4 years old. Now, when I take her out, I could find her a hundred homes because of her sweet disposition."

# Fence remains as 'haggling' ends for family

By Casey Hans  
Staff writer

Michael Jones and his family can keep their picket fence after all.

A court battle over fence ordinance violations, which one neighbor called "eight months of haggling," ended before the Farmington City Council, which granted Jones a variance to keep his fence.

But many months of misunderstandings led the Cass Street homeowner to believe:

- he had approval for his fence work, which the city said he did not; and
- that he was repairing the 26-year-old rotting fence. The city took the position that he replaced it.

The situation began last May, when the city issued a "stop" order on the project. That led to a city ordinance ticket and a court hearing, where District Judge Margaret Schaeffer of Farmington found in favor of the city. The judge deferred sentencing on the lack-of-permit charge until the council made a decision about the variance.

After debating the matter Feb. 6, the council voted unanimously to approve the variance, which allows Jones to leave his fence extended to within five feet of the front sidewalk. Under city ordinance, no fence can extend past the front building line.

"I DID repairs only to the part in front of the building line. Three or four members were broken and rotted. I thought, as a homeowner, I had an obligation," said Jones. "I've spent the last eight years trying to keep the doggone thing together."

The fence in the rear portion of

the yard is new, he said.

City attorney John Donohue said he supported code enforcement officer John Koneski's interpretation of the situation. Donohue said Koneski handed it to the letter of the law on behalf of the city.

But council members said it appeared Jones had received approval for his fence through a letter he received last August. The letter stated an application for permit had been "reviewed and approved."

"If I were to receive this letter ... it sounds like he had a permit and approval to build the fence," said councilman William Hartscock. "If he's guilty of anything, it's that he hasn't paid the \$15 fee."

JONES SAID he tried to pay the \$15 and was told the city would not accept cash. Meanwhile, he moved ahead on the fence construction and repairs, which caused the city to ticket him and bring him into court.

"It took me like John Koneski granted him permission to build a fence," Mayor Richard Tupper agreed. "This should be a good lesson to us. I've no problem with letting it remain."

City manager Robert Deardman said that even if such permission were granted, Jones still had to follow city ordinances.

Residents of Cass and Oakland streets spoke on their neighbor's behalf Monday. "I have no objection to that fence at all," said Stanley Thomas.

"What concerns me is the amount of time being spent in this instance," added Tim Miller. "There's been eight months worth of haggling for something that could have taken one week."

## Faxon resubmits 'living will' legislation

State Sen. Jack Faxon, D-Farmington Hills, has reintroduced legislation to legalize the "living will."

A "living will" is a written declaration stating that, in the event that a person becomes terminally ill, they want no extraordinary measures used to prolong their life.

"I think this legislation has a better chance of becoming law during this session," Faxon said. "An increasing number of individuals and organizations have become familiar with the concept of the living will and have endorsed it."

"Furthermore, approximately 39 states have now adopted living will laws and that has given us a base of experience to refer to when considering this proposed legislation," he added.

The Faxon bill provides that a person could sign a declaration directing that no heroic medical procedures be used to prolong their life if they are terminally ill. They would, of course, be given food, water and any medication their physician selected to relieve pain.

"COMPETENT ADULTS certainly are entitled to make decisions regarding the type of medical care and

treatment they wish to receive," Faxon said. "Modern medical technological procedures frequently make it possible to prolong human life beyond natural limits."

"However, sometimes the use of such procedures only serve to prolong the dying process while the patient suffers physically and mentally and, perhaps, even endures a loss of basic human dignity as a result of

their ordeal," Faxon said.

"I also want to reiterate that a 'living will' becomes very important when a person is so ill or seriously injured that they cannot speak on their own behalf to their doctor or family members regarding their medical treatment. The 'living will' becomes a means for assuring that the patient's right to refuse treatment is respected by their doctor

and family," Faxon said.

Faxon's proposed legislation, Senate Bill 135, is modeled after the law which took effect in Maryland in 1985. The bill incorporated amendments proposed by Maryland's Catholic community. Under the terms of the bill, two persons would have to witness the signing of a "living will." A person who has a "living will" could revoke it at any time.

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