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TO: Detroit City Council

FROM: David Whitaker, Director
Legislative Policy Division Staff

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RE: **Viaduct Ownership and Maintenance Responsibilities**

The Legislative Policy Division was requested to provide a report regarding the ownership and responsibility of viaducts throughout the City. After some investigation of this issue, we find no clear cut answer. It depends specific ownership and any applicable agreements related to the particular bridge that creates the viaduct. According to City Engineering – Department of Public Works, generally the structures that support the bridges, *i.e.* the walls of the viaduct, belong to the various railroad companies. As such the City does not have the authority to “improve”, *i.e.* install lighting” on the structures without an agreement between the City and the railroad company.

In some instances, there are pre-existing agreements that regulate maintenance and easement issues. However, each particular bridge would have to be looked at on a case-by-case basis to determine who is responsible for structural integrity, lighting, graffiti remove, debris cleanup or upkeep of the berm.

If there are additional questions, please advise.