



## Legislation Details (With Text)

|                        |  |                      |                        |
|------------------------|--|----------------------|------------------------|
| <b>File #:</b>         | 981530   | <b>Version:</b>      | 1                      |
| <b>Type:</b>           | Resolution   | <b>Status:</b>       | Passed                 |
| <b>File created:</b>   | 2/9/1999   | <b>In control:</b>   | PUBLIC WORKS COMMITTEE |
| <b>On agenda:</b>      |  | <b>Final action:</b> | 3/23/1999              |
| <b>Effective date:</b> |  |                      |                        |
| <b>Title:</b>          | Substitute resolution granting a special privilege to Reliable Knitting Works to install and maintain a drawbridge-type loading platform which encroaches into the public right-of-way of the alley bounded by North Broadway, East Chicago Street, East Menomonee Street and North Water Street adjacent to their property located at 233 East Chicago Street, in the 4th Aldermanic District in the City of Milwaukee. |                      |                        |
| <b>Sponsors:</b>       | THE CHAIR  |                      |                        |
| <b>Indexes:</b>        | SPECIAL PRIVILEGE PERMITS  |                      |                        |
| <b>Attachments:</b>    |  |                      |                        |

| Date      | Ver. | Action By              | Action                   | Result | Tally |
|-----------|------|------------------------|--------------------------|--------|-------|
| 2/9/1999  | 0    | COMMON COUNCIL         | ASSIGNED TO              |        |       |
| 2/10/1999 |      | PUBLIC WORKS COMMITTEE | REFERRED TO              |        |       |
| 3/4/1999  | 0    | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT     |        |       |
| 3/8/1999  | 1    | CITY CLERK             | DRAFT SUBMITTED          |        |       |
| 3/10/1999 | 0    | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR ADOPTION | Pass   | 3:0   |
| 3/23/1999 | 1    | COMMON COUNCIL         | ADOPTED                  | Pass   | 17:0  |
| 4/1/1999  | 1    | MAYOR                  | SIGNED                   |        |       |

981530  
SUBSTITUTE

THE CHAIR

Substitute resolution granting a special privilege to Reliable Knitting Works to install and maintain a drawbridge-type loading platform which encroaches into the public right-of-way of the alley bounded by North Broadway, East Chicago Street, East Menomonee Street and North Water Street adjacent to their property located at 233 East Chicago Street, in the 4th Aldermanic District in the City of Milwaukee.

- Analysis -

This resolution grants a special privilege to Reliable Knitting Works to install and maintain a drawbridge-type loading platform which encroaches into the public right-of-way of the alley bounded by North Broadway, East Chicago Street, East Menomonee Street and North Water Street adjacent to the premises known as 233 East Chicago Street.

Whereas, Development is occurring on land abutting the building that Reliable Knitting Works occupies at 233 East Chicago Street and this development will curtail the existing trucks' access to the building (loading/unloading) and;

Whereas, In order to replace the access, Reliable Knitting Works proposes to install and maintain a drawbridge-type loading platform, that, when in use, would encroach into the public right-of-way of the alley bounded by North Broadway, East Chicago Street, East Menomonee Street and North Water Street at 233 East Chicago Street; and

Whereas, The loading platform may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Reliable Knitting Works, 233 East Chicago Street, P.O. Box 563, Milwaukee,

WI 53201-0563, is hereby granted the following special privilege:

To install, use and maintain a 9-foot 6-inch by 10-foot wide drawbridge-type loading platform on the east side of the building at 233 East Chicago Street, located adjacent to the north-south alley in the block bounded by North Broadway, East Chicago Street, East Menomonee Street and North Water Street. Said platform is entirely on private property when closed, but shall extend no further than 10 feet into the 14-foot wide public alley, when in use, for the purpose of loading and unloading. Access to and use of the dock may occur from either the north or the south side of the dock. The platform is centered approximately 145 feet south of the southline of East Chicago Street. The north and south faces of the dock shall have light reflective surfaces/edging. The dock shall not be "down" when not in use.

Said loading platform shall be constructed, used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services. All required permits shall be procured. Said loading platform shall be removed from the public right-of-way at such future time that it is no longer needed, to the satisfaction of the Departments of Public Works and Neighborhood Services.

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Reliable Knitting Works, a Wisconsin Corporation, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$42.37. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

March 2, 1999

981530