



Legislation Text

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090767
SUBSTITUTE 1
THE CHAIR

Substitute resolution granting a special privilege to Wired Ventures Brady LLC to construct and maintain a barrier free access ramp and two sets of steps in the public right-of-way for the premises at 928-32 East Brady Street, in the 3rd Aldermanic District.

This resolution grants a special privilege to Wired Ventures Brady LLC to construct and maintain a barrier free access ramp and two sets of steps in the public right-of-way for the premises at 928-32 East Brady Street.

Whereas, Wired Ventures Brady LLC is requesting permission to construct and maintain a barrier free access ramp projecting into the public right-of-way; and

Whereas, A site visit revealed the presence of two sets of steps projecting into the public right-of-way; and

Whereas, Said items may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Wired Ventures Brady LLC, c/o Elan Peltz, 1528 North Paulina Street, Suite 1A, Chicago, IL 60622, is hereby granted the following special privileges:

1. To construct and maintain a wooden barrier free access ramp with handrails projecting 3 feet 7 inches into the west sidewalk area of North Astor Street. Said 5-foot 8-inch wide ramp is centered approximately 23 feet north of the northline of East Brady Street.
2. To construct and maintain two sets of concrete steps projecting into the north, 13-foot wide sidewalk area of East Brady Street. The east set of steps is centered approximately 57 feet west of North Astor Street, measures 8 feet long and projects 2 feet 6 inches into the public way. The west set of steps is centered approximately 67 feet west of North Astor Street, measures 4 feet 5 inches long and projects 3 feet 4 inches into the public way.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of 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, Wired Ventures Brady LLC, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the Commissioner of Public Works 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 own 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 cancelled until after at least thirty days' notice in writing to the Commissioner of Public Works.

3. Pay to the City Treasurer an annual fee, which has an initial amount of \$139.13. 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 and 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 66.0425 of the Wisconsin Statutes (1999), 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.

Department of Public Works
Infrastructure Services Division

MDL: ns
August 23, 2010
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