



Legislation Text

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**File #: 161654, Version: 1**

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161654  
SUBSTITUTE 1  
Ald. Stamper

Substitute resolution granting a special privilege to Town Bank to construct and maintain an excess sign projection for the premises at 4720 West Lisbon Avenue, in the 15<sup>th</sup> Aldermanic District.

This resolution grants a special privilege to Town Bank to construct and maintain an excess sign projection for the premises at 4720 West Lisbon Avenue.

Whereas, Town Bank, the applicant, developed a new bank at the subject premises; and

Whereas, The applicant constructed a business sign that projects into the public right-of-way more than the four feet permitted by the Milwaukee Code of Ordinances; and

Whereas, Said excess sign projection 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 Town Bank, 850 West North Shore Drive, Hartland, WI 53029, is hereby granted the following special privilege:

To construct and maintain a sign that projects 5 feet 8 inches into the northerly, 8-foot wide sidewalk area of West Lisbon Avenue in excess of the 4 feet permitted by Section 244-10 f the Milwaukee Code of Ordinances. Said sign is centered approximately 150 feet northwest of the intersection of the north line of West North Avenue and the northerly line of West Lisbon Avenue. The base of the sign is wholly on private property and the portion of the sign that is projecting into the public right-of-way is a minimum of 16 feet 8 inches above grade.

Said sign 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, Town Bank, 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 one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. The insurance policy shall provide that it 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 \$50.00. 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 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 1<sup>st</sup> 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

Administration Division

KAREN DETTMER/DAWN SCHMIDT

August 13, 2018

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