



Legislation Text

File #: 970405, Version: 1

970405
SUBSTITUTE

THE CHAIR

Substitute resolution to grant a special privilege to Edison Street Partners to use oversize lettering on an advertising sign projecting into the public right-of-way on the north side of East Highland Avenue for a new restaurant, at 1122 North Edison Street, in the 4th Aldermanic District in the City of Milwaukee.

- Analysis -

This special privilege grants the applicant permission to use oversize lettering on an advertising sign located on top of a fixed awning projecting into the public right-of-way on the north side of East Highland Avenue adjacent to the building at 1122 North Edison Street in excess of that permitted by the Milwaukee Code of Ordinances.

Whereas, The applicant desires to erect and maintain a fixed awning with an advertising sign projecting into the public right-of-way; and

Whereas, The sign is proposed to be attached to the top of a fixed awning that is to project from the building approximately 5-feet 4-inches into the public right-of-way with 1-foot 8-inch high letters and Section 245-7-7 of the Milwaukee Code of Ordinances allows only a 6-inch letter height; and

Whereas, Said sign letters in excess of that allowable by Code may only legally be used in the public right-of-way by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Edison Street Partners, 1422 North 4th Street Milwaukee, WI, 53212, is hereby granted the following special privilege:

To erect and maintain a fixed awning with an advertising sign to be placed over the public right-of-way on the north side of East Highland Avenue. Said sign may utilize 1-foot 8-inch high sign letters. The awning/sign shall be attached to the building and extend approximately 5-feet 4-inches into the public right-of-way and be centered at a point approximately 100 feet east of the eastline of North Edison Street. Said fixed awning shall have a minimum vertical clearance of 10-feet 9-inches above the sidewalk grade.

Said sign shall be erected/constructed and maintained to the satisfaction of the Commissioners of Public Works and Building Inspection and all necessary permits shall be procured from the Commissioners of Building Inspection and Public Works. No alteration or replacement of any item may be made without the written approval of the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Edison Street Partners, 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 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 \$35.00. 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 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 Building Inspection shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

July 31, 1997

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