



Legislation Text

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021090
ORIGINAL
THE CHAIR

Substitute resolution granting a special privilege to Grooms, to place a storm enclosure on the sidewalk at the east side of North Old World Third Street, adjacent to 714 Old World Third Street, in the 4th Aldermanic District in the City of Milwaukee.

This resolution grants a special privilege to Grooms, to place and maintain a storm enclosure on the sidewalk on the east side of Old World Third Street, adjacent to 714 Old World Third Street.

Whereas, The proprietor of the premises wishes to place a storm enclosure on the sidewalk at the entrance to the premises; and

Whereas, Said storm enclosure may only legally occupy the public right-of-way by the granting of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Grooms, 714 Old World Third Street, Milwaukee, WI 53203, is hereby granted the following special privilege:

To install, use and maintain a 2-foot deep by 5-foot wide storm enclosure extending onto the sidewalk on the east side of Old World Third Street. The enclosure will be located approximately 90 feet north of West Wisconsin Avenue. A 3-foot wide door will be located at the enclosure. The enclosure will extend into the 15-foot wide fully concrete paved public sidewalk area on the east side of Old World Third Street abutting the entrance to the building at 714 Old World Third Street.

Said storm enclosure shall be placed and maintained to the approval of the Departments of Public Works and Neighborhood Services. All necessary permits shall be obtained

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Grooms, 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 \$2,000.00 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 \$75.00. 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 66.0425 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Department of Public Works
Infrastructure Services Division
JJM:cjt
January 27, 2003
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