



Legislation Text

File #: 991989, Version: 1

991989
SUBSTITUTE
67-1423
THE CHAIR

Substitute resolution amending a special privilege granted to Donald J. Moore to construct and maintain a backup driveway and a loading dock in the public right-of-way adjacent to his property located at 1100 South 5th Street, to now change the name of the grantee of the special privilege to So-Lite Neon Sign Co., Inc., in the 12th Aldermanic District in the City of Milwaukee.

- Analysis -

This resolution amends a special privilege granted to Donald J. Moore to construct and maintain a backup driveway and a loading dock in the public right-of-way of the south side of West Washington Street, adjacent to the premises known as 1100 South 5th Street, to now change the name of the grantee of the special privilege to So-Lite Neon Sign Co., Inc.

Whereas, Donald J. Moore was granted a special privilege under Common Council Resolution File Number 67-1423, on September 19, 1967, to construct and maintain a backup driveway and a loading dock encroaching into the public right-of-way of the south side of West Washington Street adjacent to the premises at 1100 South 5th Street; and

Whereas, The current occupant of the property is So-Lite Neon Sign Co., Inc. and should now be named as the grantee of this special privilege; and

Whereas, The backup driveway and loading dock 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Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 67-1423 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that So-Lite Neon Sign Co., Inc., 1100 South 5th Street, Milwaukee, WI 53204, is hereby granted the following special privileges:

1. To keep, use and maintain a 13-foot wide driveway between the curb and property line of the south side of West Washington Street, approximately 44 feet east of the eastline of South 5th Street serving an approximately 4-foot wide loading dock at this location. The sidewalk area is approximately 14 feet wide, and the roadway width is approximately 48 feet. Vehicles using said driveway during loading and unloading operations may occupy and obstruct the public right-of-way only to the centerline of West Washington Street.

2. To keep, use and maintain a wood and metal loading dock platform, approximately 4 feet wide by 3 feet long by 3 feet high, located at the southline of West Washington Street, approximately 42.5 feet east of the eastline of South 5th Street, serving an approximately 4-foot wide door.

Said backup driveway and loading dock shall be used and maintained to the satisfaction of the Commissioners of Public Works and Neighborhood Services.

At such future time that the driveway or loading dock are no longer needed, they shall be removed from the public right-of-way to the satisfaction of the Commissioners 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, So-Lite Neon Sign Co., Inc. 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 \$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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

May 5, 2000

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