



Legislation Text

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030618
SUBSTITUTE
THE CHAIR

Substitute resolution to grant a special privilege to Canvasbacks, Inc., to erect and maintain an advertising sign to project into the public right-of-way on the west side of South 2nd Street for the existing store, at 224 West Washington Street, in the 12th Aldermanic District in the City of Milwaukee.

This special privilege grants the applicant permission to erect and maintain an advertising sign projecting into the public right-of-way on the west side of South 2nd Street adjacent to the building at 224 West Washington Street.

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

Whereas, The advertising sign is proposed to project approximately 1-foot into the public right-of-way with a minimum vertical clearance of 8 feet 6 inches; and

Whereas, Section 244-10 of the Milwaukee Code of Ordinances states that the minimum vertical clearance of signs projecting into the public right-of-way shall be 10 feet; and

Whereas, Said sign may only legally encroach into the public right-of-way with a vertical clearance less than that which is allowable by code 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 Canvasbacks Inc., 224 West Washington Street, Milwaukee, WI 53204 is hereby granted the following special privilege:

To erect and maintain an advertising sign to be hung over the public right-of-way on the west side of South 2nd Street. Said 1-foot 3-inch high and 7-foot 2-inch wide sign shall be anchored to the building by means of wall mounts bolted to the building facing. The sign will be located at a point approximately 5 feet north of the northline of West Washington Street. Said sign shall have a minimum vertical clearance of 8 feet 6 inches above the sidewalk grade and project into the public right-of-way a maximum distance of 1-foot.

Said sign shall be erected/constructed and maintained to the satisfaction of the Commissioners of Public Works and Neighborhood Services and all necessary permits shall be procured from the Commissioners of Neighborhood Services and Public Works. No alteration or replacement of any item may be made without the written approval 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, Canvasbacks, 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 66.0425 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
September 24, 2003
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