



Legislation Details (With Text)

File #:	060089	Version:	1
Type:	Resolution	Status:	Passed
File created:	5/9/2006	In control:	PUBLIC WORKS COMMITTEE
On agenda:		Final action:	9/26/2006
Effective date:			
Title:	Substitute resolution amending a special privilege to George Bockl for change of ownership for a barrier free access ramp previously granted permission for the premises at 250 North Water Street, in the 4th Aldermanic District.		
Sponsors:	THE CHAIR		
Indexes:	SPECIAL PRIVILEGE PERMITS		
Attachments:	1. Petition for Special Privilege.PDF, 2. Fiscal Note, 3. Cover letter		

Date	Ver.	Action By	Action	Result	Tally
5/9/2006	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2006	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
8/25/2006	1	CITY CLERK	DRAFT SUBMITTED		
9/8/2006	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/8/2006	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/13/2006	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
9/26/2006	1	COMMON COUNCIL	ADOPTED	Pass	15:0
10/5/2006	1	MAYOR	SIGNED		

060089
SUBSTITUTE 1
61-2339
THE CHAIR

Substitute resolution amending a special privilege to George Bockl for change of ownership for a barrier free access ramp previously granted permission for the premises at 250 North Water Street, in the 4th Aldermanic District. This resolution amends a special privilege for change of ownership to George Bockl for a concrete barrier free access ramp previously granted permission for the premises at 250 North Water Street, also known as 207 East Buffalo Street. Whereas, Robert Marshall Company petitioned for a special privilege to keep and maintain a barrier free access ramp in the public right-of-way; and

Whereas, Permission for said ramp was granted in 1961 under Common Council File Number 61-2339; and

Whereas, George Bockl now owns the property; and

Whereas, For the liability to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council File Number 61-2339 is hereby rescinded; and, be it

Further Resolved, That George Bockl, 207 East Buffalo Street, Milwaukee, Wisconsin 53202 is hereby granted the following special privilege:

To keep and maintain a concrete barrier free access ramp projecting 3 feet 8 inches into the south, 15-foot wide sidewalk area of East Buffalo Street. Said ramp commences at a point approximately 88 feet east of the eastline of North Water Street and extends east 33 feet 11 inches. There is a steel pipe railing on the ramp.

Said above-mentioned barrier free access ramp shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

Said barrier free access ramp 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, George Bockl, 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 \$3,000 such bond to be approved by the City Attorney. This 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 \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own 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 cancelled 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 \$249.09. 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 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 Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Department of Public Works
Infrastructure Services Division
MDL:lja
August 15, 2006
060089