Legislation Details (With Text)

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File created:	1/15/2008	**In control:**	PUBLIC WORKS COMMITTEE
On agenda:		**Final action:**	5/20/2008
Effective date:			
Title:	Substitute resolution granting a special privilege to True Vine Missionary Baptist Church for a building facade in the public right-of-way for the premises at 1000-02 West Burleigh Street, in the 6th Aldermanic District.		
Sponsors:	THE CHAIR		
Indexes:	SPECIAL PRIVILEGE PERMITS		
Attachments:	1. Petition For A Special Privilege, 2. Fiscal Note, 3. cover letter, 4. pictures 1000 W Burleigh St, 5. map, 6. Hearing notice list		

Date	Ver.	Action By	Action	Result	Tally
1/15/2008	0	COMMON COUNCIL	ASSIGNED TO		
1/16/2008	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/26/2008	1	CITY CLERK	DRAFT SUBMITTED		
4/30/2008	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2008	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
5/20/2008	1	COMMON COUNCIL	ADOPTED	Pass	13:0
5/30/2008	1	MAYOR	SIGNED		

071268
SUBSTITUTE 1
THE CHAIR

Substitute resolution granting a special privilege to True Vine Missionary Baptist Church for a building facade in the public right-of-way for the premises at 1000-02 West Burleigh Street, in the 6th Aldermanic District.

This resolution grants a special privilege to True Vine Missionary Baptist Church for a building facade in the public right-of-way for the premises at 1000-02 West Burleigh Street.

Whereas, True Vine Missionary Baptist Church is requesting permission to construct and maintain a building façade in the public right-of-way; and

Whereas, Said building facade may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that True Vine Missionary Baptist Church, 1000-02 West Burleigh Street, Milwaukee, Wisconsin 53206 is hereby granted the following special privileges:

1. To construct and maintain a wood building façade projecting 8 inches into the 15-foot wide west sidewalk area of North 10th Street. Said façade covers the entirety of the building from the ground up. The façade commences at the northline of West Burleigh Street and extends 11 feet to the north.

2. To construct and maintain a wood building façade projecting 6 inches into the 9-foot wide north sidewalk area of West Burleigh Street. Said façade cover the entirety of the building from the ground up. The façade commences at the westline

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of North 10th Street and extends 30 feet 2 inches to the west.

Said above-mentioned building facade 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 building facade shall be maintained or removed from the public right-of-way, at such future time as it is 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, True Vine Missionary Baptist Church, 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 $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 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 $42.22. 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:ns
March 19, 2008
071268