



Legislation Text

File #: 120944, Version: 1

120944
SUBSTITUTE 1
060295
THE CHAIR

Substitute resolution amending a special privilege granted to La Causa Inc for removal of a section of overhead cable from the public right-of-way for the premises at 809 West Greenfield Avenue, in the 12th Aldermanic District.

This resolution amends a special privilege granted to La Causa Inc for removal of a section of overhead cable crossing the public right-of-way of South 8th Street for the premises at 809 West Greenfield Avenue.

Whereas, La Causa requested permission to construct and maintain two overhead cables crossing the public right-of-ways of South 8th Street and West Greenfield Avenue; and

Whereas, Permission for said cables was granted in 2006 under Common Council Resolution File Number 060295; and

Whereas, The cable crossing over South 8th Street has been removed from the public right-of-way; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 060295 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that La Causa Inc, PO Box 04188, Milwaukee, WI 53204 is hereby granted the following special privilege:

To keep and maintain an overhead cable crossing the 76-foot wide right-of-way of West Greenfield Avenue at a point approximately 50 feet west of the westline of South 8th Street. Said cable connects the premises at 809 West Greenfield Avenue with the premises at 804 West Greenfield Avenue.

Said cable shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said cable 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, La Causa, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the Commissioner of Public Works 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. The insurance policy shall provide that it shall not be cancelled until after at least thirty days' notice in writing to the Commissioner of Public Works.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$76.00. 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 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 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:clm

April 3, 20134

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