



## Legislation Text

---

**File #:** 060295, **Version:** 1

---

060295

SUBSTITUTE 1

THE CHAIR

Substitute resolution to grant a special privilege to La Causa, Inc. to construct and maintain cable over West Greenfield Avenue and South 8<sup>th</sup> Street for the premises at 809 West Greenfield Avenue, in the 12<sup>th</sup> Aldermanic District.

Substitute resolution granting a special privilege to La Causa, Inc. to construct and maintain overhead cable crossing West Greenfield Avenue and South 8<sup>th</sup> Street for the premises at 809 West Greenfield Avenue.

Whereas, La Causa, Inc., the applicant, owns the buildings located at 739 West Greenfield Avenue, 809 West Greenfield Avenue and 804 West Greenfield Avenue; and

Whereas, The applicant wishes to connect its buildings for phone and computer services; and

Whereas, Said overhead cables 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 La Causa, Inc., 1501 South Layton Boulevard, Milwaukee, Wisconsin 53215, is hereby granted the following special privileges:

1. To construct and maintain an overhead cable across the 76-foot wide right-of-way of West Greenfield Avenue at a point approximately 50 feet west of the westline of South 8<sup>th</sup> Street. Said cable will be a minimum of 20 feet above grade.
2. To construct and maintain an overhead cable across the 76-foot wide right-of-way of South 8<sup>th</sup> Street at a point approximately 42 feet south of the southline of West Greenfield Avenue. Said cable will be a minimum of 26 feet above grade.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items 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, 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 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 \$152.00. 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 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 1<sup>st</sup> 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  
July 27, 2006  
060295