



## Legislation Text

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**File #: 131510, Version: 1**

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131510  
SUBSTITUTE 1  
ALD. KOVAC

Substitute resolution granting a special privilege to Urban Ecology Center to construct and maintain a sign adjacent to the premises at 1436 East North Avenue, in the 3<sup>rd</sup> Aldermanic District.

This resolution grants a special privilege to Urban Ecology Center to construct and maintain a sign adjacent to the premises at 1436 East North Avenue.

Whereas, Urban Ecology Center, the applicant, requested permission to construct and maintain an informational sign to provide way finding for the Milwaukee Rotary Centennial Arboretum; and

Whereas, Said sign 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 Urban Ecology Center, 1500 East Park Place, Milwaukee, WI 53211 is hereby granted the following special privilege:

To construct and maintain a 3-foot wide sign in the north, variable width sidewalk area of East North Avenue. The sign is centered approximately 10 feet south of the north line of East North Avenue and 188 feet west of the west line of North Cambridge Avenue. Said sign, which is over 9 feet tall and is 7 inches deep, is supported by two, 12-inch diameter sonitube foundations.

Said sign 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, Urban Ecology Center, 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 \$50.00. 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 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

Administration Division

KAREN DETTMER/DAWN SCHMIDT

December 17, 2018

131510