



Legislation Text

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**File #: 191088, Version: 1**

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191088  
SUBSTITUTE 1  
Ald. Bauman

Substitute resolution granting a special privilege to Lenrak LLC to install and maintain two signs in the public right-of-way for the premises at 1009-11 North Old World Third Street, in the 4<sup>th</sup> Aldermanic District.

This resolution grants a special privilege to Lenrak LLC to install and maintain one free-standing sign and one code non-compliant projecting sign in the public right-of-way for the premises at 1009-11 North Old World Third Street.

Whereas, Lenrak LLC, the applicant, is requesting permission to install and maintain a code non-compliant projecting sign in the public right-of-way; and

Whereas, A site visit revealed the presence of a second, freestanding sign in the public right-of-way; and

Whereas, Said signs 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 Lenrak LLC, 1019 North Old World Third Street, Milwaukee, Wisconsin 53203 is hereby granted the following special privileges:

1. To install and maintain a code non-compliant sign projecting 32 inches into the west, 12-foot wide sidewalk area of North Old World Third Street. Said sign is centered approximately 70 feet north of the north line of West State Street. The sign is approximately 8 feet 6 inches above the adjacent sidewalk grade, which is less than the 10 feet required under Section 244-10 of the Milwaukee Code of Ordinances.
2. To install and maintain a freestanding sign located in a former tree box out that is centered approximately 10 feet east of the west line of North Old World Third Street and 65 feet north of the north line of West State Street. Said sign consists of a maypole topped by a sign above a wreath, which circles the pole. Below the wreath are two additional signs mounted to the pole.

Said signs 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 signs 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, Lenrak LLC, 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

JERREL KRUSCHKE/DAWN SCHMIDT

May 12, 2020

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