



Legislation Text

File #: 090821, **Version:** 1

090821
SUBSTITUTE 1

.Reference

THE CHAIR

Substitute resolution granting a special privilege to Pentecostal Power Church, Inc. to construct and maintain a barrier free access ramp and excess door swings for the premises at 2331 West Center Street, in the 15th Aldermanic District.

This resolution grants a special privilege to Pentecostal Power Church, Inc. to construct and maintain a barrier free access ramp and excess door swings for the premises at 2331 West Center Street.

Whereas, Pentecostal Power Church, Inc., the applicant, constructed an addition to its existing facility that has two doors that swing open into the public right-of-way; and

Whereas, As part of the building addition, the applicant also constructed a barrier free access ramp to ensure accessibility of the new construction; and

Whereas, Said door swings and barrier free access ramp 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 Pentecostal Power Church, Inc., 2331 West Center Street, Milwaukee, WI 53206 is hereby granted the following special privileges:

1. To construct and maintain a 6-foot wide barrier free access ramp in the east, 16-foot wide sidewalk area of North 24th Street. Said ramp commences at a point approximately 120 feet south of the southline of West Center Street on the northline of the east-west alley abutting the subject premises and extends north 22 feet 10 inches. The ramp is a thickened concrete slab with a total height of 6 inches. There is a handrail along the edge of the ramp and at the top of the ramp.

2. To construct and maintain one pair of doors that, when fully open, each project 3 feet into the east, 16-foot sidewalk area of North 24th Street in excess of the 12 inches allowed under Section 245-4-8 of the Milwaukee Code of Ordinances. Said doors are centered about a point approximately 97 feet 6 inches south of the southline of West Center Street.

Said 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, Pentecostal Power Church 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 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. The 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 \$52.16. 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. ..Requestor

Department of Public Works
Infrastructure Services Division

MDL:ns

November 10, 2009

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