



Legislation Text

File #: 101131, **Version:** 1

101131
SUBSTITUTE 1
THE CHAIR

Substitute resolution granting a special privilege to Paris Crossley to construct and maintain a barrier free access ramp with steps and three sets of steps in the public right-of-way for the premises at 2776 North 17th Street, in the 15th Aldermanic District.

This resolution grants a special privilege to Paris Crossley to construct and maintain a barrier free access ramp with steps and three sets of steps in the public right-of-way for the premises at 2776 North 17th Street.

Whereas, The applicant is requesting permission to construct and maintain four sets of steps in the public right-of-way; and

Whereas, A site visit revealed the presence of a barrier free access ramp attached to one of the sets of steps and a roof with legs over another of the sets of steps; and

Whereas, Said items 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 Paris Crossley, 5114 West Lisbon Avenue, Milwaukee, Wisconsin 53210, is hereby granted the following special privileges:

1. To construct and maintain a wooden barrier free access ramp structure with platform, steps and handrail projecting 3 feet into the south, 15-foot wide sidewalk area of West Hadley Street. Said structure commences at a point approximately 27 feet east of the eastline of North 17th Street and extends 21 feet 3 inches to the east.
2. To construct and maintain a set of wooden steps projecting 1 foot 8 inches into the south, 15-foot wide sidewalk area of West Hadley Street. Said steps, which are 3 feet 11 inches wide, are centered approximately 58 feet east of the eastline of North 17th Street.
3. To construct and maintain a set of wooden steps projecting 2 feet 8 inches into the east, 13-foot 6-inch wide sidewalk area of North 17th Street. Said steps, which are 3 feet 8 inches wide, are centered approximately 26 feet south of the southline of West Hadley Street.
4. To construct and maintain a set of wooden steps with wood roof projecting 2 feet 6 inches into the east, 13-foot 6-inch wide sidewalk area of North 17th Street. Said steps and roof, which are 8 feet 4 inches wide, are centered 16 feet south of the southline of West Hadley Street. Said roof is supported by the building and by two supports attached to the lowest of this set of steps.

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, Paris Crossley, 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 \$35.00. 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 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:ns
June 6, 2011
101131