



Legislation Text

File #: 02007, **Version:** 1

Fiscal Note

No expenditure required

Title

Authorizing the Common Council to accept ownership from Bay Creek Neighborhood Association of a neighborhood sign/kiosk/bench unit located in the Gilson Street right-of-way adjacent to Bernie's Beach. 13th Ald. Dist.

Body

WHEREAS, the Bay Creek Neighborhood Association, wishes to install and maintain a neighborhood sign/kiosk/bench unit located in the Gilson Street right-of-way adjacent to Bernie's Beach, as shown on Exhibit A; and

WHEREAS, the City Engineering and Traffic Engineering Divisions, and City Parks Division have conditionally approved of the placement of the sign/kiosk/bench unit; and

WHEREAS, the Privilege in Streets Committee has reviewed this request and approved it with conditions; and

WHEREAS, the Bay Creek Neighborhood Association will transfer ownership of the sign/kiosk/bench unit to the City after it has been installed, in exchange for the ongoing maintenance of the unit by the Bay Creek Neighborhood Association.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Madison accepts ownership, from the Bay Creek Neighborhood Association of a sign/kiosk/bench unit located in the Gilson Street right-of-way adjacent to Bernie's Beach, as shown on the attached exhibit; subject to the following conditions:

1. The Bay Creek Neighborhood Association shall be responsible for all costs of installation and maintenance of the sign/kiosk/bench unit.
2. The Bay Creek Neighborhood Association shall locate the sign/kiosk/bench unit within a specific area, as approved by the City Engineering Division and City Transportation Department.
3. The Bay Creek Neighborhood Association is responsible for locating all underground utility services in the construction areas, i.e., shall contact Diggers Hotline prior to any excavation or construction activities.
4. The Bay Creek Neighborhood Association shall comply with all Madison General Ordinances regarding the construction and installation of the sign/kiosk/bench unit within public right-of-way, including any and all applicable City of Madison permits for excavation and installation, including a City Engineering Excavation Permit, if applicable.
5. The Bay Creek Neighborhood Association shall agree that the City shall not be held responsible for any damage to the sign/kiosk/bench unit that may be caused by the City, its employees, contractors, or others.
6. The City may remove the sign/kiosk/bench unit located in the public right-of-way if not properly maintained, by giving the Bay Creek Neighborhood Association sixty (60) days written notice prior to removal. The Bay Creek Neighborhood Association is responsible for any reasonable costs associated with such removal.
7. The City may remove the sign/kiosk/bench unit if the area occupied by sign/kiosk/bench unit is required for transportation purposes, by giving the Bay Creek Neighborhood Association sixty (60) days written notice prior to removal. Transportation purposes include, without limitation because of enumeration, public alleys, streets, highways, bike paths, sidewalks, and facilities for the development, improvement and use of public mass transportation systems.