



## Legislation Text

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**File #:** 32144, **Version:** 1

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### **Fiscal Note**

No expenditure required.

### **Title**

Authorizing the acceptance of ownership from Heritage Heights Neighborhood Association of two “Little Free Libraries” located within Heritage Heights Park at 701 Meadowlark Drive and Kennedy Park at 5202 Retana Drive.

### **Body**

WHEREAS, the Heritage Heights Neighborhood Association (the “Association”) wishes to install and maintain two Little Free Libraries (the “Libraries”) within Heritage Heights Park at 701 Meadowlark Drive, and Kennedy Park at 5202 Retana Drive. An image of the proposed Libraries is shown on attached Exhibit A and the locations within the parks are depicted on attached Exhibit B; and

WHEREAS, representatives from the Parks Department, as well as the Offices of the City Attorney, Building Inspection, Engineering, Planning, Traffic Engineering, and Risk Management have reviewed this request and conditionally approved the placement and installation of the Libraries; and

WHEREAS, the Association will transfer ownership of the Libraries to the City after it has been installed, in exchange for the ongoing maintenance and repair of the Libraries by the Association; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorizes the acceptance of ownership from the Heritage Heights Neighborhood Association of two Little Free Libraries located within Heritage Heights Park and Kennedy Park, as shown on attached Exhibit A and B; subject to the following conditions:

1. The Association shall be responsible for all costs of installation, maintenance and repair of the Libraries.
2. The Association shall locate the Libraries at a specific location, to be approved by the Parks Superintendent.
3. The Association shall be responsible for locating all underground utility services in the area where the Libraries are to be placed, shall contact Diggers Hotline prior to any excavation activities, and have all utilities properly marked.
4. The Association shall comply with all Madison General Ordinances regarding the construction and installation of the Libraries within the public park, including any and all City of Madison permits for excavation and installation, if applicable.
5. The City shall not be held responsible for any damage to the Libraries that may be caused by the City, its employees, contractors, or others.
6. The Association shall monitor the Libraries for objectionable materials and remove materials that may be construed as such.
7. The Libraries shall be at least 2 feet from the edge of any sidewalk and at least 5 feet from any fire

hydrant or sign.

8. The City may remove the Libraries if not properly maintained, by giving the Association sixty (60) days written notice prior to removal. The Association is responsible for any reasonable costs associated with such removal.
9. The City may remove the Libraries if the area occupied by it is required for park or other public purposes, by giving the Association sixty (60) days written notice prior to removal. Public purposes include but are not limited to, and without limitation because of enumeration, public alleys, streets, highways, bike paths, sidewalks, and facilities for the development, improvement and use of public lands.