

Ordinance No. 26-2020

**Council Members McCormack, Johnson
and Brancatelli (by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to issue a permit to the United States of America to encroach into the public right-of-way of East 6th Street by installing, using, and maintaining twelve security bollards.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to the United States of America, 1240 East Ninth Street Cleveland OH 44199 ("Permittee"), to encroach into the public right-of-way of East 6th Street by installing, using, and maintaining twelve security bollards at the following locations:

Along East Sixth Street near both sides of the Federal building's loading dock entrance drive.

Along East Sixth Street approximately 1'4" away from the East line of East 6th Street and along each side of the entrance drive to the curb line and spaced approximately 4'4" apart on center.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment locations.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

JM:ge
1-6-20

FOR: Director Spronz

Ord. No. 26-2020

REPORT
after second Reading

**Council Members McCormack, Johnson and Brancatelli
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to issue a permit to the United States of America to encroach into the public right-of-way of East 6th Street by installing, using, and maintaining twelve security bollards.

READ FIRST TIME on JANUARY 6, 2020

REPORTS

and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **107**

Page _____

Published in the City Record _____

PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
**DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

