

Ordinance No. 1305

AN ORDINANCE authorizing the owner of premises numbered 732 North Washington Street, and its successors in title, to maintain an encroachment for a free standing sign in, upon and over the public right of way of North Washington Street, one of the public streets of the City of Alexandria, Virginia.

WHEREAS, the 732 Corporation is the owner of premises known as 732 North Washington Street in the City of Alexandria, Virginia, and

WHEREAS, the said owner is desirous of placing a 15 foot high free standing wooden sign in front of 732 North Washington Street, and

WHEREAS, it is determined that the said encroachment is not detrimental to the public interest; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the 732 Corporation, and its successors in title, be and they hereby are authorized to install and maintain a free standing wooden sign in front of 732 North Washington Street in the City of Alexandria, Virginia until such encroachment is removed or destroyed; the vertical post of which sign is to rise not more than 15 feet above the sidewalk and the base of the said post to be not more than 5" by 5", the horizontal post from which the sign hangs to extend not more than 3' 6" to the west of the said post, the sign itself to be no more than 3' high by 3' 4" wide, the distance from the bottom of the sign to the sidewalk to be not less than 10 feet, provided, however, that the centerline of the base of the sign be 30" from the face of the west curb on North Washington Street and that no part of the said sign be more than 18" from the face of the said curb; provided further that this authority shall not be construed to relieve such owners of any negligence on their part on account of such encroachment, and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to install and maintain the encroachment shall be subject to the maintaining by the owner of the building abutting said encroachment public liability and property damage insurance indemnifying the City of Alexandria, such policy to be presented forthwith to the City Attorney for approval.

Section 3. That the installation and use of the said encroachment, pursuant to the authority hereby granted, shall be considered an agreement by the owner and its successors and assigns, to save harmless the City of Alexandria from any liability by reason of the installation, use and maintenance of the said encroachment.

Section 4. That the privilege hereby granted to install and maintain the encroachment as hereinabove described shall be terminated whenever the City of Alexandria shall desire to regain that portion of the public right of way for any purpose whatsoever, and shall, by written notification, demand from the owner the removal of such encroachment, which said removal shall be completed promptly, within no more than thirty (30) days from the date of such notice, without cost to the City of Alexandria.

Section 5. That this ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
Mayor

Final Passage: Feb. 9, 1965