

ORDINANCE NO. 2617

AN ORDINANCE authorizing the owner of the premises situated at 413 South Washington Street, and its successors in title, to construct and maintain an encroachment for two support poles and an attached canopy awning which will extend a distance of 18 feet onto the public right-of-way of the east side of South Washington Street in the City of Alexandria, Virginia.

WHEREAS, the Alexandria Community Y is the owner of the premises situated at 418 South Washington Street in the City of Alexandria, Virginia; and

WHEREAS, the Alexandria Community Y desires to construct and maintain a canopy with two support poles which will extend 18 feet onto the public right-of-way of the east side of South Washington Street; and

WHEREAS, the sidewalk area at that point is sufficiently wide for pedestrian traffic; and

WHEREAS, the said encroachment has been approved by the Planning Commission of the City of Alexandria, Virginia, and it is determined that this encroachment is not detrimental to the public interest; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Alexandria Community Y and its successors in title, be and the same hereby is authorized to construct and maintain the above-described support poles and attached canopy awning which will extend 18 feet onto the public right-of-way of the east side of South Washington Street, until such encroachment is removed or destroyed, provided this authority shall not be construed to relieve such owner of any negligence on its part on account of such encroachment and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to construct and maintain the encroachment shall be subject to the maintaining by the owner of the encroachment of public liability and property damage insurance indemnifying the City of Alexandria, such policy to be presented to the city attorney for approval.

Section 3. That the maintenance and use of 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 use and maintenance of the said encroachment.