

Ordinance No. 1400

AN ORDINANCE authorizing the owner of premises numbered 413 Cameron Street, and his successors in title, to maintain an encroachment in, upon and over the public right of way of Cameron Street, one of the public streets in the City of Alexandria, Virginia.

WHEREAS, O. L. Murray is the owner of premises known as 413 Cameron Street in the City of Alexandria, Virginia; and

WHEREAS, the owner proposes to encroach into the right of way of Cameron Street by constructing two bay windows extending approximately 2 feet, 10 inches into said right of way line; 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 O. L. Murray and his successors in title be and they hereby are authorized to construct and maintain the encroaching window boxes, said encroachment being more particularly described as follows:

Approximately 2 feet, 10 inches south of the northerly right of way line of Cameron Street in the City of Alexandria, Virginia, for a distance equal to the existing frontage of premises 413 Cameron Street.

The authorization granted by this ordinance shall be effective until the said encroachment is removed or destroyed, providing this authority shall not be construed to relieve the owner of any negligence on his part on account of such encroachment, and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to construct and maintain this 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 construction and use of the encroachment pursuant to the authority hereby granted shall be considered an agreement by the said owner, his successors and assigns to save harmless the City of Alexandria from any liability by reason of the construction, use or maintenance of the said encroachment.

Section 4. That the privilege hereby granted to construct and maintain the encroachment, as aforesaid, shall be terminated and extinguished whenever the City of Alexandria shall need that portion of the public right of way for street widening or for any other public purpose and shall, by written notification, demand from the owner of the subject property the removal of such encroachment, which said removal shall be completed promptly and 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.

Final Passage: Sept. 13, 1966

FRANK E. MANN
Mayor