

ORDINANCE NO. 1476

AN ORDINANCE authorizing the owner of premises numbered 400 South Washington Street, and its successors in title, to maintain an encroachment in, upon and over the public right of way of South Washington Street, one of the public streets in the City of Alexandria, Virginia

WHEREAS, Alexandria Chamber of Commerce, Inc. is the owner of premises known as 400 South Washington Street in the City of Alexandria, Virginia; and

WHEREAS, the owner proposes to encroach into the right of way of said street by installing a four inch (4") square wood post supporting a free standing sign, approximately 27" wide, 40" high and 3/4" thick, located approximately 42' south of the southeast corner of the intersection of Wolfe and Washington Streets; and setback 12" from the east curblin of 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 Chamber of Commerce, Inc. and its successors in title, be and they are hereby authorized to construct and maintain the above described encroachment of a four inch (4") square wood post supporting a free standing sign, approximately 27" wide, 40" high and 3/4" thick. Said sign to be hung perpendicular to Washington Street from arm extending away from the street. The minimum clearance of said sign to be 10' above sidewalk; and the location of said sign to be approximately 42' south of the southeast corner of the intersection of Wolfe and Washington Street, with setback 12" from the east curblin of Washington Street. Provided that 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 this encroachment shall be subject to the maintaining by the owners of the encroachment of 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 construction and use of the encroachment pursuant to the authority hereby granted shall be considered an agreement by the said owners, their 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 owners 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.

CHARLES E. BEATLEY, JR.
MAYOR

FINAL PASSAGE: May 28, 1968