

AN ORDINANCE granting to the owner of premises numbered 600 South Fairfax Street, in the City of Alexandria, Virginia, and his successors in title, a license to install and maintain, near the side yard of the aforesaid premises, a gas lamp in, upon and over a portion of the public right of way of Gibbon Street, one of the public streets in the City of Alexandria, Virginia.

WHEREAS, Mr. Joseph W. Scott is the owner of premises known as 600 South Fairfax Street; and

WHEREAS, the owner of said premises proposes to install a gas lamp at a point in the portion of the public right of way of Gibbon Street adjacent to said premises; and

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Mr. Joseph W. Scott, licensee, and his successors in title, be and they are hereby authorized to install and maintain a gas lamp, which will not be more than ten feet (10') in height above ground level, approximately fifty-three feet (53') east of the southeast corner of the intersection of Gibbon and Fairfax Streets in the City of Alexandria, Virginia, with setback of at least one foot six inches (1'6") from the face of the south curblin of Gibbon Street; provided that this authority shall not be construed to relieve such licensee of any negligence on his part on account of said gas lamp, and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to install and maintain the gas lamp shall be subject to the maintaining by the licensee, his successors and assigns, 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 installation and use of said gas lamp, pursuant to the authority hereby granted, shall be considered an agreement by the licensee, his successors and assigns, to save harmless the City of Alexandria from any liability by reason of the installation, use and maintenance of said gas lamp.

Section 4. That the authority granted by this ordinance shall be held and deemed a license merely.

Section 5. That the privilege hereby granted to install and maintain the gas lamp, as aforesaid, shall be terminated and

extinguished whenever the City of Alexandria shall want that portion of the public right of way for any purpose and shall, by written notification, demand from the owner of the subject property the removal of such gas lamp, which removal shall be completed promptly within thirty (30) days from the date of notice of removal and without cost to the City of Alexandria.

Section 6. 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: FEBRUARY 23, 1971