

ORDINANCE NO. 2643

AN ORDINANCE authorizing the prospective purchasers of the structure known as Building Number One of the Torpedo Factory bounded by Fayette Alley to the south, Cameron Street to the north, North Lee Street to the west and North Union Street to the east to construct and maintain encroachments consisting of balconies and a stairway projection; which balconies will encroach a maximum of four (4) feet onto the rights-of-way of the north side of Fayette Alley, the south side of Cameron Street, the east side of North Lee Street and the west side of North Union Street and which stairway projection will encroach onto the east side of North Lee Street in the City of Alexandria, Virginia.

WHEREAS, the Alexandria Waterfront Restoration Group is the prospective purchaser of Building Number One of the Torpedo Factory in the City of Alexandria, Virginia; and

WHEREAS, the Alexandria Waterfront Restoration Group desires to construct and maintain the balconies which will encroach a maximum of four (4) feet onto the prospective rights-of-way and the stairway projection which will encroach onto the east side of North Lee Street; and

WHEREAS, the sidewalk area at those points is sufficiently wide for pedestrian traffic; and

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the prospective purchaser, the Alexandria Waterfront Restoration Group, and its successors in title, be and hereby is authorized to construct and maintain the above-described balconies and stairway projection; which balconies will encroach a maximum of four (4) feet onto the rights-of-way of the north side of Fayette Alley, the south side of Cameron Street, the east side of North Lee Street and the west side of North Union Street and which stairway projection will encroach onto the east side of North Lee Street, until such encroachments are removed or destroyed, provided this authority shall not be construed to relieve such owner of any negligence on its part on account of such encroachments and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to construct the encroachments shall be subject to the maintaining by the owner of the encroachments 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 encroachments, 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 encroachments.

Section 4. That the privilege hereby granted to maintain the encroachments, as hereinabove described, shall be terminated whenever the City of Alexandria shall desire to use those portions of the public rights-of-way for any purpose whatsoever and shall by written notification demand from the owner the removal of such encroachments, which removal shall be completed promptly, within no more than 30 days from the date of such notice, without cost to the City of Alexandria.

Section 5. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published 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 city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk 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: 1/26/82