

ORDINANCE NO. 2778

AN ORDINANCE authorizing the owner of Olde Colony Motor Lodge, and its successors in title, to construct and maintain encroachments consisting of two (2) freestanding signs in the public right-of-way located at 625 First Street in the City of Alexandria, Virginia.

WHEREAS, the owner of Olde Colony Motor Lodge desires to construct and maintain two (2) freestanding signs which will encroach into the public right-of-way at 625 First Street on the north side of said public right-of-way in the City of Alexandria, Virginia; and

WHEREAS, the sidewalk area at that point 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 these encroachments are not detrimental to the public interest; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the owner of Olde Colony Motor Lodge, and its successors in title, be and the same hereby is authorized to construct and maintain two (2) encroachments, each to consist of a freestanding sign with a height of approximately six (6) feet four (4) inches located in the public right-of-way on the north side of First Street, at 625 First Street, approximately two (2) feet three (3) inches from the curb or one (1) foot nine (9) inches from the curb and turned at an angle to increase clearance, 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 right-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: February 22, 1983