

COUNCIL ACTION FORM

**SUBJECT: ENCROACHMENT PERMIT FOR SIGN AT 121 MAIN STREET
(YELLOW DOG ART AND FRAME)**

BACKGROUND:

The owner of the property at 121 Main Street is seeking approval for an encroachment permit that would allow a sign to hang into the public way. The proposed sign is a projecting sign mounted to the face of the building. It will extend 36 inches over the sidewalk, but will not affect use of the sidewalk.

The sign permit application for the proposed sign has been reviewed by the Inspection Division and complies with all regulations regarding signage. The sign permit application is pending approval contingent on Council's approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of an Encroachment Permit Application by the City Council before a permit can be issued. By signing the application, the Owner has agreed to hold the City harmless against any loss or liability as a result of the encroachment, to submit proof of insurance, and to pay a fee for the encroachment. The Owner also understands that this approval may be revoked at any time by the City Council. Upon receipt of proof of insurance, a payment of \$25 and Council approval, the Inspection Division will issue a permit for the encroachment.

ALTERNATIVES:

1. Approve the application allowing the applicant to erect the sign once the permit has been issued.
2. Approve the application allowing the applicant to erect the sign, with modifications, once the permit has been issued.
3. Deny the application prohibiting the applicant from placing the proposed sign over the public way.

CITY MANAGER'S RECOMMENDED ACTION:

This sign can be erected over the City's right of way with no adverse impact on the public, and the requisite process has been fulfilled by the applicant.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby granting the encroachment permit for this sign.