

ITEM #: 12  
DATE: 08-08-23  
DEPT: ADMIN

**COUNCIL ACTION FORM**

**SUBJECT: ENCROACHMENT PERMIT FOR AWNING OUTSIDE BUILDING AT 211 AND 209 MAIN STREET**

**BACKGROUND:**

The owner in the building at 211 & 209 Main Street, Heroic Ink and Heroic Hair, is seeking approval for an awning outside the building that is 9 feet high and 8 feet, six inches wide. An Encroachment Permit is necessary to allow this awning to be installed over the right-of-way.

Chapter 22.3(3) of the *Ames Municipal Code* requires approval of the Encroachment Permit Agreement by the City Council before the Permit can be issued. By signing the Agreement, the applicant and owner agree to hold harmless the City against any loss or liability as a result of the encroachment, to submit a certificate of liability insurance that protects the City in case of an accident, and to pay the fee for the Encroachment Permit. The applicant and owner also understand that this approval may be revoked at any time by the City Council. The fee for this permit was calculated at \$25, and the full amount has been received by the City Clerk's Office along with the certificate of liability insurance.

**ALTERNATIVES:**

1. Approve the request for an encroachment permit.
2. Deny the request for an encroachment permit.

**CITY MANAGER'S RECOMMENDED ACTION:**

The application meets the criteria for the approval of an Encroachment Permit, and the required fee and insurance have been received by the City Clerk's Office. It is therefore, the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.



For Office Use Only

Documents Received

Date: 7-28-23

Completed Application  
*sent 7-28* Certificate of Inspections sent to PW, P&H, Building

Official on \_\_\_\_\_

\_\_\_ Review by DRC needed?

Fees

Fee Amount \$344

Date Fee Paid \_\_\_\_\_

*requested 8-3-23*

Insurance 7-28

Received

\_\_\_ Approved

Agreement *submitted to PW 7-28*  
Two originals prepared

7-31 Signed agreements returned

CC Meeting Date 8-8

Added to agenda

CAF prepared on T Drive

Follow Up

\_\_\_ Application approved

\_\_\_ Agreement signed by Mayor

\_\_\_ Letter prepared and sent to applicant

\_\_\_ Clerk's copy of Agreement sent to Recorder \_\_\_\_\_

\_\_\_ Add to FMS with insurance expiration date

Notes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# ENCROACHMENT PERMIT APPLICATION

An Encroachment Permit approved by the Ames City Council is required for anything of a "fixed character" which is "upon, over or under" the surface of any "street, alley, or sidewalk."

Applicant is:  Property Owner  Tenant  Contractor

Applicant Name Hugo Kenemer Heroic Ink

Address of Encroachment 211 Main St & 209 Main St

City Ames State IA Zip Code 50010

Type of Encroachment: Awning

(If the encroachment is a sign, please apply for a sign permit through the Inspections Division.)

Total Square Feet of the Area to Encroach: \_\_\_\_\_

(See attached submittal guidelines.)

Property Owner Name Hugo Kenemer

Mailing Address 211 Main St

City Ames State IA Zip Code 50010

Daytime Phone 515 233 033 Cell Phone 515 231 3459

E-mail: \_\_\_\_\_

These items must be submitted with your application prior to approval of the permit:

An Encroachment Permit Agreement approved as to form by the City Attorney and signed by the owner of the building where the encroachment will occur (obtained from the City Clerk's Office).

A sketch of the encroaching item (i.e., sign, canopy, awning, etc.) drawn to scale.

A sketch showing the placement of the encroaching item on the property.

An insurance certificate with comprehensive general liability coverage in an amount of not less than \$500,000 combined single limit naming the City of Ames as an additional insured on the policy. Said certificate must be accompanied with a copy of Endorsement CG 2013.

A fee to be determined by the City's Building Official. The fee is \$1.00 per square foot of the encroachment or a minimum of \$25.00.

Applicant's Signature Hugo Kenemer Date 7-27-23

Property Owner's Signature Hugo Kenemer Date 7-27-23

Submit your completed permit application to:  
grace.bandstra@cityofames.org  
City of Ames  
City Clerk's Office  
PO Box 811

**CERTIFICATE OF INSPECTIONS**  
**New Encroachment Permit**

Please return to the City Clerk's Office by 8.3.23

City Council Action has been requested on 8.8.23

Applicant Heroic Ink

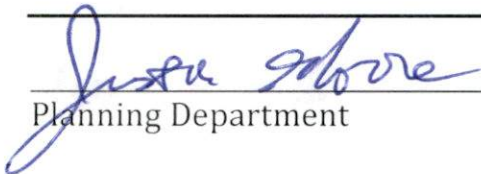
Phone No. 515.233.0033

Location 211 + 209 Main St

Type of Encroachment Awning

I HEREBY CERTIFY that the location for which the permit will be issued conforms with all zoning regulations of the City of Ames.

N/A       Approved       Approved with the following conditions:

  
Planning Department

8-4-23  
Date

I HEREBY CERTIFY no rights-of-way users will be impacted at the location for which the permit will be issued.

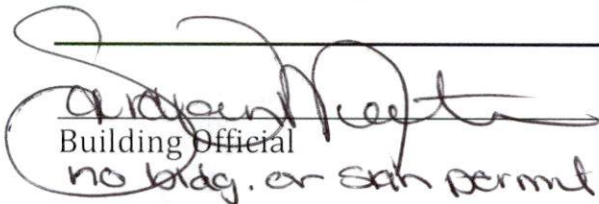
N/A       Approved       Approved with the following conditions:

  
Public Works Department

8/3/23  
Date

I HEREBY CERTIFY that the requested encroachment permit has been reviewed.

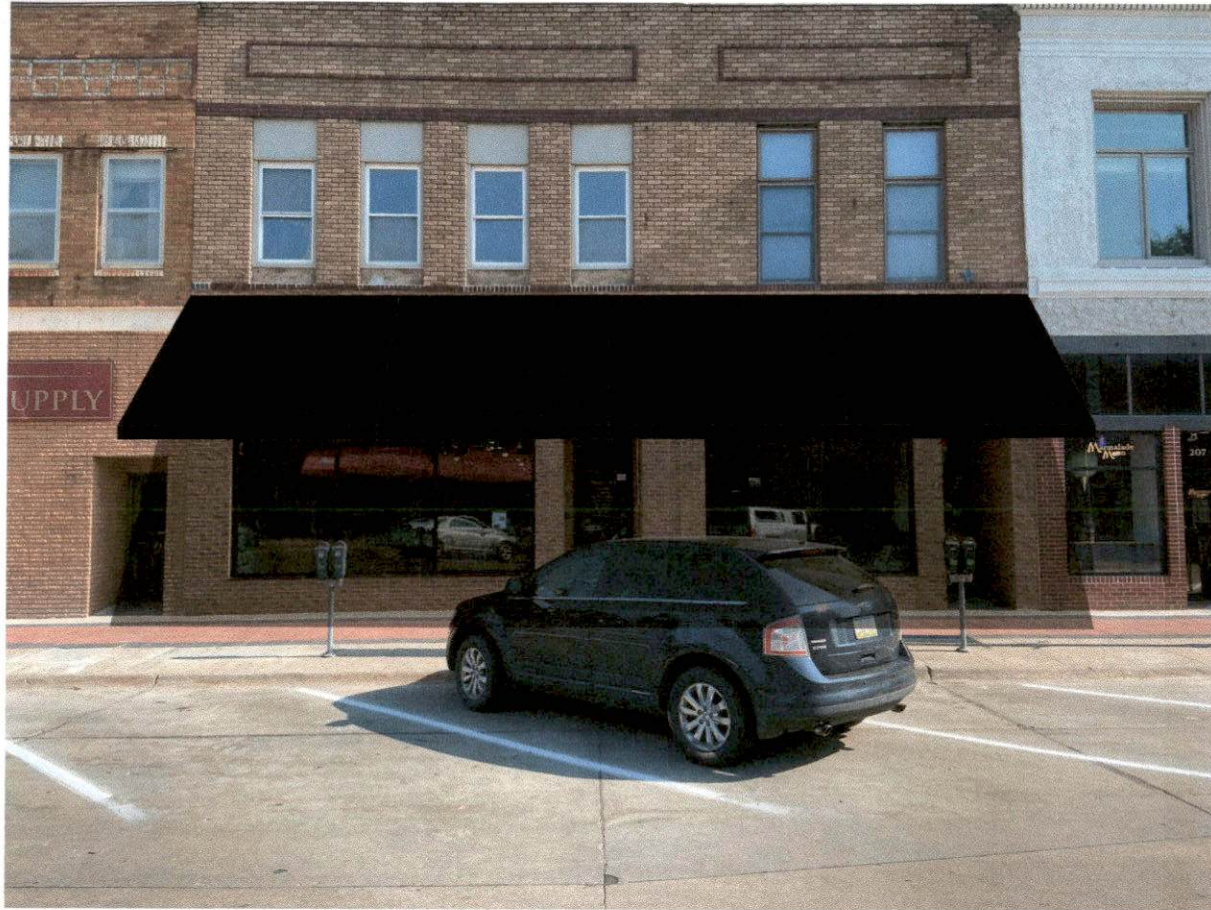
N/A       Approved       Approved with the following conditions:

  
Building Official  
no bldg. or sign permit needed

8/1/23  
Date

Review by DRC Needed?





Total Size of awning measures 516" wide (43'), x 89.5" tall x 96" deep and will be built in 4 sections. Horizontally seamed black vinyl fabric with closed ends, mill finish aluminum tube frame, NO lighting, NO egg crate, open back and bottom. Awning to be installed on existing brick building front.

Heroic Ink - Hair

► Project: Front Awning

7/14/2023

Design/Prepared by: Russ Yenger

Approved by

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