

ITEM # 13
DATE: 11/06/08

COUNCIL ACTION FORM

SUBJECT: ENCROACHMENT PERMIT FOR A SIGN AT 126 ELM AVENUE

BACKGROUND:

On October 30, 2008, the tenant in the building at 126 Elm Avenue requested an encroachment permit for a new sign which will encroach over the City sidewalk.

The proposed sign will be a blade sign fixed to the front of the building and will extend not more than five feet over the sidewalk, and will not infringe upon the use of the sidewalk by the public.

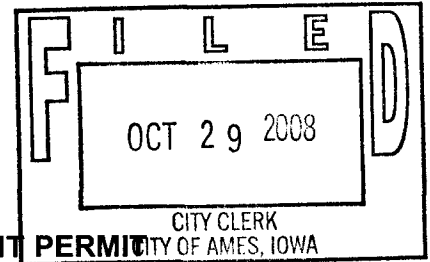
The requirements of Section 22.3 of the Municipal Code have been met with the submittal of a hold-harmless agreement signed by the property owner and the applicant, and a certificate of liability insurance coverage which protects the City in case of an accident. The fee for this permit was calculated at \$25 and the full amount has been received by the City Clerk.

ALTERNATIVES:

1. Approve the request.
2. Deny the request.

MANAGER'S RECOMMENDED ACTION:

It is the recommendation of the City Manager that the City Council adopt Alternative #1, granting the encroachment permit.



APPLICATION FOR ENCROACHMENT PERMIT

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."

Address of Encroachment: 126 Elm Ave. Ames

Type of Encroachment: Sign

Name of Applicant: Dustin Smith

Address: 1312 S. 2nd St. Ames, IA 50010

Applicant's Home Phone: n/a Work or Cell Phone: 515-298-0951

Owner of Building: Joan Cooper

Owner's Address: 909 Brookridge, Ames, IA 50010

Owner's Home Phone: 232-7199 Work or Cell Phone: 232-3456

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

1. 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.
2. A sketch of the encroaching item (i.e., sign, canopy, awning, etc.) drawn to scale.
3. A sketch showing the placement of the encroaching item on the property.
4. An insurance certificate naming the City of Ames as an additional insured with comprehensive general liability limits in the amount of \$500,000 combined single limit.
5. 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: *Dustin Smith*

Owner's Signature (If Different): *Joan Cooper*