

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING S. REGINALD RUFF, III AND THOMAS BROOKS TO INSTALL TWO ALUMINUM CANOPIES ABOVE THE SIDEWALK AT 431 MARTIN LUTHER KING BOULEVARD, AS SHOWN ON THE AND PHOTO AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That S. REGINALD RUFF, III AND THOMAS BROOKS, (hereinafter referred to as “Temporary Users”) be and are hereby permitted to install two aluminum canopies above the sidewalk at 431 Martin Luther King Boulevard, as shown on the photo and drawing attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following conditions:

1. Temporary Users may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary Users agree to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.
2. Temporary Users agree to vacate the property and temporary use upon reasonable notice from the City to do so.
3. Temporary Users shall provide adequate access for maintenance of any utilities

located within the easement.

4. Temporary Users shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

5. Each canopy from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements per city codes and standards.

ADOPTED: _____, 2015

/vmm

City of Chattanooga



Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date Prepared: February 02, 2015

Preparer: Bert Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 8

A City Council Action is requested to authorize Temporary Usage Request #143229 for Mr. S. Reginald Ruff, III and Mr. Thomas Brooks to install two aluminum canopies above the sidewalk at 431 Martin Luther King Boulevard as shown on the attached photo and drawing.

APPROVED WITH CONDITIONS

Total project cost \$ n/a
Total City of Chattanooga Portion \$ n/a
City Amount Funded \$ n/a
New City Funding Required \$ n/a
City's Match Percentage % n/a

New Contract/Project? (Yes or No) n/a
Provide Fund n/a
Provide Cost Center n/a
Proposed Funding Source n/a
Grant Period (if applicable) n/a

List all other funding sources and amount for each contributor.

	Grantor(s)

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Memorandum

To: Brandon Sutton *BS*
From: Ed Bowen *EB*
cc: Bertran Kuyrkendall; Brent Derrick
Date: January 14, 2015
Re: Temporary Usage Request #143229
431 MLK Blvd. (District 8)
S. Reginald Ruff, III/Thomas Brooks

Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Ruff's request for Temporary Usage at 431 MLK Blvd. to install two aluminum canopies above the sidewalk as shown on the attached photo and drawing. My comments are as follows:

- Each canopy will project approximately 4 feet from the face of the building into the sidewalk's air space.
- The city of Chattanooga does not have sanitary sewer infrastructure in the subject area.

After review, granting this Temporary Usage does not conflict with the public's interest. Therefore, I recommend that the request for *Temporary Usage be approved with these conditions:*

- The applicant shall obtain necessary permits and approvals from the city of Chattanooga Land Development Office.
- Each canopy from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements per city codes and standards.



SR# 920248
NO# 143229

For Office Use Only
Benjamin Dodson
Technician Signature 1/9/15

12/12/14
(DATE)

Bertran Kuyrkendall, P.E.
Transportation Engineer
Development Resource Center
1250 Market Street, Suite 3000
Chattanooga, Tennessee 37402

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of TWO (2) ALUMINUM CANOPIES ABOVE SIDEWALK
OTU 431 (E.M. L. KING BLVD)

The reason for this request is as follows:
BUILDING IS BEING RENOVATED AFTER SITTING EMPTY FOR OVER 15 YEARS.
THE REQUEST IS MADE AS SHADES FOR WINDOWS AND TO PROVIDE FOR
CUSTOMERS DURING RAIN. THE BUILDING WILL HOUSE A BEVERAGE W/
TASTING AREA.

In making this request: Temporary User agrees as follows:

1. Temporary User will defend, indemnify, and hold harmless the City of Chattanooga, Tennessee its officers, agents, and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.
2. Temporary user agrees to comply with any and all conditions recommended by the City Transportation Engineer and/or City Transportation Department and approved by the Chattanooga City Council during the review of this application. The failure to comply with any condition approved by the City Council may be grounds for revocation of this temporary use at any time after its approval
3. Temporary User will vacate the property and temporary use upon reasonable notice from the City to do so; the parties have to agree that reasonable notice shall be deemed to be thirty (30) days to restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations upon the request of the city to vacate the property and temporary use.
4. Temporary User will provide full access for maintenance of any utilities located within the easement.
5. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. Temporary user agrees to maintain the property in the condition equal to or better than the condition at the time the temporary use is granted.
7. If this request is for maintaining wells the applicant will upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, the wells will be abandoned using standard and acceptable practices, which shall include grouting from the bottom to top with a mixture of Portland cement and powdered bentonite and restoring the surface to its original condition as reasonably as possible.

My address and phone number is as follows:

10 27 M. L. KING BLVD (423) 266-0163
CHATTANOOGA, TN
37403

(email address) TDUNYON.JR.SRR@GMAIL.COM

S. REGINALD RUFF III
(Print) Applicant Name

S. Reginald Ruff III
(Sign) Applicant Name

1/6/15
Date

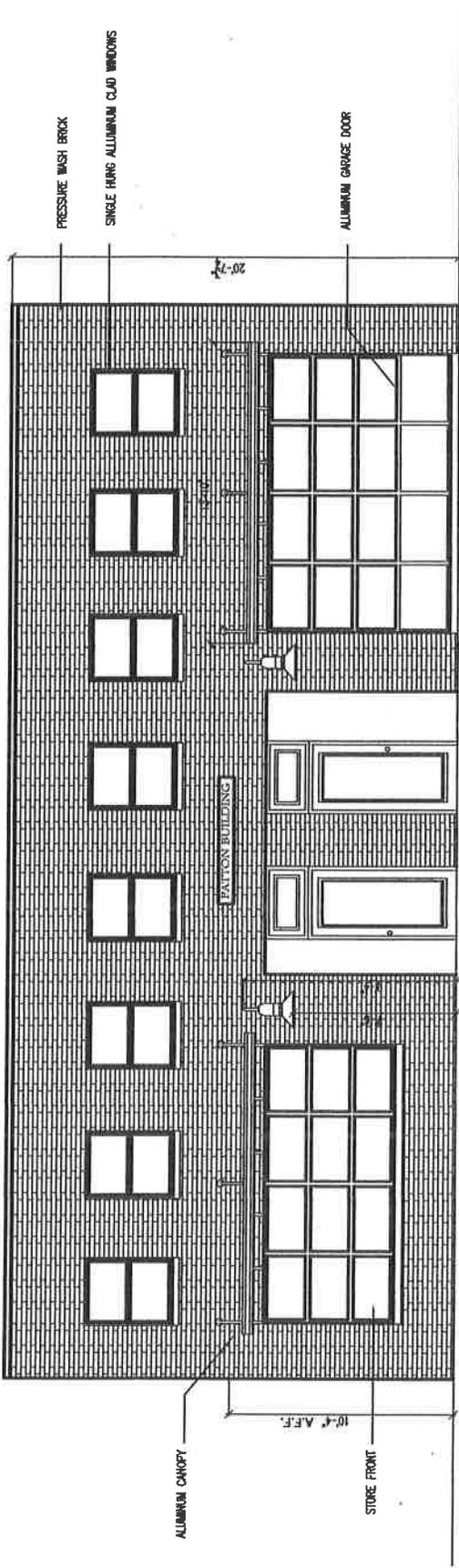
DR. THOMAS J. BROOKS
(Print) Owner's Name

DR. Thomas J. Brooks
(Sign) Owner's Name

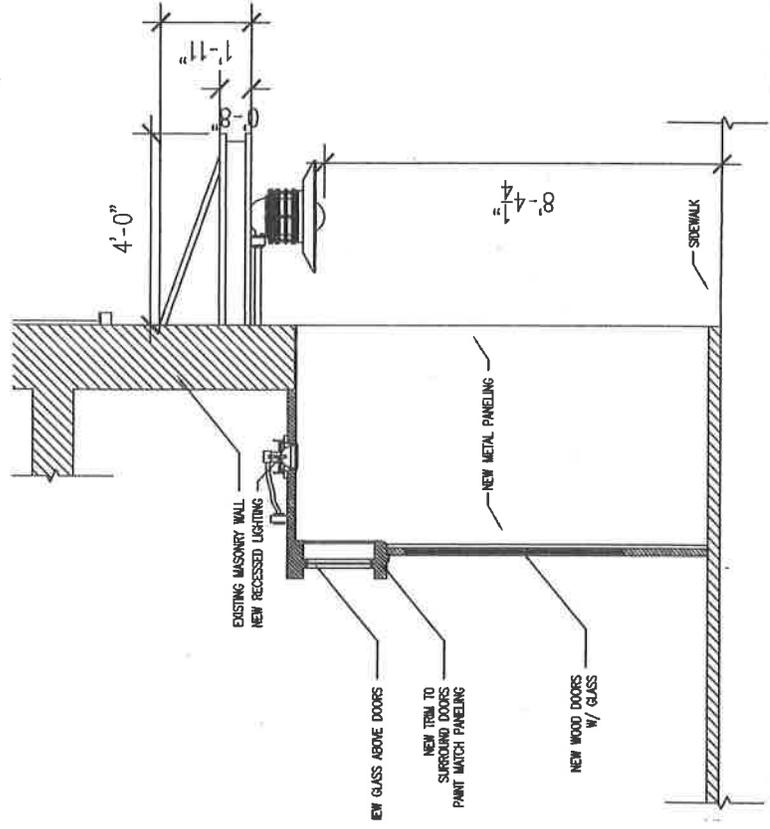
1-9-15
Date

This application must include the owner's signature and a site map of the referenced location to complete processing.

(Processing Fee of \$110.00 payable to: City of Chattanooga)



1 SOUTH ELEVATION WITH AWNING
SCALE: 1/8" = 1'-0"



2 AWNING SECTION
SCALE: 1/4" = 1'-0"