

**ORDINANCE NO. 030050**

**Giving permission to Big Hair, L.L.C., to construct and maintain an exit door swing in the public right-of-way for the building at 1629 Walnut Street; assessing an encroachment fee of \$156.00; and estimating \$156.00 in revenue.**

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That permission is hereby given to Big Hair, L.L.C., as owner and permittee, to construct and maintain an exit door swing in the public right-of-way for the building at 1629 Walnut Street as shown on drawings known as Exhibit "A".

Section 2. That all materials, design and methods of construction shall be in accordance with all applicable codes and shall be subject to the approval of the Director of Codes Administration when final plans are submitted for a building permit.

Section 3. That to hold the City harmless from claims for bodily injury and for property damage arising out of the construction, the permittee shall keep in force a policy of liability insurance in an amount not less than that required by the Building Code. In the event the insurance requirements of the Building Code are modified during the life of the construction, the insurance provided by the permittee shall be revised to conform with the modified Building Code standard.

Section 4. That the permission given shall be construed as a permit and not a grant, and may be revoked by the Council at its discretion; upon revocation, the permittee or the owner of the property at the time of the revocation shall cause the removal of the construction and the restoration of the area without expense to the City.

Section 5. That if the construction for which permission is herein given includes excavation, as defined in the Underground Facility Safety and Damage Prevention Act, Section 319.010 through 319.050, Revised Statutes of Missouri, the permittee shall observe and comply with the requirements of the Act. A permit for any excavation shall be required from the City Engineer.

Section 6. The installation has been approved by the Municipal Art Commission.

Section 7. That in consideration of the usefulness to Big Hair, L.L.C., and reflecting a fair assessment of the value of the right-of-way, the sum of \$156.00 shall be paid by Big Hair, L.L.C., in the nature of a license payment to the City for the privilege of using the public right-of-way for this purpose. This single payment includes all license payments.

Section 8. That the revenue in the following account of the General Fund is estimated in the amount:

03-100-064-6232	Encroachment Licenses	\$156.00
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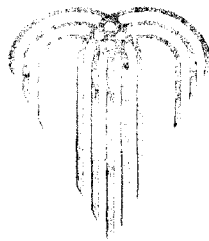
030050

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.




Director of Finance

Approved as to form and legality:

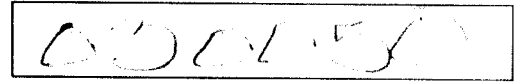
  
Assistant City Attorney

Authenticated as follows:

  
KAY BARNES, Mayor  
Catherine T. Rocha, City ClerkDATE PASSED **JAN 30 2003**

# GENERAL

## Ordinance Fact Sheet



Ordinance Number 119-111

Brief Title  
Exit Door Swing

Approval Deadline

Reason  
Encroachment

**Details**

**Reason for Legislation**

To allow the encroachment of an exit door swing for the building at 1629 Walnut Street.

Section 18-51, Section 4501, and Section 64-161, Code of Ordinances, requires an ordinance for private construction in the public right-of-way.

**Discussion** (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)

The applicant is requesting approval of the encroachment of an exit door swing as shown on Exhibit A.

This encroachment is requested to comply with the requirements for exiting under the Kansas City Building and Rehabilitation Code. The applicant is requesting this as the most cost effective solution to compliance.

Upon approval of this request, inspections will be made to ensure compliance with the conditions of the ordinance.

An encroachment ordinance license fee of \$156.00 has been calculated for this request.

Is it good for the children? Yes.

**Positions/Recommendations**

<b>Sponsor</b>	
<b>Programs, Departments, or Groups Affected</b>	
<b>Applicants / Proponents</b>	<b>Applicant</b> Paul Minto, AIA, Helix 816-300-0300 <b>City Department</b> Codes Administration  <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>  <b>Basis of opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	<b>By</b> Municipal Arts Commission <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

(Continued on reverse side)

This image shows a completely blank white page. It is surrounded by a thin black border, which appears to be the edge of the scanned document. There are no markings, text, or illustrations on the page.

Policy or Program Change	<input checked="checked" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Cost & Revenue Projections -- Including Indirect Costs	
Financial Impact	
Fund Source (s) and Appropriation Account Codes	Revenue to General Fund account 00-100-0064-6232

Reviewed by:

Richard H. Usher, CBO, Division Manager of Permits, Department of Codes Administration

## Reference Numbers

**Request for Ordinance/Resolution**

City of Kansas City, Missouri

 Request for ☒ Ordinance  
☐ Resolution (Special Instructions Below)

To be entered by the City Clerk

Legislative Control No. <u>53208</u>	Date
Docketing Date <u>1/16/03</u>	
Committee Assignment <u>215A</u>	

**Before using this form see Administrative Regulation 4-1, Procedures for Handling Ordinance Requests**

Date 01/13/2003	Request Made By J. Barry Archer, P.E., Director	Department Department of Codes Administration
Desired Docketing Date 01/16/2003		If Emergency, Give Reason (See Sec. 15 of Charter)
Emergency Measure Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Justification for Proposed Legislation GIVING PERMISSION TO BIG HAIR, L.L.C., TO CONSTRUCT AND MAINTAIN AN EXIT DOOR SWING FOR THE BUILDING AT 1629 WALNUT STREET; ASSESSING AN ENCROACHMENT FEE OF \$156.00; AND ESTIMATING \$156.00 IN REVENUE.		
BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:		
Section 1. That permission is hereby given to Big Hair, L.L.C., as owner and permittee, to construct and maintain an exit door swing in the public right-of-way for the building at 1629 Walnut Street as shown on drawings known as "Exhibit A."		
Section 2. That all materials, design and methods of construction shall be in accordance with all applicable codes and shall be subject to the approval of the Director of Codes Administration when final plans are submitted for a building permit.		
Section 3. That to hold the City harmless from claims for bodily injury and for property damage arising out of the construction, the permittee shall keep in force a policy of liability insurance in an amount not less than that required by the Building Code. In the event the insurance requirements of the Building Code are modified during the life of the construction, the insurance provided by the permittee shall be revised to conform with the modified Building Code standard.		
Section 4. That the permission given shall be construed as a permit and not a grant, and may be revoked by the council at its discretion; upon revocation, the permittee or the owner of the property at the time of the revocation shall cause the removal of the construction and the restoration of the area without expense to the City.		
Section 5. That if the construction for which permission is herein given includes excavation, as defined in the Underground Facility Safety and Damage Prevention Act, section 319.010 through 319.050, Revised Statutes of Missouri, the permittee shall observe and comply with the requirements of the Act. A permit for any excavation shall be required from the City Engineer.		
Section 6. The installation has been approved by the Municipal Art Commission.		

**Request for Ordinance/Resolution**

City of Kansas City, Missouri

To be entered by the City Clerk

Legislative Control No. \_\_\_\_\_ Date \_\_\_\_\_

Docketing Date \_\_\_\_\_

Committee Assignment \_\_\_\_\_

Request for ☒ Ordinance☐ Resolution (Special Instructions Below)**Before using this form see Administrative Regulation 4-1, Procedures for Handling Ordinance Requests**

Date 01/13/2003	Request Made By J. Barry Archer, P.E., Director	Department Department of Codes Administration
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Desired Docketing Date \_\_\_\_\_ If Emergency, Give Reason (See Sec. 15 of Charter)

Emergency Measure Required?

☐ Yes ☒ No

Justification for Proposed Legislation

Section 7. That in consideration of the usefulness to Big Hair, L.L.C., and reflecting a fair assessment of the value of the right of way, the sum of \$156.00 shall be paid by Big Hair, L.L.C., in the nature of a license payment to the City for the privilege of using the public right of way for this purpose. This single payment includes all license payments.

Section 8. That the revenue in the following account of the General Fund is estimated in the amount:

00-100-064-6232	Encroachment Licenses	\$156.00
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**Resolution Special Instructions:**

Parchment Resolutions Required?

Yes ☐ Number \_\_\_\_\_No ☒

Wish to Review and Approve this Ordinance prior to its introduction. Requestor

Does ☐ Does Not ☒

If this is a Resolution, does the Sponsor desire the adoption on the first reading?

Yes ☐ No ☐

Date: \_\_\_\_\_

\_\_\_\_\_  
Director's Signature**To be Used by the Finance Department**

Budget and Systems	Date: _____	Account Numbers and Appropriation Balances Checked	Date: _____	Fund Availability Approved	Date: _____
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Division Head Signature	Supervisor of Accounts Signature	Director of Finance Signature
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## Distribution

White	City Clerk
Blue	City Clerk
Green	City Manager
Canary	City Counselor
Pink	Finance Dept.
Goldenrod	Department

EXHIBIT ATTACHED: \_\_\_\_\_

EXHIBIT NOT ATTACHED: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager's Signature