

## **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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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.

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Director of Finance

Approved as to form and legality:

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Assistant City Attorney