

RESOLUTION NO. 27987

A RESOLUTION AUTHORIZING WORLD OF BEER C/O FRANK HUDSON TO USE TEMPORARILY THE FRONT SIDEWALK FOR OUTDOOR SEATING/DINING LOCATED AT THE WORLD OF BEER ESTABLISHMENT ON 412 MARKET STREET, AS SHOWN ON THE 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 WORLD OF BEER C/O FRANK HUDSON, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the front sidewalk for outdoor seating/dining located at the World of Beer establishment on 412 Market Street, 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 User 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 User agrees 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 User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. Each awning from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements per City Codes and Standards.

ADOPTED: August 19, 2014

/mem

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and ~~NEW WORLD BEER CO~~ ^{World of Beer (RL)} FRANK HUDSON (hereinafter "Temporary User"), this 1 day of Aug, 2014.

For and in consideration of the granting of the temporary usage of the front sidewalk for outdoor seating/dining located at the New World Beer establishment on 412 Market Street, as shown on the photo and drawing attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User 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 User agrees 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 User shall vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that "reasonable notice" shall be deemed to be thirty (30) days. Temporary User shall restore the property to its original condition when it is returned to the City.

3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. Each awning from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements per City Codes and Standards.

~~NEW WORLD BEER~~ ^{World of Beer (RL)}

1 Aug, 2014
Date

BY: [Signature]
Frank Hudson

Frank Hudson/Carol Landing
Temporary Usage: 412 Market Street
Outdoor seating on sidewalk



