

RESOLUTION NO. 28684

A RESOLUTION AUTHORIZING RIVERCITY COMPANY C/O JIM WILLIAMSON, AGENT FOR THE PROPERTY OWNER, HUTTON & SMITH BREWING COMPANY C/O THOMAS BROOKS TO USE TEMPORARILY THE RIGHT-OF-WAY OF ONE ON-STREET PARALLEL PARKING SPACE IN FRONT OF 431 EAST MARTIN LUTHER KING BOULEVARD AT PARKING METER NO. 548 TO INSTALL A PARKLET PATIO FOR ADDITIONAL AND OUTDOOR SEATING, AS SHOWN ON THE MAPS 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 RIVERCITY COMPANY C/O JIM WILLIAMSON, AGENT FOR THE PROPERTY OWNER, HUTTON & SMITH BREWING COMPANY C/O THOMAS BROOKS, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way of one on-street parallel parking space in front of 431 East Martin Luther King Boulevard at parking meter No. 548 to install a parklet patio for additional and outdoor seating, as shown on the maps 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 obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.

4. Temporary User shall provide a Certificate of Liability Insurance naming the City of Chattanooga, 101 E. 11th Street, Chattanooga, TN 37402 as an additional insured for at least \$1 million.

5. The parklet is to be open to the public.

6. Use of the parklet by Hutton & Smith Brewing Company to serve alcoholic beverages shall be regulated by Chattanooga Beer Board and TABC.

ADOPTED: July 5, 2016

/mem

TU 2016-029
431 E. Martin Luther King Blvd.

