

RESOLUTION NO. 29713

A RESOLUTION AUTHORIZING WGC, INC. C/O MIKE WALL, ON BEHALF OF PROPERTY OWNER, CHUCK PRUETT, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED IN THE SIDEWALK AREA LOCATED AT 501 CHEROKEE BOULEVARD FOR THE PURPOSE OF INSTALLING EXTERIOR RESTAURANT SEATING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That WGC, INC. C/O MIKE WALL, ON BHEALF OF PROPERTY OWNER, CHUCK PRUETT (hereinafter referred to as "Temporary User"), be and is hereby permitted to use temporarily the right-of-way located in the sidewalk area located at 501 Cherokee Boulevard for the purpose of installing exterior restaurant 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. Any items (tables, chairs) placed along the subject building and right-of-way must comply with ADA standards and minimum clearances for pedestrian traffic within said right-of-way.

4. The existing bicycle rack at this location shall be moved a reasonable distance to a location specified by CDOT such that adequate pedestrian and ADA access is maintained on the sidewalk.

5. Temporary User shall obtain any and all necessary permits and approvals from the City of Chattanooga Land Development Office.

5. 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.

ADOPTED: November 20, 2018

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Temp Use Area

404

400

504

407

409

406

409

410

411

427

414

412

410

Temp Use Area

413

Spring St

501

505

442

426

424

Davenport St

515

411

Cherokee Blvd

450

309

525

313

535

315

Stringer St

Chittowise St

323

310

520

518

516

327

316

314

312

547