

1
2 **Resolution Relating to**

RESOLUTION
Sponsor(s): Councilors Blais,
Tracy, Ayres: License Com.
Introduced: _____
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

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7 AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT
8 TO MAINTAIN TABLES AND CHAIRS ON A PORTION OF THE
9 CITY’S RIGHT-OF-WAY WITH BERN GALLERY

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11
12 **CITY OF BURLINGTON**

13
14 In the year Two Thousand Thirteen.....

15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, BERN NATION, INC. d/b/a BERN GALLERY of Burlington, Vermont (hereinafter
18 BERN GALLERY) is an establishment doing business in a commercial building located at 135 Main
19 Street in the City of Burlington, Vermont; and

20 WHEREAS, BERN GALLERY desires to place a total of 3 tables and 12 chairs in the public
21 right-of-way in front of its establishment at 135 Main Street; and

22 WHEREAS, BERN GALLERY wishes to enter into a License Agreement with the City for such
23 tables and chairs; and

24 WHEREAS, the placement of the respective tables and chairs has been reviewed and approved by
25 the Department of Public Works with conditions to address public safety concerns; and

26 WHEREAS, the Charter of the City of Burlington, Sec. 48XLIX and the Code of Ordinances Sec.
27 27-32 require authorization by the City Council for such use of a public thoroughfare for periods in excess
28 of thirty (30) days;

29 NOW, THEREFORE, BE IT RESOLVED that this City Council hereby authorizes BERN
30 GALLERY to place 3 tables and 12 chairs covering an area of 150 sq. ft. on a portion of the public right-
31 of-way adjacent to its establishment at 135 Main Street as indicated in and pursuant to its License
32 Agreement upon entering into the License Agreement in substantially the form attached hereto; and

33 BE IT FURTHER RESOLVED that Mayor Miro Weinberger be and hereby is authorized to
34 execute a License Agreement, in substantially the form attached, on behalf of the City of Burlington for a
35 term commencing on the date of execution of the License Agreement and terminating on April 30, 2014.