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Councilors Keogh, Davis, Decelles: Bd. of Finance

ION OF STREET ON CHERRY STREET AND METERED PARKING SPACES

In the year Two Thousand Nineí .. Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, construction of the Marriott Courtyard Hotel expansion and new hotel on Cherry Street will take at least two years; and

WHEREAS, obstruction of a portion of Cherry Street, including up to eight parking meters, is necessary to enable construction to occur; and

WHEREAS, the Project will contribute to the goals of the City and the continued vitality of Burlington's downtown core; and

WHEREAS, B.C.O. Sec. 27-32 requires that permits for street or sidewalk obstructions longer than 30 days must be authorized by the City Council; and

WHEREAS, B.C.O. Sec. 27-33 requires payment of a fee of \$20.00 per day for each obstruction of a metered parking space; and

WHEREAS, in light of the long duration of the construction project and the Project's benefit to the City, the Department of Public Works (DPW) recommends that a permit for obstruction of a portion of Cherry Street, including up to eight metered parking spaces, be authorized with a street encumbrance fee of \$1,850 per fiscal year, based upon a fee schedule of \$1.00 per square foot (already paid for FY 2010) and the fee for obstruction of each metered parking space set at \$4.50 per day; and



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## AUTHORIZATION FOR OBSTRUCTION OF STREET AND METERED PARKING SPACES ON CHERRY STREET

WHEREAS, the contractors on the Project will need to comply with all obstruction permit conditions specified by the Department of Public Works in order to make the area impacted safe; and

WHEREAS, DPW will work closely with the Contractor, with the agreed goal to limit the impacts and occupation of the right-of-way to complete the project; and

WHEREAS, the attached site plan delineates the right-of-way encumbrance and fencing which may be amended, with the DPW Director or his designee making the final determination as to what space within the right-of-way is necessary for the staging of the work associated with the construction project; and

WHEREAS, the Hotel DevelopersøContractor will work cooperatively with DPW to restore the right of way infrastructure and greenbelt to its original state, and will make the space available to the public as soon as the Contractorø construction schedule will allow, subject to any future agreements regarding use of the right-of-way; and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves and authorizes issuance of a permit as described above for obstruction of a portion of Cherry Street, including up to eight metered parking spaces, related to expansion of the Marriott Courtyard Hotel constructed thereon and the new hotel on Cherry Street commencing September 1, 2009 and continuing until completion of construction of the new hotel, with said permit subject to prior review and approval of the Director of the Department of Public Works or his designee and the City Attorney.