



## CITY OF HARRISONBURG CITY MANAGER

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801  
OFFICE (540) 432-7701 • FAX (540) 432-7778

TO: Ande Banks, City Manager  
FROM: Chris Brown, City Attorney  
DATE: February 22, 2023  
RE: JMU License Agreement for Median Fence

**Summary:** This Median License Agreement grants formal permission for JMU to occupy the City's median on Main Street between the 800 and 900 blocks and maintain the fence and landscaping in the median.

**Background:** Approximately 10 years ago the City's Department of Public Works granted permission for JMU to construct a fence in the City's median on Main Street between the 800 and 900 blocks, between West Main Street and Bluestone Drive. The purpose of the fence was to encourage JMU students and others to cross Main Street in that area only at the designated crosswalks. The fence eliminated a significant pedestrian safety and traffic concern caused by many JMU students crossing Main Street between crosswalks. JMU constructed and maintains the fence and landscaping within the median, while the City maintains the median itself.

JMU has requested formal written permission to occupy the median in order to maintain the fence and landscaping. This license agreement provides that permission and sets out the rights and responsibilities of the parties regarding the median, fence, and landscaping. The license can be revoked by the City if we need the space for street improvement or if a law or governmental regulation would prohibit the fence.

**Key Issues:** Grant of a license agreement for JMU to occupy the median on Main Street between the 800 and 900 blocks.

**Environmental Impact:** None

**Fiscal Impact:** JMU assumes the cost of the replacement, repair, and maintenance of the fence and the landscaping in the median.



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**Prior Actions:** Informal permission granted to JMU for the fence in 2013.

**Alternatives:** (a) Approve license agreement;  
(b) or deny approval of the license.  
(c)

**Community Engagement:** None.

**Recommendation:** The City Department of Public Works recommends approval of the license agreement.

**Attachments:** Median License Agreement.

**Review:**

*The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.*

