



City of Harrisonburg, Virginia

Office of the City Manager

409 South Main Street
Post Office Box 20031
Harrisonburg, VA 22802
(540) 432-7701 / FAX (540) 432-7778

G. Chris Brown
City Attorney

TO: Kurt Hodgen, City Manager
FROM: Wesley Russ, Assistant City Attorney
DATE: June 5, 2017
RE: Franchise for use of sidewalk at South Main Street and Newman Avenue

Summary: Consider approving a franchise for a term in excess of five years to use, occupy, and alter the sidewalk at the along the north side of Newman Avenue, at the corner of Newman Avenue and South Main Street.

Background: The City has received a request to modify the sidewalk area along Newman Avenue, for the benefit of the building located at 122 South Main Street. The applicant has agreed, as a condition of the franchise, to enter into a maintenance agreement, whereby the applicant will be responsible for any maintenance and repair associated with the modified sidewalk area.

As proposed, in order to accommodate the alterations to the sidewalk area, one (1) of the four (4) street parking spaces will be removed.

Per Sec. 2-1-11 of the City Code, a franchise shall be valid only if passed by the council by a recorded affirmative vote of at least four (4) members.

Key Issues: None.

Environmental Impact: None.

Fiscal Impact: None.

Prior Actions: None.

Alternatives:

- (a) Approve franchise; or
- (b) Deny franchise.

Community Engagement: N/A

Recommendation: Staff recommends approval of the franchise.

Attachments:

- 1. Application package.
- 2. Drawing of "Sidewalk Area."
- 3. Franchise ordinance.



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4. Maintenance agreement.
5. "Exhibit A" – site plan showing "Sidewalk Area."

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.

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