



REVOCABLE OCCUPANCY / STREET PRIVILEGE PERMIT APPLICATION

City of La Crosse Engineering Department

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org <http://cityoflacrosse.org>

Property Owner: La Crosse Theatres Co.
Address: PO BOX 628485 City: Middleton State: WI Zip: 53562-8485
Phone #: 608-386-2053 Email Address: admin@rivoli.net

Application Preparer (if different from above) _____
Relationship with Owner: _____
Phone #: _____ Email Address: _____

Description of Proposed Encroachment: Existing cooling water well and manhole. The manhole and cooling water well (non-potable) were installed in 1935.

Encroachment Address(es):

117 4th Street North located on the West side of the parcel in the alley between State and Main Streets

Benefiting Tax Parcel ID #(s): 17-20020-50

I certify that I have reviewed the Municipal Code and understand all that is related to this permit request. I further certify that I have the full authority to make the foregoing application; the information in the application and the required submittals are complete and correct; the Work or Use performed shall comply with all the laws of the State of Wisconsin, and all ordinances, rules, regulations, policies and special conditions of the City of La Crosse. The applicant agrees to perform the work covered by an approved permit with diligence and convenience to the public.

Signature of Owner : _____ Date: 2/18/21

Print Name and Title: Thomas J. Misco, President

Please return this completed application along with required information and fees noted on checklist below to: City of La Crosse, Engineering Department, 400 La Crosse Street, La Crosse, WI 54601. You will then be given notice of when your request will be on the Board of Public Works agenda for consideration. Once approved an agreement document will be drafted by City and sent to Owner for signatures. Permit will then be valid once recorded with the County's Register of Deeds department. Applicant shall obtain all other necessary permits as required by City Departments. **Average completion time for validation 45 days.**

BELOW THIS LINE TO BE COMPLETED BY CITY STAFF ONLY

Required items to be provided by Applicant:

- Scale Drawing of encroachment on letter size paper(s)
- Legal Description of benefiting parcel(s)
- Certificate of Insurance (City as additional Insured)
- Initial Application / Annual Fee \$ 100.00
- City Utility Potential Conflict Notification and Sign-Off

**Board of Public Works
Approval Date:**

Encroachment Type:

Well

Permit Number:

All Fees are Non-Refundable & Subject to change by City Council



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Permit Additional Conditions

- 1 The encroachment must be maintained in good condition at all times.
- 2 The applicant shall be primarily liable for damages to person or property by reason of the maintenance of said encroachment.
- 3 Applicant waives any and all rights to contest in any manner the validity of Sec. 66.0425, Wis. Stats. and the amount of compensation charged.
- 4 Provision for a bond is hereby waived.
- 5 The applicant for a permit to encroach on the public right-of-way shall procure and maintain for the duration of the permit a minimum liability and contractual liability policy in the amount of \$100,000.00 each person, \$300,000.00 each accident for bodily injury and \$100,000.00 for property damage. A certificate of such insurance shall be filed with the City of La Crosse as part of the application. The insurance shall name the City, its officials, employees and agents as additional insureds. The Board may approve greater insurance protection on a case-by-case basis.
- 6 Applicant agrees that if they do not remove the encroachment within ten (10) days after receiving notice from the City to do so, the City is authorized to remove the same and applicants agree to pay the City for all costs of such removal.
- 7 Applicant further agrees that the City shall not be liable to applicants for any damage applicants may receive to their encroachment should it be damaged by the City if the City performs work or maintenance in the area of the Revocable Occupancy Permit.
- 8 Applicant further agrees that if the City determines that the installation or use of the described encroachment authorized under this permit increases the difficulty of highway maintenance, creates conditions adverse to the best interest of the highway users, the general public, or presents a threat to highway safety, then the Occupant, upon notification by the City shall promptly remove the encroachment from the highway right of way.
- 9 Failure by the Applicant to comply with the provisions of this permit is cause for the City to terminate this permit and to require the Applicant to take immediate action to clear the right of way to a safe condition.
- 10 Applicant agrees to renew this permit annually each January by submitting renewal form and current fee established by the La Crosse Common Council.