



City of Grand Island

Tuesday, August 19, 2003

Study Session

Item -3

Discussion Concerning License Agreements

License Agreements can be approved administratively (by Staff) or encroachments in easements, streets or alleys. Staff is reluctant to approve license agreements for fences. If a request for a license agreement is denied by staff, the applicant can request that the license agreement be considered by council.

Staff has a pending requests for a fence to be built in the Row in front of 229 Carey. We also have a request for a license agreement for a fence that was replaced where the old fence was and for a new playground, both of which encroach on the street ROW at 2103 W Koenig Street.

If council directs, staff will come back with a item for approval of license agreements for these encroachments at the August 26th Council Meeting.

Staff would also recommend that council approval is required for all structures and fences in the ROW.

Staff Contact: Steven P. Riehle, Public Works Director/City Engin

Easements and ROW are for:

- Streets
- Alleys
- Electric Lines
- Water Mains
- Sanitary Sewer Mains
- Other Utilities



City Responsibilities

- Maintenance of
 - ◆ Public streets
 - ◆ Storm sewer system
 - ◆ Water Mains
 - ◆ Sanitary sewer mains
 - ◆ Electrical lines

Property Owner Responsibilities

- Maintenance of
 - ◆ service lines
 - ◆ driveways
 - ◆ private streets, sewer, and water lines
 - ◆ Area between street and property line
- Keep encroachments out of Right of Way and Easements
- Installation and maintenance of sidewalks.







License Agreements

- Allows private use of
 - ◆ Public Right-of-Way
 - ◆ Easements
- Filed at Register of Deeds
- Stays with the land through subsequent ownership
- Can be repealed with 30 days notice

License Agreements Usually approved for:

- Garages/Sheds that are 1' into ROW or alley
- Private sanitary sewer services
- Paving in an easement
- Paving of an alley
- Minor encroachments

Pending Requests

- 229 Carey
 - ◆ Fence in Front Yard
- 2103 W Koenig
 - ◆ Fence and
 - ◆ Playground Equipment



Staff Recommendation

- Administrative License Agreements:
 - ◆ Private Sanitary Sewer Services
 - ◆ Paving in Alleys or Easements
 - ◆ Other Minor Encroachments
- Council Approved License Agreements
 - ◆ Structures in the ROW
 - ◆ Fences
 - ◆ Sheds
 - ◆ Garages