

Appendix 4: Application

To: Economic Development Division
Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P. O. Box 2983
Madison, WI 53701-2983

Attn: Jenny Frese
Real Estate Agent
608-267-8719

APPLICATION
DECORATIVE PAVEMENT PAINTING PERMIT – MGO 10.42

1. Full legal business name of applicant association**: _____

Association type: _____

2. Name of Association agent or designee: _____
(If applicant is incorporated, also provide name of Registered Agent):

Mailing Address: _____

Phone Number: () _____

E-Mail Address: _____

3. Description and depiction of the proposed street location and decorative pavement painting. (Ex: intersection, street names, block and/or property numbers). **Please attach a color drawing or plan showing the detailed color design and proposed location, at a legible scale with dimensions included. Include locations of curb ramps, marked crosswalks, stop bars, and other relevant traffic markings and features.**

4. I, _____, certify that the district Alder has been notified and provided with a copy of this application via mail or email.

Alder district and name of Alder: _____

Eligible Applicants include a Neighborhood Association or Neighborhood Planning Council or business association recognized as such by the City, or other non-profit community organization that holds **insurance (see #3 on following page). The location to be painted must be within the area served by the organization.

IN MAKING THIS APPLICATION THE UNDERSIGNED IS AWARE OF AND AGREES TO THE FOLLOWING REQUIREMENTS, AS WELL AS THOSE SET FORTH IN MADISON GENERAL ORDINANCES 10.31 AND 10.42:

1. **APPLICATION FEE.** A non-refundable application fee of **\$150**, made to the City Treasurer, shall accompany this application. If the application is not approved, or the conditions of approval are unacceptable to the applicant, the applicant may appeal the rejection or conditions to the Board of Public Works, within 30 days of notification of the City's decision.
2. **INDEMNIFICATION.** If the Pavement Painting permit is approved, **APPLICANT AGREES TO BE LIABLE TO AND INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF MADISON, ITS OFFICERS, OFFICIALS, AGENTS AND EMPLOYEES, AGAINST ALL LOSS OR EXPENSE (INCLUDING LIABILITY AND ATTORNEY'S FEES) BY REASON OF ANY CLAIM OR SUIT, OR OF LIABILITY IMPOSED BY LAW UPON THE CITY OR ITS OFFICERS, OFFICIALS, AGENTS OR EMPLOYEES FOR DAMAGES BECAUSE OF BODILY INJURY, INCLUDING DEATH AT ANY TIME RESULTING THEREFROM, SUSTAINED BY ANY PERSON OR PERSONS OR ON ACCOUNT OF DAMAGES TO PROPERTY, INCLUDING LOSS OF USE THEREOF, ARISING FROM, IN CONNECTION WITH, CAUSED BY OR RESULTING FROM THE ACTS OR OMISSIONS OF THE APPLICANT OR ITS OFFICERS, OFFICIALS, MEMBERS, AGENTS, EMPLOYEES, ASSIGNS, GUESTS, INVITEES, SUBLESSEES OR SUBCONTRACTORS, ARISING OUT THE ACTIVITIES FOR WHICH THE PERMIT IS GRANTED, WHETHER CAUSED BY OR CONTRIBUTED TO BY THE NEGLIGENCE OF THE CITY OR ITS OFFICERS, OFFICIALS, AGENTS OR EMPLOYEES.**
3. **INSURANCE.** If the permit is granted, applicant is required to provide proof of commercial general liability insurance with minimum limits of \$1,000,000 per occurrence, contractual liability coverage, naming the City of Madison and its officers, officials, agents and employees as additional insured. The City Risk Manager reserves the right to requires higher limits and other coverage terms. Applicant shall keep the required insurance in effect throughout the term of the permit. Insurance can be provided after the permit is issued but before the day of painting.
4. **REPAIR OF DESIGN.** The applicant is solely responsible for maintaining the design in good condition and repair. If the design becomes deteriorated or damaged and in the opinion of the City, the design is repairable, the applicant must repair it or make arrangements for the repair within sixty (60) days of written notice by the City. "Repair" means restoring the original design to the originally-approved specifications. All repairs or maintenance, whether voluntary or in response to a notice under this section, shall be in compliance with all requirements MGO 10.42 and will require a new Street Use Permit. If the design is not repaired according to the notice, the City may remove the design and restore the roadway to its previous condition, at the expense of the applicant. The procedures in this paragraph for maintenance and removal may be exercised in addition to the procedure for removal of an encroachment in Sec.10.31(3) (c). Removal and charges for costs associated with removal shall be as allowed by Sec. 10.31.
5. In accepting the permit, the applicant waives any and all right to contest in any manner the validity of City of Madison Ordinances 10.31 and 10.42 or Sections 66.0425 and 182.0175, Wisconsin Statutes, or the amount of compensation charged by the City of Madison.
6. The applicant may be required to comply with additional conditions imposed by City staff advisors, more particularly, the City Traffic Engineer.

I have read this entire application form and paragraphs 1-6 above and have had an opportunity to ask questions. I have been authorized by the applicant association to sign this application and agreement on behalf of the applicant and to bind the applicant to the terms of this application including paragraphs 1-6 above.

APPLICANT OR DESIGNEE/AGENT:

Signature

Print Name

Phone Number

E-Mail Address

Date

THE PROCEDURE FOR REVIEW AND APPROVAL OF THIS APPLICATION IS AS FOLLOWS:

1. Applicant contacts Traffic Engineering to confirm location is acceptable.
2. Applicant develops pavement painting design based on the criteria in MGO 10.42. Applicant should pre-approve the design with Traffic Engineering before gathering petition signatures.
3. Applicant must provide a petition with signatures from not less than sixty percent (60%) of the total number of residential dwelling units, businesses, and non-residential properties within a two hundred (200) foot radius from the proposed design location, indicating approval of the project and location. The petition area can be expanded at the discretion of the City Traffic Engineer up to a radius of six hundred (600) feet (approximate distance of a standard City block). Each dwelling unit, business, and non-residential property is entitled to one signature. The petition form is included in the Decorative Pavement Painting Information and Application packet. Traffic Engineering will determine the petition area based on the location and design.
4. Applicant, completes an application for Decorative Pavement Painting Permit showing the proposed location, design and including the petition to be approved through the Privilege in Streets *process* per MGO 10.31. The Decorative Pavement Painting Information and Application packet can be obtained online or from the Economic Development Division, 215 Martin Luther King, Jr. Boulevard, GR-100, Madison, WI 53710.
5. Applicant submits completed application form to the Economic Development Division along with drawings, petition and \$150 application fee.
6. The application materials are reviewed by City staff to determine conditional approval or rejection.
7. If approved, the applicant is furnished with a copy of the Decorative Pavement Painting Permit setting forth the requirements under which the encroachment is permitted.
8. Applicant presents Decorative Painting Permit, along with application for Street Use to the City Parks Department to obtain a Street Use Permit. Street Use application can be found at: <http://www.cityofmadison.com/specialevents/blockParties/> and is required to close the street during the paint project. Call the Parks Special Event Coordinator at 266-6033 with questions
9. Applicant submits certificate of insurance to **City Traffic Engineering, 215 Martin Luther King Jr. Blvd. Room 100**, or email: traffic@cityofmadison.com, **at least 2 business days prior to the date of painting**, so it can be approved by the City Risk Manager.

THIS PROCESS TAKES ABOUT 2 – 4 WEEKS