

AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT
TO MAINTAIN TABLES AND CHAIRS ON A
PORTION OF THE CITY’S RIGHT-OF-WAY WITH
BERN GALLERY

In the year Two Thousand Ten.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, BERN NATION, INC. d/b/a BERN GALLERY of Burlington, Vermont
(hereinafter BERN GALLERY) is an establishment doing business in a commercial building
located at 135 Main St. in the City of Burlington, Vermont; and

WHEREAS, BERN GALLERY desires to place 3 table and 12 chairs in the public right-
of-way in front of its establishment at 135 Main St.; and

WHEREAS, BERN GALLERY wishes to enter into a License Agreement with the City
for such tables and chairs; and

WHEREAS, the placement of the respective tables and chairs has been reviewed and
approved by the Department of Public Works with conditions to address public safety concerns;
and

WHEREAS, the Charter of the City of Burlington, Sec. 48XLIX and the Code of
Ordinances Sec. 27-32 require authorization by the City Council for such use of a public
thoroughfare for periods in excess of thirty (30) days;

NOW, THEREFORE, BE IT RESOLVED that this City Council hereby authorizes
BERN GALLERY to place 3 tables and 12 chairs on a portion of the public right-of-way
adjacent to its establishment at 135 Main Street as indicated in and pursuant to its License

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40 Agreement upon entering into the License Agreement in substantially the form attached hereto;

41 and

42 BE IT FURTHER RESOLVED that Mayor Bob Kiss be and hereby is authorized to

43 execute a License Agreement, in substantially the form attached, on behalf of the City of

44 Burlington for a term commencing on the date of execution of the License Agreement and

45 terminating on April 30, 2011.