

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20770

A RESOLUTION GRANTING AN EXCLUSIVE RIGHT-OF-WAY USE PERMIT TO ALLOW AN ADA RAMP INSTALLED IN THE PUBLIC RIGHT-OF-WAY

WHEREAS, the Helena City Commission has before it a request to grant Montana Tony Prothero, on behalf of Pattern House Holdings, LLC, (Applicant) an exclusive public right-of-way use permit to allow placement of an ADA accessible ramp construction in the right-of-way adjacent and appurtenant to the building at 1229 E. Lyndale Avenue, in Helena, Lewis and Clark County, Montana;

WHEREAS, a public hearing was held on this matter at the regular City Commission meeting **at 6 p.m. on September 12, 2022**, in the Commission Chambers in the City-County Building, 316 North Park Avenue, in Helena, Montana as contemplated by Helena City Code § 7-13-5(B) (7);

WHEREAS, the City Commission has considered the information contained in the application, the information presented at the public hearing, and has considered whether the proposed exclusive use of public right-of-way meets the requirements of Helena City Code § 7-13-5(A); and

WHEREAS, based on its consideration of all of those matters, the Helena City Commission hereby specifically finds as follows:

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1. That a public hearing was held by the City Commission after required legal notices were given, and the public has been given an opportunity to be heard on the matter; and


2. That the proposed exclusive use of public right-of-way is immediately adjacent and appurtenant to the applicant's property; and

3. That the proposed exclusive use of public right-of-way of the sidewalk still allows for a 7-foot sidewalk to be used by the public.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. An exclusive right-of-way use permit is hereby granted allowing the Applicant to construct an ADA accessible ramp as shown on the attached "Exhibit A," subject to the payment of an annual fifty-dollar fee.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 20th DAY OF September 12, 2022.



MAYOR

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

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A handwritten signature in blue ink, appearing to read "Dennis C. Johnson", is written over a horizontal line.

CLERK OF THE COMMISSION