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RESOLUTION NO. 2020-102

A RESOLUTION OF THE ALBANY CITY COUNCIL APPROVING AN ENCROACHMENT PERMIT TO ALLOW A RETAINING WALL IN THE PUBLIC RIGHT-OF-WAY AT 955 ORDWAY STREET

WHEREAS, Ordway Street public right-of-way is 70 feet total. The roadway, curb to curb, is 36 feet, leaving 17 feet on each side of the street for planter strip, sidewalk, and front yards; and

WHEREAS, the property at 955 Ordway Street is 45 ft. wide by 119 ft. deep lots with a single-family residence; and

WHEREAS, the property owner of 955 Ordway Street has constructed a retaining wall in the public right-of-way.

NOW, THEREFORE, BE IT RESOLVED, that the Albany City Council hereby authorizes staff to approve an encroachment permit to allow a retaining wall in the public right-of-way at 955 Ordway Street in accordance with Section 14-2 “Use of Right-of-Way” of the Albany Municipal Code; and

BE IT FURTHER RESOLVED, that conditions of approval be imposed to ensure that the construction of the retaining wall is consistent with City regulations, including but not limited to:

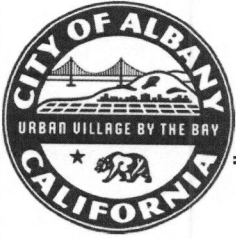
1. Recordation of an indemnity and hold harmless agreement
2. Compliance with noise regulations contained in Municipal Code Section 8-1
3. Compliance to public nuisance regulations contained in Municipal Code Chapter 18

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- 4. Compliance with requirements to maintain improvements in the right-of-way contained in Municipal Code Section 14-2
- 5. Compliance with stormwater drainage requirements



NICK PILCH, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2020-102

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF
ALBANY, The 19th day of October, 2020, by the following votes:

AYES: Council Members Barnes, Maass, McQuaid, and Mayor Pilch

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: Council Member Nason

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this
20th day of October, 2020.

Anne Hsu
CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.