

RESOLUTION R- 3739

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND GRANTING A STREET USE FRANCHISE TO ELENA JUNE BRANCH, d/b/a EMERALD CITY CARRIAGE TOURS.

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. A non-exclusive street use franchise shall issue to Elena June Branch, d/b/a Emerald City Carriage Tours ("Applicant") for the purpose of providing horse and carriage rides along the following routes which include public streets within the City of Kirkland:

Route 1 - From Marina Park (Kirkland Avenue), left onto Lake Street, right onto Park Lane, right onto Third Street, right onto Kirkland Avenue returning to Marina Park.

Route 2 - From Marina Park (Kirkland Avenue), left onto Lake Street, right onto Park Lane, right onto Third Street, left onto Kirkland Avenue, left into Parkplace to the theaters, exiting Parkplace onto Kirkland Avenue continuing to Marina Park.

Other Routes - Such other route or routes as may be authorized by, and subject to such additional conditions as may be required by, the Director of the Department of Public Works. The Director shall file with the City Clerk a detailed description of the route and any additional conditions, accompanied by a report setting forth the reasons justifying the Director's decision.

Section 2 Issuance of said street use franchise is subject to the following conditions and a breach of any one of said conditions by the Applicant shall be

grounds for an immediate revocation of the street use franchise

1. Applicant shall be in compliance with all applicable state, federal, and city laws and safety regulations, such as City of Kirkland business license requirements and laws prohibiting entry upon private property when such entry would constitute criminal trespass.

2. Applicant's activities shall not result in blockage of parking or service areas in Marina Park.

3. No horse or carriage will use said routes on Monday through Friday between the hours of 7.00 a.m. and 9:00 a.m. and 4 00 p m. and 7:00 p m.

4. All traffic signs and signals must be obeyed.

5. Applicant will ensure that animal waste is not deposited on City right-of-way or in any place or in a manner which constitutes a public nuisance or otherwise fail to comply with all applicable state and city laws governing the disposal of such waste.

6. The horse and carriage shall not stop or load in any travelled-way portion of City streets, except in marked loading zones.

7. Applicant shall have and maintain public liability insurance that covers \$1,000,000.00 of insurance coverage per person and \$2,000,000.00 of insurance coverage per occurrence. This coverage shall list the City of Kirkland as an additional named insured. A copy of the coverage is to be on file with the City Clerk.

8. No cart or horse trailer

associated with Applicant's activities will be stored on City right-of-way.

9. Applicant shall empty a garbage can/waste container at horse and carriage loading sites at least daily, and more frequently if directed so to do by the Director of the Department of Public Works.

10. Applicant shall clean, by broom, horse and carriage loading sites daily, at the end of the day's usage

11 This non-exclusive street use franchise shall expire as of midnight, March 31, 1993.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 19th day of May, 1992.

Signed in authentication thereof this 19th day of May, 1992.


MAYOR

Attest.


Deputy City Clerk

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