



City of Chicago



SO2019-7675

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	9/18/2019
Sponsor(s):	Reilly (42)
Type:	Ordinance
Title:	Grant(s) of privilege in public way for Blommer Chocolate Co., The - occupation of space
Committee(s) Assignment:	Committee on Transportation and Public Way

Substitute
42

ORDINANCE
THE BLOMMER CHOCOLATE CO
Acct. No. 3168 - 1
Permit No. 1142217

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Permission and authority are hereby given and granted to THE BLOMMER CHOCOLATE CO, upon the terms and subject to the conditions of this ordinance to construct, install, maintain and use one (1) Occupation of Space(s) on the public right-of-way adjacent to its premises known as 600 W. Kinzie St..

Said Occupation of Space at North Jefferson Street, between West Hubbard Street & West Kinzie Street measure(s):

One (1) at one hundred eighty-two (182) feet in length, and seventy-one point seven five (71.75) feet in width for a total of thirteen thousand fifty-eight point five (13058.5) square feet. Said occupation of space shall be used for the loading and offloading of cocoa beans.

The location of said privilege shall be as shown on prints kept on file with the Department of Business Affairs and Consumer Protection and the Office of the City Clerk.

Said privilege shall be constructed in accordance with plans and specifications approved by the Department of Planning and Development, Department of Transportation (Division of Project Development), and Department of Transportation (Office of Underground Coordination).

This grant of privilege in the public way shall be subject to:

1. The provisions of Section 10-28-015 and all other required provisions of the Municipal Code of Chicago; and
2. The Commissioner of the City's Department of Transportation (the "Department") is authorized to enter into an operations agreement ("Operations Agreement") with the Grantee. The Operations Agreement shall be in a form reasonably acceptable to the City and shall include the following terms, as such terms may be amended by the Commissioner of the Department:
 - a. Grantee shall assign a dock manager, 24 hours per day to manage deliveries and pick-ups. The dock manager's phone number will be made available to City agencies for real-time assistance. For purposes of this Section 2.a., "dock manager" refers to the individual(s) who: (i) monitors and evaluates the safe and efficient loading and unloading process of freight; (ii) conducts daily inspections to ensure compliance with local, state, and federal safety regulations, as well as OSHA compliance; (iii) ensures that trailers are loaded correctly to ensure safe transport of freight; and, (iv) inspects trailers throughout the day for cleanliness and to ensure correct loading/unloading techniques are being used;
 - b. Grantee shall establish a staggered delivery schedule with trucks radioed in from off-site;
 - c. Truck staging shall not occur on the public right of way;
 - d. If there is a conflict and multiple trucks are on-site at once, trucks not making active deliveries / pick-ups should stage in Grantees' designated "Truck Staging Area" per diagram;
 - e. All deliveries must adhere to the Municipal Code of Chicago;
 - f. Grantee shall regrade and resurface West Hubbard Street, from North Des Plaines Street to North Jefferson Street, to facilitate improved operations on West Hubbard Street;
 - g. Grantee shall establish a timeline for removal of tanks and delivery infrastructure from West Kinzie Street and North Des Plaines Street frontages, and relocation to North Jefferson Street. Grantee shall provide the timeline

for the removal of such tanks and delivery infrastructure prior to a vacation, if any, of North Hubbard Street and North Jefferson Street, and

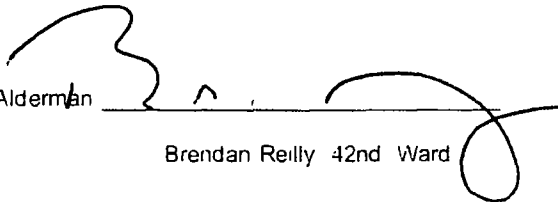
h. Grantee shall meet with City representatives upon their request for the purpose of reviewing Grantee's compliance with the Operations Agreement. The City, at its sole discretion, may revoke the grants of privilege set forth herein, if Grantee fails to comply with the Operations Agreement.

The grantee shall pay to the City of Chicago as compensation for the privilege #1142217 herein granted the sum of thirty-nine thousand nine hundred fifty-nine (\$39,959.00) per annum in advance.

A 25% penalty will be added for payments received after due date.

The permit holder agrees to hold the City of Chicago harmless for any damage, relocation or replacement costs associated with damage, relocation or removal of private property caused by the City performing work in the public way.

Authority herein given and granted for a period of five (5) years from and after the effective date of the Operations Agreement.

Alderman 
Brendan Reilly 42nd Ward