

Resolution of the City of Atlantic City

No. 438

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/ Karl Timbers

Director of Planning & Development /s/ Jacques Howard

Prepared by City Solicitor's Office

Council Members SHABAZZ, RANDOLPH & MARSHALL present the following Resolution:

RESOLUTION GRANTING A REVOCABLE LICENSE AGREEMENT FOR A SIGN ENCROACHMENT OVER THE PUBLIC SIDEWALK AT 1618 PACIFIC AVENUE (Block 48.01, Lot 3, 4)

WHEREAS, Farmers NJ, LLC hereafter referred to as “Applicant” has proposed replacement of the existing awning with name change at the entrance of the business located at 1618 Pacific Avenue in Block 48.01, lot 3, 4 (the “Property”); and

WHEREAS, Applicant, the new proprietor, proposes to install a new canopy/awning with the new business name above the entrance, completeness review is attached as Exhibit A; and

WHEREAS, Applicant received conditional Certificate of Land Use Compliance approval from the CRDA contingent upon the Applicant obtaining a license from the City permitting the projecting canopy/awning over the public sidewalk; and

WHEREAS, Applicant presented their request to and received approval from the City Council Planning & Development Subcommittee on May 30, 2024; and

WHEREAS, the City is a municipal corporation of the State of New Jersey, owning and controlling certain rights of way within its territorial limits, as shown on the tax map of the City of Atlantic City, which Sidewalk abuts the Applicant’s Property; and

WHEREAS, the Applicant is specifically requesting permission from the City to maintain certain encroachments upon City-owned real property and within the City’s right-of-way for the new canopy/awning containing business name; and

WHEREAS, the awning would be installed and maintained solely at the Applicant’s expense and without cost to the City; and

WHEREAS, City Council finds and declares that the public interest of the City will be served by the granting to the applicant a REVOCABLE LICENSE; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Atlantic City, that for the consideration of one dollar (\$1.00) paid by applicant, the Mayor is hereby authorized to execute and the City Clerk to attest to a REVOCABLE LICENSE to authorize the Applicant to encroach into and upon the City’s rights-of-way, as more particularly set forth and described in the attached form of License Agreement.

