

OFFICE OF THE MAYOR
Telephone: (716) 286-4310

June 2, 2023

The City Council
Niagara Falls, New York

***RE: Encroachment on City Right-of Way
324 Niagara Street – Daredevil Records***

Council Members:

Jessica Berry, the proprietor of Daredevil Records, has applied for an encroachment into the City's right-of-way for an exterior patio. This application has been reviewed by the appropriate City departments and it is recommended that it be granted, subject to the following conditions:

1. The owner will add the City of Niagara Falls as an additional insured on its liability insurance policy and provide a copy to the City.
2. The owner will defend and indemnify the City from liability related to the patio encroachment.
3. The City can revoke permission for the encroachment on ninety (90) days notice.
4. The City right-of-way will not be obstructed and will at all times allow for the safe passage of pedestrians.

Will the Council so approve?

Respectfully submitted,

CHRISTOPHER M. MAZUR
Corporation Counsel

Bax _____ Cauley _____ Myles _____ Tompkins _____ Zajac _____