



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 060891

Introduced November 30, 2006

Councilmember Clarke

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Granting permission to Muhammad R. Shaukat, owner and operator of the newsstand located on the southeast corner of Broad Street and Montgomery Avenue, to construct, use and maintain overhead electrical and telecommunications lines from an existing utility pole over and across the public right-of-way, for the purpose of supplying electrical service and telephone service to said newsstand.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Muhammad R. Shaukat, owner and operator of the newsstand located on the southeast corner of Broad Street and Montgomery Avenue, to construct, use and maintain overhead electrical and telecommunications lines from an existing utility pole over and across the public right-of-way, for the purpose of supplying electrical service and telephone service to said newsstand.

The construction and maintenance of said overhead electrical and telecommunications lines shall be in accordance with the rules and regulations of the City of Philadelphia and specifically those of the Department of Licenses and Inspections, Streets, and Public Property.

No City department, agency, board or commission shall be required solely by virtue of this Ordinance to issue any permit, license, or approval that Muhammad R. Shaukat must by law obtain prior to construction in the public right-of-way.

This Ordinance specifically does not grant Muhammad R. Shaukat permission to install or use any machine or device outside the exterior wall of the newsstand.

City of Philadelphia

BILL NO. 060891 continued

SECTION 2. Before exercising any rights and privileges under this Ordinance, Muhammad R. Shaukat shall enter into an agreement ("Agreement") with the appropriate City department or departments, in a form satisfactory to the City Solicitor, to provide that Muhammad R. Shaukat:

(a) Furnish the City with a bond with corporate surety in the amount and in form satisfactory to the City Solicitor to insure the compliance with all the terms and conditions of this Ordinance and the Agreement and to protect and to indemnify the City from all damage or claims for damages which may arise directly or indirectly as a result of the construction, use and maintenance of the conduit authorized by Section 1.

(b) Secure all necessary permits, licenses, and approvals from all appropriate departments, agencies, boards, or commissions of the City or other governmental entity as may be required by law.

(c) Provide written proof that PECO Energy Company has approved the location, design and connection of the overhead electrical service line to the existing PECO facilities and newsstand.

(d) Provide written proof that Verizon-PA Inc., has approved the location, design and connection of the overhead telecommunication service line to the existing Verizon – PA Inc. facilities and newsstand.

(e) Assume the cost of all changes and adjustments to, and relocation and abandonment of, all utilities and structures wherever located as may be necessary by reason of the installation of the telephone service.

(f) Carry public liability and property damage insurance, naming the City of Philadelphia as an insured party, in such amounts as shall be reasonably satisfactory to the City Solicitor.

SECTION 3. The City Solicitor shall include in the Agreement such other terms and provisions as shall be deemed necessary to protect the interest of the City of Philadelphia.

SECTION 4. The permission granted to construct, use and maintain overhead electrical and telecommunications lines shall expire without any further action by the City of Philadelphia if Muhammad R. Shaukat has not entered into the Agreement and satisfied all requirements of the Agreement and the requirements that are listed in Section 2 of this Ordinance within one (1) year after this Ordinance becomes law.

City of Philadelphia

BILL NO. 060891 continued

SECTION 5. This Ordinance shall not become effective unless the sum of two hundred dollars (\$200.00), toward costs thereof, is paid into the City Treasury within sixty (60) days after this Ordinance becomes law.

City of Philadelphia

BILL NO. 060891 continued