

City of Philadelphia



(Bill No. 020359)

AN ORDINANCE

Authorizing Center City District to construct, own and maintain 97 pedestrian street light poles and luminaries along Market street between Fifteenth street and the Schuylkill River and 50 pedestrian street light poles and luminaries along John F. Kennedy boulevard between Fifteenth street and Twentieth street, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Center City District, 917 Filbert Street, Philadelphia, PA 19107, to construct, own and maintain:

(a) ninety-seven (97) street light poles, luminaries and footings along the north footway and south footway of Market street between Fifteenth street and the Schuylkill River;

(b) fifty (50) street light poles, luminaries and footings along the north footway and south footway of John F. Kennedy boulevard between Fifteenth street and Twentieth street;

(c) each street light pole will be approximately fifteen feet, six inches (15'-6") high and off set approximately two feet (2') from the curb line to the centerline of each pole. The private street light will supported by a two-foot (2') square footing extending approximately two feet (2') below the sidewalk grade;

(d) the electrical conduit and electrical service for each street light will continue to be owned by the City of Philadelphia.

SECTION 2. Before exercising any rights and privileges under this Ordinance, Center City District must first obtain all required permits, licenses and approvals from all appropriate City departments, boards, agencies or commissions. No such department, board, agency or commission shall be required to issue any such permit, license or approval solely because this Ordinance has been enacted, it being the express intent of this Ordinance not to supersede any other provision of law governing the issuance of such permits, licenses or approvals. In addition, before exercising any rights or privileges under this Ordinance, Center City District shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that Center City District shall, *inter alia*:

City of Philadelphia

BILL NO. 020359 continued

Certified Copy

(a) submit documentation in a form and content acceptable to the City Solicitor that Center City District self-assumes liabilities and obligations normally covered by Surety Bond;

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

(c) assume the cost of all changes or adjustments to, or relocation or abandonment of, all utilities and structures within the public right-of-way which are necessary for the installation of the facilities authorized by Section 1 of this Ordinance;

(d) carry public liability and property damage insurance that covers the facilities authorized to be constructed within the public right-of-way in Section 1, naming the City of Philadelphia as an insured party, in such amounts as shall be reasonably satisfactory to the City Solicitor;

(e) remove any or all of the facilities authorized by Section 1 of this Ordinance from the public right-of-way pursuant to the applicable City specifications within sixty (60) days notice when any of the facilities are no longer used for the purpose authorized by this Ordinance.

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 by this Ordinance shall automatically terminate without any further legislative action by the City of Philadelphia when the facilities authorized by Section 1 of this Ordinance are no longer being used by Center City District for the purpose authorized by this Ordinance.

SECTION 5. The permission granted to Center City District to construct, own and maintain the facilities authorized by Section 1 of this Ordinance shall expire without any further action by the City of Philadelphia if Center City District has not entered into the Agreement and satisfied all requirements of the Agreement that are listed in Section 2 of this Ordinance within two (2) years after this Ordinance becomes law.

SECTION 6. This Ordinance shall not become effective unless the sum of two hundred dollars (\$200.00), toward the costs thereof, is paid into the City Treasury within sixty (60) days after this Ordinance becomes law.

City of Philadelphia

BILL NO. 020359 continued

Certified Copy

City of Philadelphia

BILL NO. 020359 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 13, 2002. The Bill was Signed by the Mayor on September 6, 2002.



Marie B. Hauser
Chief Clerk of the City Council