



City of Philadelphia

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

BILL NO. 090702

Introduced October 8, 2009

Councilmember Blackwell

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

AN ORDINANCE

Granting permission to the Trustees of the University of Pennsylvania, University of Pennsylvania Health System, 3624 Market Street, Suite 575 West, Philadelphia, PA 19104, for the installation of information signs and planters on the public sidewalk located on the 3400 block of Civic Center Boulevard, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to the Trustees of University of Pennsylvania, University of Pennsylvania Health System, to construct, own and maintain information signs and planters on the public sidewalk located on the 3400 block of Civic Center Boulevard as follows:

The encroachment consists of three (3) freestanding aluminum sign structures and five (5) planters. The signs will leave a clear pedestrian passage of 22 feet. The planters will leave a clear pedestrian passage of 10 feet. The information signs and planters shall be constructed as more fully described in the attached Exhibit "A."

SECTION 2. Before exercising any rights or privileges under this Ordinance, the Trustees of University of Pennsylvania, University of Pennsylvania Health System must first obtain all required permits, licenses and approvals from all appropriate 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, the Trustees of University of Pennsylvania, University of Pennsylvania Health System shall enter into an agreement ("Agreement") with the appropriate City department(s), in a form satisfactory to the Law Department, which shall:

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(a) furnish the City with a bond with corporate surety in an amount required by the Streets Commissioner and in a form satisfactory to the Law Department to insure the compliance with all the terms and conditions of this Ordinance and the aforementioned agreement;

(b) protect, indemnify and save harmless the City from all suits or claims for damages which may arise directly or indirectly as a result of the information signs and planters on the 3400 Block of Civic Center Boulevard;

(c) comply with the provisions of The Philadelphia Code thereby securing all required permits, licenses and approvals from all appropriate departments, boards, agencies or commissions, as may be required;

(d) agree in writing that when, at the determination of the City of Philadelphia, the information signs and planters on the 3400 Block of Civic Center Boulevard necessitate relocation and/or removal of any underground structure, either publicly or privately owned, the Trustees of University of Pennsylvania, University of Pennsylvania Health System will absorb all costs and expenses for the performance of such work at no cost to the City;

(e) insure that the information signs and planters encroach on Civic Center Boulevard no more than the dimensions listed in Section 1, provided that the Streets Department, in its sole unreviewable discretion, may allow minor variations of the dimension limits of Section 1, within standard tolerances of current engineering practice;

(f) carry public liability and property damage insurance, co-naming the City of Philadelphia as an insured party in such amounts as shall be satisfactory to the Law Department; and

(g) remove the information signs and planters on the 3400 Block of Civic Center Boulevard within one hundred and eighty (180) days upon service of lawful written notice from the Streets Department.

SECTION 3. The Law Department shall include in the Agreement such other terms and conditions as shall be deemed necessary or appropriate in the interest of the City.

SECTION 4. The permission granted to the Trustees of University of Pennsylvania, University of Pennsylvania Health System for an encroachment of the public sidewalk for the installation of information signs and planters shall expire without any further action by the City of Philadelphia if the Trustees of University of Pennsylvania, University of

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Pennsylvania Health System has not entered into the Agreement that is required by Section 2 within one (1) year after this Ordinance becomes law.

SECTION 6. This Ordinance shall not become effective unless the sum of two hundred dollars (\$200), toward costs thereof, is paid into the City Treasury within sixty (60) days after the date this Ordinance becomes law.

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EXHIBIT "A"

Sign	Distance from south curb Civic Center Boulevard (ft.)	Distance from east curb East Service Drive (ft.)	Distance from west curb Convention Avenue (ft.)	Encroachment (ft.)	Dimensions of Sign
1	28	N/A	21	20	(26' high) 3' x 3' 11"
2	2	161	N/A	10	(5' 4" high) 4' 5" x 9"
3	3	44	N/A	9	(20' high) 2' 4" x 6' 1"

Planter	Distance from south curb Civic Center Boulevard (ft.) to center of planter	Length (ft.)	Encroachment (ft.) (maximum)
1	303	33	1.2
2	360	41	1.2
3	420	21	1.2
4	458	23	1.2
5	544	29	1.2