

City of Philadelphia



(Bill No. 010396)

AN ORDINANCE

Authorizing the Parkway Corporation, owner of the properties 1501-1509 Spruce street and 1506-1508 Latimer street Philadelphia, PA 19102, to construct and maintain two electrified marquees with illuminated hanging signs attached to the properties and projecting over the north footway of Spruce street and the west footway of Fifteenth street, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to the Parkway Corporation, 150 North Broad street, Philadelphia, PA 19102, owner of the properties 1501-1509 Spruce street and 1506-1508 Latimer street, Philadelphia, PA 19102, to construct and maintain two (2) electrified marquees with illuminated hanging signs projecting from the properties over the public right-of-way at the following locations:

a) over the garage entrance on the north side of Spruce street, with an overall length of approximately sixteen feet (16'). The marquee and hanging sign will be located between a point approximately ninety-five feet (95') west of the west curb line of Fifteenth street and a point approximately one hundred and eleven feet (111') west of the west curb line of Fifteenth street. The marquee and hanging sign will project a maximum of eight feet (8') over the north footway of Spruce street with the lowest point of the ten foot (10') high marquee being approximately twelve feet, nine inches (12'-9") above the footway and the lowest point of the two foot (2') high sign hanging below the marquee being approximately ten feet, nine inches (10'-9") above the footway. The highest point of the marquee will be approximately twenty-two feet, nine inches (22'-9") above the footway. The overall combined height of the electrified marquee with the hanging sign will be approximately twelve feet (12');

b) over the garage entrance on the west side of Fifteenth street, with an overall length of approximately thirty feet (30'). The marquee will be located between a point approximately fifty-one feet (51') south of the south curb line of Latimer street and a point approximately eighty-one feet (81') south of the south curb line of Latimer street. The marquee and its attached hanging sign will project a maximum of eight feet (8') over the west footway of Fifteenth street with the lowest point of the ten foot (10') high marquee being approximately twelve feet, five inches (12'-5") above the footway and the lowest point of the two foot (2') high sign hanging below the marquee being approximately ten feet, five inches (10'-5") above the footway. The highest point of the marquee will be approximately twenty-two feet, five inches (22'-5") above the footway.

City of Philadelphia

BILL NO. 010396 continued

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The overall combined height of the electrified marquee with the hanging sign will be approximately twelve feet (12').

SECTION 2. Before exercising any rights or privileges under this Ordinance, the Parkway Corporation 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, before exercising any rights or privileges under this Ordinance, the Parkway Corporation shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that the Parkway Corporation shall, *inter alia*:

(a) Furnish the City with a bond with corporate surety in the amount required by the Department of Streets and in a form satisfactory to the City Solicitor to insure the compliance with all the terms and conditions of this Ordinance and the 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 erection of the two electrified marquees with hanging signs.

(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) Insure that the electrified marquees with hanging signs encroach over the public rights-of-way no more than the dimensions set forth in Section 1.

(e) 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 City Solicitor.

(f) Remove the electrified marquees with hanging signs within sixty (60) days upon lawful service of notice from the City of Philadelphia.

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

SECTION 4. The permission granted to the Parkway Corporation to construct and maintain two electrified marquees with hanging signs attached to the properties 1501-1509 Spruce street and 1506-1508 Latimer street over the north footway of Spruce street and the west footway of Fifteenth street shall expire without any further action by the City of Philadelphia if the Parkway Corporation has not entered into the Agreement and

City of Philadelphia

BILL NO. 010396 continued

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satisfied all requirements of the Agreement and this Ordinance that are listed in Section 2 of the Ordinance within one (1) year after this Ordinance becomes law.

SECTION 5. 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. 010396 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 14, 2001. The Bill was Signed by the Mayor on August 31, 2001.



Marie B. Hauser
Chief Clerk of the City Council