



City of Philadelphia

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

BILL NO. 110521

Introduced June 16, 2011

Councilmember Clarke

**Referred to the
Committee on Public Property and Public Works**

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," and Title 16 of The Philadelphia Code, entitled "Public Property," to provide for a comprehensive plan for the placement of advertising on municipal property, and further, to allocate the proceeds of advertising on municipal property to an Education Fund, all under certain terms and conditions.

WHEREAS, The State proposed unprecedented cuts in education throughout the Commonwealth, including more than \$1.6 billion for public schools and state-supported universities and colleges; and

WHEREAS, In 2011 cuts for the School District of Philadelphia ("SDP") provided funding to the SDP at a lower levels than in previous years, and a reduction of all Commonwealth-provided funding to the SDP by the staggering amount of approximately \$292 million; and

WHEREAS, Providing a fundamentally sound education ranks among the highest of all governmental missions and is the only way to prepare today's youth to become tomorrow's workforce; and

WHEREAS, The City of Philadelphia has a vested interest in exploring new and innovative methods of raising revenue that can the City in aiding the financially struggling Philadelphia School District; and

WHEREAS, Many cities, including New York, Dallas, San Francisco, Boston, and St. Louis, are generating significant revenue in the millions and even billions of dollars from implementing coordinated municipal advertising programs; and

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WHEREAS, The City of Philadelphia has hundreds of municipally owned properties that are attractive to advertisers and can help raise revenue comparable to that in other cities from allowing certain private entities to utilize approved public facilities for advertising purposes, and even further through private sponsorship of certain public facilities; and

WHEREAS, With the proper oversight and controls, a coordinated municipal property advertising program can significantly improve the appearance, quality and coordination of street amenities, including bus shelters, telephone and information kiosks, public toilets, newspaper vending machines, and newsstands; and

WHEREAS, The City of Philadelphia should consider any and all proven, viable options to help assist its School District, and in particular, should allocate proceeds of any advertising on municipal property to an educational accountability fund to provide resources for improving the education received by students in the School District; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 14 of The Philadelphia Code is amended to read as follows:

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-1600. MISCELLANEOUS.

* * *

§ 14-1604.3. Sign Controls for Municipal Property.

(1) *Scope. This section applies to all municipal property defined as any land, building, or structure (a) that is owned by the City; or (b) in which the City possesses rights sufficient to permit it to authorize the placement of a non-accessory sign on such land, building, or structure for six months or more.*

(2) *Non-Accessory Signs on Municipal Property. No prohibition or regulation of non-accessory signs set forth in this Title shall apply to municipal property. This subsection (2) shall not be construed to alter any other provision of this Title, except to the extent that such provision would prohibit the placement of non-accessory signs on municipal property.*

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(3) *Regulations. The Philadelphia City Planning Commission is authorized and directed to issue regulations governing the placement of non-accessory signs on municipal property.*

(a) *In developing regulations pursuant to this Section, the Planning Commission shall take into account the following factors:*

(.1) *The character of the surrounding area, including but not limited to its physical, aesthetic, environmental, cultural, and historical characteristics;*

(.2) *The historical character and significance of the municipal property itself;*

(.3) *Safety;*

(b) *Regulations issued by the Planning Commission under this subsection (3) may establish requirements according to any classification or geographical designation that will achieve the objectives set forth under subsection (3)(a) with respect to each municipal property on which non-accessory signs may be placed.*

(c) *The Planning Commission may, by regulation, require that proposed non-accessory signs be presented to it for approval prior to placement on municipal property. In rendering a determination under this subsection (3)(c), the Planning Commission shall be guided by the factors set forth in subsection (3)(a).*

SECTION 2. Title 16 of The Philadelphia Code is hereby amended to read as follows:

TITLE 16. PUBLIC PROPERTY.

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CHAPTER 16-200. SALES, LEASES AND OTHER GRANTS OF CITY-OWNED BUILDINGS AND FACILITIES.

* * *

§ 16-204. Other Grants.

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(2) The Department of Public Property may grant concessions for the placement of non-accessory signs on municipal property pursuant to Section 14-1604.3, subject to the approval of City Council when required under Section 8-201 of the Charter, and subject to the approval of the Philadelphia City Planning Commission as may be required by regulation pursuant to Section 14-1604.3(3)(c).

SECTION 3. This Ordinance shall become effective upon the issuance of implementing regulations by the Philadelphia City Planning Commission.