

City of Philadelphia



(Bill No. 000263)

AN ORDINANCE

Granting permission to Girish P. Sanghvi, owner of the newsstand located on the northwest corner of Tenth and Market streets, to construct, use and maintain an electrical conduit and electrical service line and a fiber optic conduit and telephone service line in and under the public rights-of-way of Tenth street and Market street for the purpose of supplying electrical service and telephone service to his newsstand, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Girish P. Sanghvi, 1405 New Rodgers road, B-8, Bristol, Pennsylvania, 19007, owner of the newsstand located on the northwest corner of Tenth and Market streets, to construct, use and maintain:

(i) an underground electrical conduit and electrical service line from his newsstand in and under the west footway of Tenth street, approximately one foot (1') west of the west curb line of Tenth street in a southerly direction for a distance of approximately twenty-four feet (24') and then into the cartway of Market street for a distance of approximately fourteen feet (14') then in westerly direction for approximately eight feet (8') to an existing PECO Energy Company manhole which is located approximately seven feet (7') south of the north curb line of Market street and approximately twelve feet (12') west of the west curb line of Tenth street. The conduit will be approximately two feet (2') below the grade of the existing footway; and

(ii) an underground fiber optic conduit and telephone service line from his newsstand in and under the west footway of Tenth street approximately two feet (2') west of the west curb line of Tenth street in a southerly direction for approximately fourteen feet (14') and then east in and under the cartway of Tenth street for approximately twenty feet (20') to an existing Bell Atlantic-PA, Inc. manhole which is located approximately nine feet (9') west of the east curb line of Tenth street and twenty-one feet north of the north curb line of Market street. The conduit will be approximately two feet (2') below the grade of the existing footway.

The construction and maintenance of the electric conduit, electric service line, fiber optic conduit and telephone service line described in subsections (i) and (ii) above shall be in accordance with the laws, rules and regulations of the City of Philadelphia, including those of the Department of Licenses and Inspections, Department of Streets, and Department of Public Property.

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

This Ordinance specifically does not grant Girish P. Sanghvi permission to install or use any machine or device outside the exterior wall of the newsstand, and the permission granted by this Ordinance is expressly conditioned on the newsstand maintaining at all times a clear footway, as determined by the City, on the west side of Tenth street where the newsstand is located.

SECTION 2. Before exercising any rights and privileges under the Ordinance, Girish P. Sanghvi shall enter into an agreement ("Agreement") with the appropriate City department or departments, in a form satisfactory to the City Solicitor, to provide that Girish P. Sanghvi shall, *inter alia*:

(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 of 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 electrical conduit and electrical service line and the fiber optic conduit and telephone service line authorized in Section 1;

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

(c) provide proof that PECO Energy Company has approved the location, design and connection of the electrical conduit and electrical service line to the existing PECO facilities and the newsstand;

(d) provide proof that Bell Atlantic-Pa, Inc. has approved the location, design and connection of the fiber optic conduit and telephone service line to the existing Bell Atlantic-Pa, Inc. facilities and the newsstand;

(e) assume the cost of all changes or adjustments to, or relocation or abandonment of any utilities and structures, wherever they may be located, which are necessitated by the installation of the electrical conduit, electrical service line, fiber optic conduit or telephone service line authorized by Section 1 of this Ordinance; and

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(f) carry public liability and property damage insurance, naming the City of Philadelphia as an insured party, in such amounts as shall be 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 Girish P. Sanghvi to construct, use and maintain an electrical conduit and service line and a fiber optic conduit and telephone service line shall expire without any further action by the City of Philadelphia if Girish P. Sanghvi 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.

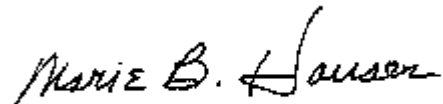
SECTION 5. This Ordinance shall not become effective unless the sum of two hundred dollars (\$200.00), toward the costs thereof, is paid into the City Treasury within sixty (60) days after this Ordinance becomes law.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 1, 2000. The Bill was Signed by the Mayor on June 21, 2000.

A handwritten signature in black ink that reads "Marie B. Hauser". The signature is written in a cursive style with a large, looped initial "M".

Marie B. Hauser
Chief Clerk of the City Council