



City of Philadelphia

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

BILL NO. 120016

Introduced January 26, 2012

**Councilmember Jones
for
Council President Clarke**

**Referred to the
Committee on Rules**

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 to further authorize contracts and concessions for the placement and management of advertisements on municipal property, all under certain terms and conditions.

WHEREAS, In this time of scarce public resources, the City of Philadelphia has a vested interest in exploring new and innovative methods of raising revenue to support the services on which citizens and businesses rely; 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

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

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WHEREAS, Clever, well-designed, and well-placed advertising can draw notoriety and help to brand a location creative and innovative; and

WHEREAS, A program of advertising on municipal property would involve little or no upfront cost to the City, while providing a meaningful source of revenue to offset the cost of maintaining public property and contributing to the City's vibrancy; and

WHEREAS, The City of Philadelphia should consider any and all proven, viable options to enhance revenues without raising taxes; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 14 of The Philadelphia Code ("Old Zoning Code") is hereby 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.*

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

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(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.*

SECTION 2. Title 14 of The Philadelphia Code, as amended by Bill No. 110845 and Bill No. 110835-A (“New Zoning Code”), is hereby further amended to read as follows:

TITLE 14. ZONING AND PLANNING

* * *

CHAPTER 14-900. SIGNS

* * *

§ 14-905. Non-Accessory Signs.

* * *

(12) *Sign Controls for Municipal Property.*

(a) *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.*

(b) *Non-Accessory Signs on Municipal Property. No prohibition or regulation of non-accessory signs set forth in this Title shall apply to municipal property.*

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This subsection (12)(b) 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.

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

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

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

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

(.c) Safety.

(.2) Regulations issued by the Planning Commission under this subsection (12)(c) may establish requirements according to any classification or geographical designation that will achieve the objectives set forth under subsection (c)(.1) with respect to each municipal property on which non-accessory signs may be placed.

[(12)] (13) * * *

[(13)] (14) * * *

[(14)] (15) * * *

SECTION 3. Title 16 of The Philadelphia Code is hereby amended to read as follows:

TITLE 16. PUBLIC PROPERTY

* * *

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

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* * *

§ 16-204. Other Grants.

* * *

(2) *Advertising on Municipal Property.*

(a) *The Department of Public Property is hereby authorized to enter into contracts for the coordination of advertising on municipal property pursuant to Section 14-1604.3 of the Old Zoning Code or subsection 14-905(12) of the New Zoning Code, as the case may be. Any such contract must provide that the contractor will be bound by all regulations issued pursuant to Section 14-1604.3(3) of the Old Zoning Code or subsection 14-905(12)(c) of the New Zoning Code, as the case may be, and further provide that the City will retain the right to control the location, placement, and design of all advertising coordinated pursuant to such contract.*

(b) *The Department of Public Property may grant concessions for the placement of advertising on municipal property pursuant to Section 14-1604.3 of the Old Zoning Code or subsection 14-905(12) of the New Zoning Code, as the case may be, subject to the approval of City Council when required under Section 8-201 of the Charter. Any such concession agreement must provide that the concessionaire will be bound by all regulations issued pursuant to Section 14-1604.3(3) of the Old Zoning Code or subsection 14-905(12)(c) of the New Zoning Code, as the case may be, and further provide that the City will retain the right to control the location, placement, and design of all advertising coordinated pursuant to such concession agreement.*

SECTION 4. Sections 1 and 3 of this Ordinance shall become effective upon the effective date of implementing regulations by the Philadelphia City Planning Commission.

SECTION 5. Section 2 of this Ordinance shall take effect at the same time and in the same manner as Bill No. 110845 (approved December 22, 2011), provided that Section 2 of this Ordinance shall take effect no earlier than the effective date of implementing regulations by the City Planning Commission.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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