

City of Philadelphia



(Bill No. 000406)

AN ORDINANCE

Authorizing Wolf Street Partners, L.P., owners of the property 2400 South Weccacoe street, Philadelphia, PA 19148, to construct and maintain a fence on the west footway of Weccacoe street and the south footway of Wolf street adjacent to the property 2400 Weccacoe street, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Wolf Street Partners L.P., owners of the property 2400 South Weccacoe street, Philadelphia, PA, 19148, to construct and maintain an eight-foot high chain link fence on the Weccacoe street and Wolf street footways adjacent to the property 2400 South Weccacoe Street. The areas of the public right-of-way between the fences and the property line will be covered with gravel and asphalt paving. The fence will include:

(i) A fence approximately twelve feet (12') east of the west public right-of-way line on the west footway of Weccacoe street, leaving a clear footway of approximately ten feet (10'), and extending from the corner of the property on Weccacoe street for a distance of approximately six hundred and eighteen feet (618') to the intersection of Weccacoe street and Wolf street; and

(ii) A fence approximately five feet (5') north of the south public right-of-way line on the south footway of Wolf street, leaving a clear footway of approximately ten feet (10') and extending from the corner of the property at the intersection of Weccacoe street and Wolf street for a distance of approximately three hundred and fifty nine feet (359') to the north east corner of the intersection of Wolf street and Vandalia street.

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SECTION 2. Before exercising any rights or privileges under this Ordinance, Wolf Street Partners L.P. 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, Wolf Street Partners, L.P. shall enter into an agreement (“Agreement”) with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that Wolf Street Partners, L.P. 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 any of the fences, asphalt paving and gravel covering listed in Section 1 of this Ordinance;

(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 none of the fences, asphalt paving and gravel covering authorized by Section 1 exceed the dimensions set forth in Section 1;

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(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; and

(f) Remove each of the fences, asphalt paving and gravel covering authorized by Section 1 from the public right-of-way 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 Wolf Street Partners, L.P. to construct and maintain fences, asphalt paving and gravel covering within the public right-of-way of Wolf street and Weccacoe street adjacent to the property 2400 South Weccacoe street shall expire without any further action by the City of Philadelphia if Wolf Street Partners, L.P. have not entered into the Agreement and satisfied all requirements of the Agreement that are listed in Section 2 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 with 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 22, 2000. The Bill was Signed by the Mayor on August 11, 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