

City of Philadelphia



(Bill No. 010399)

AN ORDINANCE

Authorizing SAS-1600 Arch Streets, L.P., owner of the property 1600 Arch street, Philadelphia, PA 19103, to construct and maintain an electrified metal frame and glass skylight marquee with support posts attached to the building and projecting on and over the south footway of Arch street, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to SAS-1600 Arch street, L.P., owner of the property 1600 Arch street to construct and maintain an electrified metal frame and glass skylight marquee with two (2) support posts attached to the building and projecting over and on the south footway of Arch street, with an approximate length of twenty-six feet (26'), with the centerline located approximately two hundred and eight feet (208') west of the west confirmed curb line as of May 24, 2001, of Sixteenth street. The marquee will project a maximum of sixteen feet, six inches (16'-6") over the south footway of Arch street with a minimum vertical clearance above the footway of approximately eleven feet (11') and a maximum vertical clearance above the footway of approximately fifteen feet (15').

The two (2) metal support posts will be located approximately four feet (4') north of the south right-of-way line of Arch street leaving a minimum clear footway width of approximately fourteen feet (14'). The posts are spaced approximately fourteen feet, ten inches (14'-10") apart and centered evenly about the centerline of the marquee.

SECTION 2. Before exercising any rights or privileges under this Ordinance, SAS-1600 Arch street 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 insurance of such permits, licenses or approvals. In addition, before exercising any rights or privileges under this Ordinance, SAS-1600 Arch street L.P. shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that 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 compliance with all the terms and conditions of this Ordinance and the Agreement;

City of Philadelphia

BILL NO. 010399 continued

Certified Copy

(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 and maintenance of the electrified metal frame and glass skylight marquee and support posts;

(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 metal frame and glass skylight marquee and support posts encroach on and 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 metal frame and glass skylight marquee and support posts and three-dimensional icon encroaching on and over the public rights-of-way within sixty (60) days upon lawful service of notice from the City of Philadelphia; and

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 SAS-1600 Arch street, L.P. to construct and maintain an electrified metal frame and glass skylight marquee and support posts on and over the south footway of Arch street attached to the property 1600 Arch shall expire without any further action by the City of Philadelphia if SAS-1600 Arch street, L.P. has 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 within sixty days (60) after this Ordinance becomes law.

City of Philadelphia

BILL NO. 010399 continued

Certified Copy

City of Philadelphia

BILL NO. 010399 continued

Certified Copy

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