

City of Philadelphia



(Bill No. 080639)

AN ORDINANCE

Authorizing the Mt. Airy Revitalization Corporation to construct, own, and maintain, a sign on the traffic island of Wadsworth Avenue at the intersection with Cheltenham Avenue, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to the Mt. Airy Revitalization Corporation (“MARC”), to construct and maintain a sign, approximately four feet wide and five feet high, stating “Welcome to Mt. Airy,” with graphics of its choosing, on the traffic island of Wadsworth Avenue at the intersection of Cheltenham Avenue.

SECTION 2. The construction, use, and maintenance of the sign shall be in accordance with the laws, rules, and regulations of the City of Philadelphia, and specifically those of the Department of Licenses and Inspections, the Department of Streets, and the Art Commission.

SECTION 3. Before exercising any rights and privileges under this Ordinance, MARC shall enter into an agreement (“Agreement”) with the appropriate City department or departments, in a form satisfactory to the Law Department, provided that MARC shall, *inter alia*:

- (a) agree that upon one hundred and eighty (180) days notice from the City, MARC shall remove the sign without cost or expense to the City when given written notice to do so by the City of Philadelphia to accommodate a municipal or municipal sponsored construction project;
- (b) furnish the City with either a bond with corporate surety in an amount required by the Department of Streets and in a form satisfactory to the Law Department to insure the compliance with all the terms and conditions of this Ordinance and the Agreement, and to protect and indemnify the City from and against all damages or claims for damages which may arise directly or indirectly as a result of the construction, maintenance or use of the sign or its removal, or in lieu thereof, submit documentation in a form and content acceptable to the City that MARC self-assumes liabilities and obligations normally covered by Surety Bond;
- (c) secure all necessary permits, licenses, and approvals from all appropriate departments, agencies, boards, or commissions of the City as may be

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required by regulation or law. 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;

- (d) 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 Law Department, or in lieu thereof, submit documentation in form and content acceptable to the City that MARC is self-insured and is providing the City of Philadelphia the same coverage and benefits had the insurance requirements been satisfied by an insurance carrier authorized to do business in the Commonwealth of Pennsylvania;
- (f) insure that all construction contractors for the sign carry public liability and property damage insurance, naming the City of Philadelphia as an insured party in such amounts as shall be reasonably satisfactory to the Law Department; and
- (g) give the City and all public utility companies the right-of-access, ingress and egress for the purpose of inspection, maintenance, alteration, relocation, or reconstruction of any of their respective facilities which may lie within the Wadsworth Avenue traffic island.

SECTION 4. The Law Department shall include in the Agreement such other terms and conditions as shall be deemed necessary to protect the interests of the City.

SECTION 5. The permission granted to MARC to construct, own, and maintain the sign described in Section 1 shall expire without any further action by the City of Philadelphia if MARC has not entered into an Agreement and satisfied all requirements of the Agreement that are listed in Section 3 of this Ordinance within one (1) year 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 November 6, 2008. The Bill was Signed by the Mayor on November 19, 2008.



Patricia Rafferty
Chief Clerk of the City Council