



City of Philadelphia

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

BILL NO. 240086

Introduced February 8, 2024

Councilmember Gauthier

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Amending Sections 1 and 2 of an Ordinance (Bill No. 170086) approved May 22, 2017, entitled "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 269 by relocating portions of the houselines and curblines of Convention Avenue, from Thirty-Fourth Street to Health Sciences Drive, and placing on the City Plan two rights-of-way for drainage purposes within the vicinity of the intersection of Convention Avenue and Health Sciences Drive and authorizing acceptance of the grant to the City of the said rights-of-way for drainage purposes, all under certain terms and conditions, including the dedication to the City of the beds of the areas proposed to be placed on City Plan as portions of Convention Avenue," by adding additional necessary City Plan changes and revising the terms and conditions stated therein.

WHEREAS, an Ordinance (Bill No. 170086) approved May 22, 2017 was conditional upon certain requirements being complied with within two (2) years from the date of approval; and

WHEREAS, an Ordinance (Bill No. 190379) approved July 17, 2019 amended Section 2 of Bill No. 170086 by revising the terms and conditions stated therein and extending the timeframe for compliance with such requirements to May 22, 2021; and

WHEREAS, an Ordinance (Bill No. 210828) approved March 23, 2022 further amended Section 2 of Bill No. 170086 by extending the timeframe for compliance with the requirements stated therein to May 22, 2023; and

WHEREAS, an Ordinance (Bill No. 230652) approved November 13, 2023 further amended Section 2 of Bill No. 170086 by extending the timeframe for compliance with the requirements stated therein to May 22, 2025; and

WHEREAS, it is desirable to further amend Bill No. 170086 and revise the terms and conditions stated therein in order to provide for the establishment of an additional right-of-way for drainage purposes and an area for public pedestrian use; now, therefore,

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THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 1 of an Ordinance (Bill No. 170086) approved May 22, 2017, is hereby amended to read as follows:

SECTION 1. Pursuant to Section 11-404 of The Philadelphia Code, the Board of Surveyors of the Department of Streets is hereby authorized to revise the lines and grades on a portion of City Plan No. 269 by:

* * *

- c) *Placing on the City Plan a right-of-way for drainage purposes within the area being stricken at the southeast corner of Convention Avenue and Civic Center Boulevard.*

- d) *Plotting upon the City Plan an area for public pedestrian use at the southwest corner of Convention Avenue and Health Sciences Drive.*

* * *

SECTION 2. Section 2 of an Ordinance (Bill No. 170086) approved May 22, 2017, is hereby amended to read as follows:

SECTION 2. This authorization is conditional upon compliance with the following requirements by May 22, 2025:

* * *

f) The filing of an agreement, satisfactory to the City Solicitor, by the owner(s) of property affected thereby, granting to the City the aforesaid rights of way for drainage purposes authorized in Section 1(b) and 1(c) of this Ordinance. The agreement shall provide that no changes in grades shall be made and that no fences, buildings, or other structures, either overhead, underground, or upon the surface, shall be constructed within the lines of the rights of way or abutting thereon, unless the plans for such structures shall first be submitted to and approved by the Water Department. The agreement shall also grant the right of access and occupation at any and all times to the officers, agents, employees, and contractors of the City for the purpose of construction, reconstruction, maintenance, alterations, repairs, and inspection of present and future facilities and structures.

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i) The filing of an agreement, satisfactory to the City Solicitor, by the owner(s) of property affected thereby, granting to the City the aforesaid area for public pedestrian use authorized in Section 1(d) of this Ordinance. The agreement shall provide that the party in interest shall maintain adequate pedestrian access through the said area at all times and shall be responsible for maintaining the sidewalk paving within the said area in good repair. The agreement shall also provide that no structure, fixture, excavation, obstruction, projection, or other encroachment shall be erected or maintained over, on, in, or under the said area, unless the plans for such encroachments shall first be submitted to and approved by the Department of Streets.

* * *

SECTION 3. This Ordinance shall not become effective unless the sum of two-hundred dollars (\$200.00), toward costs thereof, is paid into the City Treasury within one-hundred twenty (120) days after this Ordinance becomes law.

Explanation:

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

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