

## Legislation Details (With Text)

**File #:** 000024      **Version:** 0      **Name:**

**Type:** Bill      **Status:** ENACTED

**File created:** 2/3/2000      **In control:** Committee on Streets and Services

**On agenda:**      **Final action:** 3/16/2000

**Title:** Granting permission to 6080 Ridge Avenue Corporation t/a Coyle's Cafe, located at 6080 Ridge Avenue, Philadelphia, PA 19128, to operate and maintain an open air sidewalk cafe on the west footway of Ridge Avenue and the south footway of Conarroe Street adjacent to 6080 Ridge Avenue, under certain terms and conditions.

**Sponsors:** Councilmember Nutter

**Indexes:** ENCROACHMENT, SIDEWALK CAFES

**Code sections:**

**Attachments:** 1. CertifiedCopy00002400.pdf

Date	Ver.	Action By	Action	Result	Tally
3/30/2000	0	MAYOR	SIGNED		
3/16/2000	0	CITY COUNCIL	READ		
3/16/2000	0	CITY COUNCIL	PASSED	Pass	16:0
3/9/2000	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
3/9/2000	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
3/9/2000	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
3/8/2000	0	Committee on Streets and Services	HEARING NOTICES SENT		
3/8/2000	0	Committee on Streets and Services	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
2/3/2000	0	CITY COUNCIL	Introduced	Pass	
2/3/2000	0	CITY COUNCIL	Referred		

Granting permission to 6080 Ridge Avenue Corporation t/a Coyle's Cafe, located at 6080 Ridge Avenue, Philadelphia, PA 19128, to operate and maintain an open air sidewalk cafe on the west footway of Ridge Avenue and the south footway of Conarroe Street adjacent to 6080 Ridge Avenue, under certain terms and conditions.

**THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:**

SECTION 1. Permission is hereby granted to 6080 Ridge Avenue Corporation t/a Coyle's Cafe, located at 6080 Ridge avenue, to operate and maintain an open air sidewalk cafe with three (3) tables encroaching a maximum of approximately two feet, seven inches (2'-7") on the west footway of Ridge avenue leaving a minimum of approximately nine feet, five inches (9'-5") unobstructed footway and seven (7) tables encroaching a maximum of approximately three feet, four inches (3'-4") on the south footway of Conarroe street leaving a minimum of approximately eight feet, eight inches (8'-8") unobstructed footway.

SECTION 2. Before exercising any rights or privileges under this ordinance, 6080 Ridge Avenue Corporation must first obtain all required permits, licenses and approvals from all appropriate departments, boards, agencies or commission. 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, 6080 Ridge Avenue Corporation shall enter into an agreement ("Agreement") with the appropriate City department(s), in a form satisfactory to the City Solicitor that 6080 Ridge Avenue Corporation shall:

(a) furnish the City with a bond with corporate surety in the amount required by the Streets Commissioner and in a form satisfactory to the City Solicitor to insure compliance with all of the terms and conditions of this Ordinance and the aforementioned agreement;

(b) protect, indemnify and save harmless the City from all suits or claims from damages which may arise directly or indirectly as a result of the open air sidewalk cafe;

(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) agree in writing that when, at the determination of the City of Philadelphia, the open sidewalk cafe necessitates relocation and/or removal of any underground structure, either publicly or privately owned, 6080 Ridge Avenue Corporation will absorb all costs and expenses for the performance of such work at no cost to the City;

(e) insure that the three (3) tables for the open air sidewalk cafe encroach no more than a maximum of approximately two feet, seven inches (2'-7") onto the west footway of Ridge Avenue and the seven (7) tables for the open air sidewalk cafe encroach no more than a maximum of approximately three feet, four inches (3'-4") onto the south footway of Conarroe Street adjacent to the property 6080 Ridge Avenue.

(f) 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

(g) remove the open air sidewalk cafe within thirty (30) days upon service of lawful written notice from the Streets Department;

SECTION 3. The City Solicitor shall include in the Agreement such other terms and conditions, as he shall deem necessary or appropriate in the interest of the City.

SECTION 4. The permission granted to 6080 Ridge Avenue Corporation to maintain and operate an open air sidewalk café on the west footway of Ridge Avenue and the south footway of Conarroe Street adjacent to the property 6080 Ridge Avenue shall expire without any further action by the City of Philadelphia if 6080 Ridge Avenue Incorporated 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) is paid into the City Treasury within sixty (60) days after this Ordinance becomes law.