

Legislation Details (With Text)

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

Title: Authorizing Catherine Aviles, owner of the properties 256-258 East Allegheny avenue, Philadelphia, PA 19134, to construct and maintain a two story building addition onto and over the south footway of Allegheny avenue adjacent to the property 256 East Allegheny avenue; all under certain terms and conditions.

Sponsors: Councilmember Mariano

Indexes: ENCROACHMENT

Code sections:

Attachments: 1. CertifiedCopy00001700.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		

Authorizing Catherine Aviles, owner of the properties 256-258 East Allegheny avenue, Philadelphia, PA 19134, to construct and maintain a two story building addition onto and over the south footway of Allegheny avenue adjacent to the property 256 East Allegheny avenue; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Catherine Aviles, 6230 Bingham Street, Philadelphia, PA 19111, owner of the properties 256-258 East Allegheny avenue, Philadelphia, PA 19134, to construct and maintain a two (2) story building addition adjacent to 256 East Allegheny avenue that is approximately sixteen feet, four inches (16'-4") wide, extends from a point approximately twenty-eight feet, three inches (28'-3") west of the west curb line of B street to a point approximately forty-four feet, seven inches (44'-7") west of the

west curb line of B street, extends on and over the south footway of Allegheny avenue a maximum distance of approximately fifteen feet (15') and leaves a clear footway on the south footway of Allegheny avenue adjacent to 256 East Allegheny avenue of fifteen feet (15').

SECTION 2. Before exercising any rights or privileges under this Ordinance, Catherine Aviles 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, Catherine Aviles shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that Catherine Aviles 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 two (2) story building addition 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 the two (2) story building addition authorized by Section 1 does not exceed 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; and
- (f) remove the two (2) story building addition 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 Catherine Aviles to construct a two (2) story building addition onto and over the south footway of Allegheny avenue adjacent to the property 256 East allegheny Avenue shall expire without any further action by the City of Philadelphia if Catherine Aviles 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 (60) days after this Ordinance becomes law.