



Legislation Details (With Text)

File #: 080380-A **Version:** 1 **Name:**

Type: Bill **Status:** ENACTED

File created: 4/10/2008 **In control:** Committee on Streets and Services

On agenda: **Final action:** 9/18/2008

Title: Authorizing and directing the revision of curb lines and grades on a portion of City Plan No. 97 by relocating the easterly curb line of Broad street approximately nine feet six inches eastwardly, from a point approximately seventy-seven feet one inch south of the south curb line of Fitzwater street the distance of approximately one hundred twelve feet two inches to a point approximately one hundred eighty-nine feet three inches south of the south curb line of Fitzwater street, under certain terms and conditions.

Sponsors: Councilmember DiCicco

Indexes: CITY PLAN, REVISION

Code sections:

Attachments: 1. CertifiedCopy080380-A01.pdf

Date	Ver.	Action By	Action	Result	Tally
9/24/2008	1	MAYOR	SIGNED		
9/18/2008	1	CITY COUNCIL	READ		
9/18/2008	1	CITY COUNCIL	PASSED	Pass	17:0
5/22/2008	0	CITY COUNCIL	READ		
5/22/2008	1	CITY COUNCIL	AMENDED		
5/22/2008	1	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
5/15/2008	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
5/15/2008	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
5/15/2008	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
5/8/2008	0	Committee on Streets and Services	HEARING NOTICES SENT		
5/8/2008	0	Committee on Streets and Services	HEARING HELD		
5/8/2008	0	Committee on Streets and Services	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
4/10/2008	0	CITY COUNCIL	Referred		
4/10/2008	0	CITY COUNCIL	Introduced	Pass	

Authorizing and directing the revision of curb lines and grades on a portion of City Plan No. 97 by relocating the easterly curb line of Broad street approximately nine feet six inches eastwardly, from a point approximately seventy-seven feet one inch south of the south curb line of Fitzwater street the distance of approximately one hundred twelve feet two inches to a point approximately one hundred eighty-nine feet three inches south of the

south curb line of Fitzwater street, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Section 11-404 of The Philadelphia Code, the Board of Surveyors of the Department of Streets is authorized and directed to revise the curb lines and grades on a portion of City Plan No. 97 by relocating the easterly curb line of Broad street approximately nine feet six inches eastwardly from a point approximately seventy-seven feet one inch south of the south house line of Fitzwater street the distance of approximately one hundred twelve feet two inches to a point approximately one hundred eighty-nine feet three inches south of the south house line of Fitzwater street.

SECTION 2. This authorization is conditional upon compliance with the following requirements within one year from the date of approval of this Ordinance:

(a) The filing of an agreement, satisfactory to the Law Department, by the owner or owners of property affected thereby, to release the City from all damages or claims for damages which may arise by reason of the City Plan changes authorized herein; in lieu thereof the party in interest shall file an agreement and bond with corporate surety, satisfactory to the Law Department, to indemnify the City as aforesaid.

(b) The filing of an agreement, satisfactory to the Law Department, by the party in interest, to release and indemnify the City from all damages or claims for damages which may arise by reason of the City Plan changes authorized herein.

(c) The filing of an agreement, satisfactory to the Law Department, by the party in interest, to make any and all changes and adjustments to curbing, sidewalk paving, cartway paving, gas mains, subway vents, water pipe, fire hydrants, sewers, inlets and manholes and to other City structures, either overhead, underground or upon the surface, including the relocation, abandonment, repairing, reconstruction, cutting and sealing such structures and facilities which may be necessary in the judgment of the Department of Streets, Department of Public Property, Philadelphia Gas Works and Water Department by reason of the City Plan changes authorized herein. All plans must be submitted to departments and agencies concerned and be approved by them before the start of construction. The agreement shall also provide for the removal of salvageable hydrants, valves, manhole covers, frames and connections and delivery to the Water Department at no cost to the City and shall also provide for the removal of salvageable cast iron manholes and covers, street inlet grates, frames and hoods and inlet castings and delivery to the Water Department at no cost to the City. The agreement shall provide that this work be completed within one year from the date of confirmation by the Board of Surveyors on the City Plan changes authorized by this Ordinance.

(d) The filing of a bond, with corporate surety, satisfactory to the Law Department, to cover the cost of the work required under subsection (c).

(e) The filing of an agreement, satisfactory to the Law Department by the party-in-interest, to relocate the curb line and footway of said Broad street to its physical location and condition as existed immediately prior to the passage of this Ordinance. Such relocation shall be performed by the party-in-interest its heirs or assigns, without cost or expense to the City; said party-in-interest shall further agree to release and hold harmless the City from any and all claims for damages which may arise from said relocation. Relocation of Broad street shall be required by the City within one hundred eighty days after written notice to the party-in-interest, said notice to be given only after passage of an Ordinance by City Council authorizing the revision of curb lines and grades of Broad street.

(f) The payment by the party in interest of the cost of advertising the public hearing by the Board of

Surveyors on the City Plan changes authorized by this Ordinance.

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 sixty days after the approval of this Ordinance.