

## Legislation Text

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**File #:** 020224, **Version:** 0

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Authorizing Richard J. Dennin, Jr. and Cheryl Dennin, owners of the property 6605 Kindred Street, Philadelphia, PA, 19149, to construct, use and maintain a wooden deck extension with support columns on and over the east footway of Kindred street adjacent to the property 6605 Kindred street, all under certain terms and conditions.

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

SECTION 1. Permission is hereby granted to Richard J. Dennin, Jr. and Cheryl Dennin, owners of the property located at 6605 Kindred Street, Philadelphia, PA, 19149, to construct, use and maintain a wooden deck extension with support columns, projecting a maximum of approximately three feet, four inches (3'-4") on and over the east footway of Kindred street adjacent to the property 6605 Kindred street. The deck extension is located between a point approximately forty-seven feet (47') north of the north curb line of Magee street and a point approximately sixty-five feet (65') north of the north curb line of Magee street. The overall width of the deck extension is approximately eighteen feet (18'). The top of the deck extension is approximately three feet (3') above the footway. The wooden deck extension with support columns will leave a clear footway on the east footway of Kindred street adjacent to the property 6605 Kindred street of approximately six feet, two inches (6'-2").

SECTION 2. Before exercising any rights or privileges under this Ordinance, Richard J. Dennin, Jr. and Cheryl Dennin 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, Richard J. Dennin, Jr. and Cheryl Dennin shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that Richard J. Dennin, Jr. and Cheryl Dennin 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 the wooden deck extension with support columns described 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 wooden deck extension with support columns 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 wooden deck extension with support columns 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 Richard J. Dennin, Jr. and Cheryl Dennin to construct a wooden deck extension with support columns on and over the east footway of Kindred street adjacent to the property 6605 Kindred street shall expire without any further action by the City of Philadelphia if Richard J. Dennin, Jr. and Cheryl Dennin have 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.