

## Legislation Text

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**File #:** 000538, **Version:** 0

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Authorizing Kate Osuala, owner of the property located at 1301 South Fifty-seventh street, Philadelphia, PA 19143, to construct, use and maintain a one (1) story garage addition on and over the south footway of Thomas street adjacent to the property 1301 South Fifty-seventh street; all under certain terms and conditions.

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

**SECTION 1.** Permission is hereby granted to Kate Osuala, owner of the property located at 1301 South Fifty-seventh street, Philadelphia, PA 19143, to construct, use and maintain a one (1) story garage addition on and over the south footway of Thomas street adjacent to the property 1301 South Fifty-seventh street that is approximately seventeen feet (17') wide, extends from a point approximately eighty-five feet (85') east of the east curb line of Fifty-seventh street to a point approximately one hundred and two feet (102') east of the east curb line of Fifty-seventh street, extends on and over the south footway of Thomas street a maximum distance of three feet (3') and leaves a clear footway on the south footway of Thomas street adjacent to 1301 South Fifty-seventh street of at least fourteen feet, eight inches (14'-8").

**SECTION 2.** Before exercising any rights or privileges under this Ordinance, Kate Osuala 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, Kate Osuala shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that Kate Osuala 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 one (1) story garage addition 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 one (1) story garage 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 one (1) story garage 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 Kate Osuala to construct a one (1) story garage addition on and over the south footway of Thomas street adjacent to the property 1301 South Fifty-seventh street shall expire without any further action by the City of Philadelphia if Kate Osuala 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.