

Legislation Text

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Authorizing Edward Flippen, owner of the property located at 5651 Lansdowne avenue, Philadelphia, PA, 19131, to construct, use and maintain a one (1) story building addition on and over the east footway of Fifty-seventh street adjacent to the property 5651 Lansdowne avenue, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Edward Flippen, 5925 Cedar avenue, Philadelphia, PA, 19143, owner of the property located at 5651 Lansdowne avenue, Philadelphia, PA, 19131, to construct, use and maintain a one (1) story building addition on and over the portion of the east footway of Fifty-seventh street that is adjacent to the property 5651 Lansdowne avenue. The one story addition will be approximately four feet, eight inches (4'-8") wide, with a center line located approximately forty-nine feet (49') north of the north curb line of Lansdowne avenue and extending on and over the east footway of Fifty-seventh street a maximum distance of approximately five feet, five inches (5'-5"), leaving a clear footway on the east footway of Fifty-seventh street adjacent to 5651 Lansdowne avenue of approximately twelve feet (12').

SECTION 2. Before exercising any rights or privileges under this ordinance, Edward Flippen 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, Edward Flippen shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that Edward Flippen 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 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 building 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 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 one (1) 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 Edward Flippen to construct a one (1) story building addition on and over the east footway of Fifty-seventh street adjacent to the property 5651 Lansdowne avenue shall expire without any further action by the City of Philadelphia if Edward Flippen 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.