

Legislation Text

File #: 000704, **Version:** 0

Authorizing Jean Tini, owner of the property 2401 Snyder avenue, Philadelphia, PA 19145, to construct and maintain a one story building addition partially encroaching onto and over the south side of the unimproved portion of the public right-of-way of McKean Parkway north of Snyder avenue; under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Jean Tini, owner of the property 2401 Snyder avenue, Philadelphia, PA 19145, to construct and maintain a one story building addition to the property 2401 Snyder avenue, Philadelphia, PA 19145 partially encroaching onto and over the south side of the unimproved portion of the public right-of-way of McKean Parkway a maximum of approximately six feet (6') from a point approximately one hundred and thirty feet (130') north of the north curb line of Snyder avenue to a point approximately one hundred and forty-four feet (144') north of the north curb line of Snyder avenue. The portion of the building addition encroaching onto and over the unimproved portion of the public right-of-way of McKean Parkway will be approximately forty-two (42) square feet.

SECTION 2. Before exercising any rights or privileges under this Ordinance, Jean Tini 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, Jean Tini shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that Jean Tini 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 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 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 building addition authorized by Section 1 from the unimproved portion of the public right of way of McKean Parkway 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 Jean Tini to construct a building addition to the property 2401 Snyder avenue, Philadelphia, PA 19145 partially encroaching onto and over the south side of the unimproved portion of the public right-of-way of McKean Parkway north of Snyder avenue shall expire without any further action by the City of Philadelphia if Jean Tini 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.