

Legislation Text

File #: 140513, Version: 1

Amending Section 11-612 of The Philadelphia Code, entitled "Sidewalk and Roadway Lane Closures," by amending the penalty and enforcement provisions, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 11-612 of The Philadelphia Code is hereby amended to read as follows:

SECTION 11-612. SIDEWALK AND ROADWAY LANE CLOSURES.

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§ 11-612. Sidewalk and Roadway Lane Closures.

(1) Notwithstanding any other provision of this Code to the contrary, no permit that authorizes the temporary closure of a sidewalk or roadway lane, whether issued pursuant to any provision of this Code or any regulation promulgated under this Code, shall be issued unless such permit includes the following conditions:

(a) No vehicle may park, stop or stand in any sidewalk or roadway lane that has been closed, other than vehicles in the process of loading or unloading materials, equipment or supplies, or which are otherwise required for the activity for which the permit has been obtained. A vehicle used to transport contractors or their employees or any other persons to or from the location of the closure shall not be considered to be a vehicle required for such activity.

(b) The permit shall be valid for a period not to exceed one year from the date it was issued, provided: (i) the permit may be renewed for additional periods not to exceed one year upon a showing that continued closure is necessary to complete the activity for which the permit was obtained; and (ii) the Department may at any time order the immediate reopening of any sidewalk or roadway lane that has been temporarily closed if the Department finds that the closure is no longer necessary for the activity for which the permit was issued, even if the permit has not yet expired.

(2) The Department shall not issue any permit authorizing the closure of any sidewalk under the provisions of this Title 11, any regulation promulgated under this Title, or any other authority, without first making a written determination that a covered walkway in compliance with Title 4 is impracticable in the circumstances. If a permit application seeks closure of a sidewalk that will extend beyond one week, then the permit application must be accompanied by an analysis prepared by an engineer licensed by the Commonwealth of Pennsylvania concluding that a covered walkway in compliance with Title 4 is impracticable in the circumstances, and the Department shall consider such analysis before making its own written determination.

(3) *In addition to any requirements of this Section*, [The]the Department shall issue regulations addressing signage, barriers, and other means to create safe and adequate walkways, closures and sidewalk detours.

(4) Closing a sidewalk *for a period of more than twenty-four (24) hours* without first obtaining a sidewalk closure permit from the Department [may] *shall result in the issuance of a Stop Work Order*[revocation of any associated building permits and/or the issuance of a Stop Work Order].

(5) *Sidewalk Closure Sign Postings*

(a) *In addition to any State or Federal sign regulations, a sign noting that a sidewalk is closed shall be posted at all sites where a permit has been issued to close a sidewalk. The signs shall be posted at each end where the sidewalk has been closed to pedestrians.*

(b) *It shall be the responsibility of the sidewalk closure permit applicant to print and post the signs required by this Section.*

(c) *The signs required by this Section shall printed on paper no smaller than 11in x 17in, and all writing on the sign shall be easily readable. The sign shall contain at least the following information:*

(.1) *A title line stating "SIDEWALK CLOSED" and the specific date when the permit expires;*

(.2) *The name or corporate name, physical address, and telephone number of the contractor or sidewalk closure permit applicant;*

(.3) *A statement, in both English and Spanish printed as follows: "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS SITE, CALL 311or 911."; and*

(.4) *A statement printed as follows: "To see other permits issued on this property, call 311 or visit www.phila.gov."*

(d) *For construction or demolition of Major Buildings as defined in § A-1001.1 of Subcode "A" (The Philadelphia Administrative Code) of Title 4 (The Philadelphia Building and Occupancy Code), the applicant may fulfill the sign requirements of this Section by posting the date on which the sidewalk closure permit expires on the Project Information Panel Sign For Major Buildings as provided in § A-1001.7.2 of Subcode "A" of Title 4.*

(e) *Any person who fails to post a sign required by this Section shall be in violation of The Philadelphia Code and shall receive a fine of One Hundred Fifty (\$150) dollars. Each day this condition exists shall be considered a separate violation for the purposes of this Section.*

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SECTION 2. This Ordinance shall take effect January 1, 2015.

Explanation:

Italics indicate new matter.

[Brackets] indicate matter deleted.