City of Philadelphia

City Council
Chief Clerk's Office
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Legislation Details (With Text)

File #:	070191	**Version:**	0	**Name:**	
Type:	Bill			**Status:**	ENACTED
File created:	3/15/2007			**In control:**	Committee on Streets and Services
On agenda:				**Final action:**	5/3/2007
Title:	Granting permission to Chunho Won owner and operator of the newsstand located on the southwest corner of 18th Street and Market Street, to construct, use and maintain conduits for fiber optic facilities in, under and across 18th Street and Market Street, for the purpose of supplying electrical service and telephone service to said newsstand.				
Sponsors:	Councilmember Clarke				
Indexes:	NEWSSTAND				
Code sections:					
Attachments:	1. CertifiedCopy07019100.pdf				

Date	Ver.	Action By	Action	Result	Tally
5/24/2007	0	MAYOR	SIGNED		
5/3/2007	0	CITY COUNCIL	READ		
5/3/2007	0	CITY COUNCIL	PASSED	Pass	17:0
4/26/2007	0	CITY COUNCIL	READ		
4/26/2007	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK`S SECOND READING CALENDAR		
4/19/2007	0	CITY COUNCIL	ORDERED PRINTED AND PLACED ON NEXT FIRST READING CALENDAR		
4/12/2007	0	Committee on Streets and Services	HEARING NOTICES SENT		
4/12/2007	0	Committee on Streets and Services	REPORTED FAVORABLY		
4/12/2007	0	Committee on Streets and Services	HEARING HELD		
3/15/2007	0	CITY COUNCIL	Introduced	Pass	
3/15/2007	0	CITY COUNCIL	Referred		

Granting permission to Chunho Won owner and operator of the newsstand located on the southwest corner of 18th Street and Market Street, to construct, use and maintain conduits for fiber optic facilities in, under and across 18th Street and Market Street, for the purpose of supplying electrical service and telephone service to said newsstand.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Chunho Won, owner and operator of the newsstand located on the southwest corner of 18th Street and Market Street, to construct, use and maintain conduits for fiber optic facilities in, under and across the public rights-of-way at the southwest corner of 18th Street and Market Street, for the purpose of supplying electrical service and telephone service to said newsstand.

The construction and maintenance of said conduit shall be in accordance with the rules and regulations of

the City of Philadelphia and specifically those of the Department of Licenses and Inspections, Streets, and Public Property.

No City department, agency, board or commission shall be required solely by virtue of this Ordinance to issue any permit, license, or approval that Chunho Won must by law obtain prior to construction in the public right-of-way.

This Ordinance specifically does not grant Chunho Won permission to install or use any machine or device outside the exterior wall of the newsstand.

SECTION 2. Before exercising any rights and privileges under this Ordinance, Chunho Won shall enter into an agreement ("Agreement") with the appropriate City department or departments, in a form satisfactory to the City Solicitor, to provide that Chunho Won:

(a) Furnish the City with a bond with corporate surety in the amount and in form satisfactory to the City Solicitor to insure the compliance with all the terms and conditions of this Ordinance and the Agreement and to protect and to indemnify the City from all damages or claims for damages which may arise directly or indirectly as a result of the construction, use and maintenance of the conduit authorized by Section 1.

(b) Secure all necessary permits, licenses, and approvals from all appropriate departments, agencies, boards, or commissions of the City or other governmental entity as may be required by law.

(c) provide written proof that PECO Energy Company has approved the location, design and connection of the electrical conduit and electrical service line to the existing PECO facilities and newsstand.

(c) provide written proof that Verizon-PA Inc., has approved the location, design and connection of the telephone conduit and telephone service line to the existing Verizon - PA Inc. facilities and newsstand.

(e) Assume the cost of all changes and adjustments to, and relocation and abandonment of, all utilities and structures wherever located as may be necessary by reason of the installation of the telephone service.

(f) Carry public liability and property damage insurance, naming the City of Philadelphia as an insured party, in such amounts as shall be reasonably satisfactory to the City Solicitor.

SECTION 3. The City Solicitor shall include in the Agreement such other terms and provisions as shall be deemed necessary to protect the interest of the City of Philadelphia.

SECTION 4**.** The permission granted to construct, use and maintain an electrical conduit and service line and a telecommunications conduit and telephone service line shall expire without any further action by the City of Philadelphia if Chunho Won has not entered into the Agreement and satisfied all requirements of the Agreement and the requirements that are listed in Section 2 of this Ordinance 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 costs thereof, is paid into the City Treasury within sixty (60) days after this Ordinance becomes law.

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