City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

Legislation Text

File #: 171008, **Version:** 0

Authorizing Sanjay Jhaveri, owner and operator of the newsstand located on the southeast corner of North 9th Street, to construct, use and maintain conduits in, under and across the southeast corner of North 9th Street for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to Sanjay Jhaveri, residing at 10615 Saint Thomas Drive, Philadelphia, PA 19116, owner and operator of the newsstand located on the southeast corner of North 9th Street to construct, use and maintain conduits in, under and across the southeast corner of North 9th Street for the purpose of supplying electrical service and telephone service to the newsstand.

SECTION 2. Before exercising any rights or privileges under this Ordinance Sanjay Jhaveri must first obtain or have his contractor(s) 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 and privileges under this Ordinance, Sanjay Jhaveri shall enter into an agreement ("Agreement") with the appropriate City department(s) in a form satisfactory to the Law Department which shall:

(a) furnish the City with a bond with corporate surety in an amount required by the Streets Commissioner and in a form satisfactory to the Law Department to insure the compliance with all the terms and conditions of this Ordinance and the aforementioned 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 conduits in, under and across the southeast corner of North 9th Street for the purpose of supplying electrical service and telephone service to the newsstand;

(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) agree in writing that when, at the determination of the City of Philadelphia, relocation and/or removal of any underground structure in the southeast corner of North 9th Street, either publicly or privately owned, is necessary, Sanjay Jhaveri will be responsible for all costs and expenses related to the removal of any and all conduits constructed pursuant to this Ordinance;

(e) insure that the conduits in, under and across the southeast corner of North 9th Street for the purpose of supplying electrical service and telephone service to the newsstand are constructed according to plans approved by the Streets Department;

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(f) insure that all construction contractors for the encroachments described in Section I 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;

(g) 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 Law Department; and

(h) remove the conduits in, under and across the southeast corner of North 9th Street for the purpose of supplying electrical service and telephone service to the newsstand within one hundred and eighty (180) days upon service of lawful written notice from the Streets Department.

SECTION 3. The Law Department 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 Sanjay Jhaveri to construct, use and maintain conduits in, under and across the southeast corner for the purpose of supplying electrical service and telephone service to the newsstand described in Section I shall expire without any further action by the City of Philadelphia if Sanjay Jhaveri has not entered into an Agreement and satisfied all requirements of the Agreement that are listed in Section 2 and 3 of this Ordinance within one (I) 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 the date this Ordinance becomes law.

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