



City of Philadelphia

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

BILL NO. 120050

Introduced February 2, 2012

**Councilmember Greenlee
for
Council President Clarke**

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Granting permission to the Southeastern Pennsylvania Transportation Authority, 1234 Market Street, Philadelphia, Pennsylvania, to construct, own and maintain open-air passenger shelters and other miscellaneous encroachments on the public sidewalk located at 33rd Street, Dauphin Street and Ridge Avenue, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to the Southeastern Pennsylvania Transportation Authority ("SEPTA") to construct, own and maintain open-air passenger shelters and other miscellaneous encroachments on the public sidewalk located at 33rd Street, Dauphin Street and Ridge Avenue as follows:

1. The installation of an open-air passenger shelter and glass block windscreen on 33rd Street, serving the Route 32 bus. The shelter canopy is 12'-0" wide and 5'-0" deep and covers four (4) steel columns, stainless steel bench, glass block and phenolic panel windscreens and sign frames that will hold a route map, passenger rules, etc.
2. The installation of an open-air passenger shelter at the south end of the bus shed building facing Ridge Avenue and serving the Route 61 bus. The shelter canopy is 29'-0" wide and 6'-10" deep and covers three (3) steel and brick columns, a brick knee wall that supports stainless steel benches and glass block windscreens. The columns will be affixed with sign frames that will hold a route map, passenger rules, etc.
3. The installation of an open-air shelter at the north end of the bus shed building

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facing Ridge Avenue and serving the Route 7 bus. The shelter canopy is 16'-0" wide and 4'-6" deep and is cantilevered from the shed building. The canopy covers a brick knee wall that supports a stainless steel bench.

4. The installation of two landscaping beds, one at the corner of 33rd and Dauphin Street along 33rd Street and the other at the corner of Dauphin Street and Ridge Avenue. These two beds will be mulched and will feature decorative plantings. The edge of the landscaping beds will be bordered by a 6" high concrete curb.
5. A third large landscaping bed will be installed along 33rd Street extending from the existing corner triangular building to the corner of 33rd Street and Ridge Avenue and will serve as a bio-retention basin as part of the stormwater management system. The edge of this landscaping bed will be bordered by a 6" high concrete curb.
6. The installation of signage throughout the site, both directional and informational, to identify the site and location. All signage will be mounted in stainless steel frames.
7. The installation of stainless steel trash receptacles and painted steel bike racks throughout the site.
8. The installation of light fixtures on the sidewalks bordering 33rd Street and Ridge Avenue and lighting at the passenger shelters on Ridge Avenue.
9. The installation of conduit for future AVPA and security camera installation.
10. The installation of artwork located at the corner of 33rd Street and Ridge Avenue.

The open-air passenger shelters and other miscellaneous encroachments shall be constructed as more fully described in the attached Exhibit "A".

SECTION 2. Before exercising any rights or privileges under this Ordinance, SEPTA 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, SEPTA shall enter into an agreement ("Agreement") with the appropriate City department(s), in a form satisfactory to the Law Department, which shall:

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(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 open-air passenger shelters and other miscellaneous encroachments;

(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, the open-air passenger shelters or any other miscellaneous encroachments necessitate relocation and/or removal of any underground structure, either publicly or privately owned, SEPTA will absorb all costs and expenses for the performance of such work at no cost to the City;

(e) insure that the open-air passenger shelters and other miscellaneous encroachments are constructed according to the dimensions listed in Section 1 and Exhibit "A," provided that the Streets Department, in its sole unreviewable discretion, may allow minor variations of the dimension limits within standard tolerances of current engineering practice;

(f) 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

(g) remove the open-air passenger shelters and other miscellaneous encroachments 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 or appropriate in the interest of the City.

SECTION 4. 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 of this Ordinance becomes law.

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Exhibit "A"

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