

City of Philadelphia



(Bill No. 010400)

AN ORDINANCE

Authorizing SAS-1600 Arch Streets, L.P., owner of the property 1600 Arch street, Philadelphia, PA 19103, to construct and maintain various fabric awnings on rigid metal frames attached to the building and projecting over the south footway of Arch street and the north footway of Cuthbert street, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to SAS-1600 Arch street, L.P., owner of the property 1600 Arch street to construct and maintain:

(a) Seven (7) fabric awnings on rigid metal frames, projecting a maximum of approximately four feet (4') into the south footway of Arch street, each with an approximate length of eight feet, six inches (8'-6"), an approximate height of three feet, two inches (3'-2") and with a minimum vertical clearance of thirteen feet (13') above the footway. The centerline of each awning will be located at the following approximate offsets west of the west confirmed curb line as of May 24, 2001, of Sixteenth street:

- (i) forty-nine feet (49')
- (ii) seventy feet (70')
- (iii) ninety-one feet (91')
- (iv) one hundred and nineteen feet (119')
- (v) one hundred and thirty-nine feet (139')
- (vi) one hundred and fifty-nine feet (159')
- (vii) one hundred and eight-six feet (186')

(b) Three (3) fabric awnings on rigid metal frames, projecting a maximum of approximately four feet (4') into the north footway of Cuthbert street, each with an approximate length of eight feet, six inches (8'-6"), an approximate height of three feet, two inches (3'-2") and with a minimum vertical clearance of thirteen feet (13') above the footway. The centerline of each awning will be located at the following approximate offsets west of the west confirmed curb line as of May 24, 2001, of Sixteenth street:

- (i) forty-nine feet (49')
- (ii) seventy feet (70')
- (iii) ninety-one feet (91')

SECTION 2. Before exercising any rights or privileges under this Ordinance, SAS-1600 Arch street, L.P. must first obtain all required permits, licenses and approvals from all

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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, SAS-1600 Arch street, L.P. shall enter into an agreement (“Agreement”) with the appropriate City department(s), in form satisfactory to the City Solicitor, to provide that SAS-1600 Arch street, L.P. 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 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 and maintenance of any of the various fabric awnings on rigid metal frames 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 none of the various fabric awnings on rigid metal frames authorized by Section 1 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;

(f) remove each of the various fabric awnings on rigid metal frames authorized by Section 1 from the public rights-of-way within sixty (60) days upon lawful service of notice from the City of Philadelphia; and

SECTION 3. The City Solicitor may include in the Agreement such other terms and conditions as the Solicitor deems necessary to protect the interests of the City.

SECTION 4. The permission granted to SAS-1600 Arch street, L.P. to construct and maintain various fabric awnings on rigid metal frames over the south footway of Arch street and the north footway of Cuthbert street that are attached to the building 1600 Arch street shall expire without any further action by the City of Philadelphia if SAS-1600 Arch street, L.P. 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.

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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 with sixty (60) days after this Ordinance becomes law.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 14, 2001. The Bill was Signed by the Mayor on August 31, 2001.



Marie B. Hauser
Chief Clerk of the City Council