

City of Philadelphia



(Bill No. 080163)

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled “Regulation of Businesses, Trades and Professions,” and Title 11 of The Philadelphia Code, entitled “Streets,” to provide authorization to the Streets Department to adopt regulations establishing fees for issuing permits for hauling oversized and overweight vehicles; breaking streets and footways for the installation and repair of underground pipes and conduit; placing construction materials, construction equipment and portable on-demand storage units in the right-of-way; and for providing accelerated service for survey activities and City plan changes and plan reviews of private paving plans; and to establish supplementary inspection fees when the work or activity has been commenced without the permit first having been obtained; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

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CHAPTER 9-400. CARRIERS.

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§ 9-406. Hauling Permits for Oversized and Overweight Vehicles.

* * *

(4) Fees.

- (a) The charge for such single trip permit shall be a fixed fee of fifteen (\$15) dollars, plus a tonnage fee of three (\$0.03) cents per ton of two thousand pounds, or fraction thereof, of gross weight of vehicle and load for each mile, or fraction thereof, of length of haul on all streets, roadways or highways under the jurisdiction of the City of Philadelphia, from point of origin to point of destination

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entirely within the City of Philadelphia, *or such other amount or amounts as the Department may establish by regulation, including supplementary inspection fees when the activity has been commenced without the permit first having been obtained.*

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SECTION 2. Title 11 of The Philadelphia Code is hereby amended to read as follows:

TITLE 11. STREETS.

* * *

CHAPTER 11-100. GENERAL PROVISIONS.

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§ 11-105. Supplementary Fees.

(1) *Whenever the Department is authorized by this Title to establish fees for a permit or other activity by regulation, such authorization shall include the authority to establish supplementary inspection fees when the work or activity has been commenced without the permit first having been obtained.*

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CHAPTER 11-200. OPENINGS AND EXCAVATIONS IN THE STREETS.

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§ 11-203. Sewer and Water Pipe and Other Underground Service.

* * *

- (7) Except as otherwise provided in this Section, or where the applicant is responsible for the complete and satisfactory replacement of the permanent paving and does so to the satisfaction of the Department of Streets, [each applicant shall pay] *the fees* for permits provided for in this Section [the following sums] *shall be*:

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(a) For breaking any paved or macadamized street and making an opening of two (2) square yards or less, four hundred dollars (\$400.00); for each additional square yard one hundred dollars (\$100.00);

(b) For breaking any unpaved street, \$30. for each opening;

(c) For breaking any paved or unpaved footway, \$20. for each opening; the restoration of the paving in the footway shall be the responsibility of the permittee and/or the property owner; *or*

(d) *Such other amount or amounts as the Department may establish by regulation.*

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CHAPTER 11-300. BOARD OF SURVEYORS.

* * *

§ 11-306. Schedule of Charges.

- (1) The Department of Streets shall promulgate regulations providing for a fee schedule of charges of surveyors and regulators. Such fees shall be based on the actual costs of the Department of Streets, based on the time and average per diem rate of employees working on or supervising the project and other costs associated with the project *and may include separate fees for providing accelerated service.*

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CHAPTER 11-500. PAVING.

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§ 11-507 Plan Review Fees.

- (1) *The Department is authorized to charge fees for the review of private paving plans, including fees for accelerated review, which fees shall be established by the Department by regulation.*

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CHAPTER 11-600. CONSTRUCTION, ENCROACHMENTS AND PROJECTIONS OVER, ON AND UNDER STREETS.

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§ 11-605. Construction Materials.

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(4) The following fees shall be charged for each permit and for each extension:

(a) Unpaved Streets. \$15. for each building frontage of 40 feet or less, per month or part thereof;

(b) Paved Streets. \$30. for each building frontage of 40 feet or less, per month or part thereof; *or*

(c) *Such other amount or amounts as the Department may establish by regulation.*

* * *

§ 11-610. Construction Equipment.

* * *

(4) No person, including the owner of the equipment, shall place, maintain, or cause to be placed any construction equipment, including any construction dumpster, in the public right-of-way unless a permit has been obtained from the Department of Streets valid for such time period as determined by the Department of Streets. The Department of Streets is authorized to promulgate regulations governing the terms and conditions for the issuance of such permits, *which may provide for fees for the issuance of such permits.*

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CHAPTER 11-800. PORTABLE ON-DEMAND STORAGE UNITS.

* * *

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§ 11-804. Placement of PODS Units Upon the Street.

* * *

(6) The Department is authorized to promulgate regulations necessary or appropriate to implement the provisions of this Chapter, *which may provide for fees for the issuance of permits pursuant to this Chapter.*

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Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on May 22, 2008. The Bill was Signed by the Mayor on June 4, 2008.

A handwritten signature in black ink, reading "Patricia Rafferty". The signature is written in a cursive style with a large, stylized "P" and "R".

Patricia Rafferty
Chief Clerk of the City Council