

City of Philadelphia



(Bill No. 130109)

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” Title 16 of The Philadelphia Code, entitled “Public Property,” and making conforming amendments to the Code to provide for a comprehensive plan for the placement of advertising on municipal property, under certain terms and conditions.

WHEREAS, The delivery of information in a timely manner has become increasingly important and expected in the digital age; and

WHEREAS, The City currently posts information pertaining to City laws, services and events on its official website and transmits public service and emergency alerts via smart-phones and tablets; and

WHEREAS, Digital advertising has become an effective way for governments to communicate public service messages and real time conditions such as weather and road conditions in conjunction with commercial advertising; and

WHEREAS, Allowing advertising, including digital advertising, to be placed on municipal property would provide the City with an effective means of communicating public service messages in tandem with commercial advertising messages; and

WHEREAS, Advertising on municipal property has become a meaningful and innovative way for municipalities to increase revenue; and

WHEREAS, Many cities, including New York, Chicago, Dallas, San Francisco, Boston, and St. Louis, are generating millions of dollars in revenue from the implementation of coordinated municipal advertising programs; and

WHEREAS, The City of Philadelphia has hundreds of municipally owned properties that are attractive to advertisers, and the City can raise revenue comparable to that in other cities by allowing certain private entities to utilize approved public facilities for advertising purposes, and even further through private sponsorship of certain public facilities; and

WHEREAS, With the proper oversight and controls, a coordinated municipal property advertising program can significantly improve the appearance, quality and coordination of street amenities, such as bus shelters, information kiosks, trash receptacles and public restrooms; and

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WHEREAS, Such a coordinated advertising program on public property would also provide a steady stream of additional revenue to the City; and

WHEREAS, The City of Philadelphia should consider any and all proven, viable options for increasing revenue and communicating public service messages and emergency alerts; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 14 of The Philadelphia Code is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-900. SIGNS

* * *

§ 14-905. Non-Accessory Signs.

* * *

(15) Sign Requirements for Municipal Property.

(a) Purpose. The sign requirements of this subsection (15) are intended to balance the public interest in maintaining a safe and attractive City; the interests of businesses and other entities in promoting their products, services and ideas; and the interests of the City and other governmental bodies in communicating public service and emergency messages on a city-wide basis through an integrated network of signage on municipal property.

(b) Applicability. The provisions of this subsection (15) apply to all municipal property, defined as any land, building, or structure (i) that is owned by the City; or (ii) in which the City possesses rights sufficient to permit it to authorize the placement of a non-accessory sign on such land, building, or structure for six months or more.

(c) Non-Accessory Signs on Municipal Property. No prohibition or regulation of non-accessory signs set forth in this Title shall apply to municipal property. In the event of any conflict between any provision of this subsection (15) and any other provision of this Zoning Code, the provisions of this subsection (15) shall control.

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(d) Requirements. The following requirements shall apply to any sign located on municipal property.

(.1) Maximum Size.

Reserved.

(.2) Maximum Height.

Reserved.

(.3) Sign Faces.

Reserved.

(.4) Embellishments.

Reserved.

(.5) Spacing.

Reserved.

(.6) Prohibited Locations.

Reserved.

* * *

(e) Requirements for Digital Signs on Municipal Property. In addition to the requirements set forth in subsection (15)(d), the following requirements shall apply to digital signs on municipal property.

(.1) The sign shall be capable of receiving and transmitting both programmed and real-time digital images and messages and shall be operated as a changing image sign;

(.2) The sign shall be integrated into the City's emergency response network and integrated with other digital signs on municipal property so as to enable the City to interrupt and override, on either a City-wide or localized basis, any regularly programmed messaging in order to communicate City emergency information (or emergency information from a federal, state, or other governmental unit);

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(.3) The City shall be entitled to: (i) a percentage of the regularly scheduled programmable time for digital signs on municipal property; (ii) other available programmable time (or a portion thereof) when the operator of the integrated network of such signs otherwise has no advertising commitments; and (iii) the emergency information override and broadcast rights described in subsection (e)(.2) above; and

(.4) The operator of the integrated network of digital signs on municipal property has entered into a written agreement with the City that sets forth the operation requirements of such signs and network, including but not limited to, requirements regulating sign design, light intensity, mitigating light pollution, energy conservation, and similar environmental and public health and safety concerns, which agreement shall be subject to the approval of City Council when required under Section 8-201 of the Charter (relating to concessions) or any other section of the Charter.

(f) The Planning Commission shall promulgate such regulations as are necessary and appropriate to implement the provisions of this subsection (15).

* * *

SECTION 2. Title 16 of The Philadelphia Code is hereby amended to read as follows:

TITLE 16. PUBLIC PROPERTY.

* * *

CHAPTER 16-200. SALES, LEASES AND OTHER GRANTS OF CITY-OWNED BUILDINGS AND FACILITIES.

* * *

§ 16-204. Other Grants.

* * *

(2) The appropriate department may grant concessions for the placement of non-accessory signs on municipal property pursuant to Section 14-905(15) and may grant concessions for the placement of non-accessory signs, including digital signs, on municipal property (including but not limited to bus shelters, information kiosks, trash receptacles and public restrooms), in the public right-of way, subject to the approval of City Council when required under Section 8-201 of the Charter (relating to concessions), or any other Section of the Charter.

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(3) *The appropriate department shall establish guidelines for the placement of signs on municipal property in the public right-of way and shall take into account the following factors in developing those guidelines:*

(a) *The characteristics of the surrounding area, including but not limited to, its physical, aesthetic, environmental, cultural and historic characteristics;*

(b) *The historical character and significance of the municipal property itself; and*

(c) *Public health and safety.*

SECTION 3. This Ordinance shall become effective 60 days after it becomes law.

SECTION 4. Upon the request of the President of City Council, the appropriate department shall submit (within 45 days of such request) a draft Request for Proposals and a draft of proposed guidelines for the placement of signs on municipal property to the Chief Clerk of Council, with copies to the President and all members of Council.

Explanation:

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 2, 2013. The Bill was Signed by the Mayor on May 15, 2013.



Michael A. Decker
Chief Clerk of the City Council