



Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed Finally

**File created:** 6/3/2008      **In control:** Committee on Public Works

**On agenda:**      **Final action:** 6/17/2008

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**Effective date:** 7/2/2008

**Title:** Ordinance amending and supplementing the Pittsburgh Code, by amending Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 416 - Obstructions, Sections 416.01 - Minor street obstructions; permit required, and 416.02 - Permit fee for minor street obstructions, by providing for a new extension of premises permit and a fee for such permit.

**Sponsors:**

**Indexes:** PGH. CODE ORDINANCES TITLE 04 - PUBLIC PLACES

**Code sections:**

**Attachments:** 1. 2008-479.doc

Date	Ver.	Action By	Action	Result
7/2/2008	1	Mayor	Signed by the Mayor	
6/17/2008	1	City Council	Passed Finally	Pass
6/11/2008	1	Committee on Public Works	AFFIRMATIVELY RECOMMENDED	Pass
6/3/2008	1	City Council	Read and referred	

Presented by Mrs. Harris

Ordinance amending and supplementing the Pittsburgh Code, by amending Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 416 - Obstructions, Sections 416.01 - Minor street obstructions; permit required, and 416.02 - Permit fee for minor street obstructions, by providing for a new extension of premises permit and a fee for such permit.

WHEREAS, the City of Pittsburgh finds that it may increase the attractive aspect of shopping areas within the City to encourage restaurants and retailers to expand their operations on to City sidewalks and may be especially valuable for coffee shops, bookstores, florists, art galleries, boutiques and such like businesses to expand their space on to their sidewalks;

**Be it resolved by the Council of the City of Pittsburgh as follows:**

**Section 1.** Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 416 - Obstructions, Sections 416.01 Minor street obstructions; permit required, and 416.02 permit fee for minor street obstructions, are amended as follows to provide for a new extension of premises permit and a fee for such permit.

## CHAPTER 416: OBSTRUCTIONS

- § 416.01 Minor street obstructions; permit required
- § 416.02 Permit fee for minor street obstructions
- § 416.03 Street encroachments and major street obstructions; permit required
- § 416.04 Permit fee for street encroachments and major street obstructions
- § 416.05 Standards of permit issuance
- § 416.06 Work approval
- § 416.07 Use of construction within public right-of-way

### § 416.01 MINOR STREET OBSTRUCTIONS; PERMIT REQUIRED.

(a) Except for emergencies, no person shall erect barricades or scaffolds, cover or uncover walkways, erect or relocate utility poles on sidewalks or roadways or temporary bridges, or display merchandise, or set out furniture, on a sidewalk, or make any curb cuts or lay or repair a sidewalk without first obtaining a permit from the Department of Public Works.

(b) By accepting a permit, the permittee agrees, where applicable:

(1) To remove or relocate at its own expense all installations from the public street, sidewalk or other public way upon five (5) days written notice from the City requesting the removal; and

(2) To hold the City nonliable for removal or relocation and to indemnify it for any costs incurred as a result of removal or relocation; and

(3) To notify abutting and adjoining property owners of the obstruction five (5) days prior to its installation, unless under emergency conditions, in which case a reasonable attempt shall be made to notify abutting and adjoining property owners prior to the installation of the obstructions.

(4) To hold harmless the City for any losses to persons or property arising from the display of wares or arts and crafts or the setting out of furniture on the sidewalk (“Extension of Premises”).

(5) To remove from the sidewalk all extension of premises wares and furniture at the end of the business day, or by 10 pm, whichever is earlier.

(c) *Over the street banners.* Over-the-street banners are appropriate for the promotion of cultural and civic events of general public interest. Over-the-street banners shall be permitted in commercial or industrial zoned areas. The Director of Public Works shall issue permits for banners to not-for-profit organizations and/or governmental entities including city-based authorities.

The content of the banner shall contain information informing the general public of a specific event or function sponsored by a non-profit or governmental entity.

Event sponsor logos or similar endorsements are permitted and are limited to not more than thirty-three (33) percent of the banner sign face.

Permits shall not be issued for political, commercial or profit-making purposes.

Over the street banners may be in place not more than thirty-five (35) days prior to an advertised event; and, must be removed within seven (7) days after the advertised event.

(d) *Over the sidewalk banners.* Over-the-sidewalk banners are appropriate for the advancement of public art; the identification of neighborhoods, commercial districts or institutions and the promotion of cultural and civic events of general public interest. Over-the-sidewalk banners shall be permitted in commercial or industrial zoned areas. Permits for banners shall be issued to not-for-profit, civic associations or governmental organizations.

(e) **Regulations.**

**(1) Banners.** The Director of Department of Public Works shall promulgate regulations governing size and construction of street and sidewalk banners, application process. Prior to institution of any additional regulation governing street or sidewalk banners the Director shall inform the public and City Council in writing of said regulations and allow for a public comment period of not less than forty-five (45) days prior to implementation of any regulation.

**(2) Extension of premises.** **The Director of the Department of Public Works shall issue regulations governing the display of merchandise and the setting out of furniture on the sidewalk (“Extension of Premises”).**

**§ 416.02 PERMIT FEE FOR MINOR STREET OBSTRUCTIONS.**

Prior to the issuance of any permit for minor street obstruction, the following fees shall be paid:

TABLE INSET:

	<b>Type of Minor Street Obstruction</b>	<b>Fees</b>	
(a)	Temporary barricade, each 15-day period: foot of space per day with a minimum fee	\$6.00 per 200 square foot of space per day	of
	\$90.00 up to a		maximum fee of \$1,800.00/per month.
(b)	Walkway, each 15-day period (uncovered)	\$1.00 per lineal foot. \$30.00 minimum fee.	
(c)	Cutting curb (no permit shall be issued for curb cut in excess of 36 feet	Residential: \$75.00. Non-residential: \$15.00	
	per lineal foot with a minimum fee of \$75.00.		
(d)	Erecting, replacing and/or relocating utility pole and/or anchors:	\$50.00 plus an additional \$100.00 per pole or anchor if	

old pole is not removed  
within 60 days.

(e) Erection of scaffold over roadways and  
sidewalks, each 30-day period:

Residential: \$100.00.  
Non-residential \$0.50 per

linear foot times the number  
of stories with a minimum fee of \$100.00. fee of

(f) Repairing or reconstruction of sidewalk:

Residential:\$30.00 flat fee.  
Non-residential:\$1.00 per

linear foot with a \$30.00  
minimum fee.

(g) Temporary bridge, 15 days:

\$150.00.

(h) Temporary placement of machinery  
or equipment in roadway, each 15-day period:

\$5.00 per day, per piece of  
machinery or equipment,  
minimum fee of \$75.00.

(i) Staging area:

\$5.00 per 200 square foot  
area of street space per day.

(j) Dumpsters:

Temporary: Commercial

\$100.00 per month (no  
weekly rate).

Residential:

\$25.00 per week.

Permanent:

\$375.00 per year.

(k) Pole banners:

1--5 banners:

\$150.00

6--10 banners:

\$375.00

11--20 banners:

\$900.00

21--30 banners:

\$1,552.50.

31--40 banners:

\$2,277.20.

6 months to 1 year:

\$150.00/month.

(l) Banner across street:

1--5 banners:

\$150.00.

6--10 banners:

\$375.00.

11--20 banners:

\$900.00.

21--30 banners:

\$1,552.50.

31--40 banners:

\$2,277.20

6 months to 1 year:

\$150.00 per month.

- (m) Festivals: \$100.00 fee for for-profit organization.
- (n) Canopies, or projected signs, awnings, according to the provisions of the Zoning Ordinance and an initial permit fee: \$150.00.
- (o) Block party obstruction permit: \$25.00.
- (p) Extension of Premises: \$25.00 per year.**

The fee charged to neighborhood organizations for self-installed banners shall be \$10.00.

The Department of Public Works shall waive the banner fee for any U.S. or official government flag placed in the public right-of-way.

Fees shall be reviewed annually by the Director and adjusted as necessary to reflect actual costs to the City. Notice of such adjustments shall be provided to City Council.

**Section 2:** The remaining sections 416.03 through 416.07 of Chapter 416 remain in effect unchanged.