



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed Finally

File created: 1/22/2009 **In control:** Committee on Land Use and Economic Development

On agenda: **Final action:** 2/3/2009

Enactment date: 2/3/2009 **Enactment #:** 2

Effective date: 2/9/2009

Title: Ordinance providing for the revision of Encroachment Ordinance Chapter 419.05 Telephone Booths, Transit Shelters and Newsracks of the Pittsburgh City Code to include Bicycle Racks.

Sponsors:

Indexes: ENCROACHMENTS & EASEMENTS, PGH. CODE ORDINANCES TITLE 04 - PUBLIC PLACES

Code sections:

Attachments: 1. 2009-1049.DOC

Date	Ver.	Action By	Action	Result
2/10/2009	1	Mayor	Signed by the Mayor	
2/3/2009	1	City Council	Passed Finally	Pass
1/28/2009	1	Committee on Land Use and Economic Development	AFFIRMATIVELY RECOMMENDED	Pass
1/22/2009	1	City Council	Read and referred	Pass

Presented by Mr. Burgess

Ordinance providing for the revision of Encroachment Ordinance Chapter 419.05 Telephone Booths, Transit Shelters and Newsracks of the Pittsburgh City Code to include Bicycle Racks.

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

Section 1. Sections 419.05 of Title Four, Article I, Chapter 419, which currently reads:

§ 419.05 TELEPHONE BOOTHS, TRANSIT SHELTERS AND NEWSRACKS.

- (a) No person shall erect, install or maintain a telephone booth, public transit shelter, newsrack or news vending machine on any sidewalk or other public place without first obtaining a permit annually therefore from the Department of Public Works. No permit shall be issued for a public transit shelter prior to the enactment of authorizing legislation by Council. All telephone booths, transit shelters, newsracks and news vending machines so installed shall be subject to the terms and conditions imposed by the Department.
- (b) No person shall install a public transit shelter without first having provided thirty (30) written notice to the owner or owners of the property immediately abutting the easement upon which said shelter shall be located. Said property owner(s) shall file any objections in writing with the Director, Department of Public Works, within ten (10) days. The Director must consider the objections of abutting property owner(s) when issuing permits for such shelters pursuant to this Chapter.
- (c) No permit shall be issued for a public transit shelter which contains an advertising sign without

first obtaining approval from the Zoning Administrator regarding the design and location of the shelter and the sign, considering issues including, but not limited to the location relative to residential properties, storefronts, pedestrian passage, landscape features, and safety; and considering issues including, but not limited to, the design relative to the design or historic nature of surrounding properties, landscape features, or the character of the surrounding infrastructure. (Ord. 15-1998, eff. 7-6-98)

is hereby amended as follows:

§ 419.05 TELEPHONE BOOTHS, TRANSIT SHELTERS, NEWSRACKS, AND BICYCLE RACKS.

(a) Telephone Booths, Transit Shelters and Newsracks

- (1) No person shall erect, install or maintain a telephone booth, public transit shelter, newsrack or news vending machine on any sidewalk or other public place without first obtaining a permit annually therefore from the Department of Public Works. No permit shall be issued for a public transit shelter prior to the enactment of authorizing legislation by Council. All telephone booths, transit shelters, news racks and news vending machines so installed shall be subject to the terms and conditions imposed by the Department of Public Works.
- (2) No person shall install a public transit shelter without first having provided thirty (30) days written notice to the owner or owners of the property immediately abutting the easement upon which said shelter shall be located. Said property owner(s) shall file any objections in writing with the Director, Department of Public Works, within ten (10) days. The Director must consider the objections of abutting property owner(s) when issuing permits for such shelters pursuant to this Chapter.
- (3) No permit shall be issued for a public transit shelter which contains an advertising sign without first obtaining approval from the Zoning Administrator regarding the design and location of the shelter and the sign, considering issues including, but not limited to, the location relative to residential properties, storefronts, pedestrian passage, landscape features, safety, the design relative to the design or historic nature of surrounding properties, landscape features, or the character of the surrounding infrastructure.

(Ord. 15-1998, eff. 7-6-98)

(b) Bicycle Racks:

- (1) No person shall erect or install a bicycle rack without first obtaining a permit from the Department of Public Works. Permit applications shall be submitted to the Director of City Planning or designee.
- (2) All bicycle racks must comply with the standards set forth in the City of Pittsburgh Bicycle Parking Guidelines.
- (3) A minimum of five (5) feet of open unobstructed sidewalk must be maintained for pedestrian traffic and must remain available when bicycles are attached to the bicycle rack.
- (4) A twenty-five dollar (\$25.00) permit fee is required for all new bicycle rack applications.
- (5) Multiple bicycle racks may be approved on a single application so long as all rack locations have been submitted. If additional bicycle racks are added at a later date, a new permit application identifying their location must be completed.
- (6) The Director of City Planning or designee shall acknowledge in writing, upon having reviewed the application, that the suggested bicycle rack placement conforms to the Americans with Disabilities Act (28 C.F.R., pt. 36, App. A) and City of Pittsburgh Bicycle Parking Guidelines. Said acknowledgement and application shall then be submitted to the Director of the Department of Public Works or representative for approval and issuance of a permit.
- (7) The Director of City Planning or designee shall promulgate regulations governing both the size and construction of bicycle racks and the application process. Prior to the institution of any

additional regulations governing bicycle racks, the Director of City Planning or designee shall inform the public, the Department of Public Works and City Council in writing of the additional regulations and allow for a public comment period of not less than forty-five (45) days prior to implementation of any additional regulations.