



CITY OF PHILADELPHIA

DEPARTMENT OF STREETS
7th Floor – Municipal Services Building
1401 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19102-1676

Carlton Williams
Commissioner

Commissioner James Leonard, Esq.
Department of Records
City Hall Room 156
Philadelphia 19107

August 24, 2021

RE: Streets Department Regulations for Installation of Wayfinding Signs on Paved Sidewalks

Dear Commissioner Leonard,

Attached please find Department of Streets Amended Regulations for Installation of Wayfinding Signs on Paved Sidewalks pursuant to Philadelphia Code section 11-614. The regulations have been approved by the Law Department.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Carlton Williams".

Carlton Williams
Commissioner
City of Philadelphia Department of Streets
1401 John F. Kennedy Blvd
Philadelphia, PA 19102

MEMORANDUM

TO: Carlton Williams. Commissioner, Philadelphia Department of Streets

FROM: James C. Kellett, Esq. Deputy City Solicitor

DATE: August 24, 2021

RE: Streets Department Regulations for Installation of Wayfinding Signs on Paved Sidewalks

I have reviewed the attached AMENDED Streets Department Regulations for Installation of Wayfinding Signs on Paved Sidewalks and find them to be legal and in proper form. In accordance with Section 8-407(a) of the Philadelphia Home Rule Charter, you may now forward the proposed amendments to the Department of Records where they will be made available for public inspection.

4.8.4 Applications for the Installation of Wayfinding Signs on Paved Sidewalks

4.8.4.1 Permits.

4.8.4.1.1 Pursuant to Section 11-604(1) of the Philadelphia Code, a permit shall be obtained for each Wayfinding Sign placed in the public right-of-way.

4.8.4.1.2 Written applications for a Wayfinding Sign permit shall be obtained from the Department website and submitted in accordance with the directions thereto. Applications may include plans for more than one Wayfinding Sign, but each Wayfinding Sign shall be assessed individually, and permits shall not be issued until designs for all applicable Signs are approved.

4.8.4.1.3 All written applications shall be reviewed pursuant to the Department of Streets Plan Review Checklist No. 4 (Encroachment Legislation), attached below as Exhibit 1. No application shall be approved by the Department if the plan(s) is/are not prepared by a licensed design professional and/or if the information submitted fails to address the minimum information required for encroachments enumerated in the Checklist, as well as any other minimum requirements promulgated in these regulations.

4.8.4.1.3.1 Additional minimum requirements. In addition to the Checklist, each application shall verify the following minimum standards:

- All Signs must be affixed to a pole in such a way to provide eight (8) feet minimum clearance from the footway or cartway surface to the bottom of the sign.
- All poles must be offset from the curb or other edge of the cartway by a minimum of eighteen (18) inches.
- All poles shall be a minimum of five (5) feet from any tree, or driveway, or any pole or other signage installed or authorized by the Department.
- Signs sized below thirty (30) inches wide and thirty-six (36) inches high may be mounted on existing street poles, subject to Department review.
- No sign shall exceed seventy-two (72) inches in height.
- No sign shall exceed forty-two (42) inches in width, with the following exception:

- On roadway with a speed limit greater than or equal to thirty (30) miles per hour and with at least fifteen (15) feet of available Right-of-Way and six (6) feet clear walking space (as described in Complete Streets Design Handbook), a sign of forty-four (44) inches shall be allowed.
- The Department shall approve all colors used for any Sign.

4.8.4.1.4 Insurance. Any Person installing a Wayfinding Sign shall meet the insurance requirements of a Right-of-Way Licensee, as described in in Section 4.1.4 and 4.1.6 *supra*, and shall provide evidence of coverage in conformance with the requirements of Section 4.1.5 *supra*, and shall provide such evidence of coverage on the written application for a Permit.

4.8.4.1.4.1 Indemnification. Permittee agrees to and shall defend, indemnify, and hold harmless (collectively “indemnify” and “indemnification”) the City, its agents, employees, officers, and legal representatives (collectively the "City Parties") for all third-party claims, suits, damages, liabilities, fines, and expenses including, without limitation, reasonable attorneys’ fees, court costs, and all other defense costs (collectively “Losses”) for injury, death, damage, or loss to persons or property sustained in connection with Permittee’s use, installation, or maintenance of any Wayfinding Sign, without limitation to those caused by Provider or its agents’, employees’, officers’, directors’, consultants’ or subcontractors’ actual or alleged negligence or intentional acts or omissions.

4.8.4.2 Each wayfinding sign shall be installed in accordance with Department regulations for Opening and Excavation of the right-of-way, Chapter 2 *supra*, and in conformance with the Complete Streets Manual and Department Right-of-Way Improvement Standards.

4.8.4.3 The Department, as owner and operator of the Right-of-Way, by and through the Commissioner, shall determine whether the information displayed is in the best interest of the City.

4.8.4.4 The installation of Wayfinding Signs may be permitted on any part of the Right-of-Way at locations to be approved by the Department of Streets. Such installations may be made provided such signs are designed, constructed, and installed to specifications approved by the Art Commission at the time of application submission.

4.8.4.4.1 In addition to Art Commission and Streets Department approvals, Permittee must obtain the written consent of the property owner on which the pole is to be installed, if applicable, and the adjacent property owner shall be notified when any pole is installed.

4.8.4.4.2 If the owner of the property on which the pole is to be installed is unable to be located, or is unresponsive, to the satisfaction of the Department, to a request for permission, then the Permittee shall submit an affidavit attesting to the property owner's unknown whereabouts and/or silence in response to such request, and such affidavit shall constitute *de facto* consent as required in subsection 4.8.4.4.1, *supra*.

4.8.4.5 Wayfinding Signs shall be kept in good repair by the Permittee.

4.8.4.5.1 Whenever the Department of Streets determines that a Wayfinding Sign requires repair, the Department shall serve on the erecting party a written notice describing the required repair and a deadline for compliance.

4.8.4.5.2 Disregard of notice: Where the order to repair the Wayfinding Sign is not obeyed, or when, in the opinion of the Department, immediate action is required to protect the public safety, the Department shall cause the necessary work to be done to repair the Wayfinding Sign.

4.8.4.5.3 Cost of repairs: Where the Department incurs costs of repairs whether by itself or by contract in repairing a Wayfinding Sign, such costs shall be charged to the erecting party. The Department shall, with the approval of the Law Department, collect such costs from the erecting party by lien or otherwise if not paid.