

**MEMORANDUM**

**TO:** Carlton Williams, Commissioner, Philadelphia Department of Streets

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

**DATE:** March 19, 2021

**RE:** Streets Department Regulations Designating Transit Platform Areas

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I have reviewed the attached Streets Department Regulations Designating Transit Platform Areas 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.

5.4 Transit Platform Areas. These regulations are promulgated pursuant to Section 11-104 of the Philadelphia Code, for prohibition of Curb Cuts on areas designated for installation of Transit Platform Areas.

5.4.1 Definitions.

Curb Cut. An alteration to the curb that facilitates vehicular access across a sidewalk to connect the roadway to any public or private property

Transit Platform Area. Any area designated by the Department of Streets as a location for passengers to embark and disembark from a transit vehicle.

5.4.2 Effect of Section. Curb Cuts shall be prohibited on all sections of City right-of-Way that the Department designates as a Transit Platform Area.

5.4.3 Designation. The Department shall publish on its website, in writing and in a manner visible and accessible to the public, its designated Transit Platform Areas and the date of such designation. These designations are hereby incorporated by reference as if set forth more fully here.

5.4.3.1 Future Designation. The Department may, if in possession of such knowledge, also publish in the same manner those Transit Platform Areas yet to be designated, and the date upon which such designation shall take effect.

5.4.4 Mapping. The Department may also publish on its website, in a manner visible and accessible to the public, a map of City Right-of-Way illustrating the Transit Platform Areas, as well as future designations if applicable.

5.4.5 Applicability. The information published on the Department's website, whether in written form, map form, or both, shall serve as the official compendium of Transit Platform Areas at the time such information is accessed by any user of said website.

5.4.5.1 Amendment. The Department shall record and store the date and time of any amendment to its designated Transit Platform Areas.

5.4.6 Effect on Permitting. Applicants for permits or approvals with plans including Curb Cuts shall consult the published Transit Platform Areas prior to applying for any permit or approval. No permit shall be issued, nor permit review approved, by the Department if, at the time of the permit application, the plans thereto require a Curb Cut in a Transit Platform Area.

5.4.6.1 Notice. Where the Department rejects permit applications or refuses to submit approvals due to a proposed Curb Cut in a Transit Platform Area, the Department shall notice the applicant in writing of this reason, and offer the opportunity to submit new plans without a Curb Cut.