



**Ordinance No. 4**  
**City of Pittsburgh**  
**Text File**

510 City-County Building  
414 Grant Street  
Pittsburgh, PA 15219

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<b>Introduced:</b>	5/30/2006	<b>Bill No:</b>	2006-0464
<b>Committee:</b>	Public Safety Services Committee	<b>Status:</b>	Passed Finally

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Presented by Ms. Carlisle

Ordinance Amending the Pittsburgh City Code, Title V, Traffic, Article V: Operation, by adding Chapter 532, titled "2006 Major League Baseball All-Star Game Overlay Zone" pertaining to the 2006 Major League Baseball All-Star Game and Code Enforcement therefore; Establishing a Major League Baseball All-Star Game Overlay Zone and Official Major League Baseball All-Star Game Activity Period; and Allowing Certain Limited Duration Signs in the Major League Baseball All-Star Game Overlay Zone during the Official Major League Baseball All-Star Game Activity Period.

WHEREAS, the City of Pittsburgh has been selected to host the 2006 Major League Baseball ("MLB") All-Star Game and a number of related activities (the "Events"); and

WHEREAS, these Events will attract many visitors to the Pittsburgh region and will provide an outlet for the City to showcase its many unique assets to both these guests and to television viewers on a national and international scale; and

WHEREAS, these Events also provide opportunities for the City to enhance future business development and tourism; and

WHEREAS, MLB projects that these Events will bring an estimated \$55 million dollars of revenue into the Pittsburgh region; and

WHEREAS, these Events also provide numerous opportunities for local businesses and volunteers to become involved in wonderful community-wide activities relating to the Events; and

WHEREAS, MLB and the Pirates are partnering on numerous projects that will directly benefit both charitable organizations in our region and, in particular, youth baseball programs; and

WHEREAS, MLB will be providing the Pirates Charities with 1.5 Million Dollars to fund youth programs and improve community ball fields in the region, and the Pirates have committed to providing funds that will benefit City programs and/or certain ball fields in City parks; and

WHEREAS, although the Events will be permitted activities regulated in part by virtue of the City's Special Events Ordinance as well as existing City Code provisions, it is in the best interest of the City, its residents, and the general public to further regulate certain areas that will be the focus of the Events in order to preserve the public health, safety and welfare of all residents, visitors, and

participants and to enhance the aesthetic features of certain areas; and

WHEREAS, the 2006 Major League Baseball All-Star Game has been deemed a Level 3 Special Event by the United States Department of Homeland Security; and

WHEREAS, federal, state, and local public safety agencies have been reviewing safety plans and after-action reports pertaining to similar large-scale events held in other cities over the past two years and have provided the City with recommendations regarding their findings; and

WHEREAS, these various federal, state, and local public safety agencies have been and will continue to work together in order to establish a secure perimeter boundary (the "Safety Zone") to prepare for and monitor the Events, including the All-Star Game and related festivities; and

WHEREAS, in enacting this Chapter and promulgating the Safety and Overlay Zones, City Council has carefully taken into account the First Amendment and other constitutional rights of citizens; and

WHEREAS, City Council now wishes to promulgate legislation to authorize the creation of a temporary 2006 Major League Baseball All-Star Game Overlay Zone to provide for the safety and welfare of all persons attending the Events, including the All-Star Game and related festivities.

**Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:**

**Section 1.** The Pittsburgh City Code is hereby amended by adding Chapter 532, titled "2006 Major League Baseball All-Star Game Overlay Zone," which Chapter shall read as follows:

**Chapter 532: 2006 Major League Baseball All-Star Game Overlay Zone**

- § 532.01 Definitions
- § 532.02A Establishment of the Overlay Zone
- § 532.02B Establishment of the Safety Zone
- § 532.03 Vending in the Overlay Zone
- § 532.04 Signage, Tents and Inflatables
- § 532.05 Violations of this Chapter; Unlawful Acts; Defense to Prosecution
- § 532.06 Sunset Provision

**§ 532.01A Definitions**

For the purposes of this Chapter, the following words and phrases shall have the meanings ascribed to them in this Section:

*All-Star Game Activities:* Activities shall include: The 2006 Major League All-Star Game, All-Star Fan Fest, Taco Bell All-Star Sunday featuring XM Satellite Radio All-Star Futures Game & Taco Bell Legends/Celebrity Softball/PNC Park, Gatorade All-Star Workout Day featuring Century 21 Home Run Derby, the All-Star Gala, Red Carpet Show, Chasing 3000 Movie Premiere, and Pre-game Celebrations.

*All-Star Game Overlay Zone:* The area set forth on the map attached hereto as Exhibit A and within which the major All-Star Game Activities will occur. The Overlay Zone shall include the Safety Zone(s) within its boundaries.

*Inflatables:* shall include any cold or hot air inflated object of various shapes and sizes, made of flexible fabric, resting on the ground or set upon another structure. Inflatables are sealed, inflated, and have a continuous flow of air via a transportable blower. Inflatable devices are attached or held in place by a cord, rope, line, or similar device and are used to proclaim, declare, demonstrate, display, or otherwise present a message and attract the attention of the public.

*Official All-Star Game Activity Period:* Unless otherwise stated herein, the definitions, procedures, regulations and enforcement provisions of this Chapter shall generally apply to activities authorized hereunder during the period beginning on 12:01 a.m. on Thursday, July 6, 2006, and ending at 6:00 a.m. on Wednesday, July 12th, 2006. In the event that the All-Star Game is rained out on Tuesday, July 11th, this period shall be extended until Thursday, July 13th at 6:00 a.m. Specific access restrictions pertaining to the Safety Zone shall be further limited to times/dates surrounding particular All-Star Game Activities as described in this Chapter and as set forth on Exhibits B-E.

*Safety Zone:* a zone established under Section 532.02 herein and means that secured perimeter whose boundaries shall be set by Public Safety Agencies, including the City of Pittsburgh Bureaus of Police, Fire and Emergency Medical Services, having jurisdiction during the Period of Applicability as defined in Section 532.03 herein. Access control and procedures for ingress, egress and conduct within the Safety Zone during the Period of Applicability shall be coordinated between businesses and citizens residing or located in the Safety Zone and the Public Safety Agencies which have jurisdiction over the Safety Zone.

*Tent:* shall mean a temporary structure covered with white or other colored fabric or another type of covering. It shall include canopies as well as air-supported, air-inflated, and tensioned membrane structures as well as conventional tents.

#### **§ 532.02A Establishment of the All-Star Game Overlay Zone.**

In order to effectuate the intent of this Chapter, the City hereby declares that certain major activities celebrating the All-Star Game will be held within the perimeter of the boundaries set forth on Exhibit A, which is attached hereto. Unless otherwise set forth herein, the extent of activities permitted or proscribed in this Chapter are intended to be solely limited to this Overlay Zone.

#### **§ 532.02B Establishment of the Safety Zone**

- A. After extensive consultation with representatives from the U.S. Department of Homeland Security; the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives; the Pennsylvania Emergency Management Association; Allegheny County; the Director of Public Works; traffic officers/engineers in the Department of Public Works; the Chiefs of the Fire Bureau and Bureau of EMS;

and other public safety entities, the Chief of Police hereby creates a safety zone within the perimeters set forth on Exhibits B-1 and B-2.

- B. In establishing this Safety Zone, the City has taken into consideration the number of persons and vehicles expected, the streets and highway configurations, the condition and traffic flows expected on the streets, highways, and sidewalks, the location of existing public safety facilities, and the security plans for the event. The time span that the Safety Zone, or portions thereof, will be in effect is further limited as set forth on Exhibit C, which is attached hereto.
- C. The City shall cause the notice of the Safety Zone to be published in a newspaper of general circulation at least one time before the Safety Zone is put into effect and the same notice shall be posted in the lobby of the City-County building from the time the notice is issued throughout the duration of the Safety Zone.
- D. In enforcing the temporary Safety Zone, the City must redirect and/or prohibit general vehicular traffic. For reasons of public safety, limited vehicular traffic permitted into the Safety Zone will be subject to inspection (including vehicle interiors) and will be required to park a specific distance away from the perimeter of certain buildings, including PNC Park and the David L. Lawrence Convention Center, consistent with the safety considerations set forth in Section 532.02B(B) herein. The measures that may be taken by federal, state, or local public safety officials for vehicle inspections include but may not be limited to:
  - i. VACIS scans of vehicles;
  - ii. Commercial vehicle inspections authorized by the Federal Motor Carrier Safety Administration's regulation and/or other applicable law;
  - iii. Transmission imaging of parcels inside the vehicles;
  - iv. Consensual vehicle searches; and/or
  - v. Canine sweeps or searches.

Drivers who do not voluntarily consent to the measures listed above upon request by authorized federal, state, or local public safety officials shall be denied vehicular access within the Safety Zone.

- E. Pedestrian traffic is permitted within the Safety Zone. Existing businesses of all types (other than vendors and peddlers, which are addressed in Section 523.03 herein) located within the final secured perimeter of the Safety Zone will be able to continue conducting business during the Official All-Star Game Activity Periods with the condition of controlled access where required to preserve the Safety Zone. Access control and procedures will be coordinated between the businesses and public safety agencies, including the City of Pittsburgh, Bureau of Police.
- F. The existence of the Special Events Permit for the 2006 All-Star Game may preclude other subsequent requests for permitted events in the All-Star Game

Overlay Zone during Activity Periods as defined in Section 523.03. Conflicts will be addressed per applicable law, including the City's Special Event Permit Ordinance (City Code, Chapter 471) and Regulations.

- G. Due to public safety concerns, including but not limited to obstructing a congested area, persons may not bring or carry any signs larger than 18" x 18" in the fan observation area designated on the Roberto Clemente Bridge, [and] Federal Street, and West General Robinson within the Safety Zone during the All-Star Game Red Carpet Show from noon to 5 p.m. on Tuesday, July 11, 2006 or from noon to 5 p.m. Wednesday, July 12 in the event of rain. The fan observations area is further described on Exhibit D-1, which is attached hereto.
- H. Due to public safety concerns, all metal or plastic poles or pipes, all wooden posts longer than 12", and all pointed wooden posts are prohibited from entering the Safety Zone during specific All-Star Game Activities. The restricted times for these items are set forth in Exhibit D-2, which is attached hereto.
- I. In the event that the perimeter of the Safety Zone is changed prior to the commencement of the Official All-Star Game Activity Period, the new boundaries will be published as set forth in Section 523.02B(C).
- J. In addition to any changes to the perimeter of the Safety Zone as set forth in Section 523.03B(I), the Chief of Police is granted discretion to immediately expand the scope of the Safety Zone perimeter during the Official All-Star Game Activity Period in the event of an emergency that threatens the public safety of citizens.

**§ 532.03 Vending in the All-Star Game Overlay Zone**

- A. Vending and peddling during the Official All-Star Game Activity Period shall generally be governed by Chapter 719 of the City Code; however, notwithstanding this, to ensure public safety, no vending or peddling of any kind will be permitted in the Safety Zone for the times set forth on Exhibit E, which is attached hereto unless authorized by the holder of the Special Event Permit. For purposes of this Chapter only, peddling shall include handing out product samples and/or merchandise.
- B. Current stationary vendors with a valid vending permit (as of the effective date of this Chapter) may vend within the All-Star Game Overlay Zone during the Official All-Star Game Activity Period unless such vending spots also fall within the Safety Zone during the time periods set forth on Exhibit E. In such case, the City will work with affected vendors to relocate them as close as possible to the original permitted location outside the Safety Zone.
- C. Vendors shall be limited to signage attached to their vehicle or vending unit as set forth in the Zoning Code and Section 719.04(b).

- D. Section 18 Pa.C.S. § 4119, relating to Trademark counterfeiting, shall be strictly enforced against anyone in violation thereof, including but not limited to vendors and/or other individuals manufacturing, using, displaying, advertising, or distributing any items or services bearing or identified by a counterfeit mark as defined by this statute, including but not limited to unauthorized MLB league or club marks for which permission to use was not obtained from MLB or an MLB-related entity in charge of said mark.

**§ 532.04 Signage, Tents, and Inflatables**

- A. Signage in the All-Star Game Overlay Zone shall be governed by the City's Zoning Code, Article IX of the City Code.
- B. To support public awareness of this important international sporting event, the City will temporarily permit sidewalk banners to be hung within the All-Star Game Overlay Zone for the duration of the All-Star Game Activity Period from June 14, 2006, through July 18, 2006 promoting a Baseball theme, the All-Star Game Activities, and/or the MLB and subject to the following conditions.
  - a. Limited duration permits for these sidewalk announcement banners shall be issued by the City's Department of Public Works.
  - b. The number of limited duration permits issued for sidewalk banners shall be limited to 1200 and all proposed locations shall be approved by the Department of Public Works. Specific placement locations shall be designated on the limited duration permits. A list of such locations shall be available at the Department of Public Works, located at 611 2nd Avenue, Pittsburgh, PA 15219.
  - c. Limited duration permit holders shall be required to hang and remove all signs. Signs not removed by July 18, 2006 may be subject to removal by the City. All costs associated with clean-up and removal shall be assessed to the limited duration permit holder.
  - d. The sidewalk banners shall conform in size and construction requirements with temporary sidewalk banner regulations promulgated by the Department of Public Works for the Official All-Star Game Activity Period. The banners may include announcement of the All-Star Game Activities or information otherwise relating to the Baseball theme and/or MLB and may also include other information, including but not limited to advertising or sponsorship of the All-Star Game or related activities to the extent that such advertising comprises less than 33% of the sign face.
  - e. The permit fee for each banner permitted above shall be \$10 per sign. The

permit holder may agree to leave sign-hanging hardware for the permanent use of the City, in which case the value of such hardware shall be deducted from the permit fee per sign.

- C. Limited duration permits may be issued by the City's Fire Bureau for structures including tents and inflatables to be located within the Safety Zone and Overlay Zone as set forth herein:
  - a. All tents and inflatables shall be subject to conditions established by the City and shall be in compliance with the City Code. Occupancy permits shall be required prior to erecting any tents.
  - b. Tents and inflatables shall be limited to an entertainment area specified in any required Special Events Permit applications and approved by the City's Special Events Committee and public safety officials. All tents and inflatables permitted in the Safety Zone shall be subject to prior inspection by public safety officials.
  - c. Due to expected congestion and traffic at times of certain All-Star Game Activities, no tents or inflatables shall be permitted within the public right of way in the Overlay Zone during the times/and in the high congestion areas further described in Exhibit F. No limited duration permits will be granted for these times and areas.
- D. Temporary signs, tents, or inflatables authorized hereunder that contain trademarked or copyrighted terms or logos shall be erected only with the consent of the holder of the trademark or copyright.

**§ 532.05 Violations under this Chapter; Enforcement; Defense to prosecution**

- A. It shall be unlawful for any person, group, or corporation to violate any provision of this Chapter.
- B. The City, through the Department of Public Safety, is authorized to administer and enforce the provisions of this Chapter.
- C. Any person convicted of violating a provision of this Chapter, shall, upon a finding of guilt by a court of competent jurisdiction be fined not more than \$300 and costs. Each day that any violation of any provision of this Chapter continues shall constitute a separate offense.
- D. Any person convicted of violating a provision of this Chapter which is also a violation of a provision of the Zoning Code, shall be subject to the penalties set forth in Chapter 926, including but not limited to Section 926.04G, which states that any person, firm, association or corporation shall upon conviction be fine not

more than one thousand dollars (\$1,000.00) for each offense and costs, and in default of payment of such fine and costs, shall be subject to imprisonment for not more than thirty (30) days. Each day a violation is continued shall constitute a separate offense. In the case of firms or associations, the penalty may be imposed upon the partners or members thereof, and in the case of a corporation, upon the officers thereof.

- E. In addition to the penalties provided for herein, any condition caused or permitted to exist in violation of this Chapter shall be deemed a public nuisance and may be abated by the City as permitted in law or equity. Abatement shall consist of correcting a condition that is a violation of this Chapter, including immediate removal of property, signs, or merchandise where appropriate.

**§ 532.06 Sunset Provision**

This Chapter 523 shall be revoked in its entirety and all of its provisions shall cease to apply as of 6 a.m. on Wednesday, July 12th, 2006 (or, in the event of a rain date on Thursday, July 13th at 6 a.m. and thereafter.

**EXHIBITS:**

**Exhibit A: Overlay Zone Map**

**Exhibit B: Safety Zone Map**

**Exhibit C: Times for Safety Zone**

**Exhibit D-1: Fan Observation Area during Red-Carpet Show**

**Exhibit D-2: Size of post restrictions**

**Exhibit E: Restrictions on Vending/Peddling**

**Exhibit F: Restrictions on times for Tents/Inflatables**

**Exhibit A: Overlay Zone Map**

**Exhibits B-1 and B-2: Safety Zone Maps**

**Exhibit C: Times for Safety Zone**

**AREA 1: Zone around PNC Park as shown on Exhibit B-1**

Saturday, July 8, 2006 at 12:01 a.m. through Wednesday, July 12, at 6 a.m. (rain date if All-Star

Game postponed through Thursday, July 13, at 6 a.m.)

**AREA 2: Zone around David L. Lawrence Convention Center (including 10th St between Penn Ave and Ft Duquesne Blvd.) as shown on Exhibit B-2.**

Thursday, July 6, at 12:01 through Tuesday, July 11 at 8 p.m.

**Exhibit D-1: Fan Observation Area**

**Exhibit D-2: Restrictions**

All metal or plastic poles or pipes, all wooden posts longer than 12", and all pointed wooden posts are prohibited from entering the Safety Zone during the following times:

A. PNC Park Safety Zone:

Saturday, 07/08/06- "Chasing 3000" movie premiere

6 p.m. to 11 p.m. (or, if the movie is not over by 10:00 p.m., then until one hour after end of movie.)

Sunday, 07/09/06- Taco Bell All-Star Sunday- various events throughout the day at PNC

11:00 a.m. to 11 p.m. (or, if the last event is not over by 10:00 p.m., then until one hour after end of last event)

Monday, 07/10/06- Gatorade All-Star Workout Day- various events throughout the day at PNC

2:00 p.m. to midnight (or, if the last event is not over by 11:00 p.m., then until one hour after end of last event)

Tuesday, 07/11/06- Red Carpet Show /All-Star Game

1:00 p.m. to

B. David L. Lawrence Convention midnight (or, if the game is not over by midnight then until one hour after end of the game)

Safety Zone:

Friday, 07/07/06 through Tuesday, 07/11/06

Friday, 07/07/06: 9:00 a.m. to 8:00 p.m.

Saturday, 07/08/06: 9:00 a.m. to 8:00 p.m.

Sunday, 07/09/06: 9:00 a.m. to 8:00 p.m.

Monday, 07/10/06: 9:00 a.m. to 3:30 a.m. (Tues. morning)

Tuesday, 07/11/06: 9:00 a.m. to 8:00 p.m.

**Exhibit E: Restrictions on Vending/Peddling**

All Vending and Peddling shall be restricted within the Safety Zone during the following times:

A. PNC Park Safety Zone:

Saturday, 07/08/06- "Chasing 3000" movie premiere

6 p.m. to 11 p.m. (or, if the movie is not over by 10:00 p.m., then until one hour after end of movie.)

Sunday, 07/09/06- Taco Bell All-Star Sunday- various events throughout the day at PNC

11:00 a.m. to 11 p.m. (or, if the last event is not over by 10:00 p.m., then until one hour after end of last event)

Monday, 07/10/06- Gatorade All-Star Workout Day- various events throughout the day at PNC

2:00 p.m. to midnight (or, if the last event is not over by 11:00 p.m., then until one hour after end of last event)

Tuesday, 07/11/06- Red Carpet Show/All-Star Game

1:00 p.m. to midnight or, if the game is not over by midnight then until one hour after end of the game

B. David L. Lawrence Convention Safety Zone:

Friday, 07/07/06 through Tuesday, 07/11/06

Friday, 07/07/06: 9:00 a.m. to 8:00 p.m.

Saturday, 07/08/06: 9:00 a.m. to 8:00 p.m.

Sunday, 07/09/06: 9:00 a.m. to 8:00 p.m.

Monday, 07/10/06: 9:00 a.m. to 3:30 a.m. (Tues. morning)

Tuesday, 07/11/06: 9:00 a.m. to 8:00 p.m.

Finally, that any Ordinance or Resolution or part thereof conflicting with the provisions of this Ordinance, is hereby repealed so far as the same affects this Ordinance.

**Effective Date:**                    6/23/2006

**Passed in Council:**            6/13/2006

**Approved:**                        6/21/2006

**Recorded in R.B.**            79 page 16  
**in City Clerk's Office.**