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## **SCRUB Sues City over Agreement with Billboard Industry** *Agreement would potentially legalize hundreds of unpermitted billboards*

**Philadelphia, PA** – Today SCRUB announced the filing of a lawsuit challenging the validity of a private agreement between three billboard companies and the city's law department, which purports to repeal or relax numerous provisions of the zoning code, and strip legislators and aggrieved persons of any right to challenge the legality of those companies' billboards.

Mary Tracy, SCRUB's Executive Director explains, "This agreement rewrites every law that has ever been passed to control the proliferation of billboards in Philadelphia. It is essentially legislation happening behind closed doors, written by the City Law Department in conjunction with three billboard companies. There has been no community input, no transparency and no accountability. That is why SCRUB, our elected officials and community leaders must intervene."

The complaint was filed March 6, 2007, in the U.S. District Court for the Eastern District of Pennsylvania. The plaintiffs include several community organizations and five members of Philadelphia City Council. The Complaint alleges that the private agreement purports to overrule valid provisions of Philadelphia and Pennsylvania law regulating the legality, location, height, and size of billboards. Plaintiffs allege that the agreement interferes with their right to seek redress in the courts, usurped the legislative power of the City Council plaintiffs, and interfered with the non-City Council plaintiffs' right to be heard before government action that enacts or changes the law. Plaintiffs allege that the agreement violates their rights under the United States Constitution and under Pennsylvania law. Plaintiffs seek an order from the Court prohibiting the City from issuing any billboard licenses based on the agreement, and prohibiting the City from participating in private arbitration with the billboard companies under the terms of the agreement.

SCRUB is joined in the action by several community groups including Tacony Civic, Mayfair CDC, West Shore Neighbors, and the Philadelphia Branch of the NAACP. Five members of Philadelphia City Council also joined as plaintiffs: Joan Krajewski, Frank DiCicco, Wilson Goode, Frank Rizzo, and Jim Kenny. Plaintiffs are represented by Philadelphia attorney Charles Sweedler.

Based on inventories submitted by Steen, Clear Channel and CBS Outdoor, SCRUB has identified more than 300 billboards with no valid zoning permits. The agreement was designed

to make it easier for the billboard companies to “legalize” these un-permitted billboards. Some of these billboards are located in areas where outdoor advertising is prohibited, such as near schools, playgrounds, homes and neighborhood commercial corridors.

The Society Created to Reduce Urban Blight (SCRUB) is a 501(c)(3) nonprofit organization. SCRUB’s mission is to ensure that all residents, regardless of income, education, or neighborhood benefit from policies that protect the visual environment and quality of life. SCRUB is the lead organization working with citizens and community groups to protect and improve Philadelphia’s visual environment and quality of life

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