



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 130593

Introduced September 12, 2013

Councilmember Bass

Referred to the
Committee on Streets and Services

AN ORDINANCE

Amending Section 9-206 of The Philadelphia Code, entitled "Sidewalk Vendors in Neighborhood Business Districts," by designating an area within the general vicinity of West Olney Avenue as a Neighborhood Business District and providing for street vending at certain locations within such district, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-206 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-200. COMMERCIAL ACTIVITIES ON STREETS

* * *

§ 9-206. Sidewalk *and Street* Vendors in Neighborhood Business Districts.

* * *

(10) Designated Neighborhood Business Districts.

* * *

(h) West Olney Avenue District.

(.1) The West Olney Avenue District ("The District") shall consist of the area bounded by Wister Street, West Chew Street, Ogontz Avenue, Lindley Avenue and Belfield Avenue.

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(.2) *Street and sidewalk vending shall be prohibited in the District, except that a maximum of six (6) street vendor sites shall be permitted on the following blockfaces subject to the limits set forth below:*

(A) *The 2000 block of West Olney Avenue, south side only, for five (5) vendor locations; and*

(B) *The 1900 block of West Olney Avenue, south side only, for one (1) vendor location.*

(.3) *The Department shall promulgate regulations devising procedures to choose among applicants for a particular blockface or location, including, but not limited to, preference based on seniority. Applicants for street vendor sites in the District shall be selected by the Department in accordance with such regulations. Such regulations shall provide that there shall be a total of six (6) street vendor sites and that no street vendor site will remain unlicensed unless there are no applicants for that site or its blockface.*

(.5) *Regulation of Street Vendor Conveyances.*

(A) *Regulations for street vendor conveyances shall (i) be promulgated by the Department, (ii) be consistent with §9-203, and (iii) address the dimensions, appearance and other design aspects of street vendor conveyances, with the purpose of protecting public safety and ensuring that conveyances placed on the public right-of-way are maintained in a neat, clean and orderly fashion.*

(B) *Street vendors licensed in the District shall only use conveyances that have been inspected and approved by the Department of Licenses and Inspections and are in conformance with design regulations promulgated by the Department.*

(.6) *Vendors shall not park street vending conveyances at the vendor sites between the hours of 10:30 p.m. and 5:30 a.m. daily.*

(.7) *No licensee shall:*

(A) *conduct himself/herself or his/her business in such a way as would (i) restrict or interfere with the ingress or egress of the abutting owner or tenant; (ii) create or become a nuisance or hazard to public health, safety or welfare; (iii) increase traffic congestion or delay; or (iv) constitute an obstruction to adequate access to fire, police, sanitation or emergency vehicles;*

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(B) *leave any conveyance unattended for any period greater than twenty (20) minutes in duration;*

(C) *load or unload merchandise for a period exceeding twenty minutes;*

(D) *conduct licensed operations between the hours of 10:00 p.m. and 6:00 a.m.;*

(E) *vend within ten (10) feet of the extension of legal building lines;*

(F) *vend on the medians of divided highways;*

(G) *vend within three (3) feet of mailboxes, telephones, benches, planters and trees;*

(H) *vend in front of any loading dock or loading ramp;*

(I) *vend in a location other than their assigned location;*
or

(J) *conduct any commercial activity other than the sale of goods, wares and merchandise.*

(.8) *Street vendors shall be subject to all provisions and restrictions applicable to street vendors generally, as provided in Section 9-203 or other applicable law, except that the specific provisions of this Section 9-206 shall control if they conflict with other provisions applicable to street vendors.*

(.9) *Street vendors shall remove all conveyances from the public right-of-way within thirty minutes of ceasing business operations each day.*

(.10) *To reimburse the City for costs with respect to regulating the District, street vendors assigned to locations in the District shall pay, in addition to the license and renewal fee imposed under subsection 9-206(5), an annual fee of five-hundred dollars (\$500).*

SECTION 2. This Ordinance shall become effective immediately.

Explanation:

Italics indicate new matter added.

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