



City of Philadelphia

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

BILL NO. 150093 (As Amended, 6/4/15)

Introduced February 12, 2015

Councilmembers Quiñones Sánchez, Johnson, Goode and Jones

**Referred to the
Committee on Commerce & Economic Development**

AN ORDINANCE

Amending Chapter 18-200 of The Philadelphia Code, entitled "Airports," by requiring providers of ground-handling services at City airport facilities to obtain a permit from the City before providing ground-handling services and providing for possible permit revocation, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 18-200 of The Philadelphia Code, entitled "Airports," is hereby amended to read as follows:

CHAPTER 18-200. AIRPORTS.

§18-201. Leases of Airport Facilities.

(1) In fixing the rates and charges for and term of use of City airport facilities, including rates, fees and charges for the exercise of any privilege or right as hereinafter provided, the Department of Commerce shall, in so far as possible, follow such standards as shall:

* * *

(d) assure long-term revenues to the City at rates calculated to return the cost of providing any service or facility particularly requested by a user, including the debt service and costs of operation, if any, of such service or facility; [and]

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(e) give consideration to the value of any investment or expenditure to be made by any lessee or licensee which will result in temporary or permanent improvement of an airport or any of its facilities or available services and which may have to be amortized over the term of the lease or license, or which may later become the property of the City under the terms or conditions thereof; *and*

(f) promote efficiency, productivity and quality of service at the Airport through upholding of required standards, encouraging retention of experienced staff and preventing disruption of services due to labor unrest.

* * *

(9) Any Use and Lease Agreement, or any amendment, extension or renewal of a Use and Lease Agreement, that the City enters into with any air carrier operating at Philadelphia International Airport that is approved by Council after the effective date of this Subsection shall contain provisions that require the air carrier to make the following commitments, and any such agreement approved by Council shall be deemed to include such requirements.

(a) No contractor hired by the air carrier to provide ground handling services, as that term is defined in Code section 18-201(8)(b), may provide such services at Philadelphia International Airport unless it agrees to all of the following conditions in a service agreement made under the authority of a Use and Lease Agreement.

(.1) All contractors hired to perform ground handling services shall provide the following by July 1, 2015, upon any subsequent Use and Lease Agreement, and at any other time the Division of Aviation may specify:

(.a) evidence of compliance, and certification of an intent to comply without delay, with:

(i) Chapter 17-1300 of the Code (Philadelphia 21st Century Minimum Wage and Benefits Standards);

(ii) the contractual requirements under Section 18-201(8) of the Code pertaining to Labor Peace Agreements; and

(iii) all Philadelphia tax obligations; and

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(.b) such other information as may reasonably requested necessary in order to determine compliance with matters enumerated under subsection (.a).

(.2) The Director of Commerce, or his or her designee, shall terminate any contractor providing ground handling services upon finding any of the following:

(.a) Such contractor has violated, during the course of any agreement with an air carrier, the requirements of Chapter 17-1300 of the Code; or the contractual requirements under Section 18-201(8) of the Code pertaining to labor peace agreements;

(.b) The Department of Revenue has found that such contractor has failed to timely correct noncompliance on any Philadelphia tax obligation;

(.c) Any action or omission of such contractor, or any employee or agent of such contractor, has adversely affected the safety of the public; or

(.d) Such contractor has failed to comply fully with any request under subsection (a)(.1), or committed any fraud, or made any material representation in connection with responding to such a request.

(.3) The Department shall consider any credible information provided to it regarding contractor conduct that might give cause for termination under subsection (a)(.2), and may conduct a hearing to receive information in that regard.

(b) The Director of Commerce or his or her designee shall provide a written report to the Mayor and the President of City Council by July 31 of each year regarding the compliance of ground handling service contractors, inquiries, and terminations under subsection (a).

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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