



City of Philadelphia

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

BILL NO. 070875

Introduced October 18, 2007

**Councilmembers Clarke, DiCicco, Blackwell, Greenlee, Kenney, Reynolds
Brown, Ramos, Krajewski, Tasco, Savage, Council President Verna,
Councilmembers Rizzo, Campbell, Goode, O'Neill, Kelly and Miller**

**Referred to the
Committee on Licenses and Inspections**

AN ORDINANCE

Amending Section 9-1802 of The Philadelphia Code, entitled "Use of Electronic Scanners," by requiring, as a condition of licensure, that retail establishments program their electronic scanners to reject any sale of tobacco products or malt or brewed beverages unless a birth date is entered into the register based on a visual inspection of a photo identification, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-1802 of The Philadelphia Code is amended to read as follows:

§ 9-1802. Use of Electronic Scanners.

* * *

(2.1) As a condition of holding the license required by subsection 9-1802(1), a retail mercantile establishment, including any retail food establishment, shall comply with the following:

(a) If the establishment sells any of the items identified below, every electronic scanner used by such establishment shall be programmed to reject the sale of such items unless a birth date is entered into a cash register or computer; and the establishment shall not enter any such birth date other than based on a visual inspection of a photo identification of the purchaser:

(.1) Cigarettes or other tobacco products.

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(.2) Malt or brewed alcoholic beverages.

(b) The Department shall waive compliance with the requirements of subsection (a) upon proof by a retail mercantile establishment, to the satisfaction of the Department, that the establishment has in place an alternative electronic verification system sufficient to ensure that a purchaser has appropriate identification to verify that he or she is of lawful age.

SECTION 2. This Ordinance, and any provision of this Ordinance, shall be effective upon authorization by the General Assembly.