

City of Philadelphia



(Bill No. 130700)

AN ORDINANCE

Amending Section 9-201 of The Philadelphia Code (“Curb Markets”) to provide for one or more master license agreements for curb markets on South 9th Street, and making other changes applicable to all curb markets, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILDELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-201 of The Philadelphia Code (“Curb Markets”) is amended to read as follows:

§ 9-201. Curb Markets.

(1) Definitions. In this Section, the following definitions apply:

* * *

(c) License. A permit obtained from the Department to occupy a specific space in a curb market, *except as provided in subsection (10)*.

* * *

(2) Locations. The following areas are designated curb markets for the sale of merchandise from carts in accordance with the provisions of this Section:

* * *

(c) No. 3. Christian street to [Passyunk avenue] *Federal street* on South 9th street.

[(d) No. 4. Christian street from 8th and 9th streets.]

[(e)] (d) * * *

[(f)] (e) * * *

(3) Licenses.

* * *

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(e) No person shall be issued licenses for more than two spaces, *except as provided in subsection (10)*.

(f) *Except as provided in subsection (10)*, [In] in issuing licenses, the Department shall give preference to persons already holding licenses *and who have regularly occupied or vended at the licensed location* who file application for renewal at least 10 days before the expiration of the existing licenses.

* * *

(5) Hours of Doing Business.

(a) [Except as provided in § 9-201(5)(b), curb] *Curb* markets may be open for business daily between the hours of 6 A.M. and 7 P.M., except on Friday and Saturday, when they may be open until 10 P.M.

[(b) No curb market may be occupied or used on Sunday.]

* * *

(10) *Special Provisions for South 9th Street Curb Market.*

(a) *Beginning January 1, 2014, the Department is authorized to issue a single curb market license governing multiple curb market spaces as defined in this Section in the area defined in subsection 9-201(2)(c). Eligibility for such license shall be limited to business associations associated with that vending area and shall be awarded based on ability to manage the allocation of vending spaces.*

(b) *Such association shall be responsible for allocating the spaces designated in the license among vendors who seek to use such spaces. Preference shall be given to persons holding licenses before January 1, 2014, and who have regularly occupied or vended at the licensed location. Remaining spaces shall be distributed in an equitable manner, such as first-come first-serve, a lottery or other equitable system.*

(c) *The association shall require payment of the fee for each space used, as well as reasonable administrative costs, as a condition of qualification for use of a space.*

(d) *The association shall provide by agreement with each vendor that the vendor shall comply with all provisions of this Section of the Code and all other applicable laws.*

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(e) The association and each individual vendor shall each be responsible for compliance with this Section.

Explanation:

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

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on November 14, 2013. The Bill was Signed by the Mayor on December 4, 2013.

A handwritten signature in cursive script, reading "Michael A. Decker".

Michael A. Decker
Chief Clerk of the City Council