



City of Philadelphia

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

BILL NO. 260162

Introduced March 5, 2026

Councilmember Gilmore Richardson

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

AN ORDINANCE

Amending Chapter 9-600 of The Philadelphia Code (“Service And Other Businesses”) by adding a new Section 9-631.1 to establish requirements for commercial landlords to take certain remedial action against commercial tenants who engage in tobacco retailing without a required tobacco retailer permit and establishing penalties, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

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CHAPTER 9-600. SERVICE AND OTHER BUSINESSES

§ 9-631.1 Leasing commercial premises to persons engaged in tobacco retailing without a tobacco retailer permit.

(1) Definitions. For purposes of this Section, the following terms shall have the following meanings:

Commercial Landlord. The owner or owners of a commercial premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent, or any other person, firm, corporation, or other entity directly or indirectly in control of a commercial premises.

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Unpermitted Tobacco Retailing. Engaging in tobacco retailing without a permit as required by Section 9-631.

Violator. A person who has been issued a violation for engaging in unpermitted tobacco retailing.

(2) Prohibited Conduct.

(a) It shall be a violation for a commercial landlord to knowingly lease commercial premises to, or otherwise allow use of a commercial premises by, a person who engages in unpermitted tobacco retailing at the commercial premises.

(.1) If a commercial landlord received written notice from the City about a violation at the commercial premises involving unpermitted tobacco retailing, the commercial landlord shall be presumed to know about any unpermitted tobacco retailing that is the subject of a subsequent violation issued against the same violator for unpermitted tobacco retailing at the commercial premises.

(.2) It shall be an affirmative defense under this Section 9-631.1 that the commercial landlord commenced a proceeding to evict the violator or that the commercial landlord took other lawful action that had the effect of ceasing unpermitted tobacco retailing at the commercial premises.

(.3) Nothing in this Section 9-631.1 shall be construed to require or permit a commercial landlord to effectuate an eviction in an unlawful manner.

(3) Enforcement.

(a) Violations of this Section 9-631.1 by a commercial landlord shall be punishable by a fine of \$2,000 per day that the violation continues.

(b) The Department of Licenses and Inspections, in consultation with the Department of Public Health, is authorized to issue regulations in furtherance of its administration and enforcement authority under this Section.

SECTION 2. This Ordinance shall be effective 90 days after being adopted into law.

Explanation:

Italics indicate new matter added.