

Proposed Amendment for Bill No. 260533

Proposed Deletions in ~~Strikethrough~~
Proposed Additions in **Bold**

AN ORDINANCE

Amending Section 9-208 of The Philadelphia Code, entitled "Sidewalk Cafes," to revise remedies and provide for enforcement of sidewalk cafes provisions, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-208 of The Philadelphia Code is hereby amended to read as follows:

§ 9-208. Sidewalk Cafes.

* * *

(8) Remedies.

* * *

(e) Penalties. The penalty for violation of this Section *not covered by subsection (8)(g)* or any condition of a license or of a regulation issued pursuant to this Section shall be a fine of three hundred dollars (\$300) per day.

(f) Repeat Offenders. Any person who commits, on more than one occasion, a violation of *the preceding provisions* of this Section or any condition of a license or of a regulation issued pursuant to this Section, shall be guilty of a separate offense of Repeat Violation, and for each such Repeat Violation, shall be subject to a fine of not more than three hundred dollars (\$300). A person shall be guilty of a Repeat Violation regardless whether the second or subsequent violation occurs before or after a judicial finding of a first or previous violation. Each violation, after the first, shall constitute a separate Repeat Violation offense.

(g) *Active Application Enforcement. In the First, **Second, Fifth, and Eighth Council District Districts**, the penalty for a violation of this Section shall be a fine of seventy-five dollars (\$75) per quarter if:*

(1) *Any person has submitted an application for a sidewalk cafe for a restaurant by June 1, 2026;*

(2) *The application ~~remains under~~ **still awaits initial** review by the Department of Streets;*

(3) *The City is in possession of a duly signed indemnification statement by the applicant;*

(4) *The restaurant is located where permitted by subsection (2) or where permitted pursuant to special ordinance; and*

(.5) The applicant maintains table and chairs placed in accordance with subsection (6) but has neither erected nor constructed any structure.

(.6) The provisions of this subsection (g) shall expire on October 1, 2026.

Section 2. This ordinance is effective immediately.