City of Philadelphia

BILL NO. 240414
(As Amended, 6/3/2024)

Introduced May 9, 2024

Councilmember Phillips

Referred to the
Committee on Commerce & Economic Development

AN ORDINANCE

Amending Chapter 9-600 of The Philadelphia Code, entitled "Service and Other Businesses," by adding a new section regulating the hours of operation of certain establishments and providing for penalties within an area bounded by Ogontz Avenue, between Haines Street and Cheltenham Avenue, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-600 of The Philadelphia Code is hereby amended as follows:

CHAPTER 9-600. SERVICE AND OTHER BUSINESSES

*   *   *

§ 9-640. Ninth District Commercial Business Hour Restriction.

(1)   Definitions.

*   (a) Commercial Establishment. An establishment involved in the buying and selling of goods where consumers primarily purchase goods intended for consumption or use off premises, including a Food Establishment as defined in Code Section 6-102, provided however that any Food Establishment with a Restaurant Liquor License shall not be covered by this section, and further provided that this section shall not apply to a Food Establishment that serves customers exclusively from a drive-through window or any vehicle fueling station.*

(2)   Prohibited Conduct. Notwithstanding any other provision of this Code, no commercial establishment shall be open to the public between 12 midnight and 6 a.m. at the following streets or any other location which Council shall from time to time ordain:

(a)   Ogontz Avenue, between Haines Street and Cheltenham Avenue, on both sides.

(3)   Penalties. The penalty for a violation of this Section shall be a fine of $500 for each offense for each day the violation continues.

(4)   Sunset Provision. The provisions of § 9-640 shall expire December 31, 2026.

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SECTION 2. This Ordinance shall take effect immediately.