

City of Philadelphia



(Bill No. 160303)

AN ORDINANCE

Amending Section 9-703 of The Philadelphia Code, entitled “Special Assembly Occupancies,” by further providing for types of activity to be regulated and by altering the fees and requirements for a Special Assembly Occupancy license, and amending Title 4, Subcode “B” (“The Philadelphia Building Code”) and Subcode “F” (“The Philadelphia Fire Code”) of The Philadelphia Code, to conform a definition, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-703 of The Philadelphia Code is hereby amended to read as follows:

§ 9-703. Special Assembly Occupancies.

(1) Definitions.

* * *

(b) "Social entertainment [purposes]" shall mean *provision for dancing by patrons*, entertainment by live *or recorded* music (*whether or not also presented with video content*) or a disc jockey, [observing] a theatrical or other performance *act* or similar activities. The phrase shall not include the consumption of food and beverages, listening to a speaker or lecture, watching television *programming*, watching or participating in athletic events, or other similar activities.

* * *

(d) "Performance Act" shall mean any person or group of persons engaged in the act of singing, *disc jockeying*, rapping, dancing, playing musical instruments, and/or acting for an audience or group of patrons. *The term shall also include the presentation of streaming or recorded audio or video, whether or not obtained for a fee, where such audio or video is offered primarily for entertainment by listening or viewing, rather than for background.*

* * *

(2) Licenses.

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(a) No person shall operate a special assembly occupancy without first obtaining a special assembly occupancy license from the Department.

(.1) The fee for a special assembly occupancy license shall be [one] *two* hundred [(100)] (200) dollars.

(.2) Within five (5) days of filing an application for a special assembly occupancy license, the applicant shall post a notice of application provided by the Department on the exterior of *each street frontage* of the proposed special assembly occupancy location, *in a location clearly visible to the public*, for a period of thirty (30) days.

(.3) Special assembly occupancy licenses shall be [annually] renewed *every two years* upon payment of the renewal fee of [one] *two* hundred [(100)] (200) dollars *and posting of the renewal application for 30 days as provided in subsection (2)(a)(.2) hereof, and* subject to the conditions set forth in subsection (2)(b) [herein] *hereof*.

SECTION 2. Chapter 2 of Subcode “B” (“The Philadelphia Building Code”) of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 2 DEFINITIONS

* * *

Section B-202. Definitions.

* * *

SOCIAL ENTERTAINMENT [PURPOSES]. *Provision for [D]dancing by patrons, entertainment by live or recorded music or a disc jockey, [observing] a theatrical or other performance act or similar activities. The phrase shall not include the consumption of food and beverages, listening to a speaker or lecture, watching television programming, watching or participating in athletic events, or other similar activities.*

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SECTION 3. Chapter 2 of Subcode “F” (“The Philadelphia Fire Code”) of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 2 DEFINITIONS

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Section 202. Definitions.

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SOCIAL ENTERTAINMENT [PURPOSES]. *Provision for [D]dancing by patrons, entertainment by live or recorded music or a disc jockey, [observing] a theatrical or other performance act or similar activities. The phrase shall not include the consumption of food and beverages, listening to a speaker or lecture, watching television programming, watching or participating in athletic events, or other similar activities.*

* * *

Explanation:

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

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 16, 2016. The Bill was Signed by the Mayor on June 28, 2016.



Michael A. Decker
Chief Clerk of the City Council