



City of Philadelphia

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

BILL NO. 060856

Introduced November 16, 2006

Councilmembers Clarke and Miller

**Referred to the
Committee on Public Safety**

AN ORDINANCE

Amending Chapter 10-300 of The Philadelphia Code, entitled "Minors," by making it unlawful to allow any minors onto any non-school premises during school hours, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-300 of The Philadelphia Code is amended to read as follows:

CHAPTER 10-300. MINORS.

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§10-302. Definitions.

- (1) In this Chapter the following definitions apply:
- (a) Establishment. Any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited;
 - (b) Minor. Any person under the age of eighteen (18) years.
- * * *
- (e) Parent. Any natural parent of a minor, a guardian, or any adult person, 21 years of age or over, responsible for the care and custody of a minor;

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(h) School Day. Any weekday between Labor Day and the third Friday in June, other than a legal holiday or any day posted on the official website of the School District of Philadelphia as a non-attendance day for public school students.

(i) School Pass. A pass or other document bearing an official seal or other certification of a school or school district certifying that the bearer is authorized not to be in school on the dates and hours noted thereon. Such pass may be issued at the beginning of the school year or on an as-needed basis or on any schedule convenient for the school or school district.

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§10-305. Unlawful Conduct of Owners or Operators of Establishments or Other Premises.

(1) No operator of an establishment or their agents or employees shall knowingly permit any minor to remain upon the premises of said establishment between the hours of 10:30 P.M. and 6 A.M. of the following day, official City time, except that on Fridays and Saturdays the hours shall be from 12 midnight to 6 A.M.

(2) No operator of an establishment or their agents or employees, and no owner or lawful resident or occupant of any premises other than a school duly authorized by the Commonwealth, shall knowingly permit any minor to remain upon the premises of said establishment or property between the hours of 9:00 a.m. and 3:00 p.m. on any School Day, unless:

(a) The minor has in his or her possession a School Pass authorizing absence from school at that time; or

(b) The owner or operator of the premises has been given express assurances by the minor's parent that the minor's school has been notified of his or her absence, and that such absence is for a legitimate reason; or

(c) The minor can otherwise demonstrate that he or she is not subject to the compulsory school laws.

(3) *The owner of any property who becomes aware of the presence of any minor in or on any premises controlled by a tenant of such property in violation of this Section shall take all reasonable steps to abate the violation and to prevent its recurrence, including, as necessary to comply:*

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(a) *Informing the tenant of the provisions of this Section and the noted violation.*

(b) *Notifying the Police Department, the Department of Human Services or the School District of Philadelphia.*

(c) *Commencing eviction proceedings. Repeated violations of this Section shall constitute grounds for eviction.*

§10-306. Enforcement and Penalties.

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(4) Any operator of an establishment and any agent or employee of any operator *or any person in control of or the owner of any premises* who shall violate the provisions of § 10-305 shall be fined not less than \$150 nor more than \$300 for each violation.

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Explanation:

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

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