

Proposed Amendment to Bill No. 250988

Proposed deletions in ~~Strikethrough~~  
Proposed additions in **Bold**

AN ORDINANCE

Amending Chapter 9-600 of The Philadelphia Code (entitled “Service and Other Businesses”) to add business hour restrictions in the Fifth Councilmanic District; and amending Section 14-529 of The Philadelphia Code, entitled “VDO, Fifth District Overlay District,” to restrict certain commercial uses and make other related changes, 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 BUSINSSES, TRADES AND PROFESSIONS

\* \* \*

CHAPTER 9-600. SERVICE AND OTHER BUSINESSES

\* \* \*

§ 9-646. *Fifth District Commercial Business Hour Restriction.*

(1) *Definitions.*

(a) *Commercial Establishment. ~~As defined in Section 9-630.~~ An establishment involved in the buying and selling of goods where consumers primarily purchase goods intended for consumption or use off premises, including Consumer Goods as defined in Code Section 14-601, provided however that this Section shall not apply to any: Food Establishment with a Restaurant Liquor License; Food Establishment that serves customers exclusively from a drive-through window; vehicle fueling station; or premises where a permit to conduct a pharmacy has been issued under Section 4 of the Pharmacy Act, 63 P.S. § 390-4 (or any subsequent provision), by the State Board of Pharmacy.*

(2) *Prohibited Conduct. Notwithstanding any other provision of this Code, no Commercial Establishment shall be open to the public between 11 p.m. and 6 a.m. at the following streets or any other location which Council shall from time to time ordain:*

(a) *W. Girard Avenue, both sides, from W. College Avenue to 29<sup>th</sup> Street*

(b) *W. Fairmount Avenue, both sides, from Broad Street to 24<sup>th</sup> Street*

(c) *Broad Street, both sides from Spring Garden Street to Poplar Street*

**(d) Ridge Avenue between Broad Street and W. Girard Avenue**

(3) *Penalties. The penalty for a violation of this Section shall be a fine of one thousand dollars (\$1,000) for each offense for each day the violation continues.*

(4) *Sunset Provision. Reserved.*

SECTION 2. Title 14 of The Philadelphia Code is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING

\* \* \*

CHAPTER 14-500. OVERLAY ZONING DISTRICTS

\* \* \*

§ 14-529. /VDO, Fifth District Overlay District.

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(8) *Supplemental Use Regulations.*

(a) *Commercial Review Areas.*

*Notwithstanding the principal uses allowed within the Commercial Review Area, the following uses shall require a Special Exception:*

**(.1) *Sundries, Pharmaceuticals, and Convenience Sales. Retail Sale of Consumer Goods:***

**(.a) *These provisions shall only apply to W. Girard Avenue, both sides, from W. College Avenue to 29<sup>th</sup> Street; and W. Fairmount Avenue, both sides, from Broad Street to 24<sup>th</sup> Street. on W. Girard Avenue, both sides from W. College Avenue to 29<sup>th</sup> Street;***

**(.b) *on W. Fairmount Avenue, both sides, from W. Broad Street to 24<sup>th</sup> Street.***

**(.c) *Broad Street, both sides from Spring Garden Street to Poplar Street;***

**(.d) *Ridge Avenue between Broad Street and W. Girard Avenue.***

SECTION 3. This Ordinance shall take effect sixty (60) days after being adopted into law.