

City of Philadelphia



(Bill No. 150439-A)

AN ORDINANCE

Amending Section 9-206 of The Philadelphia Code, entitled “Sidewalk Vendors in Neighborhood Business Districts,” by creating the Woodland Avenue Business District for Sidewalk Vending; and establishing special provisions for licensing vendors in certain Business Districts; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-206 of The Philadelphia Code is hereby amended to read as follows:

§9-206. Sidewalk Vendors in Neighborhood Business Districts.

* * *

(10) Designated Neighborhood Business Districts.

* * *

(h) *Woodland Avenue Business District for Sidewalk Vending.*

(.1) *Definition of District. The Woodland Avenue Business District for Sidewalk Vending shall consist of both sides of Woodland Avenue from 48th Street on the east to 58th Street on the west.*

(.2) *Number and location of permitted sidewalk vendors. Within the Woodland Avenue Business District for Sidewalk Vending, a maximum of ninety (90) sidewalk vendor locations shall be permitted, with the number of sidewalk vendors along each blockface as follows:*

(A) *Fourteen (14) sidewalk vendor locations on the south side of Woodland Avenue between 48th and 50th streets;*

(B) *Four (4) sidewalk vendor locations on the north side of Woodland Avenue between 48th and 50th streets;*

(C) *Eleven (11) sidewalk vendor locations on the south side of Woodland Avenue between 50th and 52nd streets;*

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- (D) *Three (3) sidewalk vendor locations on the north side of Woodland Avenue between 50th and 52nd streets;*
- (E) *Nine (9) sidewalk vendor locations on the south side of Woodland Avenue between 52nd and 54th streets;*
- (F) *Thirteen (13) sidewalk vendor locations on the north side of Woodland Avenue between 52nd and 54th streets;*
- ;
- (G) *Five (5) sidewalk vendor locations on the south side of Woodland Avenue between 54th and 56th streets;*
- (H) *Twelve (12) sidewalk vendor locations on the north side of Woodland Avenue between 54th and 56th streets;*
- (I) *Eleven (11) sidewalk vendor locations on the south side of Woodland Avenue between 56th and 58th streets; and*
- (J) *Eight (8) sidewalk vendor locations on the north side of Woodland Avenue between 56th and 58th streets.*
- (.3) *Special Provisions for Woodland Avenue Business District for Sidewalk Vending.*
- (A) *Beginning July 1, 2015, the Department is authorized to issue a single sidewalk vending license governing multiple sidewalk vending spaces as defined in this Section in the area defined in subsection §9-206(10)(h). Any such license shall be renewable annually as provided in § 9-206(5). Eligibility for such license shall be limited to business associations and non-profit organizations associated with that vending area and shall be awarded based on ability to manage the allocation of vending spaces. An applicant for such license shall provide the name and contact information of a person who may be contacted regarding compliance with this Section, and an address at which the organization will receive mail and accept service.*
- (B) *Such organizations shall be responsible for allocating the spaces designated in the license among vendors who seek to use such spaces. Preference shall be given to persons holding licenses before July 1, 2015, and who have regularly occupied or vended at the licensed location. Remaining spaces shall be distributed in an equitable manner, such as first-come first-serve, a lottery or other equitable system.*
- (C) *The organization shall require payment of the fee for each space used, as well as reasonable administrative costs, as a condition of qualification for use of a space. The amount of the fee charged and any administrative costs assessed shall be the same for each vendor in this District, and shall be approved in advance by the Department.*

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(D) The organization shall provide by agreement with each vendor that the vendor shall comply with all provisions of this Section 9-206 and all other applicable laws.

(E) The organization and each individual vendor shall each be responsible for compliance with this Section 9-206.

(F) At least annually, in connection with the renewal of its license, the licensee organization shall provide a report to the Department, containing a list of the vendors currently licensed to vend in this District, and the amount of any fees proposed to be charged to vendors for the next license period.

(.4) In addition to any restrictions provided in this Section 9-206 (which shall be superseded by any conflicting provisions of this subsection 9-206(10)(h)(.4)), no Vendor shall:

(A) vend within ten (10) feet of another sidewalk vendor location;

(B) also conduct sales as the owner or tenant of a property located within the District;

(C) conduct sales utilizing more than three (3) sales people at a time or allow non-customers to congregate at or around the sidewalk vending location;

(D) leave any stand or conveyance unattended at any time;

(E) conduct sales between the hours of 10:00 p.m. and 5:00 a.m.;

(F) vend within ten (10) feet of the legal building lines;

(G) vend within fifty (50) feet upstream (in the direction from which vehicular traffic in the nearest curbside lane approaches) of any bus stop sign;

(H) vend within ten (10) feet of mailboxes, telephones, benches, planters and trees;

(I) vend within ten (10) feet upstream of any pedestrian street crossing;

(J) vend within ten (10) feet of any alley or driveway;

(K) vend within ten (10) feet of where curbs have been depressed to facilitate pedestrian or vehicular movement;

(L) vend in front of any loading dock or loading ramp;

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(M) conduct any commercial activity other than the sale of goods, wares, merchandise;

(N) vend at any location which would reduce the unobstructed pedestrian right-of-way to less than six and one-half (6 1/2) feet, such width not to include the width of any grate;

(O) vend on any portion of a sidewalk directly in front of any building entrance;

(P) vend within fifteen (15) feet of a fire hydrant.

SECTION 2. Effective date. This Ordinance shall take effect immediately.

Explanation:

Italics indicate new matter added.

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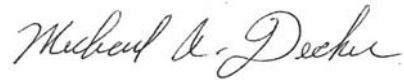
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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on September 17, 2015. The Bill was Signed by the Mayor on September 29, 2015.



Michael A. Decker
Chief Clerk of the City Council