



City of Philadelphia

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

BILL NO. 070913 (As Amended, 12/04/07)

Introduced October 25, 2007

Councilmembers Clarke and Council President Verna

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Section 14-1605 of The Philadelphia Code, entitled "Regulated Uses," by adding Take-out Restaurants and Small Retail Food Establishments to the list of designated regulated uses, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 14-1605 of The Philadelphia Code is amended to read as follows:

§ 14-1605. Regulated Uses.

* * *

(2) Definitions.

* * *

(v) *Take-out Restaurant. An establishment engaged in the preparation and retail sale of food and beverages where the sale of prepared food and/or beverages in disposable packaging and/or containers for consumption by patrons off the premises constitutes more than fifty (50) percent of the establishment's gross revenues.*

(w) *Small Retail Food Establishment. An establishment having less than 2,000 square feet of floor area, where the sale of prepackaged food and grocery items and the sale of prepared food and/or beverages in disposable packaging and/or containers for consumption by patrons off the premises collectively constitutes more than fifty (50) percent of the establishment's gross revenues.*

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(3) Application. The following uses are designated as regulated uses:

* * *

(s) *Take-out Restaurants;*

(t) *Small Retail Food Establishments;*

* * *

(4.1) Rule For Take-out Restaurants and Small Retail Food Establishments. Notwithstanding the provisions of subsection (4), nothing in this section 14-1605 shall prohibit a Take-out Restaurant or Small Retail Food Establishment, provided a Zoning Board of Adjustment certificate is obtained.

Explanation:

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