



# City of Philadelphia

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

**BILL NO. 040757**

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**Introduced September 23, 2004**

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**Councilmembers Blackwell and Ramos**

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**Referred to the  
Committee on Licenses and Inspections**

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## **AN ORDINANCE**

Amending The Philadelphia Code by creating a new license for convenience and take-out stores; and by adding standards and conduct of convenience and take-out stores; all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Legislative Findings. The Council finds that:

(a) There has been a growing problem in neighborhoods with nuisance retail shops, including but not limited to Stop-n-Go's which sell alcoholic beverages, take out restaurants, and convenience type stores. As nuisance stores, these shops become a haven for drug activity, crime and underage drinking and smoking;

(b) Not all convenience and take-out stores create a nuisance within their respective communities. However, each one has the potential of become a community nuisance when owners decide to no longer adhere to community interests such as health and safety;

(c) Therefore, monitoring the proliferation of these stores is in the City's best interest, and placing special conditions on the any new business privilege licenses can serve to protect the stability of our neighborhoods.

SECTION 2. Chapter 19-2602 of The Philadelphia Code, entitled "Licenses," shall be amended as follows:

# City of Philadelphia

BILL NO. 040757 continued

## TITLE 19. FINANCES, TAXES AND COLLECTIONS

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### CHAPTER 19-2602. LICENSES

§19-2602. Licenses.

\* \* \*

(2) [Two (2)] *Three (3)* types of business privilege licenses as required by subsection 19-2602(1) shall be issued, subject to all other provisions of this Section;  
348

(a) A permanent license shall be issued upon payment of a fee of two hundred fifty (250) dollars.

(b) A temporary license, valid for a period not to exceed three (3) consecutive days and not renewable, shall be issued upon payment of a fee of one hundred (100) dollars.

(c) *A one-year provisional convenience and take-out store license shall be issued upon payment of a fee of fifty (\$50.00) dollars. Provisional Licenses shall be made permanent upon approval from the Board of Licenses and Inspections Review in accordance with §19-2602.1 and upon payment of two hundred (\$200.00) dollars.*

SECTION 3. A new Section 19-2602.1 of The Philadelphia Code, entitled “Standards and Conduct of Convenience and Take-out Stores; Permanent License,” is hereby enacted as follows:

*§19-2602.1. Standard and Conduct of Convenience and Take-out Stores; Permanent License.*

(1) *Application. For the purposes of this Section, Standards and Conduct of Convenience and Take-out Stores shall only apply to retail establishments that are not a part of national retail chain stores with gross revenues in excess of \$50 million.*

# City of Philadelphia

BILL NO. 040757 continued

(2) *Prohibited Conduct. Convenience and Take-out store shall not engaged in nuisance activities including but not limited to the provisions in [loitering], [trash], [open air drinking], [loose tobacco]*

(3) *Applicable Standards for Permanent License. After the expiration of the provisional convenience and take-out license, the applicant shall appear before the Board of Licenses & Inspections Review for a permanent business privilege license. The Board may grant such license upon review of the following:*

- (a) *Amount of complaints received by the Department of Licenses and Inspections;*
- (b) *Frequency of Police activity that has occurred at the location; and*
- (c) *If any community organization has given its support of the convenience and take-out store.*

(2) *Hearing; Notice for hearing. The Board of License & Inspections Review shall conduct hearings to determine whether the provisional business license shall convert into a permanent license. Notice shall be provided to the applicant owner, the residents within a three-block radius, and to the District Councilperson as to the date and time.*

SECTION 4. This Ordinance shall be effective immediately.

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**Explanation:**

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

# City of Philadelphia

*BILL NO. 040757 continued*