

Proposed Amendments to Bill No. 260163

Matter deleted by amendment is in ~~Strikethrough~~

Matter added by amendment is in **Bold**

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," to establish restrictions and regulations related to the sale of certain intoxicating substances and provide for associated penalties and enforcement, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

* * *

CHAPTER 9-100. GENERAL PROVISIONS

* * *

§ 9-105. Penalties.

(1) Except as otherwise provided in Chapters 9-600, 9-702, 9-800, 9-900, 9-1000, 9-1100, 9-1200, 9-1600, 9-4000, 9-4200, [and] 9-4400, *and 9-6700*, Sections 9-604, 9-622 and 9-623 of this Title, and subsection 11-707(1) of Title 11, any person who violates any provision of this Title or any regulation adopted hereunder shall, in addition to any other penalty indicated in this Title, pay a fine of no less than one hundred fifty dollars (\$150) nor more than three hundred dollars (\$300).

* * *

CHAPTER 9-6700. INTOXICATING SUBSTANCES

* * *

~~Section~~ § 9-6701. *Definitions.*

(1) *Container. As defined by the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o); absent such definition, the innermost wrapping, packaging, or vessel in direct contact*

~~with a final hemp-derived cannabinoid product in which the final hemp-derived cannabinoid product is enclosed for retail sale to consumers, such as a jar, bottle, bag, box, packet, can, carton, or cartridge, excluding bulk shipping containers or outer wrappings that are not essential for the final retail delivery or sale to an end consumer for personal or household use. § 1639o).~~

(2) ~~Hemp. As defined by the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o); absent such definition, the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more than 0.3 percent on a dry weight basis. § 1639o).~~

(3) ~~Hemp-Derived Cannabinoid Product. As defined by the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o); absent such definition, any intermediate or final product derived from hemp (other than industrial hemp) that contains cannabinoids in any form and is intended for human or animal use through any means of application or administration, such as inhalation, ingestion, or topical application § 1639o).~~

(4) ~~**Intoxicating Hemp Product.** Any substance intended for human or animal use through any means of application or administration, such as inhalation, ingestion, or topical application that contains or is derived from hemp or industrial hemp. set forth in the Exclusions from the definition of Hemp under the Agricultural Marketing Act of 1946 (7 U.S.C. § 1639o).~~

(5) ~~Intoxicating Substance Retailer. A person who, in the usual course of business, purchases or receives Intoxicating Substances for the purpose of sale to a consumer.~~

(6) ~~Intoxicating Substance Retailing. The sale or offer for sale of any Intoxicating Substance to a consumer.~~

(7) ~~Industrial Hemp. As defined by the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o); absent such definition, hemp that is:~~

~~(a) — grown for the use of the stalk of the plant, fiber produced from such a stalk, or any other non-cannabinoid derivative, mixture, preparation, or manufacture of such a stalk;~~

~~(b) — grown for the use of the whole grain, oil, cake, nut, hull, or any other non-cannabinoid compound, derivative, mixture, preparation, or manufacture of the seeds of such plant;~~

~~(c) — grown for purposes of producing microgreens or other edible hemp leaf products intended for human consumption that are derived from an immature hemp plant that is grown from seeds that do not exceed the threshold for total tetrahydrocannabinols concentration specified for Hemp;~~

~~(d) — a plant that does not enter the stream of commerce and is intended to support hemp research at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or an independent research institute; or~~

~~(e) — grown for the use of a viable seed of the plant produced solely for the production or manufacture of any material described in subsections 9-6701(6)(a) through (d). § 1639o).~~

(8) *Intermediate Hemp-Derived Cannabinoid Product.* As defined by the Agricultural Marketing Act of 1946 (7 U.S.C. ~~1639o~~); ~~absent such definition, a hemp-derived cannabinoid product which is either: (a) not yet in the final form or preparation marketed or intended to be used or consumed by a human or animal; or (b) a powder, liquid, tablet, oil, or other product form which is intended or marketed to be mixed, dissolved, formulated, or otherwise added to or prepared with or into any other substance prior to administration or consumption.~~ § 1639o).

(9) *Intoxicating Substance.* Any **Intoxicating Hemp Product** or **Kratom Product**.

(10) ~~"Kratom extract."~~ **Kratom Extract.** A food product that contains any part of a leaf from *Mitragyna speciosa*, commonly known as kratom, which has been extracted and concentrated to provide more standardized dosing.

(11) *Kratom Product.* Any intermediate or final product that is intended for human or animal use through any means of application or administration, such as **inhalation or ingestion**, ~~inhalation, ingestion, or topical application~~, and contains in any form mitragynine or 7-hydroxymitragynine that is:

(a) derived from any part of *Mitragyna speciosa* plant, including the seeds thereof and all derivatives, extracts, alkaloids, isomers, and compounds, whether growing or not;

(b) not capable of being naturally produced by a *Mitragyna speciosa* plant; or

(c) capable of being naturally produced by a *Mitragyna speciosa* plant and was synthesized or manufactured outside the plant.

(12) *Public.* Owned, leased, or operated by the Commonwealth of Pennsylvania, the United States, the City, or any other public or quasi-public governmental body or agency.

~~Section~~ § 9-6702. *Prohibition on Sales.*

(1) It shall be unlawful for any person to sell or offer for sale any ~~product expressly excluded~~ **substance set forth in the Exclusions** from the definition of Hemp under the Agricultural Marketing Act of 1946 (7 U.S.C. ~~1639o~~). § 1639o).

~~(2) Prior to the effective date of Section 781 of the Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act of 2026 (Pub. L. No. 119-37), it shall be unlawful for any person to sell or offer for sale:~~

~~(a) any viable seeds from a Cannabis sativa L. plant that exceeds a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of 0.3 percent in the plant on a dry weight basis;~~

~~(b) any intermediate hemp-derived cannabinoid products containing:~~

~~(.1) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;~~

~~(.2) cannabinoids that are capable of being naturally produced by a Cannabis sativa L. plant and were synthesized or manufactured outside the plant; or~~

~~(.3) more than 0.3 percent combined total of total tetrahydrocannabinols (including tetrahydrocannabinolic acid) and any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as a tetrahydrocannabinol (as determined by the Secretary of Health and Human Services); or~~

~~(c) any intermediate hemp-derived cannabinoid products which are marketed or sold as a final product or directly to an end consumer for personal or household use; or~~

~~(d) any final hemp-derived cannabinoid products containing:~~

~~(.1) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;~~

~~(.2) cannabinoids that are capable of being naturally produced by a Cannabis sativa L. plant and were synthesized or manufactured outside the plant; or~~

~~(.3) greater than 0.4 milligrams combined total per container of total tetrahydrocannabinols (including tetrahydrocannabinolic acid) and any other cannabinoids that have similar effects) on humans or animals as a tetrahydrocannabinol (as determined by the Secretary of Health and Human Services);~~

~~(3) It shall be unlawful for any person to sell or offer for sale any kratom product that meets any of the following criteria:~~

~~(a) Is mixed or packed with a nonkratom substance that affects the quality or strength of the kratom product to such a degree as to render the kratom product injurious to a consumer;~~

~~(b) Contains a kratom extract with levels of residual solvents higher than the standards specified in the edition of the United States Pharmacopeia/National Formulary 467 that is current on the effective date of this paragraph;~~

(c) Contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than 2 percent of the overall alkaloid composition of the kratom product; or

(d) ~~The kratom product contains~~ **Contains** a synthetic alkaloid, including a synthetic mitragynine, a synthetic 7-hydroxymitragynine or any other synthetically derived compounds of the kratom plant.

~~(4)~~ **(3)** It shall be unlawful for any person to sell or offer for sale any intoxicating substance that is not **considered appropriate for use as a dietary supplement or a safe food additive** or the subject of an application that has been approved **in accordance with** under Sections 201, 301, 402, 409, or 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. §§ 321, 331, 342, 348, or 355).

~~(5)~~ **(4)** It shall be unlawful for any person to sell or offer for sale any intoxicating substance to any individual under twenty-one (21) years of age.

~~Section § 9-6703. Licensed~~ **Permitted** Sale of Intoxicating Substances.

(1) ~~Intoxicating Substance Retailer License~~ **Permit** Required.

(a) No ~~person~~ **business** shall act as an Intoxicating Substance retailer without a current intoxicating substance retailer ~~license~~ **permit** for each location where the ~~person~~ **business** engages in intoxicating substance retailing. Acting as an intoxicating substance retailer without a ~~license~~ **permit** is hereby declared a nuisance as a matter of law.

(b) Each intoxicating substance retailer shall prominently display the intoxicating substance retailer ~~license~~ **permit** at each location where the ~~person~~ **business** engages in intoxicating substance retailing.

(c) An intoxicating substance retailer ~~license~~ **permit** shall be issued to an applicant if, in addition to any other applicable requirement, all of the following requirements are met:

(.1) It shall be unlawful for any person to sell or offer for sale any intoxicating substance that is not **considered appropriate for use as a dietary supplement or a safe food additive** or the subject of an application that has been approved **in accordance with** under Sections 201, 301, 402, 409, or 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. §§ 321, 331, 342, 348, or 355).

(.2) ~~If the applicant is an individual, such applicant is at least twenty-one (21) years of age.~~

~~(3)~~—The applicant has provided all material information required by the application.

~~(4)~~ **(3)** The applicant has not made any material false statement in the application.

~~(5)~~ **(4)** The applicant currently maintains a valid permit to dispense medical marijuana from the Pennsylvania Bureau of Medical Marijuana, if required.

~~(6)~~ **(5)** The applicant currently maintains a valid commercial activity license and any license or permit required under this Title.

~~(7)~~ **(6)** The location for which the intoxicating substance retailer ~~license~~ **permit** is sought is fixed, and not mobile.

~~(8)~~ **(7)** The location for which the intoxicating substance retailer ~~license~~ **permit** is sought is not situated within:

(a) A zoning district where such use is not expressly allowed;

(b) 500 ft. of any regulated use, as set forth in subsection 14-603(13) (Regulated Use);

(c) 500 ft. of any school (up to and including the 12th grade) or its adjunct recreation areas/play fields;

(d) 500 ft. of any public playground;

(e) 500 ft. of any public swimming pool;

(f) 500 ft. of any public park;

(g) 500 ft. of any public recreation center;

(h) 500 ft. of any public library;

(i) 500 ft. of any child care; or

(j) Any of the following designated areas:

(i) City Avenue from the Schuylkill Expressway to City Boundary.

(ii) 63rd Street from City Avenue to Lebanon Avenue.

(iii) Monument Road from City Avenue to Ford Road.

(iv) Conshohocken Avenue.

(v) Parkside Avenue from 52nd Street to Belmont Avenue.

- Avenue.*
- (vi) *Haverford Avenue from City Avenue to Lansdowne*
- (vii) *54th Street from City Avenue to Overbrook Avenue.*
- Avenue.*
- (viii) *54th Street from Arlington Street to Montgomery*
- Cumberland Street.*
- (ix) *Germantown Avenue from Erie Avenue to W.*
- Pennsylvania Avenue.*
- (x) *Fairmount Avenue, both sides, from Broad Street to*
- 24th Street.*
- (xi) *Ridge Avenue from Broad Street to 33rd Street.*
- (xii) *Cecil B. Moore Avenue from Broad Street to*
- Street.*
- (xiii) *Broad Street from Spring Garden to Lehigh Avenue.*
- (xiv) *Girard Avenue, both sides, from 4th Street to Broad*
- Street.*
- (xv) *Lehigh Avenue, south side, from 33rd Street to Broad*
- Pennsylvania Avenue.*
- (xvi) *Lehigh Avenue, both sides, Broad Street to 6th Street,*
- (xvii) *Spring Garden Street from Broad Street to*
- to 4th Street.*
- (xviii) *Spring Garden Street, north side, from Broad Street*
- Avenue.*
- (xix) *Krewstown Road from Grant Avenue to Bloomfield*
- Road.*
- (xx) *Grant Avenue from Krewstown Road to Blue Grass*
- Road.*
- (xxi) *Red Lion Road from Roosevelt Boulevard to Steven*
- Road.*
- (xxii) *Red Lion Road from Calera Road to Academy*
- Road.*
- (xxiii) *Fairdale Road from Knights Road to Whiting Road.*

Line Road.

(xxiv) *Bustleton Avenue from Cottman Avenue to County*

Avenue.

(xxv) *Castor Avenue from Cottman Avenue to Bustleton*

Avenue.

(xxvi) *Rhawn Street from Roosevelt Boulevard to Oxford*

(xxvii) *Oxford Avenue from Cottman Avenue to City Limit.*

Avenue.

(xxviii) *Verree Road from Oxford Avenue to Bustleton*

Philmont Avenue.

(xxix) *Byberry Road from Roosevelt Boulevard to*

Road.

(xxx) *Morrell Avenue from Frankford Avenue to Academy*

(xxxi) *Academy Road from Byberry Road to Torrey Road.*

(xxxii) *Knights Road from Fairdale Road to City Limit.*

(xxxiii) *The area bounded by Knights Road from Franklin Mills Circle in the north to Woodhaven Road in the south, Woodhaven Road from Knights Road in the west to Franklin Mills Circle in the east, and Franklin Mills Circle from Woodhaven Road in the south to Knights Road in the north.*

(xxxiv) Aramingo Avenue Shopping Area.

(xxxv) Mayfair Business Improvement District.

terminus at the Delaware River

(xxxvi) Cottman Avenue from Kindred Street to its

to Harbison Ave, east side

(xxxvii) Frankford Avenue from Poquesing Creek

Roosevelt Boulevard, east side

(xxxviii) Bustleton Avenue from Cottman Avenue to

St, south side

(xxxix) Grant Avenue from Roosevelt Boulevard to Milnor

Bridge Street, east side

(xl) Aramingo Avenue from E Allegheny Avenue to

- Delaware Avenue, east side*
- Frankford Creek, east side*
- Frankford creek*
- Convent Lane*
- Avenue*
- Boulevard, east side*
- Street*
- Creek*
- Road*
- Street*
- Avenue*
- Delaware Avenue*
- 40th Street.*
- Avenue.*
- (xli) *Allegheny Avenue from Kensington Avenue to*
- (xlii) *Kensington Ave from Allegheny Avenue to*
- (xliii) *Torresdale Avenue from Kensington Avenue to*
- (xliv) *Torresdale Avenue from Harbison Avenue to*
- (xlv) *Torresdale Avenue from Fidler Street to Grant*
- (xlvi) *Harbison Avenue from Bridge Street to Roosevelt*
- (xlvii) *Richmond Street from Allegheny Avenue to Brill*
- (xlviii) *State Road from Longshore Avenue to Poquesing*
- (xlix) *Rhawn Street from Roosevelt Boulevard to State*
- (l) *Welsh Road from Roosevelt Boulevard to Walker*
- (li) *Rowland Avenue from Frankford Avenue to Solly*
- (lii) *Castor Avenue from Kensington Avenue to N*
- (liii) *Lancaster Avenue from 34th Street to 48th Street.*
- (liv) *Spring Garden Street from 31st Street to*
- (lv) *Haverford Avenue from 31st Street to 52nd Street.*
- (lvi) *Girard Avenue from 34th Street to Belmont*
- (lvii) *40th Street from Girard Avenue to Chestnut Street.*

Haverford Avenue, east side.

(lviii) Belmont Avenue from Parkside Avenue to

side.

(lix) Market Street from 40th Street to 63rd Street, south

(lx) Chestnut Street from 42nd Street to 63rd Street.

(lxi) Walnut Street from 42nd Street to 63rd Street.

(lxii) Baltimore Avenue from 42nd Street to 61st Street.

(lxiii) 52nd Street from Wyalusing Avenue to Woodland

Avenue.

(lxiv) 56th Street from Market Street to Baltimore

Avenue.

(lxv) 60th Street from Market Street to Catharine Street.

(lxvi) 62nd Street from Market Street to Catharine Street.

(lxvii) 58th Street from Market Street to Woodland

Avenue.

(lxviii) Chester Avenue from 42nd Street to 57th Street, east

side.

(lxix) Woodland Avenue from 42nd Street to 57th Street,

east side.

(lxx) North 5th Street from Spencer Street to Somerville

Avenue.

(lxxi) Ogontz Avenue from Cheltenham Avenue to 67th

Avenue.

(lxxii) Wadsworth Avenue from Cheltenham Avenue to

Michener Avenue.

(lxxiii) 22nd Street from Lehigh Avenue to W Allegheny

Avenue

(lxxiv) 5th Street from W. Roosevelt Boulevard to

Delphine Street

(lxxv) Broad Street from Ruscomb Street to W. Venango

Street

Westmoreland Street

(lxxvi) Broad Street from Lehigh Avenue to W.

Washington Lane

(lxxvii) Germantown Avenue from Staub Street to E.

to Morton Street

(lxxviii) W. Cheltenham Ave from Wissahickon Avenue

(lxxix) Chestnut Hill Business Improvement District

(lxxx) Mt. Airy Business Improvement District

to 25th Street

(lxxxii) Washington Avenue, both sides, from Broad Street

25th Street

(lxxxiii) Snyder Avenue, both sides, from

Federal Street to Moore Street

(lxxxiv) Point Breeze Avenue, both sides, from

Broad Street to 23rd Street

(lxxxv) West Passyunk Avenue, both sides, from

25th Street

(lxxxvi) Snyder Avenue, both sides, from Broad Street to

to 27th Street

(lxxxvii) South Street, both sides, from Broad Street

to 10th Street

(lxxxviii) South Street, south side, from Broad Street

Street to 23rd Street

(lxxxviiii) Oregon Avenue, both sides, from Broad

65th street to Island Avenue

(lxxxix) Elmwood Avenue, both sides, from

68th Street

(xc) Woodland Avenue, both sides, from 58th Street to

(xci) Old City Special Services District

(xcii) South Street/Headhouse District

(xciii) East Passyunk Business Improvement District

- District*
- (xciv) Northern Liberties Business Improvement District*
 - (xcv) Fishtown Kensington Area Business Improvement*
 - (xcvi) Center City District*
 - (xcvii) Allegheny Avenue from Kensington Avenue to*
- Delaware Avenue*
- (xcviii) Delaware Avenue from Spring Garden Street to*
- Allegheny Avenue*
- (xcix) Lehigh Avenue from Kensington Avenue to*
- Richmond Street*
- (c) Girard Avenue from Front Street to Richmond*
- Street*
- (ci) Aramingo Avenue from Allegheny Avenue to*
 - (cii) Market Street from Front Street to Broad Street*
 - (ciii) Richmond Street from Delaware Avenue to*
- Allegheny Avenue*
- (civ) Spring Garden Street from Delaware Avenue to*
- Broad Street*
- (cv) Frankford Avenue from Allegheny Avenue to*
 - (cvi) Callowhill Street from Delaware Avenue to Broad*
- Street*
- (cvii) Kensington Avenue from Allegheny Avenue to*
 - (cviii) Front Street from Oregon Avenue to Race Street*
 - (cix) York Street from Aramingo Avenue to Amber*
- Front Street*
- (cx) Chestnut Street from Front Street to Broad Street*
 - (cxi) Walnut Street from Front Street to Broad Street*
- Street*

Delaware Avenue

(cxii) Washington Avenue from Broad Street to

Street

(cxiii) South Street from Front Street to Broad Street

Street

(cxiv) Passyunk Avenue from Broad Street to South

Garden Street

(cxv) 9th Street from Oregon Avenue to Spring Garden

Broad Street

(cxvi) Broad Street from Oregon Avenue to Spring

the Walt Whitman Bridge

(cxvii) Christian Street from Columbus Boulevard to

Broad Street

(cxviii) Columbus Boulevard from Spring Garden St to

Broad Street

(cxix) Snyder Avenue from Columbus Boulevard to

Somerset St

(cxx) Oregon Avenue from Columbus Boulevard to

(cxxi) W Lehigh Ave from N 3rd St to n Howard St

(cxxii) N American St from W Huntingdon St to W

(cxxiii) W Allegheny Ave from N Randolph St to N 2nd St

(cxxiv) 5th Street from W. Huntingdon to W. Clearfield

(cxxv) W Lehigh Ave from N Marshall St to N 5th St

(cxxvi) West Luzerne Street to N 5th St

(cxxvii) W Wyoming Avenue to N 5th St

St.

(cxxviii) W. Erie Ave from N. Franklin St. To N 5th

Lawrence St.

(cxxix) Rising Sun Ave from N. 8th St. To W. Pike St.

(cxxx) W. Butler St. From N. Marshall St. To N.

(cxxxii) N. 6th St. From W. Pike St. To W. Erie Ave.

Susquehanna

(cxxxii) *N 6th St from W Berks St to W*

from Unruh Ave to Princeton Ave

(cxxxiii) *Bustleton & Harbison Bustleton Ave*

(cxxxiv) *Bustleton Ave to Bradford St*

(cxxxv) *Bustleton Ave to Leonard St*

(cxxxvi) *Bustleton Ave to Knorr Street*

(cxxxvii) *Bustleton Ave from Unruh Ave to Akron*

Street

(cxxxviii) *E Alleghany Avenue to B Street*

(cxxxix) *E Alleghany Avenue to D Street*

(cxl) *Castor Ave from Comly St to Benner St*

(cxli) *Castor Ave from Robbins St to Glenview St*

(cxlii) *Castor Ave to Large St*

(cxliii) *E Wingohocking St from Castor to Adams Ave*

(cxliv) *Castor Ave from E Wingohocking St to Orthodox*

St

(cxlv) *E Wyoming Ave from Rosehill St to Tampa St*

(cxlvi) *E Wyoming Ave to E Mentor St*

(cxlvii) *E Wyoming to E Thelma St*

(cxlviii) *E Erie Ave from I St to Adams Ave*

(cxlix) *Frankford Ave from E Hunting Park Ave to Adams*

Ave

(cl) *Torresdale Ave from Frankford Ave to Paul St*

(cli) *Kensington Ave from E Pacific St to E Luzerne St*

(clii) *Frankford Ave from E Berk St. To E. Sergeant St.*

(cliii) *Frankford Ave from Benner St to Tyson Ave*

(cliv) *Frankford Ave to Erdrick St*

(clv) *Frankford Ave to Charles St*

- (clvi) Frankford Ave to Hawthorne St*
- (clvii) Frankford Ave to Mulberry St*
- (clviii) Frankford Ave / Bridge-PrattFrankford Ave from Allengrove St to Brill St*
- (clix) Pratt St from Griscom St to Duffield St*
- (clx) Frankford Ave from Adams Ave to Unity St*
- (clxi) Kensington Ave from Adams Ave to Unity St*
- (clxii) Frankford Ave / Margaret-OrthodoxFrankford Ave from Unity St to Allengrove St*
- (clxiii) Oxford Ave from Margaret St to Leiper St*
- (clxiv) N Front St from Clearfield to E Ontario St*
- (clxv) N Front St to N Lee St*
- (clxvi) N Front St to Mascher St*
- (clxvii) W Allegheny Ave from Mascher St to Ella St*
- (clxviii) N Front St from Diamond St to E Cumberland St*
- (clxix) Kensington Ave from E York St to E Lehigh Ave*
- (clxx) Harbison Ave from Ditman St. To Aramingo Ave*
- (clxxi) Torresdale Ave from Bridge St. To Fraley St.*
- (clxxii) East Tioga Street to Rand Street and East Tioga Street to Malta Street*
- (clxxiii) I street to Train Intersection (No Street Name)*
- (clxxiv) E Hunting Park Ave from Whitaker Ave to L St*
- (clxxv) E Hunting Park Ave to E Lycoming St*
- (clxxvi) Kensington Ave from E Indiana to E Estaugh St*
- (clxxvii) E Allegheny Ave from Kensington Ave to Emerald St*

<i>Reach St</i>	<i>(clxxviii)</i>	<i>E Allegheny Ave from Kensington Ave to</i>
<i>Orleans St.</i>	<i>(clxxix)</i>	<i>Kensington Ave from E. Tusculum St. To E.</i>
	<i>(clxxx)</i>	<i>E Vanango Street to East Glenwood Ave</i>
	<i>(clxxxix)</i>	<i>E Ontario Street to East Vanango Street</i>
	<i>(clxxxii)</i>	<i>Oxford Ave from Pratt st to E Roosevelt St</i>
<i>St</i>	<i>(clxxxiii)</i>	<i>Oxford Ave from Sanger St to E Roosevelt</i>
<i>Kirk St</i>	<i>(clxxxiv)</i>	<i>Oxford Ave from E Roosevelt St to Van</i>

(.9) Any other requirement adopted by the Department by regulation pursuant to this Section.

*(d) An intoxicating substance retailer ~~license~~ **permit** is valid for one ~~person~~ **business** at one location and may not be transferred from one ~~person~~ **business** to another or from one location to another. A new intoxicating substance retailer ~~license~~ **permit** is required whenever an intoxicating substance retailer changes location or transfers ownership.*

*(2) ~~License~~ **Permit** Expiration, Renewal, and Revocation.*

*(a) Term. An intoxicating substance retailer ~~license~~ **permit** shall be effective through the thirty-first day of December of the calendar year for which it is issued.*

*(b) Renewal. Any person lawfully issued an intoxicating substance retailer ~~license~~ **permit** pursuant to the provisions of this Section shall be entitled to renew such ~~license~~, **permit**, provided that all the requirements of this Section, and any other applicable requirements, are met.*

*(.1) An intoxicating substance retailer shall apply for renewal and submit the applicable renewal fee no later than sixty (60) days prior to expiration of the license **permit** term. Renewal applications submitted less than sixty (60) days prior to the expiration of the license **permit** term shall be subject to both the new application fee, and the renewal fee, **and the late renewal fee.***

*(.2) Applicants for renewal shall meet the requirements for an intoxicating substance retailer license **permit** set forth under subsection (1).*

*(c) Revocation of ~~License~~. **Permit.***

(.1) An intoxicating substance retailer ~~license~~ **permit** may be revoked for any of the following reasons:

(.a) Failure to provide all information required as a condition of issuing an intoxicating substance retailer ~~license~~; **permit**;

(.b) Making a material false statement in an application for an intoxicating substance retailer ~~license~~ **permit** or in a renewal application for an intoxicating substance retailer ~~license~~; **permit**;

(.c) Failure to maintain a valid medical marijuana permit from the Pennsylvania Bureau of Medical Marijuana, if required;

(.d) Failure to maintain a valid commercial activity license or any other license or permit required under this Title;

(.e) The person issued an intoxicating substance retailer ~~license~~ **permit** is delinquent in the payment of any City or School District of Philadelphia taxes, charges, fees, rents or claims, or any penalties or fines relating to the person's business for which the person is responsible, unless the person has entered into an agreement to pay any such delinquency and is abiding by the terms of such agreement.

(.f) The person issued an intoxicating substance retailer ~~license~~ **permit** engages in intoxicating substance retailing at any other location in the City in violation of any provision of this Section, or any City requirement with respect to intoxicating substance retailing.

~~(.2) — New License After Revocation. A new intoxicating substance retailer license shall not be issued to an intoxicating substance retailer within ten (10) days after the first revocation within any thirty-six (36) month period, within fifteen (15) days after the second revocation within any thirty-six (36) month period, or within sixty (60) days after the third or subsequent revocation within any thirty-six (36) month period.~~

(3) **License Permit Fees.** The application **and renewal** fees shall be ~~fifty~~ **three-hundred** dollars ~~(\$50)~~, **(\$300)**, and the **late** renewal fee shall be fifty dollars (\$50), except that the Department may alter these fee amounts by regulation, based on the total cost of the administration and enforcement of this Section. The application fee shall be paid at the time the application is submitted. The renewal fee shall be paid at the time the renewal application is submitted.

(4) **Testing and Certification Required.** Any intoxicating substance sold by a ~~licensed~~ **permitted** intoxicating substance retailer shall be tested by a Drug Enforcement Agency (DEA) registered and licensed laboratory in Pennsylvania authorized to test such substances.

(a) **Intoxicating Hemp** products shall be certified by such laboratory as:

(.1) Having a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more than 0.3 percent on a dry weight basis; and

(.2) Being free from heavy metals, pesticides, solvents, mycotoxins, microbials and other contaminants.

(.3) Being free from any poisonous or otherwise deleterious ingredient, including, but not limited to, any of the following:

(.a) A controlled substance listed under section 4 of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § ~~§~~780-104).

(.b) A controlled substance listed under 28 Pa. Code Ch. 25 Subch. A (relating to controlled substances, drugs, devices and cosmetics).

~~(.b)~~ (.c) A substance that is temporarily scheduled as a controlled substance by the Secretary of Health pursuant to section 3(d) of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § ~~§~~780-103(d)).

(.4) Being free from any substance that affects the quality or strength of the **intoxicating** hemp product to such a degree as to render the ~~hemp~~ product injurious to a consumer.

(b) Kratom products shall be certified by such laboratory as:

(.1) Being free from any substance that affects the quality or strength of the kratom product to such a degree as to render the kratom product injurious to a consumer.

(.2) Being free from any poisonous or otherwise deleterious nonkratom ingredient, including, but not limited to, any of the following:

(.a) A controlled substance listed under section 4 of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § ~~§~~780-104).

(.b) A controlled substance listed under 28 Pa. Code Ch. 25 Subch. A (relating to controlled substances, drugs, devices and cosmetics).

~~(.b)~~ (.c) A substance that is temporarily scheduled as a controlled substance by the Secretary of Health pursuant to section 3(d) of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § ~~§~~780-103(d)).

(.3) Containing a kratom extract with levels of residual solvents below the standards specified in the edition of the United States Pharmacopeia/National Formulary 467 that is current on the effective date of this paragraph.

(.4) Containing a level of 7-hydroxymitragynine in the alkaloid fraction of not more than 2 percent of the overall alkaloid composition of the kratom product.

(.5) *Being free from heavy metals, pesticides, solvents, mycotoxins, microbials and other contaminants.*

(5) *Labeling Required. Any intoxicating substance sold by a ~~licensed~~ **permitted** intoxicating substance retailer shall be labeled, in accordance with regulations adopted by the Department, in a manner that identifies to consumers that the product meets the criteria established in this Section, and otherwise complies with all applicable hemp and kratom and consumer protection laws and regulations:*

(a) ***Intoxicating** Hemp products shall be labeled as:*

(.1) *Having a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more than 0.3 percent on a dry weight basis; and*

(.2) *Being free from heavy metals, pesticides, solvents, mycotoxins, microbials and other contaminants.*

(.3) *Being free from any poisonous or otherwise deleterious ingredient, including, but not limited to, any of the following:*

(.a) *A controlled substance listed under section 4 of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § ~~§~~780-104).*

(.b) *A controlled substance listed under 28 Pa. Code Ch. 25 Subch. A (relating to controlled substances, drugs, devices and cosmetics).*

~~(.b)~~ (.c) *A substance that is temporarily scheduled as a controlled substance by the Secretary of Health pursuant to section 3(d) of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § ~~§~~780-103(d)).*

(.4) *Being free from any substance that affects the quality or strength of the **intoxicating** hemp product to such a degree as to render the ~~hemp~~ product injurious to a consumer.*

(b) *Kratom products shall be labeled as:*

(.1) *Being free from any substance that affects the quality or strength of the kratom product to such a degree as to render the kratom product injurious to a consumer.*

(.2) *Being free from any poisonous or otherwise deleterious nonkratom ingredient, including, but not limited to, any of the following:*

(.a) *A controlled substance listed under section 4 of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § § 780-104).*

(.b) *A controlled substance listed under 28 Pa. Code Ch. 25 Subch. A (relating to controlled substances, drugs, devices and cosmetics).*

~~(b)~~ **(c)** A substance that is temporarily scheduled as a controlled substance by the Secretary of Health pursuant to section 3(d) of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § § 780-103(d)).

(.3) Containing a kratom extract with levels of residual solvents below the standards specified in the edition of the United States Pharmacopeia/National Formulary 467 that is current on the effective date of this paragraph.

(.4) Containing a level of 7-hydroxymitragynine in the alkaloid fraction of not more than 2 percent of the overall alkaloid composition of the kratom product.

(.5) Being free from heavy metals, pesticides, solvents, mycotoxins, microbials and other contaminants.

~~Section~~ § 9-6704. Penalties and Enforcement.

A violation of any provision of this Chapter shall be classified as a Class III offense subject to the maximum fine set forth in subsection 1-109(3) of the Code, in addition to the penalties authorized pursuant to Section A-505.1 of the Philadelphia Administrative Code. Each day a violation continues shall constitute a separate offense.

~~Section~~ § 9-6705. Severability.

If a court of competent jurisdiction declares any part of this Chapter 9-6700 to be invalid, such judgment shall not affect the validity of this Section as a whole or any remaining part thereof. It is the intention of City Council that the remaining provisions of this Section would have been adopted as if such part found to be invalid had not been enacted.

* * *

SECTION 2. This Ordinance shall be effective ~~immediately~~ **November 12, 2026**, except that Section 9-6703 (“~~Licensed~~ **Permitted** Sale of Intoxicating Substances”) shall take effect ~~90 days~~ **after it becomes law upon the issuance of regulations by the Department.**