



City of Philadelphia

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

BILL NO. 200022

Introduced January 23, 2020

Councilmembers Bass, Gauthier, Council President Clarke, Councilmembers Quiñones Sánchez, Oh, Brooks, Johnson, Squilla, Gilmore Richardson and Jones

**Referred to the
Committee on Law and Government**

AN ORDINANCE

Amending Title 10-613 of the Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," prohibiting certain racially insensitive conduct in public places including the wearing of "blackface," all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," is amended as follows:

TITLE 10. REGULATION OF INDIVIDUAL CONDUCT AND ACTIVITY

CHAPTER 10-600 PUBLIC PLACES-PROHIBITED CONDUCT

§10-613 Concealed Identities and racially insensitive conduct.

(1) No person shall, with the specific intent to intimidate or threaten another person, or with the specific intent to hide one's identity during the commission of lawful activity wear a mask, *blackface*, hood or other device or means of hiding, concealing, or covering any portion of the face [for the purpose of concealing their identity] on public property or private property in this City without the express written permission of the owner or occupier of the property.

(2) This section shall not be construed to punish constitutionally protected speech.

(3) A person who violates this section shall be fined not less than \$75.00.

(4) *A person who violates section 1, specifically marching in a public parade, shall be suspended from marching in a public parade for no less than five years.*

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(5) Black Face shall be defined as a form of theatrical make-up used predominately by non-black performers to represent a caricature of a black person, and which is generally considered offensive to African Americans.

SECTION 2. This bill shall take effect immediately.

Explanation:

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