



Legislation Details (With Text)

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File created: 10/25/2018 **In control:** Committee on Licenses and Inspections

On agenda: **Final action:** 12/13/2018

Title: Amending Chapter 9-3900 of The Philadelphia Code, entitled "Property Licenses and Owner Accountability," to modify application and notice requirements, and penalties for noncompliance; all under certain terms and conditions.

Sponsors: Councilmember Reynolds Brown

Indexes:

Code sections: 9-3900 - Property Licenses and Owner Accountability

Attachments: 1. Bill No. 180939-A02, As Amended on Floor.pdf, 2. CertifiedCopy180939-A02

Date	Ver.	Action By	Action	Result	Tally
1/3/2019	2	MAYOR	SIGNED		
12/13/2018	2	CITY COUNCIL	PASSED	Pass	17:0
12/6/2018	2	CITY COUNCIL	AMENDED		
12/6/2018	2	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
12/6/2018	1	CITY COUNCIL	READ		
11/29/2018	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
11/29/2018	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
11/29/2018	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
11/28/2018	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
11/28/2018	0	Committee on Licenses and Inspections	HEARING HELD		
11/28/2018	0	Committee on Licenses and Inspections	AMENDED		
11/28/2018	1	Committee on Licenses and Inspections	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
10/25/2018	2	CITY COUNCIL	Introduced and Referred	Pass	

Amending Chapter 9-3900 of The Philadelphia Code, entitled "Property Licenses and Owner Accountability," to modify application and notice requirements, and penalties for noncompliance; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-3900 of The Philadelphia Code, entitled "Property Licenses and Owner

Accountability,” is hereby amended as follows:

CHAPTER 9-3900. PROPERTY LICENSES AND OWNER ACCOUNTABILITY

* * *

§ 9-3901. General Provisions.

* * *

(2) Application and Issuance. In addition to the provisions set forth in Subcode A of Title 4, the following provisions shall also apply to licenses required by this Chapter:

(a) An applicant for a new license or the renewal of a license shall complete an application provided by the Department. The application shall contain the following information, and such other information as the Department may require:

(i) The name and address of the owner *or owners* of the property.

(.1) If an owner of the property is not a natural person or a publicly traded company, the application shall identify, in addition to the owner of the property, the name and preferred mailing address of each natural person who has an equity interest in such owner or owners of the property that exceeds one or more of the following, regardless of whether the natural person has a direct equity interest or such natural person’s equity interest is held through one or more tiers of a corporate structure, such as parent-subsidiary structure: (a) forty-nine percent (49%) of the value of the property or (b) forty-nine percent (49%) of the value of the owner of the property. If no natural person has such an interest, the application shall identify the name and preferred mailing address of the two natural persons who have the largest equity interest in the property.

* * *

(c) Applicants shall have an ongoing obligation to provide accurate and up to date information, and to correct inaccurate information. An applicant shall notify the Department of any changes to the information set forth in an application submitted pursuant to Section 9-3901(2)(a) within ten (10) business days of such change, provided that the Department may rely on the accuracy of the current application on file at a given date.

* * *

§ 9-3902. Definitions

* * *

(7) “Equity interest.” *A legal or equitable ownership interest in a property or business, however designated, including, but not limited to, capital stock, partnership interests, or membership interests.*

* * *

§ 9-3907. Managing Agents.

* * *

(3) Duties of a Managing Agent. A Managing Agent shall:

(a) [Receive,] *Receive and accept*, on behalf of the owner, any notices, orders, or summonses issued by the [Department.] *Department and any service of process for all matters related to the relevant property.*

* * *

(4) *Notice to Managing Agent. Notice provided to or service of process served upon a Managing Agent of a property at the address provided pursuant to § 9-3901(2)(a)(iii) shall constitute notice to the owner of such property for all matters related to such property.*

§ 9-3909. *Penalty.*

Knowingly providing false or misleading information regarding those natural persons having an ownership or other equity interest in a property or owner, or regarding contact information for managing agents under this Chapter 9-3900, shall be a Class III offense, and the negligent provision of such false or misleading information shall be a Class II offense. Each day of violation shall constitute a separate offense.

SECTION 2. This Ordinance shall be effective July 1, 2020.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.