



Legislation Details (With Text)

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**File created:** 9/23/2010      **In control:** Committee on Licenses and Inspections

**On agenda:**      **Final action:** 6/23/2011

**Title:** Amending Chapter 9-2800 of The Philadelphia Code, entitled "Universities, Property Owners or Managers and Students," by amending Section 9-2805, entitled "Zoning Compliance," by providing for additional penalties for certain violations with respect to properties located within Educational Housing Districts, all under certain terms and conditions.

**Sponsors:** Councilmember Jones, Councilmember Clarke

**Indexes:** ZONING

**Code sections:** 9-2800 - UNIVERSITIES, LANDLORDS AND STUDENTS, 9-2805 - Zoning Compliance

**Attachments:** 1. CertifiedCopy10061301.pdf

Date	Ver.	Action By	Action	Result	Tally
8/9/2011	1	MAYOR	SIGNED		
6/23/2011	1	CITY COUNCIL	READ AND PASSED	Pass	17:0
6/16/2011	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/16/2011	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
6/16/2011	1	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/15/2011	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
6/15/2011	0	Committee on Licenses and Inspections	HEARING HELD		
6/15/2011	0	Committee on Licenses and Inspections	AMENDED		
6/15/2011	1	Committee on Licenses and Inspections	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
6/7/2011	0	Committee on Licenses and Inspections	RECESSED		
6/7/2011	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
9/23/2010	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Chapter 9-2800 of The Philadelphia Code, entitled "Universities, Property Owners or Managers and Students," by amending Section 9-2805, entitled "Zoning Compliance," by providing for additional penalties for certain violations with respect to properties located within Educational Housing Districts, all under certain terms and conditions.

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

SECTION 1. Chapter 9-2800 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-2800. UNIVERSITIES, PROPERTY OWNERS OR

MANAGERS AND STUDENTS.

\* \* \*

§ 9-2805. Zoning Compliance.

(1) No student may live in an Educational Housing District in any dwelling which is in violation of the Zoning Code or lacks any license or certificate required by PM-102.0 (relating to licensing), including any dwelling in which more than three unrelated persons are living as a single household unit. Nothing in this Section shall relieve a property owner from any liability or duty to comply with any applicable provision of the Zoning Code or PM-102.0, and whenever a student is served with a notice of violation pursuant to this subsection, the property owner shall also be served with a notice of violation.

*(2) Notwithstanding any other provision of this Code, if a property owner is finally determined to have violated the provisions of this Section with respect to a property two or more times within any three year period, any (a) subsequent violation of this Section with respect to such property; (b) failure to pay any fine or cost imposed for a prior violation of this Section with respect such property; or (c) failure to comply with a remedial order under this Section with respect to such property; shall result in the immediate revocation of all licenses and certificates issued for such property pursuant to PM-102.0. For purposes of this subsection (2), a final determination refers to payment of the fine for a violation, a default or a final adjudication on the merits from which no timely direct appeal is available. No license or certificate under PM-102.0 shall be issued with respect to such property for three years after revocation under this subsection (2), except to a subsequent owner of the property who presents proof of payment of City and state realty transfer tax on the transaction in which such subsequent owner obtained the property. Review of the revocation of a license or certificate pursuant to this subsection (2) shall be pursuant to Section A-801 of the Administrative Code.*

SECTION 2. This Ordinance shall become effective immediately.

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**Explanation:**

*Italics* indicate new matter added.