

Legislation Details (With Text)

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<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	Amending Section 9-627 of The Philadelphia Code, entitled "Commercial Establishments on Residential Blockfaces," by revising requirements and making related changes, under certain terms and conditions.				
<b>Sponsors:</b>	Council President Clarke, Councilmember Bass				
<b>Indexes:</b>	COMMERCIAL ESTABLISHMENTS ON RESIDENTIAL BLOCKFACES				
<b>Code sections:</b>	9-627 - Commercial Establishments on Residential Blockfaces				
<b>Attachments:</b>	1. Bill No. 18010700.pdf				

Date	Ver.	Action By	Action	Result	Tally
12/3/2018	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
12/3/2018	0	Committee on Licenses and Inspections	RECESSED		
2/15/2018	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Section 9-627 of The Philadelphia Code, entitled “Commercial Establishments on Residential Blockfaces,” by revising requirements and making related changes, under certain terms and conditions.

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

SECTION 1. Section 9-627 of The Philadelphia Code is hereby amended to read as follows:

§ 9-627. [Commercial Establishments on Residential Blockfaces.] *Take-Out Restaurants.*

\* \* \*

(3) Definitions.

(a) *Block.* One side of a street that does not extend beyond any intersection with another street.

[(a)] (b) *Commercial Establishment.* An establishment involved in the buying and selling of goods [where consumers primarily purchase goods intended for consumption or use off premises].

[(b)] *Dwelling.* A building which is used or intended to be used exclusively for living or sleeping by human occupants.]

[(c)] *Residential Blockface.* One side of a segment of a street that does not extend beyond any

intersection with another street, or a portion thereof, and where eighty percent (80%) or more of the buildings are dwellings. A blockface shall not be considered a residential blockface if, geographically, fifty percent (50%) or more of the block frontage is comprised of commercial establishments.]

(c) *Commercial Block.* A block that is zoned entirely commercial or commercial mixed-use.

(d) *Take-out Restaurant.* [A commercial establishment engaged in the preparation and retail sale of food and beverages where the serving of prepared food and/or beverages in disposable packaging and/or containers for consumption by patrons off the premises constitutes more than fifty (50) percent of the establishment's gross revenues.] *An establishment, the principal use of which is the preparation or service of food or beverages for retail purchase; and that either has no more than ten seats available for consumption of food or beverages by customers or has no restroom available for customers. A restroom accessible only by walking through a food preparation area shall not qualify as available for customers.*

(4) *Prohibited Conduct.* [Notwithstanding any other provision of this Code, no commercial establishment located on a residential blockface shall be open to the public between 11 P.M. and 6 A.M. For purposes of this ordinance, the location of a commercial establishment shall be determined by the street address assigned by the Board of Revision of Taxes under Section 19-1304(2). Where a take-out restaurant is located on a corner lot where two streets intersect, such establishment shall be considered to be located on a residential blockface if either of the streets which intersect at that corner meet the definition of residential blockface under this Section, notwithstanding the establishment's assigned street address.] *Except as provided in subsection (5), below, no take-out restaurant shall be open to the public between midnight and 6 A.M., unless each of the following is satisfied:*

(a) *The take-out restaurant is on a commercial block. If the take-out restaurant is located on a corner lot, both intersecting streets must be commercial blocks.*

(b) *The take-out restaurant displays in a manner easily visible by customers a poster, provided by the Department, indicating that the establishment is permitted to remain open during such hours.*

[(5) *Required Posting.* Every commercial establishment located on a residential blockface must display a poster, supplied by the Department of Licenses and Inspections upon the payment by the establishment of a reasonable fee, which indicates that the establishment is subject to the terms of this Ordinance. The poster shall be prominently displayed in a conspicuous place which can be readily observed by passersby at or near the entrance to the establishment.]

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