

Legislation Details (With Text)

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File created: 1/30/2020 **In control:** Committee on Public Health and Human Services

On agenda: **Final action:**

Title: Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," by enacting a new Chapter 9-1800, entitled "Youth Residential Facility," to require an Opening Plan to be approved by an officer or department designated by the Mayor prior to the opening or operation of any residential facility housing youth, all to ensure the health, safety and welfare of the youth, under certain terms and conditions.

Sponsors: Councilmember Gym, Councilmember Johnson, Councilmember Gauthier, Councilmember Thomas, Councilmember Brooks

Indexes: YOUTH RESIDENTIAL FACILITY

Code sections: Title 9 - REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

Attachments: 1. Bill No. 20008300.pdf

Date	Ver.	Action By	Action	Result	Tally
1/30/2020	0	CITY COUNCIL	Introduced and Referred		

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," by enacting a new Chapter 9-1800, entitled "Youth Residential Facility," to require an Opening Plan to be approved by an officer or department designated by the Mayor prior to the opening or operation of any residential facility housing youth, all to ensure the health, safety and welfare of the youth, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

* * *

CHAPTER 9-1800. [Reserved.] YOUTH RESIDENTIAL HOUSING FACILITY

§ 9-1801. Definitions.

(1) Youth Residential Housing Facility. A facility that is designed primarily for the housing of individuals under the age of eighteen (18) and that is subject to licensure pursuant to 55 Pa. Code § 20.2.

§ 9-1802. Opening plan required.

(1) No person shall open or operate any Youth Residential Housing Facility without first obtaining the approval of an Opening Plan from such officer or department as designated by the Mayor ("Mayor's

Designee") pursuant to this Chapter.

§ 9-1803. *Approval process.*

(1) No later than one hundred and eighty (180) days prior to the anticipated opening of a Youth Residential Housing Facility, the owner or operator shall provide to the Mayor's Designee, in form satisfactory to the Mayor's Designee, a proposed Opening Plan.

(2) The Mayor's Designee shall approve a proposed Opening Plan if and only if the Mayor's Designee is satisfied that the Plan adequately provides for the health, safety and welfare of the resident youth.

(3) The Mayor's Designee shall promulgate regulations setting out the standards to be used in determining whether to approve an Opening Plan and setting out the information that an owner or operator must provide to the Department in such Plan. Such regulations shall require the Mayor's Designee to consider, in determining whether to approve a Plan, among other things, the owner or operator's performance history with respect to other facilities serving youth or other residential facilities, including any regulatory violations, regulatory closures, or civil or criminal judgments.

§ 9-1804. *Enforcement.*

(1) Upon a determination by the Mayor's Designee that a Youth Residential Housing Facility is operating in violation of this Chapter or in a manner inconsistent with an approved Opening Plan, the Mayor's Designee may request the Law Department to take appropriate action against such Facility.

SECTION 2. This Ordinance shall be effective upon the promulgation of implementing regulations by the Mayor's Designee and shall apply to any facility that opens after the adoption of such regulations.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.