

Legislation Text

File #: 000021, Version: 1

Amending Chapter 10-600 of The Philadelphia Code, entitled "Public Places --- Prohibited Conduct," by adding new sections prohibiting gambling and conducting gambling operations on a public right-of-way, or on property owned by the City or other public agency; prohibiting individual or group observation of such activity or operation, and providing penalties for violations, all under terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-600 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 10-600. PUBLIC PLACES --- PROHIBITED CONDUCT

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§10-611. Sidewalk Behavior.

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(8) Penalties. A person found in violation of this Section shall be subject to penalty, as follows:

(a) For a violation of subsections (2)(a), relating to parking a motorized vehicle on the sidewalk; (2)(b), relating to gambling on the sidewalk; (2)(g), relating to lying on the sidewalk; (2)(c), relating to riding a bicycle on the sidewalk; (2)(d), relating to riding a scooter, roller skates or skateboard on the sidewalk; (2)(h), relating to sitting on the sidewalk; (2)(l), relating to unreasonable obstructions on the sidewalk; and (2)(m), relating to unattended belongings on the sidewalk, a fine of twenty (20) dollars.

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(h) For a violation of subsection (2)(b), relating to gambling on the sidewalk, the penalty shall be that contained in Section 10-612.

§10-612 *Gambling.*

(1) No person shall gamble or set up, establish or conduct a gambling operation on any street, sidewalk, alleyway, passageway, or other public right-of-way, or on any property owned by the City or other public agency. For purposes of this Section, to "gamble" shall include, but not be limited to, playing for money (or any other thing of value) any of the following: "three card monte", blackjack, spades, or other card game; and craps or other dice game; causing or attempting to cause dog fights (for financial gain or profit).

(2) No person shall attempt to gamble, incite others to gamble, or attempt to set up, establish or conduct a gambling operation on any street, sidewalk, alleyway, passageway, or other public right-of-way, or on any property owned by the City or other public agency.

(3) *Penalties*

(a) *The penalty for a violation of this Section shall be a fine not exceeding \$300.00.*

(b) *Repeat Offenders. Any person who commits, on more than one occasion, a violation of this Section shall be guilty of a separate offense of Repeat Violation, and for each such Repeat Violation, shall be subject to a fine of not more than three hundred (300) dollars, or imprisonment for not more than ninety (90) days, or both. A person shall be guilty of a Repeat Violation regardless whether the second or subsequent violation occurs before or after a judicial finding of a first or previous violation. Each violation, after the first, shall constitute a separate Repeat Violation offense.*

(c) *Notwithstanding the foregoing, any person authorized to enforce ordinances may, at their discretion, seize any monies, in plain sight and identifiable as a profit of the gambling, at the time of the violation. Such monies, not exceeding \$300.00, shall be forfeited. Any monies seized shall be processed and directed to the Director of Finance and the Bureau of Administrative Adjudication pursuant to § 10-1604.*

SECTION 2. This Ordinance shall be effective immediately upon enactment.

Explanation:

Italics indicate new matter added.