

Legislation Text

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Amending Chapter 9-4400 of The Philadelphia Code, entitled "Responsible Business Operations," to revise what constitutes nuisance behavior, expand business owner liability and expand potential mitigation measures, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-4400 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-4400. RESPONSIBLE BUSINESS OPERATIONS.

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§ 9-4401. Definitions.

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(3) Nuisance Behavior. Behavior that significantly interferes with the health, safety and welfare of the community, including, but not limited to, the following violations:

(k.1) *Playing music or sound from a vehicle at a volume in violation of Chapter 10-400 of the Code ("Noise and Excessive Vibration"), in a parking lot associated with the business.*

* * *

§ 9-4402. Business Owner Liability

(1) Any person authorized to enforce the relevant ordinance or statute shall issue the owner of a business a violation notice for nuisance behavior that takes place during *or after* the business's operating hours inside the business or on the sidewalk or street *or a parking lot* abutting the business, provided that the owner shall not be subject to penalties in connection with an individual incident of nuisance behavior under this Chapter unless the owner was personally responsible for such behavior:

* * *

§ 9-4404. Nuisance Abatement Activities

(1) Measures that may be taken to reduce, eliminate or prevent future recurrence of nuisance behavior, or that may be required as part of an agreement on a nuisance abatement plan, may include the following:

* * *

(f) Installing and maintaining surveillance cameras at each point of entry to and exit from the business, in designated common areas and in interior spaces, illuminated in such a manner so as to identify

persons entering and exiting the business and maintaining recordings from such cameras for not less than 30 days after the recording occurs, *in particular, cameras that are enrolled in the City's SafeCam program or are otherwise available to review by the Police Department;*

* * *

(m) Changing business operations or products sold in a manner designed to reduce the likelihood of nuisance behavior; [and]

[(n) Any other measures deemed likely to abate or prevent the recurrence of the nuisance behavior;]

(n) *Speed calming measures in parking lots, such as speed bumps or rumble strips;*

(o) *Onsite security to monitor and secure parking areas during times that the business is not in operation; and*

(p) *Any other measures deemed likely to abate or prevent the recurrence of the nuisance behavior.*

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SECTION 2. This Ordinance shall take effect immediately.