

Legislation Text

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Amending Section 9-1004 of The Philadelphia Code, entitled "Contractors," to prohibit contractors, newspaper publishers, distribution companies and distributors of commercial publications from publishing or distributing any advertisements for Contractors in newspapers or in commercial publications which do not also include the Contractor's license number; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-1004 of The Philadelphia Code, entitled "Contractors," is hereby amended to read as follows:

§ 9-1004. Contractors.

(1) Definitions.

(a) Commercial Publication. Any printed or written matter, sample or device, circular, leaflet, pamphlet, paper, booklet, or other printed or otherwise reproduced original or copy of any matter or literature or electronic communication which:

(i) advertises for sale any merchandise, product, commodity, or thing; or

(ii) directs attention to any business, mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales;

or

(iii) while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is not delivered to its final consumer by the United States Postal Service but is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor or for benefit of any person, firm, institution, or organization.

[(a)](b) Contractor. Any person who performs or offers to perform any construction, repair, alteration, addition, remodeling, rehabilitation, demolition or any other residential or non-residential construction.

(c) Distribution Business. A distributor which provides commercial publications distribution services for any other business, partnership, sole proprietorship, association or corporation.

(d) Distributor. Any business, including without limitation, a sole proprietorship, partnership, association or corporation, which directly or indirectly addresses, offers, or proposes or causes to be advertised, offered or proposed on the streets, sidewalks or other public ways, or at any meeting, event or

gathering organized by the Distributor, any commercial transaction by means of distribution of commercial publications as defined in this subsection.

(e) Newspaper. Any publication containing the name and address of its publisher that is published and distributed at regular intervals and contains news stories, opinions, advertisements, or other items of general interest, including any periodical or current magazine distributed to the public.

(6) Prohibited Conduct.

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(f) No Contractor, newspaper publisher, distributor or distribution company shall publish any newspaper advertisement or distribute any commercial publications which advertises the services of any Contractor without also including the Contractor's license number.

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SECTION 2. Effective Date. This Ordinance shall take effect immediately.

Explanation:

[Brackets] indicate matter deleted

Italics indicate new matter added