

Legislation Text

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Amending Chapter 9-200 of The Philadelphia Code, entitled “Commercial Activities On Streets,” by requiring persons licensed under that Chapter (including under Section 9-201 (“Curb Markets”); Section 9-203 (“Street Vendors”); Section 9-204 (“Sidewalk Vendors in Center City”); Section 9-205 (“Sidewalk Sales”); Section 9-206 (“Sidewalk Vendors in Neighborhood Business Districts”); Section 9-208 (“Sidewalk Cafes”); Section 9-210 (“Telephone Booths”); Section 9-211 (“Boxes for the Distribution of News and Printed Material”); and Section 9-212 (“Newsstands”)) to obtain the consent of the property owner abutting the location at which the licensed commercial activities are conducted, under certain terms and conditions.

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

SECTION 1. Chapter 9-200 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-200. COMMERCIAL ACTIVITIES ON STREETS

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*§9-213. Consent of Abutting Owners.*

*(1) No person licensed under any of the following Sections of this Chapter shall conduct licensed activities at any location within the areas specified in subsection (3) unless the applicant first obtains the written consent of the owner of the property abutting such location and files a copy of such consent with the Department:*

- (a) *Section 9-201 (“Curb Markets”);*
- (a) *Section 9-203 (“Street Vendors”);*
- (a) *Section 9-204 (“Sidewalk Vendors in Center City”);*
- (a) *Section 9-205 (“Sidewalk Sales”);*
- (a) *Section 9-206 (“Sidewalk Vendors in Neighborhood Business Districts”);*
- (a) *Section 9-208 (“Sidewalk Cafes”);*
- (a) *Section 9-210 (“Telephone Booths”);*

(h) *Section 9-211 (“Boxes for the Distribution of News and Printed Material”);*

(i) *Section 9-212 (“Newsstands”).*

(2) *The Department shall by regulation provide for exemptions from the requirements of this Section in the following categories of cases:*

(a) *The licensee is unable to locate the abutting owner, despite all reasonable efforts to do so.*

(b) *The licensee has contacted the abutting owner, but the abutting owner ignores such contacts and neither consents nor expressly refuses consent.*

(3) *The provisions of subsection (1) shall only apply within the following areas:*

(a) *The First Councilmanic District*

(a) *The Seventh Councilmanic District*

(a) *The Sixth Councilmanic District*

(a) *The Tenth Councilmanic District*

SECTION 2. Effective Date; Application. This Ordinance shall take effect immediately. The requirements of Section 9-213 of The Philadelphia Code, as added by Section 1, shall not apply during the term of any license issued prior to such effective date, but shall apply to all licenses newly issued or renewed after such date.

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**Explanation:**

*Italics* indicates new matter added.