

Legislation Text

File #: 240331, Version: 1

Amending Section 9-215 of The Philadelphia Code, entitled "Streeteries," modifying requirements related to the City's revised standards and requirements associated with the use of portions of the Right-of-Way for outdoor dining.

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

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CHAPTER 9-200. COMMERCIAL ACTIVITIES ON STREETS

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§ 9-215. Streeteries.

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(1) The Department of Licenses and Inspection and the Department of Streets are hereby authorized to establish, by regulations not inconsistent herewith, standards and procedures for the issuance and enforcement of licenses for use of portions of the Right-of-Way for outdoor dining, including closure of part or all of the street, such as on-street parking spaces.

(2) Occupancy of the Right-of-Way for the purposes of outdoor dining pursuant to such licenses are referred to in this section as "Streeteries," which term also refers to all furniture, structures, platforms or protective barriers associated with any Streeteries.

(3) Such regulations shall provide for standards concerning license issuance and standards of operation that are designed to protect public safety and the orderly, safe and efficient use of the Right-of-Way by pedestrians and vehicles and shall include, at a minimum, the standards set forth in this Section 9-215.

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(b) Streeeries shall be no wider than 6 feet and are only permissible in connection with eating establishments that primarily are engaged in the business of food preparation on the premises for sale to customers substantially for on-premises consumption and that maintain at least three tables for indoor dining on a regular basis.

(c) A Streeery shall only be operated for business between the hours of 7 a.m. and 10 p.m. Sunday through Thursday and 7 a.m. until 11 p.m. on Friday and Saturday.

(d) A Streeery shall not be located in a travel lane of any type, including a bicycle lane, unless located as part of a closure of an entire street.

(e) The number of Streeery dining seats may not exceed the total number of dining seats located in the interior dining locations of the restaurant.

(f) No Streeery is permissible without the written agreement of the property owner of the abutting *or adjacent* property or the property owner's designee.

(g) A Streeery may only be located in the parking lane portion of the Right-of-Way directly abutting the restaurant in connection with which the license is obtained, *or in the parking lane portion of the Right-of-Way abutting a property adjacent to that restaurant, pursuant to standards established by regulation, including concerning required authorizations related to the adjacent property.*

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SECTION 2. This Ordinance shall become effective immediately.