

Legislation Text

File #: 200351, **Version:** 1

Authorizing the operation of sidewalk cafes during the COVID-19 emergency until December 31, 2020 in areas of the City where such activity currently must be otherwise authorized by special ordinance, and allowing expanded activity by currently licensed sidewalk café operations, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. This ordinance is adopted as part of emergency response measures necessary to allow for the safe operation of vital restaurant businesses within ongoing health and safety restrictions necessitated by the COVID-19 pandemic.

SECTION 2. Notwithstanding any other provision of law to the contrary, restaurant businesses, as defined by Section 14-601(7)(f)(.3), may operate sidewalk café operations at the restaurant's location where such activity is in an area of the City not designated by the Code or special ordinance as a location where a sidewalk café may be licensed to operate pursuant to the requirements and authorizations set forth in Section 9-208 of The Philadelphia Code ("Sidewalk Cafes"). Such businesses must comply with all regulations promulgated by the Managing Director on the matter, described more fully in Section 5 of this Ordinance. Operation may begin upon submission of complete application and receipt of registration approval.

SECTION 3. Notwithstanding any other provision of law to the contrary, a restaurant may operate a sidewalk café on the sidewalk of a neighboring property if the restaurant complies with all regulations promulgated by the Managing Director on the matter, described more fully in Section 5 of this Ordinance. This Section applies whether the restaurant operates pursuant to an existing sidewalk café license or pursuant to the authorization set forth in Section 2 of this ordinance.

SECTION 4. Fees pursuant to Section 9-208(3)(f), Section 9-208(3)(g), and Section 9-280(4)(a)(.4) are waived.

SECTION 5. The Managing Director's Office shall promulgate regulations to remain in effect until December 31, 2020, unless further extended by ordinance, which are subject to revision and republication to reflect public health and safety concerns. Such regulation shall include provisions for operation and temporary registration upon submission of plan documents demonstrating compliance with the Code and a sworn statement agreeing to comply with applicable requirements, unless and until such formal submission is affirmatively rejected by the City. Such regulations shall designate appropriate Departments to process each application for registration within three (3) business days of receiving such application. Appropriate Departments may adopt standards for applications that may include whether applications meet the health and safety needs of the community, and whether applications are in the best interest of the community. Further, appropriate Departments shall consider the views of neighborhood groups and the appropriate District Councilmember when considering applications within the three (3) business day review period referenced above.

SECTION 6. This authorization shall be effective immediately and remain in effect until December 31, 2020, unless further extended by ordinance.

