

## Legislation Details (With Text)

**File #:** 160303      **Version:** 0      **Name:**

**Type:** Bill      **Status:** ENACTED

**File created:** 4/14/2016      **In control:** Committee on Licenses and Inspections

**On agenda:**      **Final action:** 6/16/2016

**Title:** Amending Section 9-703 of The Philadelphia Code, entitled "Special Assembly Occupancies," by further providing for types of activity to be regulated and by altering the fees and requirements for a Special Assembly Occupancy license, and amending Title 4, Subcode "B" ("The Philadelphia Building Code") and Subcode "F" ("The Philadelphia Fire Code") of The Philadelphia Code, to conform a definition, all under certain terms and conditions.

**Sponsors:** Councilmember Squilla

**Indexes:** SPECIAL ASSEMBLY OCCUPANCIES

**Code sections:**

**Attachments:** 1. CertifiedCopy16030300.pdf

Date	Ver.	Action By	Action	Result	Tally
6/28/2016	0	MAYOR	SIGNED		
6/16/2016	0	CITY COUNCIL	READ AND PASSED	Pass	17:0
6/9/2016	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
6/9/2016	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/9/2016	0	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/6/2016	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
6/6/2016	0	Committee on Licenses and Inspections	HEARING HELD		
6/6/2016	0	Committee on Licenses and Inspections	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
4/14/2016	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Section 9-703 of The Philadelphia Code, entitled "Special Assembly Occupancies," by further providing for types of activity to be regulated and by altering the fees and requirements for a Special Assembly Occupancy license, and amending Title 4, Subcode "B" ("The Philadelphia Building Code") and Subcode "F" ("The Philadelphia Fire Code") of The Philadelphia Code, to conform a definition, all under certain terms and conditions.

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

SECTION 1. Section 9-703 of The Philadelphia Code is hereby amended to read as follows:

§ 9-703. Special Assembly Occupancies.

(1) Definitions.

\* \* \*

(b) "Social entertainment [purposes]" shall mean *provision for dancing by patrons, entertainment by live or recorded music (whether or not also presented with video content) or a disc jockey, [observing] a theatrical or other performance act or similar activities.* The phrase shall not include the consumption of food and beverages, listening to a speaker or lecture, watching television *programming*, watching or participating in athletic events, or other similar activities.

\* \* \*

(d) "Performance Act" shall mean any person or group of persons engaged in the act of singing, *disc jockeying*, rapping, dancing, playing musical instruments, and/or acting for an audience or group of patrons. *The term shall also include the presentation of streaming or recorded audio or video, whether or not obtained for a fee, where such audio or video is offered primarily for entertainment by listening or viewing, rather than for background.*

\* \* \*

(2) Licenses.

(a) No person shall operate a special assembly occupancy without first obtaining a special assembly occupancy license from the Department.

(.1) The fee for a special assembly occupancy license shall be [one] *two* hundred [(100)] (200) dollars.

(.2) Within five (5) days of filing an application for a special assembly occupancy license, the applicant shall post a notice of application provided by the Department on the exterior of *each street frontage* of the proposed special assembly occupancy location, *in a location clearly visible to the public*, for a period of thirty (30) days.

(.3) Special assembly occupancy licenses shall be [annually] renewed *every two years* upon payment of the renewal fee of [one] *two* hundred [(100)] (200) dollars *and posting of the renewal application for 30 days as provided in subsection (2)(a)(.2) hereof, and* subject to the conditions set forth in subsection (2)(b) [herein] *hereof*.

SECTION 2. Chapter 2 of Subcode "B" ("The Philadelphia Building Code") of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 2  
DEFINITIONS

\* \* \*

Section B-202. Definitions.

\* \* \*

SOCIAL ENTERTAINMENT [PURPOSES]. *Provision for [D]dancing by patrons*, entertainment by live or recorded music or a disc jockey, [observing] a theatrical or other performance *act* or similar activities. The phrase shall not include the consumption of food and beverages, listening to a speaker or lecture, watching television *programming*, watching or participating in athletic events, or other similar activities.

\* \* \*

SECTION 3. Chapter 2 of Subcode “F” (“The Philadelphia Fire Code”) of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 2  
DEFINITIONS

\* \* \*

Section 202. Definitions.

\* \* \*

SOCIAL ENTERTAINMENT [PURPOSES]. *Provision for [D]dancing by patrons*, entertainment by live or recorded music or a disc jockey, [observing] a theatrical or other performance *act* or similar activities. The phrase shall not include the consumption of food and beverages, listening to a speaker or lecture, watching television *programming*, watching or participating in athletic events, or other similar activities.

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**Explanation:**

[Brackets] indicate matter deleted.  
*Italics* indicate matter added.