Legislation Details (With Text)

File #:	170165	**Version:** 1	**Name:**		
Type:	Bill		**Status:**	ENACTED	
File created:	2/23/2017		**In control:**	Committee on Licenses and Inspections	
On agenda:			**Final action:**	3/30/2017	

Title: Amending various provisions of The Philadelphia Code, including Chapter 6-300 (entitled "Food"), Title 9 (entitled "Regulation of Businesses, Trades and Professions"), Chapter 10-700 (entitled "Refuse and Littering"), Chapter 11-500 (entitled "Paving"), and Chapter 19-600 (entitled "Amusement Tax"), to revise various provisions relating to fees; including for licenses and permits for food establishments, newspaper boxes, public parking lots, conducting amusements, handbill distribution and sidewalk paving; and to authorize revisions of various fees by regulation; all under certain terms and conditions.

Sponsors: Councilmember Quiñones Sánchez

Indexes: FEES

Code sections: 10-700 - Refuse and Littering, 11-500 - Paving, 19-600 - Amusement Tax, 6-300 - Food

Attachments: 1. CertifiedCopy17016501.pdf

Date	Ver.	Action By	Action	Result	Tally
4/4/2017	1	MAYOR	SIGNED		
3/30/2017	1	CITY COUNCIL	READ AND PASSED	Pass	16:1
3/23/2017	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
3/23/2017	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
3/23/2017	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
3/22/2017	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
3/22/2017	0	Committee on Licenses and Inspections	HEARING HELD		
3/22/2017	0	Committee on Licenses and Inspections	AMENDED		
3/22/2017	1	Committee on Licenses and Inspections	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
3/15/2017	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
3/15/2017	0	Committee on Licenses and Inspections	Cancellation of Scheduled Public Hearing		
2/23/2017	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending various provisions of The Philadelphia Code, including Chapter 6-300 (entitled “Food”), Title 9 (entitled “Regulation of Businesses, Trades and Professions”), Chapter 10-700 (entitled “Refuse and Littering”), Chapter 11-500 (entitled “Paving”), and Chapter 19-600 (entitled “Amusement Tax”), to revise various provisions relating to fees; including for licenses and permits for food establishments, newspaper boxes, public parking lots, conducting amusements, handbill distribution and sidewalk paving; and to authorize

revisions of various fees by regulation; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 6 of The Philadelphia Code is amended to read as follows:

TITLE 6. HEALTH CODE.

* * *

CHAPTER 6-300. FOOD.

§ 6-301. Food Establishments.

* * *

(4) The license fee for the issuance of a single license for food establishments selling food is as follows:

(a) [Three hundred (300) dollars for] *For* food establishments with permanent location where the primary business is the service of prepared food for consumption on or off the premises, including but not limited to, eating and drinking establishments and caterers, *$330*.

(b) Retail food establishments with permanent location, including, but not limited to candy stores and drug stores without soda fountains, grocery, meat markets, and other food stores, but excluding any such food establishment licensed under § 6-301(4)(a):

(.1) having less than 5000 square feet of floor area, [$200.00] $*220*;

(.2) having 5000 square feet or more of floor area, [$500.00] $*550*.

(c) Retail food establishments, without permanent location, including, but not limited to mobile vending units such as motor vehicles, movable stands and carts, newsstands, temporary special event establishments, [one hundred fifty (150) dollars] *$165* per unit, per year.

(d) Food establishments manufacturing, processing, or wholesaling food, including but not limited to food establishments for the manufacture of frozen desserts, milk plants and wholesale food establishments which deal in prepackaged food, [three hundred fifty (350) dollars] *$380*.

(e) For group child care facilities caring for a maximum of 12 children for less than 24 consecutive hours, other than family day care homes, fifty (50) dollars.

(f) The license fees set forth in this subsection 6-301(4) may be revised by regulations of the Department of Licenses and Inspections, to cover costs of program administration, that are effective on or after July 1, 2018, provided that no fee shall be increased to an amount higher than the fee as it existed on July 1, 2017, multiplied by the CPI Multiplier, as defined in Section 9-102 of the Code.

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* * *

SECTION 2. Title 9 of The Philadelphia Code is amended to read as follows

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

* * *

CHAPTER 9-200. COMMERCIAL ACTIVITIES ON STREETS.

* * *

§ 9-211. Boxes for the Distribution of News and Printed Material.

* * *

(5) Permits and Fees. * * * The Department shall issue a proof-of-permit to any applicant who:

* * *

(b) Pays *a non-refundable application fee of $20, which fee shall be credited toward the annual fee if the permit is issued, and* [the applicable] *an* annual fee of [fifty dollars ($50)] *$55* per publishers' box; provided, however, that the Department may establish a different fee, from time *to time*, to recover any costs of administering or enforcing this Section.

* * *

CHAPTER 9-600. SERVICE AND OTHER BUSINESSES.

§ 9-601. Garages, Parking Lots, Sales Lots and Sales Showrooms.

* * *

(3) Public Parking Lots.

(a) Licenses. No license shall be issued to conduct, operate or maintain any public parking lot unless:

* * *

(.5) the applicant pays *a non-refundable application fee fr an initial license for each parking lot of $20, which fee shall be credited toward the annual fee if the permit is issued, and* an annual *license* fee for each parking lot of [$300.00] *$330*.

* * *

SECTION 3. Chapter 10-700 of The Philadelphia Code is amended to read as follows:

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CHAPTER 10-700. REFUSE AND LITTERING.

* * *

§ 10-723. Distribution of Commercial and Non-Commercial Handbills on Sidewalks, Streets, and Private Property.

* * *

(2) No distributor, distribution business or person shall distribute commercial handbills on any sidewalk or other public place, or by means of door-to-door distribution, unless a valid license is obtained from the Department of Licenses and Inspections. Notwithstanding the foregoing, if a distribution business or a distributor has obtained a valid license, then neither a person distributing commercial handbills on behalf of such distribution business or distributor, nor a distributor on whose behalf such a distribution business is distributing commercial handbills, need obtain a license.

(a) The Department of Licenses and Inspections shall immediately grant a Commercial Handbill Distributor's License upon the registration by the distributor or person engaged in the business of distributing commercial handbills, of its name, daytime phone number, business address and the payment of a [thirty (30) dollar registration] *$50* fee, *or such other fee as may established by regulation, to cover the costs of program administration, provided that the fee shall not be increased to an amount higher than the fee as it existed on July 1, 2017, multiplied by the CPI Multiplier, as defined in Section 9-102 of the Code.*

* * *

SECTION 4. Chapter 11-500 of The Philadelphia Code is amended to read as follows:

CHAPTER 11-500. PAVING.

* * *

§ 11-505. Sidewalk Paving and Other Improvements by Property Owners.

* * *

(9) All contractors employed in the construction, reconstruction, setting or resetting of curb and the paving or repaving of footways, shall:

(a) be registered with the Department of Licenses and Inspections and pay a *non-refundable application fee of $20, which fee shall be credited toward the annual fee upon registration, and an annual* fee of [$20.00] $*50, or such other amounts as may be established by regulations of the Department of Licenses and Inspections, to cover costs of program administration, that are effective on or after July 1, 2018, provided that the fee shall not be increased to an amount higher than the fee as it existed on July 1, 2017, multiplied by the CPI Multiplier, as defined in Section 9-102 of the Code.*

(b) file a bond annually with the Law Department in the sum of $1000, *or such other amount as may be established by regulation,* in form and with surety as required by the Law Department, to indemnify the City and property owner against loss caused by the City ordering defective work to be remedied at the expense of either the City or the property owner;

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* * *

SECTION 5. Chapter 19-600 of The Philadelphia Code is amended to read as follows:

CHAPTER 19-600. AMUSEMENT TAX.

* * *

§ 19-602. Licenses.

(1) No producer shall conduct any amusement, any permanent or temporary place of amusement, or any itinerant form of amusement unless he has obtained an amusement license from the Department of Licenses and Inspections for each such activity that he conducts.

* * *

(3) No amusement license required under § 19-602(1) shall be issued unless the applicant:

* * *

(b) *Pays a non-refundable application fee of $20, which fee shall be credited toward the annual fee if the license is issued;*

(c) Pays an annual license fee of [$25] *$50*.

* * *

SECTION 6. Title 9 of The Philadelphia Code is amended to read as follows

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

* * *

§ 9-102. Licenses and Permits.

* * *

(10) The Department is authorized to revise by regulation any fee imposed in connection with the issuance of any license or permit required under this Title. Any such fee shall be set to cover the costs of program administration, provided that no fee shall be increased to an amount higher than the fee as it existed on July 1, 2017, multiplied by the CPI Multiplier. The CPI Multiplier shall be equal to the most recently published Consumer Price Index for all Urban Consumers (CPI-U) All Items Index, Philadelphia, Pennsylvania, as of the effective date of the proposed fee increase, divided by the most recently published CPI-U as of July 1, 2017.

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Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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