

## Legislation Text

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**File #:** 110132, **Version:** 1

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Amending Section 9-206 of The Philadelphia Code, entitled “Sidewalk Vendors in Neighborhood Business Districts,” by creating the 52nd Street Business District for Sidewalk Vending; all under certain terms and conditions.

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

SECTION 1. Section 9-206 of The Philadelphia Code is hereby amended to read as follows:

§9-206. Sidewalk Vendors in Neighborhood Business Districts.

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(10) Designated Neighborhood Business Districts.

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(d) *52nd Street Business District for Sidewalk Vending.*

*(.1) Definition of District. The 52nd Street Business District for Sidewalk Vending shall consist of both sides of 52nd Street from Arch Street on the north to Walnut Street on the south.*

*(.2) Number and location of permitted sidewalk vendors. Within the 52nd Street Business District for Sidewalk Vending, a maximum of fifty-six (56) sidewalk vendor locations shall be permitted, with the number of sidewalk vendors along each blockface as follows:*

*(A) Five (5) sidewalk vendor locations on the western side of 52nd Street between Arch and Filbert Streets;*

*(B) Four (4) sidewalk vendor locations on the western side of 52nd Street between Filbert and Market Streets;*

*(C) Ten (10) sidewalk vendor locations on the eastern side of 52nd Street between Arch and Market Streets;*

*(D) Five (5) sidewalk vendor locations on the western side of 52nd Street between Market and Ludlow Streets;*

*(E) Five (5) sidewalk vendor locations on the western side of 52nd Street between Ludlow and Chestnut Streets;*

*(F) Eight (8) sidewalk vendor locations on the eastern side of 52nd Street between*

*Market and Chestnut Streets;*

*(G) Five (5) sidewalk vendor locations on the western side of 52nd Street between Chestnut and Sansom Streets;*

*(H) Five (5) sidewalk vendor locations on the western side of 52nd Street between Sansom and Walnut Streets;*

*(I) Four (4) sidewalk vendor locations on the eastern side of 52nd Street between Chestnut and Sansom Streets; and*

*(J) Five (5) sidewalk vendor locations on the eastern side of 52nd Street between Sansom and Walnut Streets.*

*(.3) Permitted Vending Stand Dimensions and Design. Vending stands shall conform to the requirements of Section 9-206(8), except that stands must meet the following exact dimensions: seventy-eight and five-sixteenth inches (78 and 5/16") in height; eighty-four inches (84") in length; and forty-eight inches (48") in width.*

*(.4) Selection of vendors. Applicants for vendor sites within this District shall be selected according to the number of years the applicant has conducted licensed vending operations within the 52nd Street Business District for Sidewalk Vending. The Department is authorized to promulgate regulations detailing the selection process including providing for lotteries to choose among applicants with equal seniority. The Department, by regulation, shall also provide for a waiting list in order to select other vendors who desire to conduct vending activity in the 52nd Street Business District for Sidewalk Vending should approved vending sites become available.*

*(.5) No Vendor shall:*

*(A) conduct him/herself or his/her business in such a way as would restrict or interfere with the ingress or egress of pedestrians or the abutting owner or tenants, or in such a way as would create or become a nuisance or hazard to public health, safety or welfare, or increase traffic congestion or delay, or constitute an obstruction to adequate access to fire, police, sanitation or emergency vehicles;*

*(B) vend within twenty-five (25) feet of another sidewalk vendor location;*

*(C) also conduct sales as the owner or tenant of a property located within the District;*

*(D) conduct sales utilizing more than two (2) sales people at a time or allow non-customers to congregate at or around the sidewalk vending location;*

*(E) leave any stand or conveyance unattended at any time; except that after its business operations for each day have ceased, the stand may be left at its assigned location;*

*(F) load or unload merchandise for a period exceeding twenty minutes;*

*(G) conduct sales between the hours of 10:00 p.m. and 6:00 a.m.;*

*(H) vend within ten (10) feet of the legal building lines;*

*(I) vend within twenty-five (25) feet upstream (in the direction from which vehicular traffic in the nearest curbside lane approaches) of any bus stop sign;*

- (J) vend within ten (10) feet of Elevated Train line entrances or exits;
- (K) vend within three (3) feet of mailboxes, telephones, benches, planters and trees;
- (L) vend within fifteen (15) feet upstream of any pedestrian street crossing;
- (M) vend within fifteen (15) feet of any alley or driveway;
- (N) vend within five (5) feet of where curbs have been depressed to facilitate pedestrian or vehicular movement;
- (O) vend in front of any loading dock or loading ramp;
- (P) vend in a location other than the assigned location;
- (Q) conduct any commercial activity other than the sale of goods, wares and merchandise;
- (R) conduct sales from a motor vehicle, or park or maintain any motor vehicle in parking spaces adjacent to the vendor site except for brief periods not to exceed 20 minutes for the purpose of transporting vending stands and merchandise;
- (S) vend at any location which would reduce the unobstructed pedestrian right-of-way to less than six and one-half (6 1/2) feet, such width not to include the width of any grate;
- (T) vend on any portion of a sidewalk directly in front of any building entrance;
- (U) vend within ten (10) feet of a fire hydrant;
- (V) vend more than eighteen (18) inches from the curb line except that with the express, written consent of the abutting owner a sidewalk vendor may place a stand at the building line;
- (W) conduct unauthorized sales of copyrighted or patented goods.

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SECTION 2. Effective Date. This Ordinance shall take effect immediately upon becoming law.

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**Explanation:**

*Italics* indicate new matter added.