File #: 160025, **Version:** 0

Amending Title 17 of The Philadelphia Code, entitled "Contracts and Procurement," by adding a new Chapter, entitled "Local Performing Artists Requirement," requiring that ten percent of funds for performing arts events receiving at least one hundred thousand dollars ($100,000) of City financial resources be spent on local performing artists; all under certain terms and conditions.

WHEREAS, Philadelphia has historically been an important cultural center for the performing arts; and

WHEREAS, Philadelphia still is the source of great performing arts talent; and

WHEREAS, Philadelphia values its role as a World Center for Culture, and desires to enhance that role and reputation; and

WHEREAS, Significant City financial resources are used to bring alien performing arts talent to Philadelphia to perform at cultural events; and

WHEREAS, The City should use its financial resources to promote local performing artists, and thus contribute to its international reputation as a World Center for Culture; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 17 of The Philadelphia Code is hereby amended to read as follows:

TITLE 17. CONTRACTS AND PROCUREMENT.

* * *

CHAPTER 17-2200. LOCAL PERFORMING ARTISTS REQUIREMENT.

§ 17-2201. Definitions.

(1) City. The City includes, but is not limited to any office, department, board, commission, or agency of the City of Philadelphia.

(2) City-Related Entity. A City-Related Entity is any entity that receives any City of Philadelphia financial resources.

(3) Financial Resources. Financial Resources include, but are not limited to, contracts, grants,

loans, tax incentives, and subsidies.

(4) Performing Artists. Performing Artists includes natural persons or groups of natural persons who do performance arts including, but not limited to music, dance, comedy, theater, and opera.

(5) Local. Performing artists are local, if they are based in the City of Philadelphia as demonstrated by evidence of business address, licensing address, tax address, or other appropriate evidence.

§ 17-2202. Requirement. Ten percent of funds for performing arts events receiving at least one hundred thousand dollars ($100,000) of City financial resources from the City or a City-Related Entity shall be spent on local performing artists.

§ 17-2203. Administration and Enforcement. The Procurement Commissioner shall be responsible for the administration and enforcement of this Chapter.

§ 17-2204. Penalty. The penalty for violating the requirement of this Chapter is that the City-Related Entity may not receive the benefit of City of Philadelphia financial resources for a period of up to three years at the discretion of the Procurement Commissioner.

§ 17-2205. Waiver. The Procurement Commissioner may provide a waiver from the requirement of, or penalty provided by, this Chapter, in whole or in part, when the Commissioner finds that the requirement is impractical on an event-by-event basis.

§ 17-2206. Reporting. Not later than February 1st of each year, the Procurement Commissioner shall issue a report in writing to the Mayor, the President of City Council, and the Chief Clerk of City Council, identifying specific City and City-Related Entities, their spending on each performing arts event, and the corresponding amount of that spending that was expended on local performing artists at each of those events. The number of waivers from the requirement of this Chapter, and the value and justification of those waivers shall also be reported.

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SECTION 2. This Ordinance shall take effect on July 1, 2017.

Explanation:

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