

Legislation Text

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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.

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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.

\* \* \*

**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate matter added.