



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 100613
(As Amended, 6/15/11)

Introduced September 23, 2010

Councilmembers Jones and Clarke

**Referred to the
Committee on Licenses and Inspections**

AN ORDINANCE

Amending Chapter 9-2800 of The Philadelphia Code, entitled “Universities, Property Owners or Managers and Students,” by amending Section 9-2805, entitled “Zoning Compliance,” by providing for additional penalties for certain violations with respect to properties located within Educational Housing Districts, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-2800 of The Philadelphia Code is hereby amended to read as follows:

**CHAPTER 9-2800. UNIVERSITIES, PROPERTY OWNERS OR
MANAGERS AND STUDENTS.**

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§ 9-2805. Zoning Compliance.

(1) No student may live in an Educational Housing District in any dwelling which is in violation of the *Zoning Code* or *lacks any license or certificate required by PM-102.0 (relating to licensing)*, including any dwelling in which more than three unrelated persons are living as a single household unit. Nothing in this Section shall relieve a property owner from any liability or duty to comply with any applicable provision of the *Zoning Code* or *PM-102.0*, and whenever a student is served with a notice of violation pursuant to this subsection, the property owner shall also be served with a notice of violation.

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(2) Notwithstanding any other provision of this Code, if a property owner is finally determined to have violated the provisions of this Section with respect to a property two or more times within any three year period, any (a) subsequent violation of this Section with respect to such property; (b) failure to pay any fine or cost imposed for a prior violation of this Section with respect such property; or (c) failure to comply with a remedial order under this Section with respect to such property; shall result in the immediate revocation of all licenses and certificates issued for such property pursuant to PM-102.0. For purposes of this subsection (2), a final determination refers to payment of the fine for a violation, a default or a final adjudication on the merits from which no timely direct appeal is available. No license or certificate under PM-102.0 shall be issued with respect to such property for three years after revocation under this subsection (2), except to a subsequent owner of the property who presents proof of payment of City and state realty transfer tax on the transaction in which such subsequent owner obtained the property. Review of the revocation of a license or certificate pursuant to this subsection (2) shall be pursuant to Section A-801 of the Administrative Code.

SECTION 2. This Ordinance shall become effective immediately.

Explanation:

Italics indicate new matter added.