



# City of Philadelphia

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

## BILL NO. 120754

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**Introduced September 27, 2012**

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**Councilmember Greenlee, Council President Clarke and Councilmember Squilla**

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**Referred to the  
Committee on Streets and Services**

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## AN ORDINANCE

Amending Section 9-212 of The Philadelphia Code, entitled "Newsstands," by revising the requirements for advertising and permitting the placement of awnings on newsstands and permitting the sale of additional products from newsstands; amending Chapter 11-600, entitled "Construction, Encroachments and Projections Over, On and Under Streets," by making conforming amendments regarding the placement of awnings on newsstands; and amending Chapter 19-3400, entitled "Excise Tax on Outdoor Advertising Transactions," to include outdoor advertising signs located on newsstands, all under certain terms and conditions.

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

SECTION 1. Section 9-212 of The Philadelphia Code is hereby amended to read as follows:

### CHAPTER 9-200. COMMERCIAL ACTIVITIES ON STREETS

\* \* \*

§ 9-212. Newsstands.

\* \* \*

(3) Sales from Newsstands. No person shall sell or offer for sale from any newsstand any goods or other items except newspapers, magazines and periodicals, and, incidental to such business, paperback books, tobacco products, wrapped candy, factory pre-wrapped snack food items for immediate consumption, *bottled non-alcoholic*

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beverages, including water, soft drinks and juices, and State Lottery tickets as provided for by the "State Lottery Law".

\* \* \*

(5) Design of Newsstands.

\* \* \*

(f) No appurtenance for any advertising permitted by subsection 9-212(6)(b) may extend more than four inches (4") from the facade of the newsstand, and no such appurtenance may interfere with the minimum pedestrian right-of-way required by subsection 9-212(4)(b)(4). Permitted advertising shall be limited to the following:

\* \* \*

(.2) One advertisement may appear on each side of the newsstand, as follows:

(i) Advertising on the street side of the newsstand may be a maximum of [seven feet (7')] *eight feet (8')* wide by [four feet (4')] *seven feet (7')* high, and may be illuminated *and provided in electronic or digital media.*

(ii) Advertising on each narrow side of the newsstand may be a maximum of [eighteen inches (18")] *36 inches (36")* wide by [thirty-six inches (36")] *sixty inches (60")* high, and may be illuminated *and provided in electronic or digital media.*

\* \* \*

*(iv) Notwithstanding the provisions of subsections 9-212(5)(f)(.2)(i) and (ii), advertising consisting of a removable vinyl wrap or similar material shall be permitted to cover each narrow side and street side of the newsstand entirely but shall be prohibited on the sidewalk side of the newsstand.*

\* \* \*

*(.5) Non-accessory advertising permitted under this subsection 9-212(5)(f) shall be subject to the imposition of taxes in accordance with Chapter 19-3400, relating to excise taxes on outdoor advertising transactions.*

\* \* \*

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(h) *A movable awning shall be permitted on the sidewalk side of a newsstand, provided that:*

*(.1) The awning does not project more than forty-two inches (42") from the newsstand when fully extended;*

*(.2) The lower edge of the awning is not less than eight feet (8') above the sidewalk when fully extended;*

*(.3) The awning is constructed of a non-rigid, nonflammable material;*

*(.4) The awning is fully retracted and housed during non-working hours; and*

*(.5) The unit that houses the movable awning allows a height clearance of no less than eight feet (8') and projects no more than eight inches (8") from the façade of the newsstand on the sidewalk side.*

\* \* \*

SECTION 2. Chapter 11-600 of The Philadelphia Code is hereby amended to read as follows:

## CHAPTER 11-600. CONSTRUCTION, ENCROACHMENTS AND PROJECTIONS OVER, ON AND UNDER STREETS

\* \* \*

§ 11-603. Projections Over the Street.

(1) Awnings.

\* \* \*

*(c) Movable awnings shall be permitted on newsstands in accordance with the provisions of Section 9-212(5)(h).*

[ (c) ] *(d) No awnings may be erected and maintained other than those specified in § 11-603(1) [(a) and (b)] (a),(b) and (c).*

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SECTION 3. Chapter 19-3400 of The Philadelphia Code is hereby amended to read as follows:

## CHAPTER 19-3400. EXCISE TAX ON OUTDOOR ADVERTISING TRANSACTIONS

\* \* \*

§ 19-3402. Imposition and Rate of the Excise Tax.

(1) There is hereby imposed an excise tax on the purchase, rental or licensing of space on any building, [parcel or] *parcel*, Sign Support Structure *or newsstand* located in the City for the purpose of installing, placing or maintaining an Outdoor Advertising Sign.

\* \* \*

(3) The rate of tax shall be seven percent (7%) of the Purchase Price.

SECTION 4. This Ordinance shall take effect within 30 days after it becomes law.

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.