

City of Philadelphia



(Bill No. 110259-A)

AN ORDINANCE

Amending Section 9-407 of The Philadelphia Code, entitled "Tour Passenger Carriers," to provide for tour passenger loading zones of a specified size in certain locations and in certain numbers, to provide for the removal of limitations on the number of loading zones a tour passenger carrier can occupy at one time, to provide for changes to the amount of certain fees by regulation, and to provide for certain reporting requirements, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-407 of The Philadelphia Code is hereby amended to read as follows:

§ 9-407. Tour Passenger Carriers.

(1) Definitions.

* * *

(f) Tour passenger loading zone. All that [area] *area, not to exceed 55 feet in length as measured along the curbline*, used by a tour bus or amphibious tour vehicle for the loading and unloading of passengers.

* * *

(3) License Issuance. Licenses shall be issued upon the following:

* * *

(b) The applicant pays a non-refundable application fee of one hundred (\$100) [dollars;] *dollars, or such other amount as the Department may establish by regulation*; and

* * *

(e) The applicant, after being notified by the Department that his application has been provisionally approved:

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(.1) agrees to the approved tour route pursuant to subsection 9-407(3)(c) and the tour passenger loading zones pursuant to subsection 9-407(7); and

(.2) [after March 1, 2007,] pays an initial license fee of five thousand (\$5000) [dollars.] *dollars, or such other amount as the Department may establish by regulation.* [No fee shall be required prior to this date.]

(4) License Renewal; Change of License Information.

(a) The Department shall send to each person licensed under this Section, at a time reasonably in advance of the end of each license year, a renewal license. The licensee must return the renewal license to the Department, together with payment of the annual renewal fee of five thousand (\$5000) [dollars] *dollars, or such other amount as the Department may establish by regulation,* and a statement of the changes, if any, in the license information required by subsection 9-407(3). If the licensee proposes a new tour route, the Department must approve the new route prior to license renewal. The Department shall then validate the renewal license and return it, together with a new license, to the licensee, who shall thereby be licensed for the succeeding license year.

* * *

(8) Tour Passenger Loading Zone Locations.

(a) The Department may approve tour passenger loading zones only on the following blockfaces and only where the Department finds that the location is safe and does not unreasonably hinder traffic flow:

(.1) The [east] *west* side of Sixth street between [Market] *Ranstead* and [Arch] *Chestnut* streets. No more than [four] *two* tour passenger loading zones may be approved.

(.2) The west side of Twelfth street between Market and Filbert streets. No more than [three] *two* tour passenger loading zones may be approved.

(.3) The east side of Fifth street between Market and Arch streets. No more than [one] *two* tour passenger loading [zone] *zones* may be approved.

(.4) The west side of Fifth street between Market and Arch streets. No more than [two] *four* tour passenger loading zones may be approved.

(.5) The south side of Filbert Street between 12th and 13th streets. No more than [one] *two* tour passenger loading [zone] *zones* may be approved.

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(.6) *The east side of Fifth street between Ludlow and Ranstead streets. No more than one tour passenger loading zone may be approved.*

(.7) *The east side of Third street between Chestnut and Walnut streets. No more than one tour passenger loading zone may be approved.*

(.8) *The south side of Arch street between Fifth and Sixth streets. No more than two tour passenger loading zones may be approved.*

* * *

(9) Permit Issuance. Passenger Loading Zone Permits shall be issued upon compliance with the following:

* * *

(b) The applicant pays a non-refundable application fee of one hundred (\$100) [dollars;] *dollars, or such other amount as the Department may establish by regulation; and*

(c) The applicant, after being notified by the Department that his application has been provisionally approved:

(.1) agrees to the approved tour passenger loading zones by the Department of Streets; and

(.2) pays the initial permit fee of two hundred fifty (\$250) [dollars.] *dollars, or such other amount as the Department may establish by regulation.*

(10) Assignment, Renewal and Use of Passenger Loading Zones.

* * *

(b) [No tour passenger carrier shall be permitted to use more than one tour passenger loading zone per block face.] *Reserved.*

(c) [No tour passenger carrier shall be permitted to use more than one tour passenger loading zone in the area bounded on the west by the west curblines of 6th street, on the north by the south curblines of Arch street, on the east by the east curblines of 5th street and on the south by the north curblines of Market street.] *Reserved.*

* * *

(11) Passenger Loading Zone Permit Renewal; Change of Permit Information.

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(a) The Department shall send to each person permitted under this Section, at a time reasonably in advance of the end of each permit year, a renewal permit. If the permittee returns the renewal permit to the Department, together with payment of the annual renewal fee of two hundred fifty (\$250) [dollars] *dollars, or such other amount as the Department may establish by regulation*, and a statement of the changes, if any, in the permit information required by subsection 9-407(9), the Department shall then validate the renewal permit and return it, together with a new permit, to the permittee, who shall thereby be permitted for the succeeding permit year.

* * *

(13) Tour Passenger Carrier Safety Reports.

(a) Prior to February 1 of each year, each Tour Passenger Carrier must submit a written safety report to the Department that includes:

* * *

(.7) *The total number of guided sight-seeing tours conducted by the Tour Passenger Carrier during the previous calendar year.*

(b) Prior to the first day of March of each calendar year, the Department will release a Tour Passenger Carrier Safety Report to the public that includes, at minimum:

(.1) The ratio of the number and nature of all traffic violations, if any, received by the Tour Passenger Carrier or any agent or employee acting on behalf of the Tour Passenger Carrier during the previous calendar year compared to the total number of [vehicles] *guided sight-seeing tours* operated by the Tour Passenger Carrier during the previous calendar year;

(.2) The ratio of all vehicular accidents, including maritime reports, if any, during the previous calendar year that involved a Tour Bus or Amphibious Tour Vehicle operated by the Tour Passenger Carrier, including the number of accidents; the location of each accident; the number and nature of injuries, if any, sustained in each accident; and the number of vehicles involved compared to the total number of [vehicles] *guided sight-seeing tours* operated by the Tour Passenger Carrier during the previous calendar year;

(.3) The ratio of the number and nature of any injury received by a passenger of the Tour Passenger Carrier, if any, during the previous calendar year compared to the total number of passengers carried by the Tour Passenger Carrier during the previous calendar year; and

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(.4) The ratio of all other violations issued to the Tour Passenger Carrier or any agent or employee on behalf of the Tour Passenger Carrier under applicable City, Commonwealth or Federal statutes compared to the total number of [vehicles] *guided sight-seeing tours* operated by the Tour Passenger Carrier during the previous calendar year.

* * *

SECTION 2. This Ordinance shall become effective immediately.

Explanation:

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

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 23, 2011. The Bill was Signed by the Mayor on August 9, 2011.



Michael A. Decker
Chief Clerk of the City Council