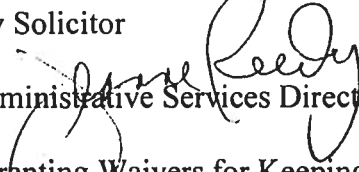


MEMORANDUM

City of Philadelphia
Date: 6/15/09

TO: Shelly Smith, City Solicitor

FROM:  Jeanne Reedy, Administrative Services Director, Records Dept.

SUBJECT: Regulations for Granting Waivers for Keeping More Than Twelve (12) Adults Dogs or Cats in a Residential Dwelling

The above Regulations promulgated by the Department of Public Health were received in the Department of Records on 5/6/09 for filing and advertising. Inasmuch as there was no requests for hearings, these Regulations became effective midnight 6/5/09.

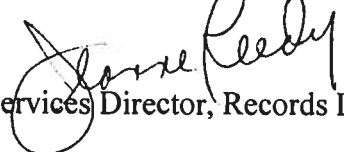
Cc: Donald F. Schwarz, MD, MPH
Nan Feyler, Chief of Staff
Izzat Melhem, Director, Environmental Health Services

Memorandum

City of Philadelphia

Date: 5/6/09

To: Donald F. Schwarz, MD, MPH

From:  Jeanne Reedy, Administrative Services Director, Records Dept.

Subject: Regulations for Granting Waivers for Keeping More Than Twelve (12) Adult Dogs or Cats in a Residential Dwelling

The above Regulations promulgated by the Department of Public Health were received in the Department of Records on 5/6/09 for filing and advertising.

If there are no requests for hearings these Regulations will become effective midnight 6/5/09.

Cc: Nan Feyler, Chief of Staff
Izzat Melhem, Director, Environmental Health Services

Memorandum

City of Philadelphia

Date: 5/6/09

To: Toni Martinez, Advertising Supervisor
From: Jeanne Reedy, Administrative Services Director
Subject: Regulations for Granting Waivers for Keeping More Than Twelve (12) Adult Dogs or Cats in a Residential Dwelling

The attached forms provide an exact copy of the subject for insertion in the three Philadelphia newspapers with the largest paid circulation as required under Section 8-497 of the Philadelphia Home Rule Charter.

We request that the insertion appear as soon as possible.

It will be necessary to inform the three newspapers to furnish us with a notarized original affidavit of proof of this publication within a week after it has been published.

Please acknowledge receipt of this advertisement by signing the enclosed copy of this memorandum and returning it to us.

Thank you.

Received In Procurement By:

Jane Mechin

Date:

5-6-09

CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF THE HEALTH COMMISSIONER

MEMORANDUM

May 4, 2009

TO: Joan T. Decker
Records Commissioner

FROM: Donald F. Schwarz, MD, MPH (NY)
Health Commissioner

SUBJECT: Proposed Department of Public Health Regulations

In accordance with Section 8-407(a) of the Philadelphia Home Rule Charter, I enclose herewith the public hearing documents regarding a proposed Department of Public Health regulation:

REGULATIONS FOR GRANTING WAIVERS
FOR KEEPING MORE THAN TWELVE (12) ADULT DOGS OR CATS
IN A RESIDENTIAL DWELLING

The proposed regulation provides the standards that the Department of Public Health will use in reviewing requests for waivers from the requirement of Section 10-103(8) of the City Code, which prohibits keeping more than 12 dogs or cats combined in a residential dwelling.

The following actions have been taken:

Approved by Board of Health
Approved by Law Department

April 16, 2009
April 20, 2009

I am requesting that the proposed regulations be made available for public inspection in accordance with requirements of the City Charter. I have also attached the Law Department memorandum approving the proposed legislation.

Thank you for your assistance.

DFS/jp
Attachments

cc: Nan Feyler, Chief of Staff
Izzat Melhem, Director, Environmental Health Services

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D R A F T

**CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH**

**REGULATIONS FOR GRANTING WAIVERS
FOR KEEPING MORE THAN TWELVE (12)
ADULT DOGS OR CATS IN A
RESIDENTIAL DWELLING**

226641

2009 MAR -6 PM 1:10

Approved:

Board of Health
Law Department
Records Department

April 16, 2009
April 30, 2009

**REGULATIONS FOR GRANTING WAIVERS FOR
KEEPING MORE THAN TWELVE (12) ADULT DOGS OR CATS IN A
RESIDENTIAL DWELLING**

Section 1. Pursuant to Section 10-103(8) of The Philadelphia Code, it is unlawful to keep more than twelve (12) adult dogs or cats combined in a residential dwelling. Section 10-103(8) permits the Department of Public Health to grant waivers to this requirement.

Section 2. The Department of Public Health ("Department") may grant a waiver pursuant to Section 10-103(8) of the Code based on the following:

1. The property in question is a detached single-family dwelling located on one or more acres of property, with fencing adequate to prevent any dog kept at the property from escaping;
2. A list of all dogs and cats to be kept at the property is provided;
3. Documentation that all such animals have been vaccinated against rabies; all such animals in excess of four have been neutered or spayed; and that all dogs have been properly licensed;
4. Documentation that at least 75% of "neighboring occupancies," meaning occupied premises the property line of which is located within 100 feet of the property line of the property at issue, approve of the waiver. For purposes of this requirement, the approval of at least one resident or owner of a neighboring occupancy shall constitute approval of the neighboring occupancy.
5. A determination by the Department, based on an inspection of the property if deemed necessary by the Department, that the facilities are adequate to maintain the number of animals for which a waiver is requested and appropriate sanitary conditions can be maintained.
6. Agreement by the person seeking the waiver that the Department has permission to monitor the property, including a right of entry into all interior and exterior portions, during the time the waiver is in effect.
7. Agreement by the person seeking the waiver that the waiver may be voided by the Department at any time if the Department determines that the facilities are no longer adequate to maintain the number of animals for which a waiver was granted or appropriate sanitary conditions have not been maintained.

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DEPARTMENT OF PUBLIC HEALTH

Memorandum

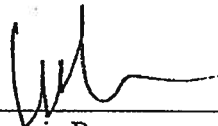
TO: Dr. Donald F. Schwarz, Health Commissioner

FROM: Lewis Rosman, Senior Attorney

DATE: April 30, 2009

SUBJECT: Regulations for Granting Waivers For Keeping More Than Twelve (12) Adult Dogs or Cats in a Residential Dwelling

I have reviewed the attached "Regulations for Granting Waivers For Keeping More Than Twelve (12) Adult Dogs or Cats in a Residential Dwelling" that was submitted to the Law Department and find Regulations to be legal and in proper form. I am advised the amendments have been approved by the Board of Health. In accordance with Section 8-407(a) of The Philadelphia Home Rule Charter, you may forward these amendments to the Department of Records where they will be made available for public inspection.



Lewis Rosman
Senior Attorney

2009 MAY -6 PM 1:10

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