

CITY OF PHILADELPHIA

DEPARTMENT OF LICENSES AND INSPECTIONS

DEPARTMENT OF PUBLIC HEALTH

**AMENDMENTS TO**

**Regulations Under Sections 9-3909 and 9-3910 of The Philadelphia Code**

The Department of Licenses and Inspections (the “Department”) and the Department of Public Health hereby adopt the following amendments to regulations relating to Sections 9-3909 (“Limited Lodging Operator License”) and 9-3910 (“Limited Lodging and Hotels Booking Agent License”) of The Philadelphia Code.

Matter deleted by amendment is in ~~Strikethrough~~

Matter added by amendment is in Underline

**Regulation No. 1: LEAD PAINT SAFETY REQUIREMENTS**

An application for a Limited Lodging License under § 9-3909 is subject to compliance with the Lead Paint Disclosure and Certification Law, Philadelphia Code § 6-803(3) (“Rental Protections”). No Limited Lodging License shall be issued or renewed pursuant to § 9-3909 unless the operator of the Limited Lodging has provided to the Department of Public Health a copy of such certification.

**Regulation No. 2: LIMITED LODGING AND HOTELS BOOKING AGENT LICENSE APPLICATION**

1. An application for a new Limited Lodging and Hotels Booking Agent License pursuant to § 9-3910, or application for renewal of such License, shall contain the following information:
  - a) The name, address, and telephone number of the applicant.
  - b) The commercial activity license number of the applicant.
  - c) A non-refundable application fee of twenty dollars (\$20). If the application is approved, the application fee shall be applied towards the license fee required under § 4-A-906 of the Code.
2. ~~An application for a Limited Lodging License pursuant to Section 9-3909 of The Philadelphia Code shall contain the information required by that Section.~~

### **Regulation No. 3: BOOKING AGENT TRANSACTION HISTORY**

1. The booking agent shall submit a regular report to the Department of Licenses and Inspections that includes the following information:
  - a) The name of each licensed operator for whom a transaction has been consummated with respect to a property located in Philadelphia during the reporting period.
  - b) The license type, license number, and rental license category, if applicable, associated with each booking.
  - c) The street address associated with each such booking, including the unit number, if applicable.
2. The information shall be reported electronically through an online form available on the Department's website, on a quarterly basis, as follows:

Quarter 1: January 1-March 31, report shall be provided by April 30.

Quarter 2: April 1-June 30, report shall be provided by July 31.

Quarter 3: July 1-September 30, report shall be provided by October 31.

Quarter 4: October 1-December 31, report shall be provided by January 30.

### **Regulation No. 4: INSPECTION FOR LIMITED LODGING OPERATOR LICENSE APPLICATION**

1. Inspection requirement.

Applicants for a new or renewed Limited Lodging Operator License will be required to have the property inspected by the Department, unless the Department waives the requirement due to capacity constraints.

The inspection will be conducted after the Department has issued a preliminary approval for an application based on the applicant's written submissions, and serves to confirm whether the applicant's property complies with the following requirements of Section 14-604(13)(b) of The Philadelphia Code:

- The primary dwelling unit is used as a household living unit with housekeeping facilities shared among members of the household (e.g. for cooking and washing).
- The limited lodging is a secondary, accessory use to the primary residential household use of the property.
- There is no separate building entrance visible from the street that is solely for accessing the limited lodging.
- There is no accessory signage.
- There are smoke alarms and carbon monoxide alarms installed throughout the dwelling,

as required by the Philadelphia Fire Code.

- There are proper garbage storage containers for the limited lodging.

## 2. Inspection scheduling

The applicant must schedule an inspection on an electronic form established by the Department within 60 days of receiving a notice of preliminary application approval. In the scheduling request, the applicant must specify the person who will be present for the inspection, who must be at least 18 years of age and capable of carrying out the responsibilities set forth in Section 3. The applicant must also include a phone number for a device that satisfies the requirements of Section 3, below, that will be used by the person who will be present at the inspection site.

Failure to schedule an inspection within 60 calendar days of issuance of a preliminary application approval will result in the denial of the application.

## 3. Inspection process.

Unless the Department determines that an applicant is eligible for an on-site inspection as set forth below, the inspection will be conducted by the Department virtually, during a real-time teleconference with the applicant or the applicant's representative, who must be physically present at the property. All virtual inspections will be recorded.

The applicant's representative must be at least 18 years of age and capable of guiding the Inspector through all areas of the property that are the subject of the virtual inspection. In addition, the applicant's representative must:

- Consent to be recorded.
- Ensure that all areas of the property that are the subject of the inspection are accessible.
- Be equipped to access the internet link for the virtual inspection at the phone number provided by the applicant in the inspection request. The mobile device must be equipped with cellular service, an adequate internet connection to accommodate video streaming, a working camera, and a working microphone.
- Join the virtual inspection session at the scheduled time from the mobile device.
- Follow inspector instructions to operate the camera, navigate the site, and focus on specific areas as requested by the inspector.

If the license applicant is unable to meet the above conditions for a virtual inspection, they must request accommodation for an on-site inspection on a form established by the Department.

## 4. Re-inspection

The Department will permit a second attempt at inspection under the same application if the property did not pass the initial inspection, the representative was not ready for inspection due to access or technological issues, the representative failed to appear at the scheduled time, or the inspection was cancelled by the applicant or the applicant's representative. The second inspection must be completed within 60 days of notice of the

failed initial inspection.

Failure to satisfy all inspection requirements on the second attempt will result in the denial of the application, unless otherwise approved by the Department based on exceptional circumstances.

5. License Issuance

A license shall be issued and available for download through the customer's online eCLIPSE portal after all application requirements have been satisfied, including satisfactory inspection of the property and payment of outstanding license fees.