

NUISANCE BUSINESS LAW

LAW ENFORCED FOR THE HEALTH, SAFETY, AND WELFARE OF EVERYONE IN PHILADELPHIA

WHAT IS THE NUISANCE BUSINESS LAW?

The Nuisance Business Law (Code: 9-4400) was created to address the City's commitment to reducing nuisance behaviors in and around businesses to improve the health, safety, and welfare of all in Philadelphia. This law is an empowerment tool for business owners to be part of the solution by combatting negligent behavior and help neighborhood commercial corridors prosper.

WHAT IS NUISANCE BEHAVIOR?

CHRONIC NUISANCE

- Illegal consumption or sale of alcoholic beverages
- Illegal drug activity
- Unlawful street or sidewalk obstruction
- Gambling and illegal gaming activities
- Public urination or defecation
- Litter in the right-of-way, including the sidewalk or street
- Prostitution
- Disorderly conduct and related behavior
- Conduct that violates the provisions of the Pennsylvania Liquor Code (47 P.S. §§ 1-101 et seq.) pertaining to unlawful acts relative to liquor and licensees (47 P.S. § 4-493)
- Obstruction of an investigation of nuisance behavior
- Owning, operating or conducting a vehicle chop shop
- Vehicles parked on the sidewalk
- Use of street parking spaces or sidewalk for open storage, sale, or rental of goods, or storage or repair of inoperable vehicles
- Unlicensed or unlawful firearms possession by a patron
- Short dumping
- Unlawful junk dealer operations
- Repeated or continuing violations of any other City ordinance and/or regulations
- Any other activity that constitutes a public nuisance under The Philadelphia Code

CRITICAL NUISANCE

Serious Violent Behavior - Conduct that would constitute any of the following offenses as defined in the Pennsylvania Crimes Code (18 Pa. C.S. §§ 101 et seq.): homicide; murder; aggravated assault; rape; or sexual assault.



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IF THERE IS A NUISANCE BUSINESS IN MY NEIGHBORHOOD:

Community members and organizations can report nuisance behavior of businesses by contacting their district police captain or 311. **Visit www.phillypolice.com/districts or call 311 to find the contact information of your District Police Captain.**

Confidentiality will be maintained for those who contact PPD, 311, or present written information for consideration at the administrative review hearing.

IF YOU RECEIVED A NUISANCE BUSINESS CITATION:

To request language assistance and additional information, call 311.

CONTACT YOUR POLICE DISTRICT CAPTAIN

As soon as possible, contact your Police District Captain to discuss ways to remediate the issue. The City is dedicated to not penalizing business owners for behavior out of their control if you take active measures. To find contact information, call 311 or visit phillypolice.com/districts.

CREATE A NUISANCE ABATEMENT PLAN

Work with the Police Department to create a nuisance abatement plan to reduce, eliminate, and prevent future recurrences of nuisance behavior, such as installing and maintaining security cameras.

IF A CRITICAL NUISANCE VIOLATION OCCURS

A business may be deemed critical nuisance after only one incident of violent behavior (homicide, rape, aggravated assault).

Contact your Police District immediately to avoid your business from being ceased.

IF YOU DO NOT CONTACT YOUR POLICE DISTRICT CAPTAIN

If you receive three (3) violations within 12 months and have not contacted or cooperated with the Police, you will be classified as a chronic nuisance business.

If your business is classified as a chronic nuisance business, you will receive a notice of intent to cease operations.

CONTACT YOUR POLICE DISTRICT CAPTAIN

You must contact the District Captain within five (5) days of receipt of the intent to cease letter. At the administrative review proceeding, The District Captain and Nuisance Abatement Unit will work with you to develop a nuisance abatement plan.

IF YOU DO NOT CONTACT YOUR POLICE CAPTIAN

If you do not respond within 5 days, L&I will issue a Cease Operations Order, resulting in your business being shut down. You can file and appeal with the Board of Licenses and Review.

