

City of Philadelphia



(Bill No. 050865)

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Regulation Of Businesses, Trades And Professions," by adding a section prohibiting advertising of alcohol products within a certain distance of locations frequented by children, including schools, playgrounds, recreation centers, child care centers and libraries; by making findings; and by making technical changes; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

Section 1. Legislative Findings. The Council finds that:

(a) A September 10, 2003 report entitled, Underage Drinking: A Collective Responsibility, released by the National Academy of Sciences stated that more youth drink alcohol than smoke tobacco or use other illegal drugs;

(b) In a recent national survey on drug use, the 2002 Monitoring the Future report, almost half or 48.6% of twelfth graders reported recent alcohol use;

(c) Underage drinking plays a substantial role in the three leading causes of death among youth -- motor vehicle fatalities, suicide and homicide;

(d) According to the American Medical Association, underage drinking is a factor in nearly one-half of all teen automobile crashes, the leading cause of death among teenagers;

(e) Alcohol abuse among young people is also linked to two-thirds of all sexual assaults and date rape, and is a major factor in unprotected sex among youth, thereby increasing their risk of sexually transmitted diseases;

(f) The National Academy of Sciences estimates that the social cost of underage drinking is \$53 billion;

(g) In the Philadelphia Safe and Sound Report Card 2003, substance abuse among high school youth was rated "challenging, with major obstacles;"

(h) A recent Youth Risk Behavior Survey compiled in 2001, which is based on self-reports by Philadelphia public high school students, found that 31.6% of high school youth report having had one drink in the most recent 30-day period;

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(i) Research by the National Institute on Alcohol Abuse and Alcoholism, entitled Effects of the Mass Media on the Use and Abuse of Alcohol, has found that exposure to alcohol advertisements affects young people's beliefs about drinking, intentions to drink, and actual drinking behavior;

(j) A substantial proportion of alcohol advertising reaches an underage audience and is presented in a style that is attractive to youth;

(k) A 1996 study of children ages nine to eleven found that children were more familiar with Budweiser's television frogs than with Kellogg's Tony the Tiger or Smokey the Bear;

(l) In a survey conducted for the Center on Alcohol Marketing and Youth in June of 2003, two-thirds of parents say that seeing and hearing alcohol advertisements makes teens more likely to drink alcohol and 82% of the parents surveyed said that the risky behavior teens engage in while under the influence of alcohol is a problem in society today;

(m) Children and youth utilize city owned and controlled property on a daily basis, such as school buildings, recreation centers, libraries and bus shelters;

(n) To the extent that commercial advertising is allowed in these public facilities, the City of Philadelphia can play a positive role in reducing exposure of youth to alcohol advertisements by prohibiting the placement of such advertisements on publicly owned or controlled property.

Section 2. Title 9 of The Philadelphia Code is hereby amended as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

* * *

CHAPTER 9-600. SERVICE AND OTHER BUSINESSES

* * *

§9-628. *Alcohol Advertising.*

(a) *No person shall place or maintain, or allow to be placed or maintained, within 1000 feet of any school, public playground, recreation center, child-care center or library, any printed sign, as the term sign is defined under section 9-602 (“Outdoor Advertising”), advertising alcoholic beverages.*

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(b) A violation of this section shall be subject to the penalties and abatement provisions set forth in section 9-602.

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Section 3. Severability.

If any provision of this ordinance, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the ordinance, and application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 15, 2005. The Bill was Signed by the Mayor on January 24, 2006.



Patricia Rafferty
Chief Clerk of the City Council