

City of Philadelphia



(Bill No. 070272)

AN ORDINANCE

Amending Chapter 10-600 of The Philadelphia Code, entitled “Public Places – Prohibited Conduct,” by amending Section 10-612, entitled “Gambling,” by amending the penalty provisions for certain violations and making certain technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-600 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 10-600. PUBLIC PLACES-PROHIBITED CONDUCT.

* * *

§ 10-612. Gambling.

* * *

(3) Penalties.

(a) The penalty for a violation of this Section shall be a fine not exceeding \$300.00 *except for violations regulated by subsection (b).*

(b) Any person violating this Section in a playground owned or controlled by the City shall have committed a Class III offense and shall be subject to the fines set forth in subsection 1-109(3), or imprisonment for not more than ninety (90) days, or both.

~~(b)~~ (c) Repeat Offenders. Any person who commits, on more than one occasion, a violation of this Section shall be guilty of a separate offense of Repeat Violation, and for each such Repeat Violation, shall be subject to a fine of not more than three hundred (300) dollars, or imprisonment for not more than ninety (90) days, or both. *Repeat offenders of subsection (b) shall be subject to the fines set forth in subsection 1-109(3), or imprisonment for not more than ninety (90) days, or both.* A person shall be guilty of a Repeat Violation regardless whether the second or subsequent violation occurs before or after a judicial finding of a first or previous violation. Each violation, after the first, shall constitute a separate Repeat Violation offense.

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[(c)] (d) Notwithstanding the foregoing, any person authorized to enforce ordinances may, at their discretion, seize any monies, in plain sight and identifiable as a profit of the gambling, at the time of the violation. Such monies, not exceeding \$300.00, shall be forfeited, *except that for violations of subsection (b), such monies, not exceeding the fines set forth under subsection 1-109(3), shall be forfeited.* Any monies seized shall be processed and directed to the Director of Finance and the Bureau of Administrative Adjudication pursuant to § 10-1604.

SECTION 2. This Ordinance shall take effect 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 14, 2007. The Bill was Signed by the Mayor on September 20, 2007.

A handwritten signature in cursive script that reads "Patricia Rafferty".

Patricia Rafferty
Chief Clerk of the City Council