



FACT SHEET Drinking Establishments*

All of the following conditions must be satisfied in order for a drinking establishment to qualify for a waiver:

1. The establishment is in legal operation and has a valid certificate of occupancy and business privilege license on the effective date of the Ordinance, January 8, 2007. Copies of these documents must be included with the waiver application.
2. The establishment applies for a waiver from the Health Department within ninety (90) days of the effected date of the amended Ordinance. Waiver applications must be received by the Health Department no later than April 9, 2007.
3. The owner certifies in writing as part of the waiver request that all employees of the establishment were notified at least one week in advance of the owner's intent to apply for a waiver.
4. Prior to receipt of the waiver, the establishment is not delinquent on the payment of any City or School District taxes, charges, fees, rents or claims, unless the owner has entered into an agreement to pay any such delinquency and is abiding by the terms of such agreement; and prior to receipt of a waiver the drinking establishment has no Philadelphia Code violations and has all required zoning approvals, licenses and permits.
5. The owner must provide the previous tax year's receipts, expenses and revenue figures so as to verify the food and alcohol ratio to qualify for the waiver.
6. The establishment agrees to notify the Health Department in writing immediately of any changes in the operation of the drinking establishment, or of any revocation or transfer of a liquor license owned by the establishment.
7. Any approved waiver is automatically revoked and cannot be renewed if there is a change in the operation of the facility such that it no longer qualifies as a drinking establishment, or if any liquor license owned by the establishment is revoked or transferred to a new location.

** Any food or beverage establishment whose on-site sales of food for consumption on the premises comprise no more than 20% of gross sales of both foods, non-alcoholic and alcoholic beverages on an annual basis, or on such other basis as the Department of Licenses and Inspections shall by regulation provide with respect to such establishments that have been open for less than one full year.*

