

ZONING BOARD OF ADJUSTMENT
EMERGENCY REGULATIONS REGARDING PUBLIC HEARING NOTICE
REQUIREMENTS
FOR ZONING HEARINGS AND OTHER RELATED MATTERS

On March 22, 2020, as part of a series of emergency declarations and orders, the Mayor and Health Commissioner issued an Emergency Order Temporarily Prohibiting Operation of Non-essential Businesses to Prevent the Spread of COVID-19 (“Emergency Order”), which was approved as a regulation of the Board of Health on March 26, 2020 (effective March 27, 2020).

As part of a series of emergency declarations and orders, the Mayor and Health Commissioner determined on May 29, 2020, that Philadelphia could move to the Commonwealth’s “Yellow Phase,” with additional, Philadelphia-specific restrictions that would apply in addition to restrictions established by the Governor, including limitations on outdoor dining, and to implement that decision, executed an Order entitled “Emergency Order Allowing Limited Reopening of Businesses, Advising Philadelphians that they are Safer at Home, and Establishing Safety Measures to Prevent the Spread of 2019 Novel Coronavirus (COVID-19): Yellow Phase of Reopening (“Yellow Phase Order”) to implement that decision, effective on the date determined by the Governor that the City of Philadelphia should move into the Yellow Phase, on June 5, 2020.

On June 22, 2020, the Zoning Board of Adjustment (“Board”) adopted an Emergency Regulation Regarding Public Meeting Notice Requirements for Zoning Hearings and Other Related Matters.

I. Pursuant to its powers as set forth at §8-407 of the Philadelphia Home Rule Charter and Subsection 14-103(4)(b) of the Philadelphia Zoning Code, the Zoning Board of Adjustment hereby amends its June 22, 2020 Emergency Regulations Regarding Public Meeting Notice Requirements for Zoning Hearings and other Related Matter, as follows:

1. "Affected Period." Means the period beginning on March 13, 2020, through [September 30] *January 31*, [2020] *2021*, unless further extended by the Commission.
2. This Board's Emergency Regulation of March 18, 2020 is hereby repealed and replaced as follows:
 - a. For all matters where the appeal deadline would have fallen between March 13, 2020 and [the effective date of this regulation] *June 22, 2020*, notwithstanding the Board's emergency regulation of March 18, 2020, the deadline for filing an appeal [shall be fourteen days from the effective date of this regulation] *is deemed to have been July 6, 2020*.
 - b. For all matters where the appeal deadline falls on a date on or after [the effective date of this regulation] *June 22, 2020*, the appeal deadline shall be as set forth in the Zoning Code[, but in no instance shall the time limitation be less than fourteen days from the effective date of this regulation].

- II. Based on the Mayor's March 11, 2020, Declaration of Extraordinary Circumstance that allows regulations related to addressing the pandemic to become effective immediately upon transmission to the Department of Records, this emergency regulation shall be effective immediately.

Words in [brackets] are deleted

Words in *italics* are added

