

City of Philadelphia

A GUIDE FOR CHILD CARE PROVIDERS

PREFACE

Congratulations on opening a Child Care business in the City of Philadelphia.
Our children are vitally important for our community and our future.

The City of Philadelphia's child care licensing process is designed to ensure that children are safe and healthy while in care. The City license focuses primarily on the child's physical surroundings. It is a prerequisite for obtaining a child care license from the Pennsylvania Department of Human Services, which focuses on what is happening inside the physical structure.

The City hopes you will want to exceed the minimum health and safety requirements and provide the very best care you can to ensure that all children in our city are prepared to succeed in school and later as adults. Pennsylvania's Keystone STARS program is designed to help you do this. We urge you to take advantage of the quality improvement resources provided by Keystone STARS, and the other resources described at the end of this guide.

If you need this information in another language, call 311.

Si necesita esta información en otro idioma, llame al número mencionado arriba

如果您需要以另一种语言获得此信息，请致电上方显示的号码。

您若需要以另一種語言閱讀此資訊，請致電上方顯示的號碼。

Nếu bạn cần thông tin này bằng ngôn ngữ khác, vui lòng gọi số điện thoại ở trên.

Если вы хотите получить эту информацию на другом языке, позвоните по указанному выше телефону.

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INTRODUCTION



A NOTE ABOUT INSPECTIONS

An inspector must display a City of Philadelphia, Department of Licenses and Inspections, or Department of Public Health employee photo identification and/or badge at the time of the inspection. You must provide immediate access to the inspector.



A NOTE ABOUT REQUIREMENTS

Some of the City requirements are different than the state requirements. If you comply with the City requirements, which are the most stringent, you will be able to pass the City licensing process.

All Child Care providers in Philadelphia are required to be licensed by the City of Philadelphia and the Commonwealth of Pennsylvania. This includes anyone who cares for a child other than their own child, stepchild, grandchild or foster child outside of the child's home. This applies to child care, after care, day care and pre-k.

This guide will explain how to meet the City of Philadelphia's requirements for child care. Once you meet these, you need to apply for a license from the Pennsylvania Department of Human Services. Information about how to apply for the latter is found on pages 21 or 38.

This guide provides the following information about the City's Child Care Licensing Process:

- Child Care Definitions
- Steps to Obtain a City of Philadelphia License
- Flowcharts to Illustrate This Process
- A List of Documents You Will Need
- Key Resources

HOW TO USE THIS GUIDE

In addition to this guide, visit <http://business.phila.gov/> for additional assistance. By taking advantage of these resources and following the required steps for licensing, you will be on your way to becoming a good, safe, child care provider. If you have any questions as you begin this process, you can reach out to us for support.

Read this guide through from beginning to end and make a list of any questions you have.

Read the Commonwealth of Pennsylvania child care license requirements by visiting www.dhs.pa.gov/provider/earlylearning/index.htm



Need Help?

Contact the Office of Business Services at 215-683-2100

TYPES OF CHILD CARE FACILITIES

WHAT ARE THE DIVERSE TYPES OF CHILD CARE FACILITIES?

| RESIDENTIAL <i>In your home</i> | COMMERCIAL <i>Outside your home</i> |
|---|---|
| FAMILY up to 6 children | CENTERS 13 or more children |
| GROUP up to 12 children | GROUP up to 12 children |

Why does it matter if a child in my child care facility is related to me?

The State and City departments that oversee the licensing, registration, and certification of child care facilities will ONLY count the number of UNRELATED children toward the maximum number you are allowed to serve. In other words, you are allowed to care for any number of RELATED children in your child care facility, over and above the maximum number of children allowed which is stated on your License and/or your Certificate of Occupancy.



IMPORTANT DEFINITIONS

'Related' This term, in the context of this guide, means related to the operator of the child care facility. For a family child care provider, related means the provider's child, stepchild, grandchild, or foster child. For a group or center-based provider, related means the provider's child, stepchild, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, or nephew.



Planning Best Practice

Need help figuring out what your property is zoned for?
You can find helpful information on zoning at www.phila.gov/opa

SECTION 1: FAMILY OR GROUP CHILD CARE

What is a Family Child Care Business?

A Family Child Care is a business located in the **provider's primary residence** for children who are not relatives of the provider. A Family Child Care must be located in a single-family or two-family residence. The Family Child Care must be operated by the person who lives there, whether they are the owner, or a tenant authorized by the owner.

Family Child Care businesses are limited to providing care to a maximum of six children, or, if approved by Special Exception, up to 12 children, **except within the 6th, 9th, and 10th City Council districts, where it is limited to providing care to 4 or less children.**

Family Child Care is:

1. In a building that is zoned Residential.
2. In the business owner's primary residence (i.e., you live there).
3. A maximum of 6 children who are not related to the business owner (except in Districts 6, 9, and 10, where the limit is 4 unrelated children).

What is a Group Child Care Business?

A Residential Group Child Care business is any business providing care in a facility that is not the provider's primary residence for up to 12 children who are not related to the provider. Group Care facilities in residential districts are permitted only if accessory to a principal residence or accessory building used as an educational facility, hospital, library, cultural exhibit, religious assembly, or recreation building. **In Districts 6th, 9th, and 10th, the building must be publicly-owned or operated.**

Residential Group Child Care is:

1. In a Residential building if you are granted a special exception or variance.
2. A maximum of 12 children who are not related to you (except in Districts 6 and 10 where the limit is 4 unrelated children or adults. District 9 is limited to 6 children).

Residential Group Care is also permitted in Commercial properties.

If your Child Care is in a commercially zoned property, please refer to the 'Commercial Child Care' section of this guide.

STEPS TO LICENSE YOUR FAMILY/GROUP CHILD CARE BUSINESS

In this section, you will find step-by-step instructions to follow to receive your license. These steps include:

1. Obtaining your Business Income and Receipt Tax ID
2. Applying for a Commercial Activity License
3. Obtaining your Zoning and Use Permit

Certificate of Occupancy (Group Child Care only)

4. Completing your Food Safety Training and obtaining an in-Home Food Safety Certificate.
5. Scheduling and passing your Health Department Inspection
6. Applying for Licenses

Family Child Care License
(needs to be renewed annually)

7. Scheduling and passing your Fire Safety Inspection
8. Obtaining your Pennsylvania Department of Human Services Certificate of Compliance

STEPS FLOW CHART FOR **FAMILY/GROUP**

**REVENUE
DEPARTMENT**

L & I

**HEALTH
DEPARTMENT**

**PENNSYLVANIA
DEPARTMENT OF
HUMAN SERVICES**

STEP 1
REGISTER BUSINESS
INCOME AND RECEIPTS TAX ID

STEP 2
APPLY FOR A COMMERCIAL
ACTIVITY LICENSE

STEP 3
APPLY FOR A
ZONING USE PERMIT

STEP 4
HEALTH DEPARTMENT
TRAINING AND CERTIFICATION

STEP 5
HEALTH INSPECTION

STEP 6
APPLY FOR THE CITY OF
PHILADELPHIA FAMILY CHILD
CARE LICENSE

STEP 7
FIRE SAFETY INSPECTION

STEP 8
APPLY FOR CERTIFICATE
OF COMPLIANCE



Document Checklist

At the end of this process, you should have all of the following paperwork prepared and available:

- Business Income & Receipts Tax ID (BIRT)
- Commercial Activity License (CAL)
- Zoning Use Permit
- In-Home Food Safety Certificate
- Lead Paint Certificate
- License Eligibility Report (LER)
- Verification of Compliance
- City of Philadelphia Family Child Care License
(to be renewed annually)
- Pennsylvania State Department of Human Services-
Child Care License



Planning Best Practice

Keep track of your documents by keeping everything organized in a binder.

STEP 1: REGISTER FOR A BUSINESS INCOME AND RECEIPTS TAX ID



Every individual, partnership, association and corporation engaged in a business, profession or other activity for profit within the City of Philadelphia is required to file a Business Income & Receipts Tax Return, whether or not they earned a profit during the preceding year. To get your **Business Income and Receipts Tax ID**, follow the steps below.

Register online: <https://ework.phila.gov/revenue/>

OR

Print the application found here <https://business.phila.gov/media/combined-BIRT-and-CAL.pdf> and submit it in person to the Department of Revenue at the Municipal Services Building, located at 1401 JFK Boulevard Philadelphia, PA. **Do not mail your application.**

Once your application is approved, your Business Income and Receipts Tax ID will be mailed to you.

STEP 2: APPLY FOR A COMMERCIAL ACTIVITY LICENSE (CAL)



NOTE

There is NO FEE for the Commercial Activity License

(When applying for this license, first make sure you don't owe back taxes in Philadelphia by visiting <https://secure.phila.gov/revenue/TaxCompliance/>)

A Commercial Activity License is needed to conduct business within Philadelphia. Prior to applying for any additional business licenses in the City of Philadelphia, you will first need to obtain a Commercial Activity License.

Register for Commercial Activity License: www.phila.gov/li

Online using eCLIPSE (the Department of Licenses and Inspections online licensing system): <https://eclipse.phila.gov/phillylmsprod/pub/lms/Login.aspx>

If you are new to eCLIPSE, set up an account at <http://www.phila.gov/li/instructeclipse/pages/default.aspx>

OR

Print out this application <https://business.phila.gov/media/combined-BIRT-and-CAL.pdf> and submit in person to the Department of Licenses and Inspections at the Municipal Services Building, located at 1401 JFK Boulevard Philadelphia. **Do not mail your application.**

Once your Commercial Activity License is approved, you will receive an email, or it will be printed out if you have applied in person.

**STEP 3: UNDERSTANDING ZONING**

Zoning defines what type of activity may occur in a building. You can find the zoning for your building at the Office of Property Assessment website – www.phila.gov/opa. Look for Property Information and enter your address. You will see a section for zoning.

Apply for your Zoning Use Permit

1. Identify zoning use:

- Visit www.property.phila.gov
- Search for the property address
- Write down the type of zoning for the property

2. Look up the zoning code:

- Applicable code is found here: [http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/title14zoningandplanning/chapter14-400basezoningdistricts?f=templates\\$fn=default.htm\\$3.0](http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/title14zoningandplanning/chapter14-400basezoningdistricts?f=templates$fn=default.htm$3.0)
- Use the tables on pages 13 and 14 to determine what type of zoning is required for Child Care and whether your building meets the requirements.

3. Submit Zoning Use Permit application:

- Submit the application here: <https://business.phila.gov/media/Zoning-Use-Registration-Permit-Application.pdf>
- If you plan to have more than 13 children, you will need to apply for a Variance and follow the Variance process.

4. IF DENIED-Appeal to Zoning Board of Adjustment:

- Use this guide:
<http://www.phila.gov/li/Documents/ZBAregulations.pdf>
- Download your application for an appeal:
<http://www.phila.gov/li/PDF/Code%20Bulletins/applicationZBA%20appeal2013.pdf>

5. IF APPROVED, you will receive a Use Permit.

- Residential Group Facilities will need a Certificate of Occupancy

ZONING AND PLANNING

Table 14-602-1: Uses Allowed in Residential Districts³²⁸

| Previous District Name | R1 | R1A | R2 | R3 | R4 | R5 | R6/7 | R9A/10A/R20 | RSA | R8/9/10/10B/18/19 | R11/11A/12/13 | R14 | R15/16 | RC-6 | WRD/ITD | RC-4 | Use-Specific Standards |
|---|-------|-------|-------|-------|-------|-------|-------|-------------|-------|-------------------|---------------|------|--------|-------|---------|-------|----------------------------|
| District Name | RSD-1 | RSD-2 | RSD-3 | RSA-1 | RSA-2 | RSA-3 | RSA-4 | RSA-5 | RTA-1 | RM-1 | RM-2 | RM-3 | RM-4 | RMX-1 | RMX-2 | RMX-3 | RMX-4 |
| Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(3)(a) (Notes for Table 14-602-1) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells. | | | | | | | | | | | | | | | | | |
| Residential Use Category | | | | | | | | | | | | | | | | | |
| Household Living (as noted below) | | | | | | | | | | | | | | | | | |
| Single-Family | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| Two-Family | N | N | N | N | N | N | N | N | Y | Y[1] | Y | Y | Y | Y | Y | Y | |
| Multi-Family | N | N | N | N | N | N | N | N | N | Y[1] | Y | Y | Y | Y | Y | Y | |
| Group Living (except as noted below) | N | N | N | S | S | S | S | S | S | S | S | S | S | S | S | S | |
| Personal Care Home | N | N | N | S | S | S | S | S | S | S | S | S | S | S | S | S | § 14-603(11) |
| Single-Room Residence | N | N | N | N | N | N | N | N | N | S | S | S | S | S | S | S | |
| Parks and Open Space Use Category | | | | | | | | | | | | | | | | | |
| Passive Recreation | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| Active Recreation | N | N | N | S | S | S | S | S | S | S | S | S | S | S | S | S | |
| Public, Civic, and Institutional Use Category | | | | | | | | | | | | | | | | | |
| Community Center | N | N | N | N | N | N | N | N | N | Y | Y | Y | Y | Y | Y | N | |
| Day Care (as noted below) | | | | | | | | | | | | | | | | | |
| Family Day Care | N | N | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | § 14-603(5) |
| Group Day Care | N | N | N | N | N | N | N | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | Y | Y | Y | § 14-603(5) |
| Day Care Center | N | N | N | N | N | N | N | N | N | N | N | N | N | Y | Y | Y | § 14-603(5) |
| Educational Facilities | N | N | N | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S | S | S | |
| Fraternal Organization | N | N | N | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S | S | S | |
| Hospital | N | N | N | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S | S | S | |
| Libraries and Cultural Exhibits | N | N | N | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S | S | S | |
| Religious Assembly | N | N | N | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y | Y | Y | |
| Safety Services | N | N | N | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y | Y | Y | |
| Transit Station | N | N | N | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y[2] | Y | Y | Y | |
| Utilities and Services, Basic | N | N | N | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S[2] | S | S | S | |
| Wireless Service Facility | N | N | N | S | S | S | S | S | S | S | S | S | S | S | S | S | § 14-603(16); § 14-603(17) |
| Office Use Category | | | | | | | | | | | | | | | | | |
| Business and Professional | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y | |
| Medical, Dental, Health Practitioner (as noted below) | | | | | | | | | | | | | | | | | |
| Sole Practitioner | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y | |
| Group Practitioner | N | N | N | N | N | N | N | N | N | N | N | N | N | S[3] | S[4] | Y | |

³²⁸ Amended, Bill No. 120774-A (approved January 14, 2013); amended, Bill No. 130804 (approved December 18, 2013); amended, Bill No. 140802-A (approved December 3, 2014); amended, Bill No. 170402 (approved June 27, 2017).

THE PHILADELPHIA CODE

| Previous District Name | R1 | R1A | R2 | R3 | R4 | R5 | R6/7 | R9A/10A/R20 | RSA | R8/9/10/10B/18/19 | R11/11A/12/13 | R14 | R15/16 | RC-6 | WRD/ITD | RC-4 | Use-Specific Standards |
|--|-------|-------|-------|-------|-------|-------|-------|-------------|-------|-------------------|---------------|------|--------|-------|---------|-------|------------------------|
| District Name | RSD-1 | RSD-2 | RSD-3 | RSA-1 | RSA-2 | RSA-3 | RSA-4 | RSA-5 | RTA-1 | RM-1 | RM-2 | RM-3 | RM-4 | RMX-1 | RMX-2 | RMX-3 | RMX-4 |
| <p>Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(3)(a) (Notes for Table 14-602-1) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.</p> | | | | | | | | | | | | | | | | | |
| Retail Sales Use Category | | | | | | | | | | | | | | | | | |
| Consumer Goods (except as noted below) | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y[5] | |
| Drug Paraphernalia Stores | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | § 14-603(13) |
| Gun Shop | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | § 14-603(13) |
| Food, Beverages, and Groceries | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y[5] | § 14-603(7) |
| Sundries, Pharmaceuticals, Convenience Sales | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y[5] | |
| Wearing Apparel and Accessories | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y[5] | |
| Commercial Services Use Category | | | | | | | | | | | | | | | | | |
| Business Support | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y[5] | |
| Eating and Drinking Establishment | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y[5] | § 14-603(6) |
| Personal Services | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y[5] | |
| Visitor Accommodations | N | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[4] | Y[5] | |
| Commissaries and Catering Services | N | N | N | N | N | N | N | N | N | N | N | N | N | Y[3] | Y[4] | Y[5] | |
| Urban Agriculture Use Category | | | | | | | | | | | | | | | | | |
| Community Garden | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | § 14-603(15) |
| Market or Community-Supported Farm | S | S | S | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | § 14-603(15) |



IMPORTANT DEFINITIONS

As-of-Right, ‘By-Right’ When your project proposal complies with all the zoning provisions that apply to your property, it means you can proceed with your project ‘as-of-right’ without any action by the Zoning Board, Commission, or City Council.

Special Exception Special exception uses are not permitted by right, but may be considered to be compatible with the surrounding neighborhood only under certain conditions. L&I will review your application, then issue a refusal so that you can file for a hearing with the Zoning Board. The Zoning Board will hold a public hearing and evaluate your application using criteria specified in section 14-204(4) of the zoning code. The hearing essentially determines that your proposal will not adversely impact the surrounding neighborhood.

Variations Sometimes site constraints prevent projects from conforming to the zoning use regulations. In these instances, applicants must obtain variance approval from the Zoning Board in order to deviate from the zoning standards. L&I will review your application, then issue a ‘refusal’ since the project proposal does not comply with the zoning code. You may then choose to alter your project to make it conform to the zoning code, or you may then appeal to the Zoning Board to get approval of your variance. The Zoning Board will hold a public hearing and evaluate your application using criteria specified in section 14-204(4). These essentially determine that your proposal will not adversely impact the surrounding neighborhood.

What if my building doesn’t have the required zoning?

If you can operate by-right, you will be given a Use Permit once your application has been reviewed by Department of Licenses and Inspections staff (about 20 business days). If you cannot operate by-right, your application will be denied, and you will need to apply for a Use Variance. Refer to the Zoning Administrative Manual for complete instructions on applying for a variance: <https://business.phila.gov/media/ZoningAdminManual.pdf>



Planning Best Practice

When selecting a location for your business, it’s a good idea to find a building that is already zoned for Child Care use. If you want to operate in a building that is not zoned for the type of use required, you will have to apply for a variance. The variance process can be costly and time-consuming and there is no guarantee that it will be granted.

STEP 4: HEALTH DEPARTMENT TRAINING AND CERTIFICATION

Obtaining an **In-Home Food Safety Certificate** requires a Food Safety Training Course and a Health Department Inspection.

1. Read City and State Health Codes and make sure your facility complies:

- City codes: http://www.phila.gov/health/pdfs/Food_Regulations.pdf
- State codes (Family): <http://www.pacode.com/secure/data/055/chapter3290/chap3290toc.html>
- State codes (Group R-3): <http://www.pacode.com/secure/data/055/chapter3280/chap3280toc.html>

2. Attend a Health Department Home-Based Childcare Food Safety Training:

- Family Child Care and Group R-3 facilities will need to complete a four-hour Home-Based Childcare Food Safety Training with the Office of Food Protection (call: 215-685-7495 to register).
- Once you have completed all your training, a certificate will be mailed to you.

**Planning Best Practice**

Sign up for this early because it tends to fill up! You can schedule this training while you are applying for your Zoning Use Permit.

STEP 5: HEALTH INSPECTION

Once you meet City and State requirements and have your In-Home Food Safety Certificate, you are ready for your health inspection/site visit.

**Planning Best Practice**

Refer to the Table of Typical Health Inspections in the Health Code section of this guide's Key Resources, on page 45.

1. Lead Paint Safe Certification

Family Child Care programs are required to have their homes tested for lead contamination by an approved EPA Certified Dust Wipe Technician. Please contact the Health Department Lead and Healthy Homes Unit for information on testing and certification at 215-685-2788.

2. Schedule Health Department Inspection by calling at 215-685-7342.



- Health Inspectors will ask to see your Use Permit, Business Income Receipts Tax ID, Commercial Activity License, In-home Family Food Safety Certificate and **Lead Paint Certificate**. Residential Child Care businesses need to be lead safe.



- If you pass the health inspection you will receive a **License Eligibility Report (LER)**.

OR

If you fail, you will have 30 days to make corrections.

STEP 6: APPLY FOR THE CITY OF PHILADELPHIA FAMILY CHILD CARE LICENSE



The **Family Child Care License** is issued by the Department of Licenses and Inspections. To apply, follow these steps with Department of Licenses and Inspections.

1. Gather proof that you have completed all the previous steps including, but not limited to:

- Photo ID with home address. If your address is different than what is listed on your ID, please bring a copy of your lease.
- Tax Account Number
- CAL-Commercial Activity License
- LER- License Eligibility Report (Health)



NOTE

The LER is only valid for 30 days after the inspection so apply for the Family Childcare License and Food License right away

2. Apply for the City of Philadelphia Family Care License:

Apply online at <https://eclipse.phila.gov/phillylmsprod/pub/lms/Login.aspx>

OR

Apply in person at Philadelphia Department of License and Inspections, Municipal Services Building, Concourse Level, 1401 JFK Blvd. Philadelphia, PA. **Do not mail your application.**

If approved, your Family Childcare License will be mailed to you.

STEP 7: SCHEDULE AND PASS FIRE SAFETY INSPECTION

1. Develop written plans for fire escape and shelter in place.
 - Call the Philadelphia Fire Department. The Fire Prevention Unit can advise you with Fire Escape and Shelter in Place planning: (215) 686-1382
2. Read and implement fire safety requirements.
 - Read **Fire Safety Inspection Requirements** in the Resources section of this guide.
3. Schedule Fire Inspection
 - Once you have applied for your Child Care License, the Department of Licenses will contact you to schedule a Fire Inspection. Please allow 20 days for an Inspector to contact you. If you do not receive a call or letter within 20 days, please contact Licenses and Inspections via 311 or (215) 686-8686.
4. Receive **Verification of Compliance**

If you pass the Fire Safety Inspection you will receive a Verification of Compliance.

OR

If you fail, you will have 30 days to make the necessary changes.

STEP 8: APPLY FOR THE CERTIFICATE OF COMPLIANCE

In addition to City licensing, your Child Care is subject to state requirements and inspection. **The State will not issue a Certificate of Compliance without Department of Licenses and Inspections Verification of Compliance** (see Step 7).



Planning Best Practice

Pennsylvania's Keystone STARS program is designed to help you exceed the minimum requirements. We urge you to take advantage of the quality improvement resources provided by Keystone STARS. You can learn more about Keystone STARS by visiting https://www.pakeys.org/pages/get.aspx?page=programs_stars

- To apply for your **Certificate of Compliance**, contact the Pennsylvania Department of Human Services. Get started by visiting <http://www.dhs.pa.gov/provider/earlylearning/index.htm>.

To learn more, call the Pennsylvania Department of Human Services at 215-560-2807.

SECTION 2: COMMERCIAL CHILD CARE

What is a Commercial Child Care?

A Commercial Child Care Center is a program for 13 or more children located in a commercially zoned property.

If your Child Care Program is in a Residentially Zoned property, please refer to the 'Family or Group Child Care' section of this guide.

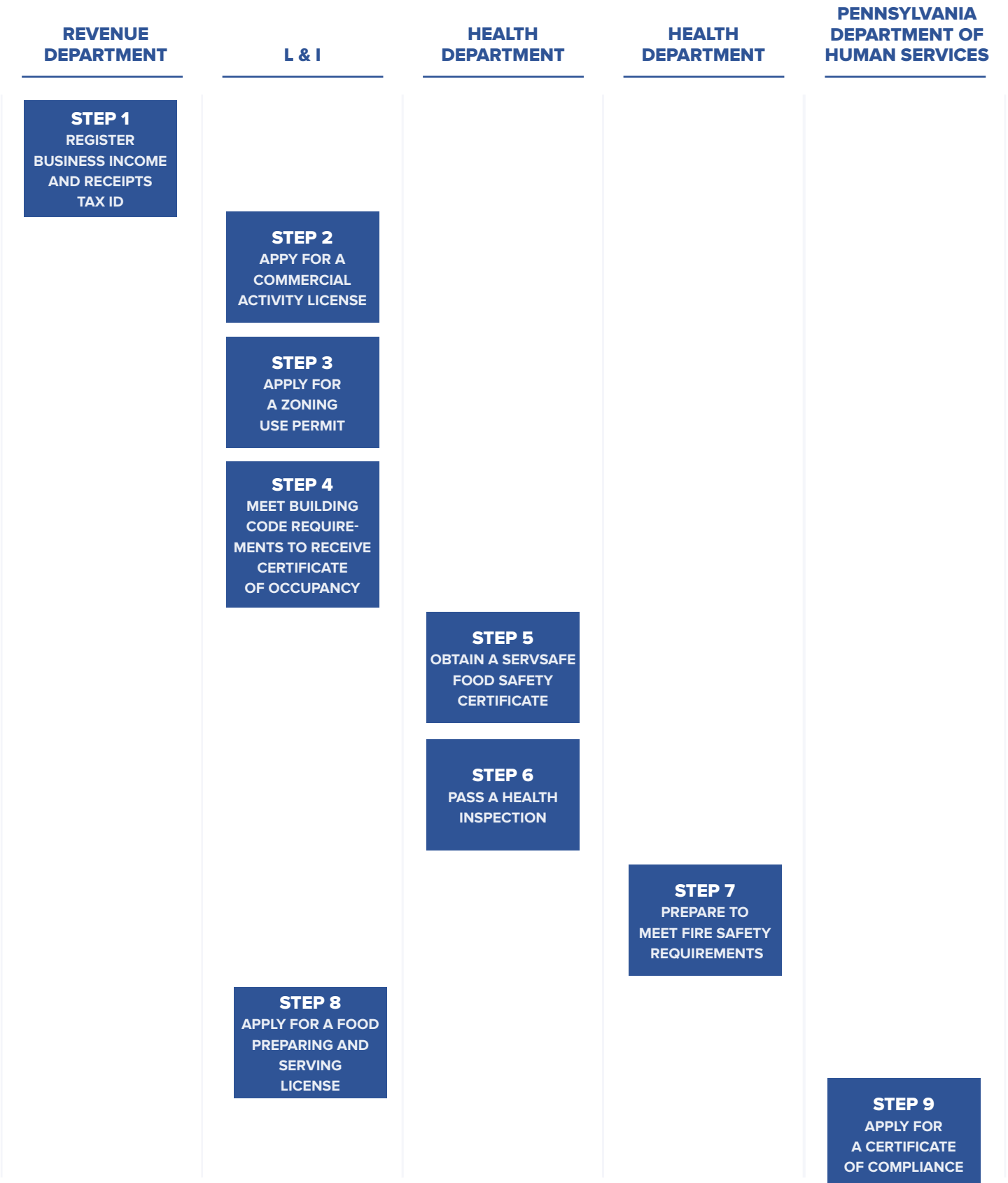
STEPS TO LICENSE YOUR COMMERCIAL CHILD CARE

Licensing Your Commercial Child Care Program

In this section, you will find step-by-step instructions to follow to receive your license. These steps include:

1. Obtaining a Business Income and Receipts Tax ID
2. Applying for a Commercial Activity License
3. Obtaining a Zoning and Use Permit
4. Passing a Building Code Inspection
5. Completing a Food Safety Course and obtaining a ServSafe Food Safety Certificate
6. Scheduling and passing a Health Department Inspection.
7. Passing a Fire Safety Inspection
8. Obtaining a Food Preparing and Serving License (needs to be renewed annually)
9. Obtaining a Pennsylvania Department of Human Services Certificate of Compliance

STEPS FLOW CHART FOR **COMMERCIAL**





Document Checklist

At the end of this process, you should have the following documents prepared and available:

- Business Income and Receipts Tax ID (BIRT)
- Commercial Activity License (CAL)
- Zoning Use Permit
- Certificate of Occupancy
- License Eligibility Report (LER)
- Food Preparing and Serving License (to be renewed annually).
- Pennsylvania Department of Human Services
Certificate of Compliance

STEP 1: REGISTER FOR A BUSINESS INCOME AND RECEIPTS TAX ID

Every individual, partnership, association and corporation engaged in a business, profession or other activity for profit within the City of Philadelphia is required to file a Business Income and Receipts Tax Return, whether or not they earned a profit during the preceding year. To get your Business Income and Receipts Tax ID, follow the steps below.

Visit: <https://ework.phila.gov/revenue/>

OR

Print out this [application](#) and submit in person at 1401 JFK Boulevard

STEP 2: APPLY FOR A COMMERCIAL ACTIVITY LICENSE



NOTE

There is **NO FEE** for the Commercial Activity License

(When applying for this license, first make sure you don't owe back taxes in Philadelphia by visiting <https://secure.phila.gov/revenue/TaxCompliance/>)

A Commercial Activity License is needed to conduct business within Philadelphia. Prior to applying for any additional business licenses in the City of Philadelphia, you will first need to obtain a Commercial Activity License.

Register for a Commercial Activity License: www.phila.gov/li

Online using eCLIPSE (the Department of Licenses and Inspections online licensing system): <https://eclipse.phila.gov/phillylmsprod/pub/lms/Login.aspx>

If you are new to eCLIPSE, setup an account at <http://www.phila.gov/li/instructeclipse/pages/default.aspx>

OR

Print out this application <https://business.phila.gov/media/combined-BIRT-and-CAL.pdf> and submit in person to the Department of Licenses and Inspections at the Municipal Services Building, located at 1401 JFK Boulevard Philadelphia.

Do not mail your application.



Planning Best Practice

Consult an accounting or tax professional about the best way to structure your business. Also seek advice about developing a business plan and financial management practices from an organization with specialized knowledge in running a Child Care business.

STEP 3: UNDERSTANDING ZONING

Zoning defines what type of activity may occur in a building. To operate your Child Care business, you will need to have the proper zoning.



IMPORTANT DEFINITIONS

As-of-Right, 'By-Right' When your project proposal complies with all the zoning provisions that apply to your property, it means you can proceed with your project 'as-of-right' without any action by the Zoning Board, Commission, or City Council.

Special Exception Special exception uses are not permitted by right, but may be considered to be compatible with the surrounding neighborhood only under certain conditions. L&I will review your application, then issue a refusal so that you can file for a hearing with the Zoning Board. The Zoning Board will hold a public hearing and evaluate your application using criteria specified in section 14-204(4). These essentially determine that your proposal will not adversely impact the surrounding neighborhood.

Variances Sometimes site constraints prevent projects from conforming to the zoning use regulations. In these instances, applicants must obtain variance approval from the Zoning Board in order to deviate from the zoning standards. L&I will review your application, then issue a 'refusal' since the project proposal does not comply with the zoning code. You may then choose to alter your project to make it conform to the zoning code, or you may appeal to the Zoning Board to get approval of your variance. The Zoning Board will hold a public hearing and evaluate your application using using the criteria specified in section 14-204(8).

Apply for your Zoning Use Permit

1. Identify zoning use:

- Visit www.property.phila.gov
- Search for the property address
- Write down the type of zoning for the property

2. Look up the zoning code:

- The applicable code is found here: [http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/title14zoningandplanning/chapter14-400basezoningdistricts?f=templates\\$fn=default.htm\\$3.0](http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/title14zoningandplanning/chapter14-400basezoningdistricts?f=templates$fn=default.htm$3.0)
- See what type of child care facility is allowed for the zoning of your property using the tables on pages 28 and 29.



3. Submit **Zoning Use Permit** application:

- Submit the application here: <https://business.phila.gov/media/Zoning-Use-Registration-Permit-Application.pdf>

4. IF DENIED appeal to Zoning Board of Adjustment:

- Use this guide: <http://www.phila.gov/li/Documents/ZBAregulations.pdf>
- Download your application for an appeal: <http://www.phila.gov/li/PDF/Code%20Bulletins/applicationZBA%20appeal2013.pdf>

Note About Signs

Both zoning and building permits are usually required for most sign types, including wall signs, projecting signs, and awnings with copy. Permits are required before sign construction or installation begins. Applications must include details such as a description, dimensions, location and photos. Permits may not be required for all sign types, such as window signs which cover less than 20% of the total window area. Consult the Zoning Code and contact the Philadelphia Department of Licenses and Inspections via 311 or (215) 686-8686 to determine if a zoning or building permit will be required for your proposed sign and if any additional approvals, such as Art Commission or Historical Commission, are necessary.

ZONING AND PLANNING

Table 14-602-2: Uses Allowed in Commercial Districts³³³

| Previous District Name | C-1 | C-2/RC-2 | (/NCC) | C-3/RC-3 | C-4 | C-5 | C-7/NSC | ASC | |
|---|--------|----------|---------|----------|-------|-------|---------|------|------------------------|
| District Name | CMX-1 | CMX-2 | CMX-2.5 | CMX-3 | CMX-4 | CMX-5 | CA-1 | CA-2 | Use-Specific Standards |
| Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(4)(a) (Notes for Table 14-602-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells. | | | | | | | | | |
| Residential Use Category | | | | | | | | | |
| Household Living (as noted below) | | | | | | | | | |
| Single-Family | [1] | Y[3] | Y[3] | N | N | N | N | N | |
| Two-Family | [1] | Y[3] | Y[3] | Y[7] | N | N | N | N | |
| Multi-Family | [1][2] | Y[2][3] | Y[3][8] | Y | Y | Y | N | N | |
| Group Living (except as noted below) | N | N | N | Y | Y | Y | N | N | |
| Personal Care Home | N | S[3] | S[3] | Y | Y | Y | Y | N | § 14-603(11) |
| Single-Room Residence | N | N | N | Y | Y | Y | N | N | |
| Parks and Open Space Use Category | | | | | | | | | |
| Passive Recreation | Y | Y | Y | Y | Y | Y | Y | Y | |
| Active Recreation | S | S | S | Y | Y | Y | Y | Y | |
| Public, Civic, and Institutional Use Category | | | | | | | | | |
| Community Center | N | Y | S | Y | Y | Y | N | N | |
| Day Care (as noted below) | | | | | | | | | |
| Family Day Care | Y | Y | Y | Y | Y | Y | N | N | § 14-603(5) |
| Group Day Care | Y | Y | Y | Y | Y | Y | Y | Y | § 14-603(5) |
| Day Care Center | S | Y | Y | Y | Y | Y | Y | Y | § 14-603(5) |
| Educational Facilities | N | Y | N | Y | Y | Y | N | Y | |
| Fraternal Organization | N | Y | S | Y | Y | Y | N | Y | |
| Hospital | N | Y | Y | Y | Y | Y | N | Y | |
| Libraries and Cultural Exhibits | Y | Y | Y | Y | Y | Y | Y | Y | |
| Religious Assembly | Y | Y | S | Y | Y | Y | N | Y | |
| Safety Services | Y | Y | Y | Y | Y | Y | Y | Y | |
| Transit Station | Y | S | S | Y | Y | Y | S | Y | |
| Utilities and Services, Basic | S | S | N | S | S | S | S | S | |
| Wireless Service Facility (as noted below) | | | | | | | | | |
| Freestanding Tower | S | S | S | Y | Y | Y | S | Y | § 14-603(16) |
| Building or Tower-Mounted Antenna | Y | Y | Y | Y | Y | Y | Y | Y | § 14-603(17) |
| Office Use Category | | | | | | | | | |
| Business and Professional | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Medical, Dental, Health Practitioner (as noted below) | | | | | | | | | |
| Sole Practitioner | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Group Practitioner | S[5] | S | S | Y | Y | Y | Y | Y | |
| Government | Y[5] | Y | Y | Y | Y | Y | Y | Y | |

³³³ Amended, Bill No. 120774-A (approved January 14, 2013); amended, Bill No. 120917-AA (approved April 2, 2013); amended, Bill No. 130804 (approved December 18, 2013); amended, Bill No. 130855 (approved January 20, 2014); amended, Bill No. 150264 (approved June 16, 2015); amended, Bill No. 150766 (approved December 8, 2015); amended, Bill No. 160227 (approved May 17, 2016); amended, Bill No. 160716 (approved December 20, 2016); amended, Bill No. 160919 (approved December 20, 2016); amended, Bill No. 161003-A (approved May 8, 2017); amended, Bill No. 170402 (approved June 27, 2017).

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| Previous District Name | C-1 | C-2/RC-2 | (/NCC) | C-3/RC-3 | C-4 | C-5 | C-7/NSC | ASC | |
|---|-------|----------|---------|----------|-------|-------|---------|------|------------------------------|
| District Name | CMX-1 | CMX-2 | CMX-2.5 | CMX-3 | CMX-4 | CMX-5 | CA-1 | CA-2 | Use-Specific Standards |
| Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(4)(a) (Notes for Table 14-602-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells. | | | | | | | | | |
| Retail Sales Use Category | | | | | | | | | |
| Building Supplies and Equipment | Y[5] | Y | Y | Y | Y | Y | Y | Y | § 14-603(3) |
| Consumer Goods (except as noted below) | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Drug Paraphernalia Sales | N | N | N | N | N | N | N | N | § 14-603(13) |
| Gun Shop | N | N | N | N | N | N | N | N | § 14-603(13) |
| Medical Marijuana Dispensary | N | Y | Y | Y | Y | Y | N | Y | § 14-603(20) |
| Food, Beverages, and Groceries | Y[5] | Y | Y | Y | Y | Y | Y | Y | § 14-603(7) |
| Pets and Pet Supplies | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Sundries, Pharmaceuticals, and Convenience Sales | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Wearing Apparel and Accessories | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Commercial Services Use Category | | | | | | | | | |
| Animal Services (except as noted below) | Y[5] | S | S | Y | Y | Y | Y | Y | |
| Boarding and Other Services | N | N | N | N | N | N | N | N | § 14-603(14) |
| Assembly and Entertainment (except as noted below) | N | S | S | S | Y | Y | S | Y | |
| Amusement Arcade | N | N | N | N | N | N | N | N | § 14-603(13) |
| Casino | N | N | N | N | N | N | N | N | |
| Nightclubs and Private Clubs | N | S | N | S | Y | Y | N | Y | § 14-603(18) |
| Pool or Billiards Room | N | N | N | N | N | N | N | N | § 14-603(13) |
| Building Services | N | N | N | Y | Y | Y | N | Y | |
| Business Support | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Eating and Drinking Establishments (as noted below) | | | | | | | | | |
| Prepared Food Shop | S[5] | Y | Y | Y | Y | Y | Y | Y | |
| Take-Out Restaurant | N | S | S | Y | Y | Y | S | Y | § 14-603(6) |
| Sit Down Restaurant | N | Y | Y | Y | Y | Y | Y | Y | |
| Financial Services (except as noted below) | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Personal Credit Establishment | N | N | N | N | N | N | N | N | § 14-603(13) |
| Funeral and Mortuary Services | S[5] | Y | N | Y | Y | Y | Y | Y | |
| Maintenance and Repair of Consumer Goods (except as noted below) | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Marina | N | N | N | Y | Y | Y | N | N | |
| Parking, Non-Accessory (as noted below) | | | | | | | | | |
| Surface Parking | N | S | N | S | N | N | S | Y | § 14-603(10) |
| Structured Parking | N | S | S | Y | [6] | [6] | S | Y | § 14-603(10) |
| Personal Services (except as noted below) | Y[5] | Y | Y | Y | Y | Y | Y | Y | |
| Body Art Service | N | N | N | N | N | N | N | N | § 14-603(2); § 14-603(13) |
| Fortune Telling Service | N | N | N | Y | Y | Y | Y | Y | |
| Radio, Television, and Recording Services | N | Y | Y | Y | Y | Y | Y | Y | |
| Visitor Accommodations | N | N | N | Y | Y | Y | N | Y | |
| Commissaries and Catering Services | N | Y | Y | Y | Y | Y | Y | Y | |
| Vehicle and Vehicular Equipment Sales and Services Use Category | | | | | | | | | |
| Commercial Vehicle Sales and Rental | N | N | N | N | N | N | N | S | |
| Personal Vehicle Repair and Maintenance | N | N | N | Y | Y | Y | N | N | |
| Personal Vehicle Sales and Rental | N | N | N | Y | Y | Y | N | S | |
| Vehicle Fueling Station | N | N | N | S | N | N | S | Y | § 14-603(8) |
| Vehicle Equipment and Supplies Sales and Rental | N | Y | N | Y | Y | Y | S | S | |

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| Previous District Name | C-1 | C-2/RC-2 | (/NCC) | C-3/RC-3 | C-4 | C-5 | C-7/NSC | ASC | |
|---|-------|----------|---------|----------|-------|-------|---------|------|------------------------|
| District Name | CMX-1 | CMX-2 | CMX-2.5 | CMX-3 | CMX-4 | CMX-5 | CA-1 | CA-2 | Use-Specific Standards |
| Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(4)(a) (Notes for Table 14-602-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells. | | | | | | | | | |
| Wholesale, Distribution, and Storage Use Category | | | | | | | | | |
| Moving and Storage Facilities | N | N | N | N | N | N | N | Y | |
| Wholesale Sales and Distribution | N | N | N | N | N | N | N | Y | § 14-603(1) |
| Industrial Use Category | | | | | | | | | |
| Artist Studios and Artisan Industrial | N | Y | Y | Y | Y | Y | N | Y | |
| Research and Development | N | Y | Y | Y | Y | Y | Y | Y | |
| Urban Agriculture Use Category | | | | | | | | | |
| Community Garden | Y | Y | Y | Y | Y | Y | Y | Y | § 14-603(15) |
| Market or Community-Supported Farm | Y | Y | Y | Y | N | N | Y | Y | § 14-603(15) |

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Table 14-602-3: Uses Allowed in Industrial Districts³³⁷

| Previous District Name | New | L4/L-5 | L1/L2/L3 | G1/G2 | LR | PI | |
|--|----------|--------|----------|-------|-----|-----|-------------------------------|
| District Name | IRMX [3] | ICMX | I-1 | I-2 | I-3 | I-P | Use-Specific Standards |
| <p>Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(5)(a) (Notes for Table 14-602-3) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.</p> | | | | | | | |
| Residential Use Category | | | | | | | |
| Household Living (as noted below) | | | | | | | |
| Multi-Family | Y | N | N | N | N | N | |
| Caretaker Quarters | Y | Y | Y | Y | Y | Y | |
| Group Living | Y | N | N | N | N | N | § 14-603(11) |
| Parks and Open Space Use Category | | | | | | | |
| Passive Recreation | Y | Y | Y | Y | Y | Y | |
| Active Recreation | Y | Y | N | N | N | N | |
| Public, Civic, and Institutional Use Category | | | | | | | |
| Day Care | Y | Y | N | N | N | N | § 14-603(5) |
| Detention and Correctional Facilities | N | S | N | S | Y | N | § 14-603(13) |
| Educational Facilities | Y | Y | N | N | N | N | |
| Fraternal Organization | Y | Y | N | N | N | N | |
| Libraries and Cultural Exhibits | Y | Y | N | N | N | N | |
| Re-Entry Facility | N | S | S | S | Y | S | § 14-603(12) |
| Religious Assembly | Y | Y | N | N | N | N | |
| Safety Services | Y | Y | Y | Y | Y | Y | |
| Transit Station | Y | Y | Y | Y | Y | Y | |
| Utilities and Services, Basic | Y | Y | Y | Y | Y | Y | |
| Utilities and Services, Major | N | N | N | Y | Y | Y | |
| Wireless Service Facility | Y | Y | Y | Y | Y | Y | § 14-603(16); § 14-603(17) |
| Office Use Category | | | | | | | |
| Business and Professional | Y | Y | Y | Y | N | N | |
| Medical, Dental, Health Practitioner (as noted below) | | | | | | | |
| Sole Practitioner | Y | Y | Y | N | N | N | |
| Group Practitioner | Y | Y | Y | Y | Y | N | |
| Government | Y | Y | Y | Y | N | N | |
| Retail Sales Use Category [4] | | | | | | | |
| Adult-Oriented Merchandise | N | S | N | S | Y | N | § 14-603(13) |
| Building Supplies and Equipment | Y | Y | Y | Y | Y | Y | § 14-603(3) |
| Consumer Goods (except as noted below) | | | | | | | |
| Drug Paraphernalia Sales | N | S | N | S | Y | N | § 14-603(13) |
| Gun Shop | N | S | N | S | Y | N | § 14-603(13) |
| Food, Beverages, and Groceries (except as noted below) | | | | | | | |
| Fresh Food Market | Y | Y | N | N | N | N | § 14-603(7) |
| Pets and Pet Supplies | Y | Y | N | N | N | N | |
| Sundries, Pharmaceuticals, and Convenience Sales | Y | Y | N | N | N | N | |
| Wearing Apparel and Accessories | Y | Y | N | N | N | N | |

³³⁷ Amended, Bill No. 120774-A (approved January 14, 2013); amended, Bill No. 120917-AA (approved April 2, 2013); amended, Bill No. 130804 (approved December 18, 2013); amended, Bill No. 130768 (approved April 23, 2014); amended, Bill No. 150168 (approved April 21, 2015); amended, Bill No. 150264 (approved June 16, 2015); amended, Bill No. 150766 (approved December 8, 2015); amended, Bill No. 160919 (approved December 20, 2016); amended, Bill No. 161003-A (approved May 8, 2017).

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| Previous District Name | New | L4/L-5 | L1/L2/L3 | G1/G2 | LR | PI | |
|---|----------|--------|----------|-------|-----|-----|------------------------------|
| District Name | IRMX [3] | ICMX | I-1 | I-2 | I-3 | I-P | Use-Specific Standards |
| Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(5)(a) (Notes for Table 14-602-3) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells. | | | | | | | |
| Commercial Services Use Category | | | | | | | |
| Adult-Oriented Service | N | S | N | S | Y | N | § 14-603(13) |
| Animal Services (except as noted below) | Y | Y | Y | Y | Y | N | |
| Boarding and Other Services | N | N | S | S | N | N | § 14-603(14) |
| Assembly and Entertainment (except as noted below) | S | Y | N | N | N | N | § 14-603(18) |
| Amusement Arcade | N | S | N | N | Y | N | § 14-603(13) |
| Casino | N | N | N | N | N | N | |
| Pool or Billiards Room | N | S | N | N | Y | N | § 14-603(13) |
| Building Services | Y | Y | Y | Y | Y | N | |
| Business Support | Y | Y | Y | Y | Y | N | |
| Eating and Drinking Establishments (except as noted below) | Y | Y | N | N | N | N | |
| Take-Out Restaurant | S | Y | N | N | N | N | § 14-603(6) |
| Financial Services (except as noted below) | Y | Y | Y | Y | Y | Y | |
| Personal Credit Establishment | N | S | N | S | Y | N | § 14-603(13) |
| Funeral and Mortuary Services | Y | Y | N | N | N | N | |
| Maintenance and Repair of Consumer Goods | Y | Y | Y | Y | Y | Y | |
| Marina | N | Y | Y | Y | N | N | |
| Parking, Non-Accessory | S | S | Y | Y | Y | Y | § 14-603(10) |
| Personal Services (except as noted below) | Y | Y | N | N | N | N | |
| Body Art Service | N | S | N | S | Y | N | § 14-603(2); § 14-603(13) |
| Radio, Television, and Recording Services | Y | Y | Y | Y | Y | N | |
| Visitor Accommodations | Y | N | N | N | N | N | |
| Commissaries and Catering Services | Y | Y | N | N | N | N | |
| Vehicle and Vehicular Equipment Sales and Services Use Category | | | | | | | |
| Commercial Vehicle Repair and Maintenance | N | N | Y | Y | Y | Y | |
| Commercial Vehicle Sales and Rental | N | S[1] | Y | Y | Y | Y | |
| Personal Vehicle Repair and Maintenance | N | S[2] | Y | Y | Y | N | |
| Personal Vehicle Sales and Rental | N | S[1] | N | Y | Y | N | |
| Vehicle Fueling Station | N | Y | Y | Y | Y | N | § 14-603(8) |
| Vehicle Equipment and Supplies Sales and Rental | N | S[1] | N | N | N | N | |
| Vehicle Paint Finishing Shop | N | N | Y | Y | Y | N | |
| Wholesale, Distribution, and Storage Use Category | | | | | | | |
| Equipment and Materials Storage Yards and Buildings | S | Y | Y | Y | Y | Y | |
| Moving and Storage Facilities | N | Y | Y | Y | Y | Y | |
| Warehouse | Y | Y | Y | Y | Y | Y | |
| Wholesale Sales and Distribution (except as noted below) | S | Y | Y | Y | Y | Y | |
| Distributor of Malt or Brewed Beverages | Y | Y | Y | Y | Y | Y | § 14-603(1) |
| Industrial Use Category | | | | | | | |
| Artists Studios and Artisan Industrial | Y | Y | Y | Y | Y | N | |
| Limited Industrial | S | Y | Y | Y | Y | N | |
| General Industrial | N | N | N | Y | Y | N | |
| Intensive Industrial | N | N | N | N | Y | N | |
| Junk and Salvage Yards and Buildings | N | N | N | S | Y | N | § 14-603(9) |
| Marine-Related Industrial | N | N | N | N | Y | Y | |
| Medical Marijuana Growing/Processing Facility | N | N | Y | Y | Y | N | |
| Mining/Quarrying | N | N | N | N | Y | N | |
| Research and Development | Y | Y | Y | Y | Y | N | |
| Trucking and Transportation Terminals | N | N | Y | Y | Y | Y | |

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| Previous District Name | New | L4/L-5 | L1/L2/L3 | G1/G2 | LR | PI | |
|--|----------|--------|----------|-------|-----|-----|------------------------|
| District Name | IRMX [3] | ICMX | I-1 | I-2 | I-3 | I-P | Use-Specific Standards |
| <p>Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(5)(a) (Notes for Table 14-602-3) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.</p> | | | | | | | |
| Urban Agriculture Use Category | | | | | | | |
| Community Garden | Y | Y | Y | Y | Y | N | § 14-603(15) |
| Market or Community-Supported Farm | Y | Y | Y | Y | N | N | § 14-603(15) |
| Animal Husbandry | N | Y | Y | Y | Y | N | § 14-603(15) |
| Horticulture Nurseries and Greenhouses | Y | Y | Y | Y | Y | N | |

STEP 4: MEETING BUILDING CODE REQUIREMENTS

Any building where a Child Care business operates will need to meet city Building Code Requirements. Follow the steps below:

1. Submit a Building Permit (*This is necessary if there will be construction or alterations to the property*):
 - Create professional quality plans.
 - Download the application here: https://business.phila.gov/media/Bldg_permit_App.pdf
Additional questions can be answered here: <https://business.phila.gov/licenses-and-inspections-building-permits/>
 - Submit plans and a building permit in person to the Municipal Service Building, Concourse Level, located at 1401 John F. Kennedy Boulevard, Philadelphia, PA. **Do not mail.**
2. Begin construction/renovations.
3. Once construction / renovations are complete, Department of Licenses and Inspections will inspect.
4. If approved, pick up a **Certificate of Occupancy**.



Planning Best Practice

PLAN AHEAD! You need to get a building permit AFTER zoning has been approved but BEFORE any construction or renovation begins.

STEP 5: COMPLETE FOOD SAFETY COURSES AND OBTAIN A SERVSAFE FOOD SAFETY CERTIFICATE

Commercial Child Care business providers are required to attend ServSafe Food Safety Training, which teaches providers how to prepare and serve food safely. Once you have completed training, you will receive a Food Safety Certificate. This certificate demonstrates your commitment to providing a quality Child Care service.

- Register for an in-person Commercial Food Safety Training Course. Online training is NOT acceptable to receive this certificate, and you will need to attend the full 16 hours of training in person. See a list of providers here: <http://www.phila.gov/health/pdfs/Food%20Safety%20Training%20Course%20Providers.pdf>



A ServSafe Certified staff person must be present at your facility during hours of operations.

STEP 6: HEALTH INSPECTION

It is important that you can demonstrate that your facility meets Health Department regulations. A Health Department sanitarian will be inspecting for many things including but not limited to safe food handling practices, bathroom cleanliness, safe water temperature and pest control. Please refer to the City and State Health Requirements for Child Care to familiarize yourself with Health Requirements.



Planning Best Practice

Refer to the Table of Typical Health Inspections in the Health Code section of this guide's Key Resources, on page 45.

1. Submit a Stationary Food Plan Review.



2. If approved, the Health Department will send a letter within 30 days with a phone number for you to schedule your **Health Inspection**.

- If you pass your Health Inspection, you will receive the License Eligibility Report (LER). The LER is required for your Food License and is only valid for 30 days.
- If you do not pass your Health Inspection, you have 30 days to make corrections.



NOTE

If your Child Care Center is only reheating pre-packaged food that was prepared at an off-site licensed facility, you may be eligible for a Limited Cooking Waiver, which exempts the facility from the commercial exhaust range hood requirement. It is not an exemption from the Food Preparing and Serving License.

STEP 7: MEETING FIRE SAFETY REQUIREMENTS

Commercial Child Care facilities are required to comply with the Fire Code Fire Safety Regulations. Unannounced Fire Inspections are conducted annually. At the annual inspection you are required to show:

1. Fire Evacuation Plans and Shelter in Place Plans.
2. Fire Drill Records for Fire Evacuation and Shelter in Place Plans.
3. Annual Fire Safety Training records for each employee.



NOTE

Only I-Use Commercial Groups are required to have their Fire evacuation and shelter in place plans approved and stamped by the Fire Department Fire Prevention Unit. Call (215) 686-1382 to schedule a review.



For helpful information on how to prepare for your Fire Inspection, refer to the 'Fire Code' section of the Key Resources at the end of this guide.

STEP 8: APPLY FOR A FOOD PREPARING AND SERVING LICENSE

All Commercial Child Care facilities are required to have a Food License. This includes facilities that are serving pre-packaged meals or foods the children bring from home.



Apply for your **Food Preparing and Serving License**

1. Online: Login at:

<https://eclipse.phila.gov/phillylmsprod/pub/lms/Login.aspx>

OR

Set up an account at:

<http://www.phila.gov/li/instructeclipse/pages/default.aspx>

2. In person: Municipal Services Building, Concourse Level, located at 1401 John F. Kennedy Boulevard, Philadelphia, PA. **Do not mail application.**

STEP 9: APPLY FOR A CERTIFICATE OF COMPLIANCE

In addition to City licensing, your Child Care is subject to state requirements and inspection. The State will not issue a Certificate of Compliance without a Department of Licenses and Inspections Certificate of Occupancy.



To apply for a **Certificate of Compliance**, contact the Pennsylvania Department of Human Services. Get started by visiting <http://www.dhs.pa.gov/provider/earlylearning/index.htm>

To learn more, call the Pennsylvania Department of Human Services at 215-560-2807.

**Planning Best Practice**

Pennsylvania's Keystone STARS program is designed to help you exceed the minimum requirements. We urge you to take advantage of the quality improvement resources provided by Keystone STARS. You can learn more about Keystone STARS by visiting https://www.pakeys.org/pages/get.aspx?page=programs_stars

SECTION 3: KEY RESOURCES

FIRE CODE

Fire Safety Requirements for Family/Group Child Care

Outlined below are the fire code requirements for inspection of a family/group child care facility in a residence (single family or two-family home).

Before requesting your fire inspection the following steps need to be completed:

1. Zoning Use Permit
For Residential Group Child Care (7-12 children in your home), a Certificate of Occupancy is required.
2. Business Income and Receipts Tax ID
3. Commercial Activity License
4. Food Safety Certification
5. Health Department Inspection



To schedule an appointment for a fire inspection, contact Licenses & Inspections by calling the 311 call center or 215-686-8686.

A Fire Safety Inspection of your Child Care is FREE. To receive a Fire Safety Inspection, you first need to get all the documents outlined in the previous steps. Facilities without proper documentation are considered illegal.

Once you have passed your fire inspection, you will receive a Verification of Compliance within 3 days. If you do not pass your inspection, you have 30 days to correct any issues and schedule a reinspection.

Your fire inspection will include but may not be limited to the following:

Building identification numbers

Building identification numbers (address numbers) should be placed in a position that is plainly visible from the street. Numbers shall be a minimum of 4 inches high with a minimum width of 0.5 inches.

Smoke alarms

Family Child Care - A minimum of a single station smoke alarm (detector) powered by building wiring (hard wiring) or powered by a 10-year non-replaceable lithium battery on each floor of the home (save the receipt to show when the smoke alarm was purchased). The alarm must be audible in the indoor child care spaces when all intervening doors are closed.

Group Child Care - Facilities are required to have interconnected multiple station smoke alarms (detectors) powered by building wiring installed in each story, including the basement. The alarm must be audible in the indoor child care spaces with all intervening doors closed.

Additional smoke alarms (detectors) may be required based upon the design of the property (example: a basement sub-division will require one (1) detector per area).

Carbon monoxide alarms

Installed within 15 feet of the entrance of every bedroom and installed in the sleeping area(s) of the care facility.

Fire extinguishers

At least one portable fire extinguisher with a minimum rating of 2-A:10BC (5lb extinguisher) must be visibly mounted in all child care area(s), kitchens and other areas of cooking.

All extinguishers must be tagged by a licensed extinguishing company and inspected annually. For new extinguishers, save the receipt and packaging from the box.

Means of egress (the action of going out of or leaving a place)

All exit doors must be readily openable from the side from which egress is to be made without a key, special knowledge (example: a code), or unusual effort.

No double key locks are allowed on any exit doors (a double key lock has a key-hole on both sides of the lock – these are prohibited) or locked rear yard gates.

Portable heating devices

Portable heating devices that produce an open flame shall not be used in buildings during the operating hours of a Residential Child Care facility.

Property maintenance

Property maintenance violations will also be addressed by the inspector.

CHILD CARE CENTER FIRE SAFETY REQUIREMENT CHECKLIST

Outlined below are the fire code requirements for inspection of a commercial child care facility located in a building other than a residence.

Objective

To provide the viewer with the inspection requirements for the different occupancy classifications.

Use Group – Educational (E)

A child care facility that provides care for more than six children, with five or less children 2 ½ years of age or younger, for fewer than 24 hours per day.

Use Group - Institutional (I-4)

A child care facility that accommodates more than five children 2 ½ years of age or younger, for fewer than 24 consecutive hours.

Use Group - Institutional (I-2)

A child care facility that accommodates more than five children 2 ½ years or younger, for 24 consecutive hours.

All inspections will include, but will not be limited to the requirements detailed below:

Educational (E) Use Occupancy

- Fire alarm** required at minimum to be a manual fire alarm system.
The fire alarm system requires an annual certification by a licensed contractor.
- Emergency lighting system** required. Back-up battery powered emergency lighting systems are to be tested monthly and recorded in a log. Generators and/or transformer switches must be certified annually.
- Commercial kitchen suppression systems** are required to be certified annually. Facilities preparing food for non-commercial purposes must file an Affidavit of Limited Cooking, to relieve them from the requirement of a commercial kitchen exhaust hood, duct system and related fire suppression system for commercial cooking. (An Affidavit of limited cooking can be found on the L&I website at: www.phila.gov/li).
- Building identification.** Address numbers must be placed in a position that is plainly visible from the street. Numbers shall be a minimum of 4 inches high with a minimum width of 0.5 inches.
- Exit signs** are required in all buildings rooms and spaces required to have more than one exit. Exit signs shall be illuminated at all times. Directional exit signs may be required in exit access corridors.
- Exit doors** shall be readily openable from the side from which egress is to be made without a key, special knowledge or effort. Double key and slide bolt locks are prohibited.
- Exit access** must be unobstructed, including aisles, corridors and doors.
- Fire extinguishers** are required to be mounted and have a minimum rating of 2A:10BC. All extinguishers must be tagged by a licensed contractor and inspected annually. Extinguishers are to be installed every 75 feet and in all separated areas.
- Decorative materials** - all curtains/drapes, hangings and other decorative materials suspended from walls or ceilings must be of noncombustible material or maintained flame-resistant. A Certificate of Flame Resistance must be submitted for curtains/drapes.
- Fire evacuation** plan is required. A copy of the plan shall be readily available at all times at the front desk of the facility. All employees are required to be trained annually in fire evacuation procedures.
- Shelter in Place Plan** is required. All employees are required to be trained annually.
- Fire drills and Shelter in Place drills** are required. A minimum of 12 fire drills are to be conducted annually. A minimum of 1 shelter drill is required to be conducted per year.
- Property maintenance violations** will also be addressed.

“I” Use Occupancy

Care for more than five children under the age of 2 ½ requires additional fire safety protection.

- Fire alarm system** with either automatic smoke detection or fire suppression throughout the building is required. An annual certification is required for all fire alarm systems and fire suppression systems.
- Emergency lighting system** is required and is to be maintained in all buildings, rooms and spaces required to have more than one exit. A monthly log shall be kept for back-up battery powered lighting systems confirming a monthly 30 second test and an annual 90-minute test has been conducted. These logs shall be kept and made available upon request to the code official for periods of three years. Generators are required to be certified annually.
- Commercial kitchen suppression systems** are required to be certified annually. Facilities preparing food for non-commercial purposes must file an Affidavit of Limited Cooking, to relieve them from the requirement of a commercial kitchen exhaust hood, duct system and related fire suppression system for commercial cooking.
- Exit signs** are required in all buildings, rooms and spaces required to have more than one exit. Exits signs shall be illuminated at all times. Directional exit signs may be required in exit access corridors.
- Exit doors** shall be readily openable from side from which egress is to be made without a key, special knowledge or effort. Double key locks are prohibited.
- Decorative material** - all curtains/drapes, hangings and other decorative materials suspended from walls of ceiling must be of noncombustible or maintained flame-resistant. A Certificate of Flame Resistance must be submitted for curtains/drapes.
- Fire extinguishers** are required to be mounted and have a minimum rating of 2A:10BC. All fire extinguishers must be tagged by a licensed contractor and inspected annually. Extinguishers are to be installed every 75 feet and in all separated areas.
- Exit access** must be unobstructed, including aisles, corridors, doors.
- Fire evacuation Plan** is required and must be approved by the Philadelphia Fire Department prior to opening. A copy of the plan shall be readily available at all times at the facility’s front desk. All employees are required to be trained annually in fire evacuation procedures.
- Shelter in Place Plan** is required. All employees are required to be trained annually.
- Fire drills and Shelter in Place drills** are required. A minimum of 12 fire drills are to be conducted annually. A minimum of 1 shelter in place drill is to be conducted annually.

- Building identification.** Address numbers must be placed in a position that is plainly visible from the street. Numbers shall be a minimum of 4 inches high with a minimum width of 0.5 inches.
- Property maintenance violations** will also be addressed.



If you are caring for more than 5 infants under the age of 2 ½ years old on the first story above grade, then usually a sprinkler system is not required. This question will be answered relative to your building when you apply for a Certificate of Occupancy, which is required if you intend to have more than 5 children under the age of 2½ years at your facility.

HEALTH CODE

Read and implement city and state health codes.



NOTE

Many of the rules related to city and state health codes will be covered in classes required as a part of this licensing process.

City

http://www.phila.gov/health/pdfs/Food_Regulations.pdf

State (Family)

<http://www.pacode.com/secure/data/055/chapter3290/chap3290toc.html>

State (Group R-3)

<http://www.pacode.com/secure/data/055/chapter3280/chap3280toc.html>

Public Health Typical Inspections

The table below is to help you prepare for the Health Inspection. It summarizes areas that may require special attention. (It is not a substitute for reading City and State Health Requirements for Child Care.)

Cleaning of Utensils

All utensils such as knives, forks, spoons, pots, pans and other equipment used in the preparation or serving of food must be washed in soap and hot water (not to exceed 110° Fahrenheit), sanitized, rinsed and allowed to air dry. To sanitize utensils, you must use an approved sanitizing agent following the label instructions.

Refrigeration

All perishable foods must be stored in a refrigerator at 40° Fahrenheit or less. Commercial refrigerators are not required. A thermometer showing the temperature of the refrigerator must be prominently displayed. (Also see PA DHS regulations 3280.106 and 3290.106).

Food Safety

All foods must be clean, wholesome and free from contamination (see PA DHS regulations 3280.161 and 3290.161). No food shall be stored on the floor. Nor shall any goods be placed near any chemicals or under any overhead pipes or other sources of contamination (see PA DHS regulations 3280.66 and 3290.64). Perishable foods must be refrigerated until they are prepared or served.

Cleanliness

Surfaces that come in contact with foods, such as counters, shelves, ranges, sinks and cabinets must be clean and well maintained. Utensils used for food must not have any cracks or chips. Walls, ceilings and floors must be clean and well maintained (see PA DHS regulations 3280.107 and 3290.107).

Pest Control

The facility must be free of insects and rodents (see PA DHS regulations 3280.67 and 3290.107).

Hand washing & toileting facilities

Adequate toilet and hand washing facilities with hot water (not to exceed 110° Fahrenheit), soap and individual hand wiping towels must be provided for staff.

Solid Waste Disposal

All kitchen waste must be stored in a cleanable trash container. Outside trash containers must have tight fitting lids.

Lighting & Ventilation

Adequate artificial or natural lighting and mechanical ventilation must be provided (see PA DHS regulations 3280.78 and 3290.70).

BUILDING CODE

2004 Building Construction And Occupancy Code Child Care Requirements

Types of Child Care & Use Groups – A Classification Overview

If you are planning to care for children (not related to you) outside of their home, you will need to know what type of child care/use group you intend to apply for to fill out the various forms described in this guide. **Please note: You are providing child care if you care for any child between the ages of 0-15 years old, who is not related to you, for any period of time (including the after-school hours).** The following is an overview of the various types of child care and the use group classifications they fall under.

Family Child Care

A child care facility in a one or two-family dwelling that provides care for 6 or fewer children, not related to you, for less than 24 consecutive hours.

Family Child Care/Group R-3

A child care facility in a one or two-family dwelling that provides care for 12 or fewer children, not related to you, for less than 24 consecutive hours.

Group Child Care/ E Use

A child care facility that provides care for 6 or more but fewer than 13 children not related to you, for less than 24 consecutive hours (having 5 or less children under the age of 2 ½ yrs old). Please note: if the children are older school-aged (from 4th grade through 15 years of age), you may provide care for up to 15 children (not related to you) in your Group Child Care facility.

Group Child Care/I-4 Use

A child care facility that provides care for more than 6 but fewer than 13 children, not related to you, for less than 24 consecutive hours (having 6 or more children under the age of 2 ½ yrs old). Unlike the Group Child Care there is usually no upper limit for the children in your care.

Child Care Center/E Use

A child care facility that provides care for 6 or more children not related to you, for less than 24 consecutive hours (having 6 or more children under the age of 2 ½ yrs old). Unlike Group Child Care there is usually no upper limit for the number of children in your care.

Child Care Center/I-4 Use

A child care facility that provides care for more than 7 children, not related to you, for less than 24 consecutive hours (having 6 or more children under the age of 2 ½ yrs old). Unlike Group Child Care there is usually no upper limit for the number of children in your care.

I-2 Use

A Family, Group, or Center Child Care facility that provides care for 24 or more consecutive hours.

Please Note: This Building Code chart does not include City of Philadelphia zoning requirements or limitations. (The Zoning Code is not always consistent with Building Code.)

| # of Children | Located In | Ages | Hours | Conditions | Classification |
|---|--|--|---|---|--|
| 16 or fewer (B-420.1.2) | A one or two-family dwelling (B-420.1.2) | Any age (B-310.1, B420) | Less than 24 hours (B-420.1.2) | Primarily a private residence Accessory to principal use as a private residence (B420.1.2) | Family Child Care Family Child Care (B-420.1.2, B-310.1) |
| 7 to 12 (B-420.1.2) | A one or two-family dwelling (B-420.1.2) | Any age (B-420) | Less than 24 hours (B-420.1.2) | Primarily a private residence Accessory to principal use as a private residence (B-420.1.2) | Group R-3 Family Child Care (B-420.1.2, B-310.1) |
| 5 or fewer (B-420.1.2) | NOT within an accessory to a one-to-two family dwelling (B-420.1.1) | Any age (B-420) | Less than 24 hours (B-420.1.2) | | Family Child Care (B-420.1.1, B-310.1) Conform to requirements of occupancy group in which located (B-420.1.1) |
| 6 or more (exceeds B-420.1.1 limit, B-305.2) | NOT within an accessory to a one-or-two family dwelling (B-420.1.1) | 5 or fewer are 2 ½ years or younger (B-305.2, under threshold of B-308.5.2) | Less than 24 hours (otherwise see B-308.3.1) | Educational, supervision or personal care services (B-305.2) | Group/Center E |

| # of Children | Located In | Ages | Hours | Conditions | Classification |
|--|---|--|--------------------------------|---|--|
| | NOT within an accessory to a one-or-two-family dwelling (B-420.1.1) | More than 5 are 2 ½ years or younger (B-308.5.2) | Less than 24 hours (B-308.5.2) | Supervision and personal care services (B-305.2) | Group/Center I-4 (B-308.5.2; see exception for conditions where child care is on grade level with direct exit) |
| More than 12, but no more than 100 (B-308.5.2 exception) | NOT within an accessory to a one-or-two-family dwelling (B-420.1.1) | More than 5 are 2 ½ years or younger (B-308.5.2 exception) | Less than 24 hours (B308.5.2) | Child care rooms are located on level of exit discharge. Each child care room has an exit door direct to exterior (B308.5.2 exception) | Group/Center E (B-308.5.2 exception) |
| | | More than 5 are 2 ½ years or younger (B-308.3.1) | On a 24-hour basis (B-308.5.2) | | Group/Center I-2 (B-308.3.1) |

FAQ (FREQUENTLY ASKED QUESTIONS)

The following are some questions you may find yourself asking as you read this guide. Please take a moment to familiarize yourself with the answers to the questions most frequently asked by prospective child care providers like you.

If you have additional questions after reading this guide, please contact the Office of Business Services at 215-683-2100 or visit us online at business.phila.gov.

Do I contact the City or the State first prior to opening my child care facility?

You should contact the City of Philadelphia first because there are certain City documents required before you can successfully file your State application.

What if I run a Family Child Care and I wish it to become a Group or Center Child Care?

You must start the application process again from the beginning.

How frequent are my fire safety inspections?

Fire safety inspections are conducted annually, unless a complaint relating to your business or property site is received in our offices. The complaint must then be investigated.

What does the term “the first story above grade” mean?

This is a City of Philadelphia Building/Fire Code term, which means the level from which you exit directly outside from a building without having to use the stairs.

What if I have more than 5 infants under the age of 2 ½ years old, above or below “the first story above grade”?

Usually this means that a sprinkler system is required. When you apply for your Certificate of Occupancy this issue will be addressed.

How long do I have to reach code compliance once I have received my violation notice?

Unless otherwise noted on your violation notice, you usually have 30 days from the date at the top of the violation notice to come into code compliance.

What if I need more than 30 days to come into code compliance?

You can request an extension of time (usually 30-60-90 days) from your inspector by contacting him/her and putting the request in writing.

What if after reading this guide, or speaking with my inspector, I still have questions?

You can contact the Office of Business Services at 215-683-2100 to discuss your questions/concerns.

What if the City code requirements don't always agree with the State code requirements?

It is recommended that you comply with the most stringent code requirements, thereby ensuring compliance of both codes.

Verification of Compliance, 6, 11, 12, 19

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