

# Drug Paraphernalia Store FAQs

## What is a Drug Paraphernalia Store?

A retail store in which more than 5 percent of the goods offered for sale or shown in a window or other display are Drug Paraphernalia items. “Drug Paraphernalia” includes bongos, dab rigs, decarboxylation machines, glass pipe (bowls), grinders, electric herbal infusers, methoscopes (love roses), pipe connections and hoses, pipe screens, tabletop vapes, water pipes (bubblers), and other items commonly related to drug use.

## Does a Drug Paraphernalia Store require a Zoning Permit?

Yes. A Drug Paraphernalia Store must have a Zoning Permit for “Retail Sales of Drug Paraphernalia” to show that it is operating in a location authorized by the Philadelphia Zoning Code. If a business is operating without a permit, violations can be issued as explained below.

## Can a Drug Paraphernalia Store obtain a Zoning Permit to operate in my neighborhood?

Probably not. The Zoning Code prohibits Drug Paraphernalia Stores in most areas of Philadelphia. Drug Paraphernalia Stores are authorized “by right” only in I-3 (Heavy Industrial) Zoning Districts. In addition, Drug Paraphernalia Stores must be at least:

- 500 feet from:
  - Any Residential District.
  - Any existing “Regulated Use.” Regulated uses include other Drug Paraphernalia Stores, “Adult-oriented” businesses, Gun Shops, Detention and Correctional Facilities, and Personal credit establishments.
- 1000 feet from:
  - Any “Protected Use,” including residences; religious institutions; hotels; convention centers; K-12 schools; and public playgrounds, swimming pools, parks, and recreation centers.

If the business is denied a permit, the business can seek a variance from the Zoning Board of Adjustment (ZBA) that will allow it to operate. As part of this process, the business must post a sign to notify the community that it is seeking a variance. Neighbors may appear at a ZBA hearing to say why a variance should not be granted.

## What can I do if I believe a business in my neighborhood may be a Drug Paraphernalia Store operating without a Zoning Permit, in violation of the Philadelphia Code?

You can make a report to Philly 311 [online](#) or by calling 3-1-1 or (215) 686-8686 (if outside Philadelphia). When a complaint is filed, you should specify that the business is selling or displaying drug paraphernalia without the required permit.

An inspector from the Department of Licenses and Inspections will visit the property to check that it meets the definition for a Drug Paraphernalia Store, confirm whether it lacks a Zoning Permit, and issue violations. The store owner must be given the opportunity to comply with the law by applying for and obtaining a Zoning Permit or by no longer operating as a Drug Paraphernalia Store. Continued noncompliance can result in cease operations orders, license revocation, financial penalties, and other enforcement actions.

## Resources

- Search Zoning Permits, Zoning District, and other property history by address: <https://atlas.phila.gov>
- Search Zoning Districts and requirements by address: <https://www.phila.gov/zoning-summary-generator/>
- Instructions for Applying for a Zoning Permit: <https://www.phila.gov/departments/departments-of-licenses-and-inspections/permits-and-certificates/zoning-permits-and-approvals/>