

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 070522)

RESOLUTION

Approving termination of the arrangement with the Philadelphia Council of the Boy Scouts, or its successor, the Cradle of Liberty Council of the Boy Scouts, whereby the Boy Scouts Council occupies a City building located at 22nd and Spring Streets.

WHEREAS, In 1928 the City of Philadelphia gave the Philadelphia Council of the Boy Scouts (now known as the Cradle of Liberty Council of the Boy Scouts, and referred to here as “the Boy Scouts”) permission to build, at its own expense, a building located on City land located at 22nd and Spring Streets; and

WHEREAS, As reflected in the grant of permission, set forth in an ordinance of Council approved December 14, 1928, the building was to become “at once the property of the City”; and

WHEREAS, The Boy Scouts, pursuant to that grant of permission, built a building at that location, which it currently used as a regional headquarters; and

WHEREAS, The national Boy Scouts organization has a policy of discrimination based on sexual orientation with respect to its members and scoutmasters and has required the local Boy Scouts to implement its discriminatory policy by excluding participation on the basis of sexual orientation; and

WHEREAS, The local Boy Scouts unfortunately has implemented that discriminatory policy and publicly has declared its intention to continue doing so; and

WHEREAS, The non-discrimination provisions of the City’s Home Rule Charter and the City’s Fair Practices Ordinance reflect broad City policy abhorring discrimination and the Boy Scouts’ policy and conduct is directly contrary to the principles of equal access and opportunity enshrined in Philadelphia law; and

WHEREAS, Pursuant to this policy, the City seeks to ensure that the benefits of City subsidies are made available to all citizens on a non-discriminatory basis; and

City of Philadelphia

RESOLUTION NO. 070522 continued

WHEREAS, The City's ongoing subsidy of a discriminatory organization through the allowance of free use of a building is directly contrary to the City's policy and practice of refusing to support discrimination, and of ensuring non-discriminatory access to City benefits; and

WHEREAS, Pursuant to the terms of the permission granted to the Boy Scouts, the building and property is to be surrendered to the City within one year after notice of a desire to terminate given by the Commissioners of Fairmount Park, with the approval of the Mayor and City Council; and

WHEREAS, The Fairmount Park Commission and the Mayor, through the City Solicitor, have provided notice of ejection from the property to the Boy Scouts on July 20, 2006, subject to withdrawal upon agreement by the Boy Scouts to pay fair market rent; and

WHEREAS, The Fairmount Park Commission has approved at its meeting on July 24, 2006 the July 20, 2006, notice and has approved termination of the arrangement with the Boy Scouts, subject to withdrawal upon agreement by the Boy Scouts to pay fair market rent or the Boy Scouts ending its discriminatory policy and practice; and

WHEREAS, The Boy Scouts have failed to respond to the City regarding the July 20, 2006 letter; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That termination of the arrangement with the Boy Scouts, whereby the Boy Scouts occupy City land and a City building located at 22nd and Spring Streets, is hereby approved, subject to withdrawal upon agreement by the Boy Scouts to pay fair market rent or the Boy Scouts ending its discriminatory policy and practice.

City of Philadelphia

RESOLUTION NO. 070522 continued

City of Philadelphia

RESOLUTION NO. 070522 continued

CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the thirty-first of May, 2007.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Clarke

Sponsored by: Councilmember Clarke