

City of Philadelphia



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

(Resolution No. 170968)

RESOLUTION

Authorizing the Committee on Rules to hold hearings examining the challenges faced by Registered Community Organizations from abusive lawsuits commonly known as Strategic Lawsuits Against Public Participation, discussing solutions thereof, including examining means of holding abusive litigants accountable, and authorizing the issuance of subpoenas to compel the production of relevant witnesses and documents.

WHEREAS, Registered Community Organizations (RCOs) are vital to community engagement through the development process in the City of Philadelphia; and

WHEREAS, Representatives of RCOs across the City have expressed concerns that they are at risk of being targeted by developers over land-use disputes through abusive and frivolous lawsuits, commonly known as Strategic Lawsuits Against Public Participation (SLAPP) lawsuits, aimed at forcing the RCOs and the board members of RCOs to spend large amounts of money to defend themselves against baseless claims; and

WHEREAS, It appears that as a result of irresponsible SLAPP suits, several RCOs have had difficulty obtaining Directors and Officers Insurance coverage either because the lawsuits have driven premiums too high or simply made policies unavailable; and

WHEREAS, When RCOs can find an insurance provider, they are often forced to take high-cost insurance coverage the likes of which are provided to companies that sell fireworks, operate helicopter bungee jumps, and trampoline facilities; and

WHEREAS, Because Registered Community Organizations are not required to carry Directors and Officers Liability Insurance, the City of Philadelphia does not know how many groups are operating without insurance; and

WHEREAS, The complete or near dissolution of community organizations like those in Old City, Fishtown, and Bella Vista due to SLAPP suits, and the threat of suits against other RCOs, places communities at a disadvantage in the zoning and development process by stripping away and diminishing organized community voices; and

City of Philadelphia

RESOLUTION NO. 170968 continued

WHEREAS, It is inappropriate to allow abusive litigants to burden RCOs or the public with the monetary and social costs of their improper and frivolous SLAPP suits; and

WHEREAS, City Council recognizes that Registered Community Organizations are volunteer organizations empowered by The Philadelphia Code that serve a crucial role in evaluating the impact of proposed zoning matters on neighborhoods; now, therefore, be it

RESOLVED, That the Committee on Rules is hereby authorized to hold hearings examining the challenges faced by Registered Community Organizations from abusive lawsuits commonly known as Strategic Lawsuits Against Public Participation, discussing solutions thereof, including examining means of holding abusive litigants accountable.

FURTHER RESOLVED, That The Chair of the Committee on Rules is hereby authorized to compel the production of relevant witnesses and documents pursuant to the powers outlined in Article 2 Chapter 401 of the Philadelphia Home Rule Charter and under the procedures set forth by the Rules of Council.

City of Philadelphia

RESOLUTION NO. 170968 continued

City of Philadelphia

RESOLUTION NO. 170968 continued

CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the second of November, 2017.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Henon, Green, Parker, Squilla and Johnson

Sponsored by: Councilmembers Henon, Green, Parker, Squilla and Johnson