



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 090852

Introduced November 19, 2009

Councilmembers Rizzo, Krajewski, Jones, Miller, O'Neill, Tasco, Clarke and Kelly

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Chapter 14-1800 of The Philadelphia Code, entitled "Zoning Board of Adjustment," to provide that the Zoning Board of Adjustment shall require any person seeking a variance from the terms of Title 14 to be current in payments of all taxes imposed under Title 19, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 14-1800 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 14-1800. ZONING BOARD OF ADJUSTMENT.

* * *

§ 14-1802. Criteria for Granting Variances.

* * *

(8) *Notwithstanding other criteria listed in this Section for consideration of an application for variance, the Zoning Board of Adjustment shall not grant any application for variance from the terms of this Title until the Person who owns the property for which the variance is sought has submitted a certification from the Department of Revenue that all of the Person's taxes pursuant to Title 19 of this Code are current or are subject to a payment agreement; or produces evidence that denial of a variance would effect an unconstitutional taking of the property for which the variance is sought.*

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[(8)] (9) The applicant shall have the duty of presenting evidence relating to the criteria set forth herein.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.