

City of Philadelphia



(Bill No. 120056)

AN ORDINANCE

Amending Title 16 of The Philadelphia Code, entitled “Public Property,” to provide for estimated annual energy cost disclosures upon the sale of certain City-owned residential properties, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 16-200 of The Philadelphia Code is hereby amended as follows:

CHAPTER 16-200. SALES, LEASES AND OTHER GRANTS OF CITY-OWNED BUILDINGS AND FACILITIES

* * *

§ 16-208. Residential Energy Cost Disclosure.

(1) *No transfer of a parcel of land that contains a structure with one or two dwelling units shall be approved by City Council, or authorized pursuant to Section 16-405, unless such transfer is subject to the following requirements, as applicable:*

(a) *If the transferee will reside in any dwelling on the parcel, the transferee shall be provided with a good faith estimate of energy costs.*

(b) *If the transferee will not reside in any dwelling on the parcel, the transfer shall be subject to an agreement with the transferee to do all of the following, as applicable:*

(i) *If the transferee transfers the parcel to a person who will reside in any dwelling thereon, to provide such person with a good faith estimate of energy costs.*

(ii) *If the transferee transfers the parcel to a person who will not live in any dwelling thereon, to require as a condition of such transfer that all subsequent transfers of the parcel shall, until such time as all dwellings thereon are (A) occupied, or (B) demolished or permanently devoted to non-residential purposes, be made on the condition that:*

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(.1) *Any purchaser of the parcel who will reside in it shall be provided with a good faith estimate of energy costs prior to entering into an agreement of sale.*

(.2) *Any purchaser of the parcel who will lease the property to tenants shall provide a good faith estimate of energy costs to any prospective tenant prior to entering into a lease agreement with such tenant.*

(2) *The good faith estimate of energy costs required pursuant to subsection (1) shall express the anticipated annual cost of energy supplied to each dwelling unit, based upon ordinary demand. Such estimate shall be derived in any of the following ways:*

(a) *Estimation based upon the size of the property and the average per square foot energy cost for properties of that building type in the region. The most current version of the Residential Energy Consumption Survey of the United States Energy Information Administration, pursuant to 42 U.S.C. § 7135(k), shall be used as the basis for the average per square foot energy cost under this method.*

(b) *Energy analysis using the Home Energy Score, or any successor thereto, developed by the United States Department of Energy.*

(c) *Estimation based upon recent energy bills.*

(d) *Any other method that yields an estimate reasonably expected to reflect actual annual energy costs, based upon ordinary demand.*

(3) *This Section shall not apply to any transaction to the extent any dwelling unit on the subject parcel will be demolished or used for non-residential purposes.*

SECTION 2. This Ordinance shall be effective one year after it becomes law.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 21, 2012. The Bill was Signed by the Mayor on August 27, 2012.

A handwritten signature in cursive script, reading "Michael A. Decker".

Michael A. Decker
Chief Clerk of the City Council