



City of Philadelphia

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

BILL NO. 000549

Introduced September 14, 2000

Councilmember Clarke

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Title 16 of The Philadelphia Code, relating to the "Public Property" by adding a new section 16-600 entitled "Development Districts" to grant the Redevelopment Authority of the City of Philadelphia the authority to create development districts that will waive the certain procedural challenges to condemnation within a development district, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 16-600 of The Philadelphia Code is hereby amended to read as follows:

TITLE 16. PUBLIC PROPERTY

* * *

CHAPTER 16-600. DEVELOPMENT DISTRICTS.

* * *

§16-601. Legislative Findings.

The Council of the City of Philadelphia hereby finds that:

(1) In every many of Philadelphia's, there are large numbers of vacant properties that blight neighborhoods and commercial corridors;

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(2) *These properties are frequently in private ownership and the owners cannot be determined or contacted;*

(3) *As a result, many of these properties remain magnets for criminal activity and bring down the quality of life in the neighborhoods that they exist;*

(4) *Current state law makes it difficult for a local agency to acquire and dispose of privately owned, vacant property.*

(5) *The current state mandated process of acquiring vacant property entails series of preemptory challenges that can delay the acquisition and disposition of vacant property in Philadelphia;*

(6) *A process that streamlines the acquisition and disposition process in certain areas that have large numbers of contiguous blight would allow for vacant properties to be redeveloped into a more productive use.*

§16-602. Definitions.

(1) *Condemn. To take, injure or destroy private property by authority of law for a public purpose.*

(2) *Condemnee. The owner of a property interest taken, injured or destroyed, but does not include a mortgagee, judgment creditor or other lienholder.*

(3) *Condemnor. The acquiring agency, including the Commonwealth of Pennsylvania, taking, injuring or destroying private property under authority of law for a public purpose.*

(4) *Court. The Court of Common Pleas.*

(5) *Development District. A geographically definable area whose boundaries are to be established by City Council ordinance.*

(6) *Redevelopment Authority. The Redevelopment Authority of the City of Philadelphia.*

§16-603. Creation of a Development Districts.

(1) *The Redevelopment Authority is authorized to create a Development District after City Council passes an ordinance signed by the Mayor in*

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which two public hearings take place, at least one of which should be in the district.

- (2) *Criteria for Designation. A geographic area may be designated as a Development District if:*
 - (a) *The Development District's proposed boundaries conforms to a feasibly general plan for the development of the area as a whole.*
 - (b) *The Development District gives consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvements, with special consideration for the health, safety, and welfare of children residing in the Development District.*
 - (c) *The Development District does not discriminate with regard to race, color, creed, national origin or sexual orientation of the residents in the District.*

§16-604. Notice of Hearings.

- (1) *Notice of any hearings held in City Hall will be in the same manner that City Council hearings are normally advertised.*
- (2) *At least (30) thirty days before holding a public hearing to consider the proposed Development District, the Redevelopment Authority shall send written notice of the proposed designation to the owners of each building, structure, site or object within the proposed development district. Notice of any hearings held within the proposed district shall indicated the date, time and place of the public meeting at which City Council will consider the proposed designation of the Development District. The Redevelopment Authority shall post notice of the proposed designation at locations within the proposed district at least thirty (30) days before the public hearing to consider the proposed designation.*
- (3) *Within the boundaries of a Development District, the following notices and procedures shall apply:*
- (4) *Within ten days after the filing of the declaration of taking, the condemnor shall give written notice of the filing to the condemnee.*

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- (5) *Any condemnee who does not present testimony at any of the City Council hearings on the creation of the Development District will be considered to waive the right to raise any preliminary objections to any condemnation as defined in 26 P.S. § 1-408.*

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

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

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