



City of Philadelphia

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

BILL NO. 170712
(As Amended, 11/29/18)

Introduced September 14, 2017

Councilmember Reynolds Brown

**Referred to the
Committee on the Environment**

AN ORDINANCE

Amending Title 21 of The Philadelphia Code, entitled “Miscellaneous,” by adding a new Chapter 21-3000, entitled “Environmental Justice Reporting,” to establish standards for studying and reporting on environmental justice, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 21 of The Philadelphia Code is hereby amended to read as follows:

TITLE 21. MISCELLANEOUS.

* * *

CHAPTER 21-3000. ENVIRONMENTAL JUSTICE REPORTING.

§ 21-3001 Definitions.

(1) “Disproportionate effect” means situations of concern where there exists significantly higher and more adverse health and environmental effects on minority populations or low-income populations.

(2) “Environmental benefit” includes, but is not limited to, access to grants, subsidies, loans and other financial assistance relating to energy efficiency or environmental projects; access to open space, green infrastructure and, where relevant, access to waterfronts; and the implementation of environmental initiatives, including climate resilience measures.

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(3) “*Environmental justice*” means the fair treatment and meaningful involvement of all persons, regardless of race, color, national origin or income level, with respect to the development, implementation and enforcement of environmental laws, regulations, policies and activities and with respect to the distribution of environmental benefits. Fair treatment means that no group of people, including a racial, ethnic or socioeconomic group, should (i) bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal and commercial operations or the execution of federal, state or local programs and policies; or (ii) receive an inequitably low share of environmental benefits.

(4) “*Environmental justice area*” means a low-income community located in the city or a minority community located in the city.

§ 21-3002 *Environmental Justice Advisory Commission.*

(1) Council hereby calls upon the Mayor, with the cooperation of the Office of Sustainability and all relevant city agencies and departments as requested by the Mayor, to establish an *Environmental Justice Advisory Commission*, for the purpose of providing recommendations to the Mayor and the Office of Sustainability regarding the establishment of standards for studying and reporting regarding environmental justice.

(2) The Commission should be charged with the duty to prepare and submit a report to the Mayor and the President of City Council, by no later than December 31, 2019, including recommendations regarding:

(a) *Criteria for identifying locations within the City that experience disproportionate environmental effects;*

(b) *Methods of collecting data and conducting analysis in identified locations related to environmental factors that reflect environmental justice concerns;*

(c) *Existing City programs, policies, activities and processes that may implicate environmental justice concerns;*

(d) *Identification and removal of barriers to meaningful decision-making affecting residents of environmental justice areas.*

(3) *The Advisory Commission shall be composed of such members as the Mayor may appoint, in consultation with the Council President, and shall meet at such times and in such manner as it deems appropriate to perform a full and comprehensive review of the issues to be covered in its report and recommendations.*

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§ 21-3003 Environmental Justice Online Portal.

(1) Council hereby calls upon the Office of Sustainability, or such other office or agency as the Mayor may designate, in consultation with all relevant city agencies and departments as directed by the Mayor, to create by December 31, 2019, and maintain an environmental justice portal on the city's website that provides easy access to the following resources:

(a) Data, maps and other information from city, state and federal sources, and from other relevant sources, relating to environmental justice concerns;

(b) Any report, recommendations or plan issued by the Environmental Justice Advisory Commission or by any city agency, relating to environmental justice concerns;

(c) City programs that promote environmental justice and foster community engagement with and participation in agency decision-making that implicates environmental justice concerns; and

(d) Commonwealth of Pennsylvania and federal programs that promote environmental justice.

§ 21-3004 Causes of Action.

Nothing in this Ordinance shall be deemed to create a private right of action to enforce its provisions. Nothing in this Ordinance shall be construed to create any right or benefit enforceable against the City of Philadelphia or any right to judicial review of any action taken by the City of Philadelphia.

SECTION 2. Effective Date. This Ordinance shall be effective immediately.

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