



City of Philadelphia

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

BILL NO. 220842

Introduced October 20, 2022

**Councilmember Jones
for
Council President Clarke**

**Referred to the
Committee on Public Property and Public Works**

AN ORDINANCE

Amending Title 16 of The Philadelphia Code to require that certain designated real estate conveyed by the City to the Philadelphia Redevelopment Authority or the Philadelphia Land Bank be insured under the City's self-insurance or other insurance program following conveyance, all under certain terms and conditions.

Legislative Findings

WHEREAS, the City, the Philadelphia Redevelopment Authority and the Land Bank are responsible for the stewardship of vast amounts of publicly owned real estate in the City; and

WHEREAS, most of the publicly-owned real estate is not fenced or otherwise protected against unauthorized entry or use; and

WHEREAS, many publicly owned properties are cleaned and maintained by neighborhood residents who sometimes use the properties for events, meetings and other activities benefitting the neighborhoods where the properties are located; and

WHEREAS, the City, the Philadelphia Redevelopment Authority and the Land Bank are often aware that neighborhood residents are using publicly owned properties, without formal permission and in some cases, have done so for many years; and

WHEREAS, to protect the City against potential liability, these publicly owned properties should be insured for claims related to their use; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

City of Philadelphia

BILL NO. 220842 continued

SECTION 1. Title 16 of the Philadelphia Code is hereby amended to read as follows:

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TITLE 16. PUBLIC PROPERTY

* * *

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

* * *

§ 16-202. Required Appraisals, *and Insurance*

(1) Council shall not approve any acquisition by the City of title in real estate unless, prior to Council approval, the Commissioner of Public Property has filed with the Chief Clerk of Council an independent appraisal of the value of such real estate. This subsection (1) shall not apply under any of the following circumstances:

(a) Acquisitions at Sheriff Sales pursuant to Section 16-102.

(b) Acquisitions to be made pursuant to the City's exercise of its powers of eminent domain under state law.

(c) Whenever application of subsection (1) would not be in the best interests of the City.

(2) Council shall not approve any sale by the City of any real estate where the market value of such real estate, as assigned by the Office of Property Assessment, is in excess of two hundred thousand dollars (\$200,000), unless, prior to Council approval, the Commissioner of Public Property has filed with the Chief Clerk of Council an independent appraisal of the value of the such real estate. This subsection (2) shall not apply whenever its application would not be in the best interests of the City.

(3) *Council shall not approve the transfer of certain designated real estate conveyed by the City to the Philadelphia Redevelopment Authority or the Philadelphia Land Bank unless the designated real estate will continue to be insured under the City's self-insurance or other insurance program following conveyance.*

SECTION 2. This bill shall take effect immediately.