

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 230750)

RESOLUTION

Proposing an amendment to The Philadelphia Home Rule Charter to provide for indemnification and defense by the City in connection with claims made against any registered community organization arising directly out of the lawful participation by such an organization in zoning matters and related land-use process; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to The Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to The Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE VIII PROVISIONS OF GENERAL APPLICATION

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CHAPTER 1 FISCAL AND BUDGETARY MATTERS

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§ 8-108. Indemnification and Defense of Registered Community Organizations.

The City shall provide for the defense and indemnification of any registered community organization that is in compliance with the Philadelphia Zoning Code and applicable regulations, in connection with any claim brought against such an organization arising directly out of the organization's lawful participation in the City's zoning variance

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process. The Law Department is authorized to adopt regulations to implement this Section, including to establish indemnity limits, rules for addressing double indemnity, providing for the purchase of insurance through a grant or similar program, and other measures to protect the best interests of the City.

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APPENDIX

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CHAPTER A-2

§ A-200. Schedule.

This Charter shall become effective on the first Monday of January, 1952, except in the following particulars:

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() The amendments to this Charter adding Section 8-108 (“Indemnification and Defense of Registered Community Organizations”) shall take effect upon the adoption of implementing regulations by the Law Department, which regulations shall be filed for adoption within 60 days of certification of the election approving the proposed Charter change.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the thirtieth day of November, 2023.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Jones for Councilmembers Council President
Clarke and Squilla
Sponsored by: Council President Clarke, Councilmembers Squilla, Jones