

Legislation Text

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Amending Section 19-1403 of The Philadelphia Code, entitled “Imposition of Tax,” by creating a Philadelphia County Demolition Fund to increase and encourage economic development by demolishing blighted properties within the City, imposing a fee when a deed or mortgage is recorded, and related items; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 19-1403 of The Philadelphia Code is amended as follows:

§ 19-1403. Imposition of Tax *and Demolition Fund Fee*.

(1) Every person who transfers ownership of real estate situate within the City or who makes, executes, delivers, accepts or presents for recording any document or in whose behalf any document is made, executed, delivered, accepted or presented for recording, or who accepts ownership of real estate situate within the City, shall be subject to pay for and in respect to the transaction or any part thereof, or for or in respect of the vellum parchment or paper upon which such document is written or printed, a tax based on the value of the real estate represented by such document, which tax shall be payable at the earlier of the time the document is presented for recording or within thirty (30) days of acceptance of such document or within thirty (30) days of becoming an acquired real estate company or family farm corporation. For documents made, executed, delivered or accepted or presented for recording during each of the following fiscal years, the amount of tax shall be computed by multiplying the value of the real estate represented by such document by the following rates of tax:

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(2) *Philadelphia County Demolition Fund Fee*

(a) *Definitions.* As used in this section, the words and phrases shall mean the following unless the context clearly indicates otherwise:

“Blighted property.” A property which meets at least three of the criteria listed under Section 5 (d)(5) of the Act of November 26, 2008 (P.L.1672, No.135), known as the Abandoned and Blighted Property Conservatorship Act, as determined by the Department of Licenses and Inspections.

“Philadelphia County Demolition Fund.” A City fund used exclusively for the demolition of blighted properties for the purpose of increasing economic development situated in the City and County of Philadelphia, created in accordance with and maintained pursuant to Section 2.2 of the Act of April 8, 1982 (P.L. 310, No. 87) as amended, known as the Recorder of Deeds Fee Law.

(b) In addition to the tax collected under subsection (1) of this section, every person who transfers ownership of real estate situate within the City or who makes, executes, delivers, accepts or presents

for recording any document or in whose behalf any document is made, executed, delivered, accepted or presented for recording, or who accepts ownership of real estate situate within the City, shall be subject to pay for and in respect to the transaction or any part thereof, or for or in respect of the vellum parchment or paper upon which such document is written or printed, a Philadelphia County Demolition Fund fee of fifteen dollars (\$15.00), which fee shall be payable at the earlier of the time the document is presented for recording or within thirty (30) days of acceptance of such document or within thirty (30) days of becoming an acquired real estate company or family farm corporation.

(c) The fees collected under subsection (2)(b) shall be deposited into a separately maintained City fund known as the Philadelphia County Demolition Fund, and shall be used exclusively for the demolition of blighted properties for the purpose of increasing economic development.

(d) Within 90 days of the effective date of this Section, the Mayor shall cause an initial report to be filed with the Pennsylvania Department of Community and Economic Development. The initial report shall include an explanation of the Mayor's plan for how the fees collected pursuant to this section will be spent, the number of properties likely to be demolished, and any other relevant information.

(e) Within 12 months of the effective date of this Section, and annually thereafter, the Mayor shall cause an annual report to be filed with the Pennsylvania Department of Community and Economic Development. The annual report shall include the number of properties demolished, the cost of demolition per property, and any other relevant information.

(f) The fees imposed under subsection (2)(b) of this section are authorized pursuant to Section (2.2) of the Act of April 8, 1982 (P.L. 310, No. 87,) as amended, known as the Recorder of Deeds Fee Law, and shall only be collectable pursuant to the continuing grant of authority under such act, or any such successor acts. No fees shall be collected under subsection (2)(b) unless and until the Philadelphia County Demolition Fund has been established by the Mayor.

~~(2)~~ (3) The payment of the tax *and fee* imposed herein shall be evidenced by the affixing of an official stamp or writing by the recorder whereon the date of the payment of the tax *and fee*, amount of the tax *and fee* and the signature of the collecting agent shall be set forth.

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SECTION 2. This Ordinance shall be effective 60 days from the date of enactment into law.

Explanation:

Italics indicate matter added.