City of Philadelphia

Legislation Text

File #: 150535, **Version:** 0

Amending Section 19-1806 of The Philadelphia Code, entitled "Authorization of Realty Use and Occupancy Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on the use or occupancy of real estate within the School District of Philadelphia and to set the rate for such tax, and making technical changes; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 19-1806 of The Philadelphia Code is hereby amended to read as follows:

§19-1806. Authorization of Realty Use and Occupancy Tax.

*   *   *

(2)   Imposition of the Tax.

*   *   *

(b) The Board of Education of the School District of Philadelphia is authorized to impose a tax for general school purposes on the use or occupancy of real estate within the School District of Philadelphia during the tax years beginning July 1, 2001, July 1, 2002, July 1, 2003, July 1, 2004, July 1, 2005, July 1, 2006, July 1, 2007, July 1, 2008, July 1, 2009, July 1, 2010, July 1, 2011, July 1, 2012, July 1, 2013, July 1, 2014, *July 1, 2015,* and thereafter for the purpose of carrying on any business, trade, occupation, profession, vocation, or any other commercial or industrial activity. This tax is imposed on the user or occupier of real estate.

*   *   *

(4)   Rate and Computation of Tax.

(a)   Rate.

*   *   *

(c) Computation for Tax Years beginning on or after July 1, 2013. The tax to be paid by the user or occupier, for the tax year beginning July 1, 2013, and for all tax years thereafter, shall be computed as follows:

(.1)   First, calculate the following product:

<u>Square feet occupied or used</u>
Total sq. ft. available   x   Assessed value
for use or occupancy
on the real estate

(.2)   Next, subtract the Exemption Amount from the foregoing product.

(.3) If the foregoing difference is less than zero, the tax liability is zero. Otherwise, multiply the foregoing difference by the following:

Tax Rate   x   <u>Days of actual use of occupancy</u>
                                        360

(.4)   For purposes of this subsection (c):

(A) Assessed Value shall mean the assessed value of the real estate as most recently returned by the Office of Property Assessment prior to the start of the Tax year.

(B)   The Exemption Amount shall be [$177,000 per property] *as follows:*

Tax Year Beginning	*Exemption Amount*
July 1, 2013	*$177,000 per property*
July 1, 2014	*$177,000 per property*
July 1, 2015 and	
thereafter	*$165,300 per property.*

Where there are multiple taxpayers using or occupying a property, the Exemption Amount shall be allocated equally among all such taxpayers, so that each taxpayer's Exemption Amount shall be [$177,000] *the Exemption Amount per property* divided by the number of taxpayers using or occupying the property. Every landlord shall provide to the tenants of a property the number of users or occupiers of the property.

(C) The Tax Rate shall be [one and thirteen hundredths percent (1.13%)] *as follows:*

Tax Year Beginning	*Tax Rate*
July 1, 2013	*one and thirteen hundredths percent (1.13%)*

July 1, 2014   *one and thirteen*
                        hundredths percent (1.13%)

July 1, 2015 and   *one and twenty-one*
thereafter   *hundredths percent (1.21%).*

*   *   *

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Explanation:

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