

## Legislation Text

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**File #:** 120397, **Version:** 1

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Continuing the Port Richmond Industrial Development Enterprise Neighborhood Improvement District beyond its termination date in the area bounded generally by the north side of Allegheny Avenue, west side of Memphis Street between Allegheny Avenue and East Westmoreland Street, south side of East Westmoreland Street, properties facing west along the east side of Tulip Street, the north side of Venango Street, and the west side of Amber Street, continuing Port Richmond Industrial Development Enterprise Inc., a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a final plan for the District, including a list of proposed improvements and their estimated cost, and providing for assessment fees to be levied on property owners within the District; authorizing the Director of Commerce, on behalf of the City, to execute an agreement with Port Richmond Industrial Development Enterprise, Inc. relating to the District; and authorizing Port Richmond Industrial Development Enterprise, Inc. to assess property owners within the District a special property assessment fee to be used in accordance with the approved final plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

WHEREAS, Bill No. 020166-A (approved January 23, 2003) established the Port Richmond Industrial Development Enterprise ("PRIDE") Neighborhood Improvement District ("District"), designated Port Richmond Industrial Development Enterprise, Inc. ("PRIDE Inc."), a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District, and approved a final plan for improvements within the District; and

WHEREAS, Bill No. 070338 (approved December 13, 2007) continued the term of the District until December 31, 2012; and

WHEREAS, On December 31, 2012, the District will terminate, unless it is renewed; and

WHEREAS, Council is authorized by the Community and Economic Improvement Act, Act of December 21, 1998, P.L. 1307, No. 174 ("Act") (53 P.S. §18101 *et seq.*) to continue a neighborhood improvement district beyond the date of termination of such district by reenacting the municipal enabling ordinance creating the original neighborhood improvement district, following a review of the neighborhood improvement district and the neighborhood improvement district management association programs and services provided within the neighborhood improvement district; and

WHEREAS, The purpose of this Ordinance is to continue the neighborhood improvement district in the Port Richmond area, known as the Port Richmond Industrial Development Enterprise ("PRIDE") Neighborhood Improvement District ("District") to December 31, 2017; and

WHEREAS, All procedures required by the Act for establishment of the District have been followed; in particular, more than forty-five days have elapsed from the last public hearing required by the Act, and the Clerk of Council has not received objections filed by 51% or more of the affected property owners or property owners whose property valuation as assessed for taxable purposes amounts to 51% of the total property valuation within the proposed boundaries of the District; now, therefore

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. In accordance with the provisions of the Community and Economic Improvement Act (“Act”) (53 P.S. § 18101 *et seq.*), a neighborhood improvement district is hereby continued in the Port Richmond area, within the boundaries set forth in Exhibit “A-1” attached hereto. The district is known as the Port Richmond Industrial Development Enterprise (“PRIDE”) Neighborhood Improvement District (“District”).

SECTION 2. Port Richmond Industrial Development Enterprise, Inc. (“PRIDE, Inc.”), a Pennsylvania nonprofit corporation, is hereby continued as the Neighborhood Improvement District Management Association for the District.

SECTION 3. Council hereby approves as the final plan for the District the plan set forth in Exhibit “A” attached hereto. PRIDE, Inc. is hereby authorized to assess property owners within the District a special property assessment fee in accordance with the provisions of the final plan and the provisions of the Act.

SECTION 4. The Director of Commerce, on behalf of the City, is hereby authorized to enter into an agreement with PRIDE, Inc., in a form approved by the City Solicitor, which agreement shall include the following provisions:

(a) A detailed description of the respective duties and responsibilities of the City and PRIDE, Inc. with respect to the District, as set forth in the final plan approved under Section 3;

(b) A requirement that the City will maintain, within the District, the same level of municipal programs and services that were provided within the District before its establishment;

(c) A “sunset provision” under which the agreement will terminate on December 31, 2017 and may not be renewed unless the District is continued beyond that date in accordance with the sunset provisions of Section 5 of this Ordinance; and

(d) PRIDE Inc.’s agreement to be responsible for the collection of all property assessment fees levied within the District and the City's agreement to file any necessary liens for nonpayment of property assessment fees as set forth in the Act at 53 P.S. §18107(a)(10).

SECTION 5. The District shall terminate on December 31, 2017, in accordance with the provisions of the final plan approved under Section 3. The District may be continued beyond that date only if Council reenacts this Ordinance following a review of the District and the programs and services provided by PRIDE, Inc. within the District.

SECTION 6. The Chief Clerk shall keep on file the document referred to as Exhibit A in Section 3 of this Ordinance, and all accompanying documents referenced in Exhibit A, and shall make them available for inspection by the public during regular office hours.