

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 related fee for recorded documents and related items; and making technical changes; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 19. FINANCE, TAXES AND COLLECTIONS

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CHAPTER 19-1400. REALTY TRANSFER TAX

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

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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 deed or mortgage or in whose behalf any deed or mortgage 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 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 ninety (90) days of start of collection of fees pursuant to this subsection, 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 twelve (12) months of start of collection of fees pursuant to this subsection, 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, 42 P.S. § 21052.2, known as the Recorder of Deeds Fee Law, and shall only be collectable pursuant to the grant of authority under such portion of that Act, which by its current terms is scheduled to expire January 3, 2027, or pursuant to any successor acts.*

(g) *No fees shall be collected under subsection (2)(b) unless and until the Finance Director has certified to the Recorder of Deeds and the Chief Clerk of Council that the Philadelphia County Demolition Fund has been established by the City and, in no event, no earlier than sixty days from the date of adoption of the ordinance adding this subsection 19-1403(2) to the Code.*

[(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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