

## Legislation Details (With Text)

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**File created:** 12/6/2018      **In control:** Committee on Public Property and Public Works

**On agenda:**      **Final action:**

**Title:** Amending Chapter 16-400 of The Philadelphia Code, entitled "Vacant and Surplus Properties," by changing the composition of the Vacant Property Review Committee, by providing for further duties of the Vacant Property Review Committee, and by requiring certain provisions to be included with property dispositions; all under certain terms and conditions.

**Sponsors:** Council President Clarke, Councilmember Johnson

**Indexes:** VACANT PROPERTY, VACANT PROPERTY REVIEW COMMITTEE

**Code sections:** 16-400 - Vacant and Surplus Properties

**Attachments:** 1. Bill No. 18106200.pdf

Date	Ver.	Action By	Action	Result	Tally
12/6/2018	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Chapter 16-400 of The Philadelphia Code, entitled “Vacant and Surplus Properties,” by changing the composition of the Vacant Property Review Committee, by providing for further duties of the Vacant Property Review Committee, and by requiring certain provisions to be included with property dispositions; all under certain terms and conditions.

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

SECTION 1. Chapter 16-400 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 16-400. VACANT AND SURPLUS PROPERTY.

\* \* \*

§16-404. The Vacant Property Review Committee.

(1) A Vacant Property Review Committee is hereby created to be composed of the executive heads or their designees of the following:

\* \* \*

(k) [The Philadelphia Commercial Development Corporation;] *The Philadelphia Land Bank*;

\* \* \*

(5) The Vacant Property Review Committee, in conjunction with the City Planning Commission, upon making a determination that any property is blighted, and not readily acquirable by donation for reasons as

hereinbefore provided in the legislative findings, may certify said blighted property to the Redevelopment Authority for acquisition pursuant to the provisions of Act No. 94 of June 23, 1978, amending the act of May 24, 1945 (P.L. 991, No. 385) known as the "Urban Redevelopment Law", except that:

\* \* \*

*(e) No property shall be certified to the Redevelopment Authority unless an appraisal of the fair market value of the property has been reviewed by the Vacant Property Review Committee.*

\* \* \*

(6) The Vacant Property Review Committee shall, in cooperation with the City Planning Commission, determine the conditions of title to be incorporated into the deed for each property to be disposed of pursuant to the provisions of this Chapter. Failure of compliance with said conditions will cause title to the property to revert to the ownership of the City of Philadelphia, the Redevelopment Authority of the City of Philadelphia, or the Philadelphia Land Bank automatically, without any conveyance thereof being required, upon notice that such failure exists and no attempt is made to remedy such failure. Such conditions shall include, but not necessarily be limited to, the following:

(a) The property shall be developed and used in accordance with the Comprehensive Land Use Plan of the City of Philadelphia.

(b) The property shall be rehabilitated and/or improved and said rehabilitation and/or improvement is to be completed within [one year] *eighteen months* of acquisition of title, *in conformity with the Building, Electrical, Fire, Housing, Plumbing, and Zoning Codes of the City of Philadelphia* unless practical cause is shown why the time for completion should be extended [.,]. [p]Provided that no extension of time shall be for more than six (6) months, except with further approval of the Vacant Property Review Committee. *The Vacant Property Review Committee is required to inspect all properties at the expiration of each completion date for compliance with the provisions of this sub-section.*

(c) An irrevocable power of attorney, subject to an interest, shall be included in each deed of conveyance appointing the grantor as true and lawful attorney of the grantee to enter into and take possession of said property, with other necessary provisions, in the event of a failure by the grantee to comply with any term and condition established.

*(1) The City of Philadelphia Law Department shall be responsible for enforcing the provisions within this sub-section in the event of non-compliance with any term and condition.*

*(d) A restriction which requires the transferee to neither expose for rental nor lease the property or properties being conveyed or any portion thereof, at any time without prior written approval of the Vacant Property Review Committee and the Public Property Commissioner of the City of Philadelphia.*

*(7) The Vacant Property Review Committee shall establish written policies and procedures describing the process to dispose of property.*

\* \* \*

§ 16-406. Disposition by Redevelopment Authority.

(1) Disposition of all such properties by the Redevelopment Authority must be by ordinance or resolution approved by the Council of the City of Philadelphia.

(2) All properties sold or transferred by the Redevelopment Authority pursuant to this Chapter shall be for development and use in accordance with the Comprehensive Land Use Plan of the City of Philadelphia.

(a) The Commissioner of Public Property is further authorized to include such additional terms and conditions in the deeds of conveyance to the Redevelopment Authority as he deems necessary or desirable to effectuate the purposes of this Chapter.

(3) Property acquired by the Redevelopment Authority pursuant to Section 16-404(5) hereof, within a redevelopment area, shall be disposed of under a redevelopment agreement in accordance with provisions of the Urban Redevelopment Law, Act of May 24, 1945, as amended.

*(4) All dispositions of property by the Redevelopment Authority, including those certified for disposition by the Vacant Property Review Committee, shall include a provision stating the transferee shall neither offer for sale, nor sell, nor assign the premises or portions thereof, or any interest in the premises or any portion thereof without written approval regardless of any consideration paid, nominal or otherwise.*

§ 16-407. Disposition by the Philadelphia Land Bank.

(1) Dispositions of all such properties by the Philadelphia Land [b]Bank shall be in accordance with *this section and* Chapter 16-700 of the Philadelphia Code.

*(2) All dispositions of property by the Philadelphia Land Bank shall include a provision stating the transferee shall neither offer for sale, nor sell, nor assign the premises or portions thereof, or any interest in the premises or any portion thereof without written approval regardless of any consideration paid, nominal or otherwise.*

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.