

Legislation Details (With Text)

File #: 230750 **Version:** 1 **Name:**

Type: Resolution **Status:** ADOPTED

File created: 10/26/2023 **In control:** Committee on Rules

On agenda: **Final action:** 11/30/2023

Title: Proposing an amendment to The Philadelphia Home Rule Charter to provide for indemnification and defense by the City in connection with claims made against any registered community organization arising directly out of the lawful participation by such an organization in zoning matters and related land-use process; and providing for the submission of the amendment to the electors of Philadelphia.

Sponsors: Council President Clarke, Councilmember Jones, Councilmember Squilla

Indexes: PHILADELPHIA HOME RULE CHARTER

Code sections:

Attachments: 1. Signature23075001

Date	Ver.	Action By	Action	Result	Tally
11/30/2023	1	CITY COUNCIL	ADOPTED	Pass	15:0
11/16/2023	1	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
11/14/2023	0	Committee on Law and Government	HEARING NOTICES SENT		
11/14/2023	0	Committee on Law and Government	HEARING HELD		
11/14/2023	0	Committee on Law and Government	AMENDED		
11/14/2023	1	Committee on Law and Government	REPORTED FAVORABLY		
10/26/2023	0	CITY COUNCIL	Introduced and Referred		

Proposing an amendment to The Philadelphia Home Rule Charter to provide for indemnification and defense by the City in connection with claims made against any registered community organization arising directly out of the lawful participation by such an organization in zoning matters and related land-use process; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to The Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to The Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE VIII PROVISIONS OF GENERAL APPLICATION

* * *

CHAPTER 1
FISCAL AND BUDGETARY MATTERS

* * *

§ 8-108. *Indemnification and Defense of Registered Community Organizations.*

The City shall provide for the defense and indemnification of any registered community organization that is in compliance with the Philadelphia Zoning Code and applicable regulations, in connection with any claim brought against such an organization arising directly out of the organization's lawful participation in the City's zoning variance process. The Law Department is authorized to adopt regulations to implement this Section, including to establish indemnity limits, rules for addressing double indemnity, providing for the purchase of insurance through a grant or similar program, and other measures to protect the best interests of the City.

* * *

APPENDIX

* * *

CHAPTER A-2

§ A-200. Schedule.

This Charter shall become effective on the first Monday of January, 1952, except in the following particulars:

* * *

() *The amendments to this Charter adding Section 8-108 ("Indemnification and Defense of Registered Community Organizations") shall take effect upon the adoption of implementing regulations by the Law Department, which regulations shall be filed for adoption within 60 days of certification of the election approving the proposed Charter change.*