

Legislation Text

File #: 130810, **Version:** 0

Amending Chapter 19-2600 of The Philadelphia Code, entitled “Business Income and Receipts Taxes,” by providing a “Video Surveillance Camera Tax Credit” for costs incurred to purchase and install a video surveillance camera.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 19-2600 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 19-2600. BUSINESS INCOME AND RECEIPTS TAXES.

* * *

§19-2604. Tax Rates, Credits, and Alternative Tax Computation.

* * *

(15) *Video Surveillance Camera Tax Credit.*

(a) *A business may claim a credit against business income and receipts tax liability in an amount equal to the lesser of \$1,000 or fifty percent (50%) of the cost to purchase and install a video surveillance camera on its property which is pointed toward the public right-of-way and registered with the Philadelphia Police Department’s SafeCam program.*

(b) *Definitions. For purposes of this subsection (15), the following definitions shall apply:*

(i) *Video surveillance camera. A video camera designed and intended when manufactured to be used for the purpose of observing an area and recording what is observed and that meets or exceeds specifications established by the Police Department.*

(ii) *SafeCam program. A Philadelphia Police Department initiative whereby individuals may register their video surveillance cameras with the Philadelphia Police Department so that, in the event of a criminal incident, police personnel may request a copy of any video captured by the video surveillance camera which may assist in the investigation of that criminal incident.*

(c) *Application. A business seeking a Surveillance Camera Tax Credit must file a Surveillance Camera Tax Credit Application, in the form and manner prescribed by the Revenue Department, that includes the following and such other information as the Revenue Department may require:*

- (i) *The location of the video surveillance camera;*
- (ii) *Verification of registration with SafeCam program; and*

(iii) Verification that the video surveillance camera is directed at the public right-of-way so that no recording is performed except of events and persons in the public right-of-way or in public view.

(d) Commitment Letter. The Revenue Department shall approve the application if it contains all the required information. After approval of the application, the applicant must execute a commitment letter with the Revenue Department setting forth the following:

(i) The applicant's commitment to maintain the surveillance camera in working order for a period for five (5) years after installation, and the applicant's acknowledgement that it is bound by the provisions of subsection (14)(f) requiring repayment of any tax credits it has received if it fails to so maintain the surveillance camera in working order for five (5) years after installation.

(ii) The applicant's commitment to store video footage for at least thirty (30) days after initial recording;

(iii) The applicant's commitment to maintain registration with the SafeCam program;
and

(iv) The applicant's commitment, upon request by police personnel, to supply police personnel with a copy of any video captured by the surveillance camera which may assist in the investigation of a criminal incident in the vicinity of the surveillance camera.

(e) Granting of Credits.

(i) After the applicant and the Revenue Department have executed the commitment letter, the applicant, after certifying to the Revenue Department that it has installed a surveillance camera in accordance with the plans set forth in the commitment letter, may claim a tax credit of an amount equal to the lesser of \$1,000 or fifty percent (50%) of the cost to purchase and install a video surveillance camera. Such tax credit shall be applied against the applicant's total business income and receipts tax liability for the Tax Year during which the applicant certifies installation of the video surveillance camera.

(ii) A business may receive only one video surveillance camera tax credit per building, but may receive video surveillance tax credits for each building it owns.

(f) Maximum.

(i) The total amount of all video surveillance tax credits available in any year shall not exceed _____.

(ii) The Revenue Department shall certify applicants on a "first come-first served" basis.

(f) Repayment of Tax Credits. A business that has received a video surveillance camera tax credit must repay that credit to the City if it fails to maintain the video surveillance tax credit in accordance

with the provisions of the commitment letter. The Revenue Department may waive such repayment if it determines the failure to maintain the video surveillance camera was because of a natural disaster or other act of God or similar circumstances beyond the control of the business.

(g) The Revenue Department shall by December 31 of each year submit a written report to the Mayor, with a copy to the President and Chief Clerk of Council, summarizing the City's experience during the prior year with the tax credit provided under this subsection.

(h) The Revenue Department, as advised by the Police Department, is hereby authorized to promulgate regulations implementing the provisions of this Section.

SECTION 2. This Ordinance shall take effect beginning with Tax Year 2014.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate matter added.