

Legislation Text

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Continuing the Chestnut Hill Business Improvement District in the area that generally includes both sides of Germantown Avenue from 7640 to 8705, certain blocks of streets that intersect that portion of Germantown Avenue, and both sides of Bethlehem Pike from 10 to 105; approving an extension to the boundaries of the District, and continuing Chestnut Hill Business Improvement District, Inc., a Pennsylvania nonprofit corporation, as the neighborhood improvement district management association for the District; approving a new 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 Chestnut Hill Business Improvement District, Inc. relating to the District; and reauthorizing Chestnut Hill Business Improvement District, Inc. to assess property owners within the District a special property assessment fee to be used in accordance with the approved plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

WHEREAS, Bill No. 040008 (approved June 21, 2004) established a neighborhood improvement district (for five years) in the Chestnut Hill area, known as the Chestnut Hill Business Improvement District ("District"); designated Chestnut Hill Business Improvement District, 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. 080901 (approved June 17, 2009) continued the term of the District for five additional years; and

WHEREAS, On June 17, 2014, the District will automatically terminate unless it is continued by ordinance; and

WHEREAS, Council is authorized by the Community and Economic Improvement Act ("Act") (53 P.S. §18101 *et. seq.*) to continue, by ordinance, neighborhood improvement districts beyond the date of termination 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 district; and

WHEREAS, The purpose of this Ordinance is to continue and extend the boundaries of the neighborhood improvement district in the Chestnut Hill area, known as the Chestnut Hill Business Improvement District, until June 30, 2024; and

WHEREAS, All procedures required by the Act for continuing and extending the boundaries of the District have been followed; in particular, more than forty-five (45) days have elapsed from the last public hearing required by the Act and the Clerk of Council has not received objections filed by fifty-one percent (51%) or more of the affected property owners or property owners whose property valuation as assessed for taxable purposes amounts to fifty-one percent (51%) of the total property valuation within the 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 and the boundaries extended in the Chestnut Hill area, within the boundaries described in the Preliminary Plan, attached as Exhibit "A" and as set forth in Exhibit "A-1," attached hereto. The district is known as the Chestnut Hill Business Improvement District ("District").

SECTION 2. Chestnut Hill Business Improvement District, 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. Chestnut Hill Business Improvement District, 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 Chestnut Hill Business Improvement District, 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 Chestnut Hill Business Improvement District, 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 June 30, 2024 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) Chestnut Hill Business Improvement District, 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 June 30, 2024, 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 Chestnut Hill Business Improvement District, 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.