City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

Legislation Text

File #: 170683-A, **Version:** 2

Continuing the Port Richmond Industrial Development Enterprise Neighborhood Improvement District beyond its termination date in the area bounded generally by the north side of Allegheny Avenue, the west side of Memphis Street between Allegheny Avenue and East Westmoreland Street, the south side of East Westmoreland Street, the property line of 3300 Agate Street and the back of properties facing west along the east side of Tulip Street between Westmoreland and Ontario Streets, the south side of Ontario Street, the west side of Tulip Street between Ontario and Tioga Streets, the north side of Tioga Street, the back of properties facing west on the east side of Tulip Street between Tioga and Venango Streets, the back of properties facing south along the north side of Venango Street, including the property located at 2301-07 East Venango Street, and the back of properties facing east along the west side of Amber Street, as well as the properties located at 2066-80 East Tioga Street and 2082 East Tioga Street; continuing the Port Richmond Industrial Development Enterprise Inc., a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a final 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 Port Richmond Industrial Development Enterprise, Inc. relating to the District; and authorizing Port Richmond Industrial Development Enterprise, Inc. to assess certain property owners within the District a special property assessment fee to be used in accordance with the approved final plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

WHEREAS, Bill No. 020166-A (approved January 23, 2003) established the Port Richmond Industrial Development Enterprise ("PRIDE") Neighborhood Improvement District ("District"), designated Port Richmond Industrial Development Enterprise, Inc. ("PRIDE, 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. 070338 (approved December 13, 2007) continued the term of the District until December 31, 2012; and

WHEREAS, Bill No. 120397 (approved December 21, 2012) continued the term of the District until December 31, 2017; and

WHEREAS, On December 31, 2017, the District will terminate, unless it is renewed; and

WHEREAS, Council is authorized by the Community and Economic Improvement Act, act of December 21, 1998, P.L. 1307, No. 174 ("Act") (53 P.S. §18101 *et seq.*) to continue a neighborhood improvement district beyond the date of termination of such district 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 neighborhood improvement district; and

WHEREAS, The purpose of this Ordinance is to continue the District beyond its termination date; and

WHEREAS, All procedures required by the Act for establishment 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 affected property owners representing the ownership of at least one-third (1/3) of the properties owned by affected property owners within the proposed District or from affected property owners, within the proposed District, the value of whose properties, as assessed for taxable purposes, amounts to at least one-third (1/3) of the total property valuation of property owned by affected property owners within the proposed 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 of December 21, 1998, P.L. 1307, No. 174, *as amended* (53 P.S. § 18101 *et seq.*) ("Act"), the Port Richmond Industrial Development Enterprise Neighborhood Improvement District ("District") is hereby continued until December 31, 2022, within the boundaries set forth in Exhibit "A-1" attached hereto.

SECTION 2. Port Richmond Industrial Development Enterprise, Inc. ("PRIDE, Inc."), a Pennsylvania nonprofit corporation, is hereby continued until December 31, 2022, 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. PRIDE, 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. In the case of a delinquency in the payment of any installment of an assessment fee of 90 days or more after such installment has become due, the entire assessment fee, with accrued interest and penalties, shall become due and become a lien on the subject property from the date the installment was due, in accordance with 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 PRIDE, 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 PRIDE, 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 December 31, 2022, 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) PRIDE 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 December 31, 2022, in accordance with the provisions of the final plan approved under Section 3. The District may be continued beyond that date only if Council

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reenacts this Ordinance following a review of the District and the programs and services provided by PRIDE, 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.