

City of Philadelphia



(Bill No. 100101)

AN ORDINANCE

Amending Title 16 of The Philadelphia Code, entitled “Public Property,” by setting forth certain requirements for Council’s approval of redevelopment proposals and redevelopment contracts submitted to Council for approval under the provisions of the Urban Redevelopment Law.

WHEREAS, Under the Urban Redevelopment Law, Act of May 24, 1945, as amended (35 P.S. §1701 *et seq.*), the Redevelopment Authority of the City of Philadelphia may not execute a redevelopment contract with a redeveloper unless such contract has been approved by Council either through Council’s approval of a redevelopment proposal that contains a form of redevelopment contract, or through Council’s separate approval of the redevelopment contract; and

WHEREAS, By enactment of this ordinance, Council wishes to set forth certain requirements for either the approval of a redevelopment proposal containing a form of redevelopment contract or for the separate approval of a redevelopment contract; now, therefore,

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 16. PUBLIC PROPERTY.

* * *

CHAPTER 16-600. REDEVELOPMENT PROPOSALS AND CONTRACTS.

§16-601. Council Approval of Redevelopment Proposals and Contracts.

(1) *No redevelopment proposal containing a form of redevelopment contract submitted to Council for approval under the provisions of the Urban Redevelopment Law, Act of May 24, 1945, as amended (35 P.S. §1701 et seq.), and no redevelopment*

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contract separately submitted to Council for approval under those provisions, shall be approved by Council unless the proposed resolution setting forth Council's approval includes as an exhibit the certification of the General Counsel of the Redevelopment Authority of the City of Philadelphia that under the terms of the redevelopment contract:

(a) the redevelopment contract may not be assigned or otherwise transferred to a new redeveloper without Council's prior approval by resolution, regardless of the reason (including default) for such proposed reassignment;

(b) If a premises was originally conveyed at nominal consideration, no change may be made to the price which the redeveloper must pay to the Redevelopment Authority for the conveyed premises, nor may any change be made to the preliminary plan, nor may any change be made to the disposition supplement, without Council's prior approval by resolution;

(c) unless Council has first approved by resolution, neither the redeveloper nor any person, corporation, partnership or other legal entity owning ten percent (10%) or more of the legal or equitable interest in the redeveloper shall, prior to the issuance of a certificate of completion by the Redevelopment Authority:

(i) transfer, cause to be transferred or suffer to be transferred any legal or equitable interest in the redeveloper or the stock of the redeveloper; or

(ii) cause or suffer to be caused any similar significant change in the legal or equitable ownership of the redeveloper or of the stock of the redeveloper or in the relative distribution thereof, the identities of the parties in control of the redeveloper or the degree of such control, by any method or means whatsoever; and

(d) the redevelopment contract may not be amended to avoid the requirement of Council approval when required under subsections (a), (b) or (c), unless such amendment is approved by Council by resolution prior to execution.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on April 8, 2010. The Bill was Signed by the Mayor on April 21, 2010.



Michael A. Decker
Chief Clerk of the City Council