



City of Philadelphia

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

**BILL NO. 110307
(As Amended, 10/27/11)**

Introduced April 28, 2011

Councilmember DiCicco

**Referred to the
Committee on Rules**

AN ORDINANCE

Establishing a neighborhood improvement district in an area that generally includes, with the exception of those properties having frontage on north Broad Street, the area bounded by the northeast corner of Broad and Vine streets, the southeast corner of Broad and Spring Garden streets, the southwest corner of 8th and Spring Garden streets, the northwest corner of 8th and Vine streets and the northeast corner of Broad and Vine streets and certain blocks of intersecting streets, within such area, to be known as the Callowhill Reading Viaduct Neighborhood Improvement District, and for which Callowhill Reading Viaduct Neighborhood Improvement District, Inc., a Pennsylvania nonprofit corporation, would serve as the Neighborhood Improvement District Management Association; approving a 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 Callowhill Reading Viaduct Neighborhood Improvement District, Inc. relating to the District; and authorizing Callowhill Reading Viaduct Neighborhood 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, all under certain terms and conditions.

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 establish, by ordinance, neighborhood improvement districts and to designate certain entities to administer programs and services within such districts in order "to promote and enhance more attractive and safer commercial, industrial, residential and mixed-use neighborhoods; economic growth; increased employment

City of Philadelphia

BILL NO. 110307, as amended continued

opportunities; and improved commercial, industrial, business districts and business climates;” and

WHEREAS, The purpose of this Ordinance is to establish a neighborhood improvement district in the Callowhill Chinatown North area, to be known as the Callowhill Reading Viaduct Neighborhood Improvement District (“District”); 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 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 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 (“Act”) (53 P.S. §18101 *et. seq.*), a neighborhood improvement district is hereby established in the Callowhill Chinatown North area, within the boundaries set forth as Exhibit “A-1” attached hereto. The district shall be known as the Callowhill Reading Viaduct Neighborhood Improvement District, (“District”).

SECTION 2. Callowhill Reading Viaduct Neighborhood Improvement District, Inc. a Pennsylvania nonprofit corporation, is hereby designated as the Neighborhood Improvement District Management Association (NIDMA) for the District.

SECTION 3. Council hereby approves as the final plan for the District the plan set forth in Exhibit “A” attached hereto. Callowhill Reading Viaduct Neighborhood 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 Callowhill Reading Viaduct Neighborhood 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 of Callowhill Reading Viaduct Neighborhood Improvement District, Inc. with respect to the District as set forth in the final plan approved under Section 3;

City of Philadelphia

BILL NO. 110307, as amended continued

(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 five years after the date this Ordinance becomes law, and may not be renewed unless the District is continued beyond such date in accordance with the sunset provisions of Section 5 of this Ordinance; and

(d) Callowhill Reading Viaduct Neighborhood 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 subsection (a)(10) of Section 7 of the Act (53 P.S. §18107(a)(10)).

SECTION 5. The District shall terminate five years after the date this Ordinance becomes law, 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 Callowhill Reading Viaduct Neighborhood 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.

City of Philadelphia

BILL NO. 110307, as amended continued