

City of Philadelphia



(Bill No. 170714)

AN ORDINANCE

Amending Chapter 16-600 of The Philadelphia Code, entitled “Redevelopment Proposals and Contracts,” by further providing with respect to requirements for Council’s approval of redevelopment proposals and redevelopment contracts submitted to Council for approval under the provisions of the Urban Redevelopment Law, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

Section 1. Chapter 16-600 of The Philadelphia Code is hereby amended to read as follows:

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 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[,], *without Council's prior approval by resolution;*

(c) *regardless of any consideration paid, nominal or otherwise, [nor may any]no material change may be made to the preliminary plans or the disposition supplement without Council’s prior approval by resolution. As used herein, a “material change” means the following differences, changes or modifications to the preliminary plans or disposition supplement:*

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(i) *increase or decrease in number of units by more than fifteen percent (15%);*

(ii) *increase or decrease in building square footage by more than fifteen percent (15%); or*

(iii) *modification of project use.*

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

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on November 16, 2017. The Bill was Signed by the Mayor on November 27, 2017.



Michael A. Decker
Chief Clerk of the City Council