

## AMENDMENTS TO SENATE BILL NO. 645

Sponsor: SENATOR LAUGHLIN

Printer's No. 686

1 Amend Bill, page 1, by inserting between lines 17 and 18

2 (i) The possessor is a resident of a city of the  
3 first class.

4 Amend Bill, page 1, line 18, by striking out "(i)" and  
5 inserting

6 (ii)

7 Amend Bill, page 2, line 3, by striking out "(ii)" and  
8 inserting

9 (iii)

10 Amend Bill, page 2, line 6, by striking out "(iii)" and  
11 inserting

12 (iv)

13 Amend Bill, page 2, line 10, by striking out "(iv)" and  
14 inserting

15 (v)

16 Amend Bill, page 2, line 14, by inserting after "frontage"

17 as well as a simple plan for paying all required  
18 taxes, unless the petitioner is otherwise exempt

19 Amend Bill, page 2, lines 15 through 25, by striking out all  
20 of said lines and inserting

21 (vi) The following:

22 (A) The court shall impose a deed restriction on  
23 the property at the time of acquisition that the  
24 property shall remain a garden or a community garden  
25 for a period of not less than seven years from the  
26 date of acquisition. The deed restriction, at a  
27 minimum, shall include a requirement that the  
28 petitioner shall:

1                   (I) Comply with local regulations relating  
2                   to:  
3                   (a) community gardens;  
4                   (b) managed open spaces;  
5                   (c) health codes; and  
6                   (d) permanent structures.

7                   (II) Only use the vacant land for the  
8                   permitted use.

9                   (B) The deed restriction shall be removable upon  
10                  petition to the court and a showing that the  
11                  restriction will impose a financial or economic  
12                  hardship on the current title holder.

13                  Amend Bill, page 3, line 29, by striking out all of said line  
14                  and inserting

15                  "Permitted use." The term includes growing, harvesting and  
16                  storing flowers, fruits, vegetables, small ornamental plants and  
17                  cover crops for personal or group consumption, for donation or  
18                  for sale. The term shall not include flowers, fruits,  
19                  vegetables, small ornamental plants and cover crops that are  
20                  regulated or prohibited by Federal law.

21                  "Privately owned vacant land." Vacant land that is privately  
22                  owned. The term does not include vacant land owned by any of the  
23                  following:

- 24                  (1) The Federal Government.
- 25                  (2) The Commonwealth.
- 26                  (3) A city of the first class.
- 27                  (4) A municipal organization.
- 28                  (5) A land bank.
- 29                  (6) A redevelopment authority.
- 30                  (7) A public body.
- 31                  (8) A body corporate and politic.
- 32                  (9) A nonprofit corporation to which the following

33                  apply:

34                  (i) The nonprofit corporation is organized under the  
35                  laws of this Commonwealth.

36                  (ii) The directors of the nonprofit corporation  
37                  include the mayor and other officials of a city of the  
38                  first class.

39                  (iii) Upon the dissolution of the nonprofit  
40                  corporation, full legal title to all land acquired by the  
41                  nonprofit corporation for the purpose or as a result of  
42                  the development, improvement and maintenance of the land  
43                  shall vest in the city of the first class.

44                  Amend Bill, page 4, lines 1 through 6, by striking out ". A  
45                  permanent structure does not include fences," in line 1 and all  
46                  of lines 2 through 6 and inserting

1 and as described by the metes and bounds does not exceed a  
2 total area of one-half acre.