



City of Philadelphia

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

**BILL NO. 060161
(As Amended, 5/25/06)**

Introduced March 2, 2006

Councilmember O'Neill

**Referred to the
Committee on Licenses and Inspections**

AN ORDINANCE

Amending Title 4 of The Philadelphia Code, The Philadelphia Building Construction and Occupancy Code, by prohibiting the placement and maintenance of certain temporary fences in certain portions of the City; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 4 of The Philadelphia Code, The Philadelphia Building Construction and Occupancy Code, is amended as follows:

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

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CHAPTER 4-200.0. TEXT OF SUBCODES.

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SUBCODE "PM" (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

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CHAPTER 3. GENERAL PROPERTY AND STRUCTURAL MAINTENANCE.

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SECTION PM-302. EXTERIOR PROPERTY AREAS.

City of Philadelphia

BILL NO. 060161, as amended continued

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PM-302.6 Accessory structures: All accessory structures, including detached garages, tool sheds, decks, fences, swimming pools and walls, shall be maintained structurally sound and in good repair. In addition, every person owning or occupying land on which a swimming pool with a depth of 24 inches or greater is placed, located, constructed or erected, shall comply with the following provisions:

1. erect and maintain an enclosure which can be locked, not less than four (4) feet in height around the pool, in order to make it inaccessible to children when the pool is not in use; or

2. comply with the Philadelphia Building Code requirements for a pool cover, enclosure or other protective device as approved by the code official.

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PM-302.6.1 Temporary Fences: No person shall place or maintain a fence in the 10th Councilmanic District that is free-standing (meaning not permanently affixed to the property) and that is of a type customarily used for building projects and construction sites, such as a modular chain-link fence, unless such free-standing fence is placed and maintained in connection with a building permit issued pursuant to Subcode "A" (The Philadelphia Administrative Code), or unless such fence is placed and maintained to protect against either a potential safety hazard from an ongoing work process for which a building permit is not required or any imminent safety hazard. Any temporary fence so placed shall be removed upon completion of the work authorized by such building permit or the elimination of the present or potential safety hazard.

Explanation:

Italics indicate new matter added.