

# City of Philadelphia



Council of the City of Philadelphia  
Office of the Chief Clerk  
Room 402, City Hall  
Philadelphia

(Resolution No. 050962)

## RESOLUTION

Directing the Department of Licenses and Inspections to conduct an investigation and pursue enforcement to achieve full compliance with the Philadelphia Building Code and the terms and conditions of a zoning permit issued for 4041 Ridge Avenue.

WHEREAS, On July 24, 2002, the Zoning Board took testimony on Calendar No. 02-0874 concerning an application for partial demolition of existing buildings, and the erection of a four-story apartment building, a five-story accessory parking garage, an accessory open-air parking lot and retail space for a total of 414 dwelling units and 660 accessory parking spaces at 4041 Ridge Avenue; and

WHEREAS, During the Zoning Board hearing, questions were asked and commitments were made by a representative of the property owner and by counsel for the property owner to comply fully with the Philadelphia Building Code and to provide for the "best craftsmanship" for the project; and

WHEREAS, The project is now under construction and Tocci Building Corporation, a non-union company based in Massachusetts, is the builder; and

WHEREAS, Many concerns have been raised with respect to this construction project and Tocci's management of the project; including, but not limited to: non-payment of area prevailing wages and benefits, an unsafe work site, the utilization of unskilled labor, and the lack of diversity in the composition of the workforce; and

WHEREAS, Pursuant to Section 14-1704 of The Philadelphia Code, the Department of Licenses and Inspections has the power to "conduct investigations and surveys to determine compliance with the provisions of [the Zoning Code]"; and

WHEREAS, Section 14-1704(1)(c) states that L&I can "[s]erve written notice of violation on the holder of a permit or Zoning Board of Adjustment certificate whenever the Department determines that any person has violated any condition of such zoning permit, use registration permit, or certificate"; and

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WHEREAS, L&I has the ability to institute proceedings in court to prevent the unlawful erection of any building and can issue Cease Operation Orders; and

WHEREAS, Serious health, safety and welfare concerns have been raised with respect to this construction project; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Department of Licenses and Inspections is hereby directed to conduct an investigation and pursue enforcement to achieve full compliance with the Philadelphia Building Code and the terms and conditions of a zoning permit issued for 4041 Ridge Avenue.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-seventh of October, 2005.

Anna C. Verna  
PRESIDENT OF THE COUNCIL

Patricia Rafferty  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Nutter

Sponsored by: Councilmembers Nutter, Blackwell, Kenney, Reynolds Brown, DiCicco, Ramos, Tasco, Clarke, Miller, Council President Verna, Councilmembers Kelly, Rizzo and Krajewski