



City of Philadelphia

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

BILL NO. 140893 (As Amended, 12/3/14)

Introduced November 13, 2014

Councilmember Henon

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

AN ORDINANCE

Amending Subcode PM of Title 4 of The Philadelphia Code, entitled "The Philadelphia Property Maintenance Code," as it is amended by Bill No. 120647 (approved January 20, 2014), by further regulating security devices that limit or block access to the front face of a building or structure used for commercial purposes, under certain terms and conditions.

WHEREAS, The Philadelphia Property Maintenance Code now regulates the use of security devices that limit or block access to the front face of buildings, but those provisions apply only to certain specified areas; and

WHEREAS, The purpose of this Ordinance is to regulate the use of such security devices throughout the City; and

WHEREAS, With a City-wide regulation in place, the area-specific regulations now set forth in the Property Maintenance Code are redundant and can be repealed; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Subcode PM of Title 4 of The Philadelphia Code (the Philadelphia Property Maintenance Code), as it is amended by Bill No. 120647 (approved January 20, 2014), is further amended to read as follows:

SUBCODE "PM" (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

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§PM-4. Text of the Philadelphia Property Maintenance Code:

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Chapter 3 General Requirements

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SECTION PM-304 EXTERIOR STRUCTURE

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PM-304.20 Security devices: Existing security devices which are solid shutters shall be painted in a single solid color, shall be maintained graffiti free at all times, and shall not be used for advertising.

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Chapter 8 Special Controls In Designated Areas

SECTION PM-801 LEGISLATIVE PURPOSE

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PM-801.2 Center City: It is further the purpose of this Chapter to promote the public welfare in the Center City Extended Commercial Area by ensuring the continued suitability of the area as the City's primary business district, by encouraging the growth of the hotel and tourism industry therein, and by prohibiting the type of building disrepair that leads to property value depreciation, through the use of the reasonable controls specified herein. Additionally, this Chapter is intended to promote health and safety in the area by eliminating dangerous conditions on properties, including structural weaknesses on appurtenances, exposed electrical elements, *and* broken glass[, and solid security shutters which act to block visibility of police and fire personnel].

[PM-801.3 It is further the purpose of this Chapter to promote the public welfare in other specified neighborhood commercial areas by ensuring the continued visibility of businesses in these areas and to provide that a reasonable degree of control may be exercised over the design, construction, alteration and repair of the front faces of commercial buildings in these designated neighborhoods in order to prevent

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deterioration and blight. Additionally, this Chapter is intended to promote health and safety in these specified neighborhood commercial areas by eliminating dangerous conditions on properties including, but not limited to, solid security shutters which act to block the visibility of police and fire personnel and which attract graffiti and vandalism.]

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SECTION PM-803 DESIGNATED AREAS

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[PM-803.1.3 Specified neighborhood commercial areas: Those areas designated in Section PM-804.3.2.]

SECTION PM-804 BUILDING STANDARDS APPLICABLE TO DESIGNATED AREAS

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PM-804.1.4 *Reserved*. [Security devices: All security devices designed to limit or block access to the front face of the buildings or structures used for commercial purposes shall allow for substantial visibility of the front face at all times. Solid shutters shall not be permitted. However, notwithstanding the above, any security device lawfully in existence prior to January 20, 1982 or, in regard to the Center City Extended Commercial Area, lawfully in existence on January 1, 1993, and not in conformance with the provisions of this subsection, shall not be repaired or altered in any substantial manner except to comply with the design specifications of this subsection.]

[PM-804.1.4.1 Finish: Within the Center City Extended Commercial Area, such nonconforming security devices shall be painted in a single solid color and maintained graffiti free at all times.]

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[PM-804.3 Neighborhood commercial areas: Standards within the specified neighborhood commercial areas shall be as set forth in Sections PM-804.3.1 through PM-804.3.1.3.]

[PM-804.3.1 Security devices: In the neighborhood commercial areas specified in Section PM-804.3.2, the following requirements for security devices shall apply.]

[PM-804.3.1.1 Permitted design: All security devices designed to limit or block access to

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the front face of the buildings or structures used for commercial purposes shall be of open link design and shall allow for substantial visibility of the front face at all times.]

[PM-804.3.1.2 Prohibited design. Solid shutters, solid roll-down security grates or similar devices shall not be permitted.]

[PM-804.3.1.3 Compliance. Any security device lawfully in existence on the effective date of this Section and not in conformance with the provisions of this Section shall not be altered or repaired in any substantial manner unless the alterations or repairs comply with the design specifications of this Section. Such previously existing security devices which are solid shutters shall be painted in a single solid color, shall be maintained graffiti free at all times, and shall not be used for advertising. For purposes of this subsection, "the effective date of this Section" shall mean the effective date of any ordinance adding a specified neighborhood commercial area to this Section.]

[PM-804.3.2 Specified areas: Neighborhood commercial areas shall consist of the following:

1. Both sides of Haverford avenue between City avenue and Brookhaven road.
2. All commercial corridors and neighborhood commercial properties throughout the Ninth Councilmanic District.
3. The East Passyunk Avenue Business Improvement District as delineated in Bill No. 020431 (approved December 17, 2002).
4. All commercial corridors and neighborhood commercial properties throughout the First Councilmanic District not already covered by Section PM-804.3.2(3), relating to the East Passyunk Avenue Business Improvement District.
5. All commercial corridors and neighborhood commercial properties throughout the Tenth Councilmanic District, as defined by Section 20-501 of The Philadelphia Code, relating to boundaries of Councilmanic Districts.]

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SECTION 2. This Ordinance shall take effect upon the effective date of Bill No. 120647 (approved January 20, 2014).