



City of Philadelphia

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

**BILL NO. 150266
(As Amended, 5/14/15)**

Introduced April 9, 2015

Councilmember Henon

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

AN ORDINANCE

Amending Chapter 9-3900 of The Philadelphia Code, entitled "Property Licenses and Owner Accountability," by adding definitions and providing for the transition from housing inspection licenses to rental licenses in 2015; and amending Subcode "F" of Title 4, entitled "The Philadelphia Fire Code," to remove the exception to payment of the high-rise inspection fee for certain occupancies; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-3900 of The Philadelphia Code, entitled "Property Licenses and Owner Accountability," is amended to read as follows:

CHAPTER 9-3900. PROPERTY LICENSES AND OWNER ACCOUNTABILITY.

§9-3901. General Provisions.

(1) Administration. Subcode A of Title 4 (the Philadelphia Administrative Code) shall apply to the provisions of this Chapter, and govern their administration [.] *and* Chapter 9-100 shall not apply to this Chapter. [The definitions set forth in §PM-202 shall apply to this Chapter, except with respect to terms specifically defined herein.]

* * *

(5) *Definitions.* The following terms shall have the following meanings in this Chapter.

City of Philadelphia

BILL NO. 150266, as amended continued

(a) *Dormitory: A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group.*

(b) *Dwelling unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, including such units contained within residential condominium buildings.*

(c) *Family: A person living independently or a group of persons living as a single household unit using housekeeping facilities in common, but not to include more than three persons who are unrelated by blood, marriage, adoption, or foster-child status, or are not Life Partners.*

(d) *Hotel: Any building containing six or more guestrooms, intended or designed to be occupied, or which are rented or hired out to be occupied, for sleeping purposes by guests.*

(e) *Let for occupancy: To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.*

(f) *Multiple-family dwelling: A building containing more than two dwelling units.*

(g) *Occupancy: The purpose for which a building or portion thereof is used or occupied.*

(h) *One-family dwelling: A building containing one dwelling unit with not more than five lodgers or boarders in addition to the primary family.*

(i) *Operator: Any person who has charge, care, management, or control of a structure or premises, or portion of a structure or premises, which is occupied.*

(j) *Owner: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the Commonwealth of Pennsylvania or City and County of Philadelphia as holding title to the property; or otherwise having control of the property; including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.*

City of Philadelphia

BILL NO. 150266, as amended continued

(k) *Person: An individual, corporation, firm, partnership, association, organization, or any other group acting as a unit.*

(l) *Premises: A lot including all buildings and structures erected on that lot.*

(m) *Rooming house: A building containing rooming units arranged or occupied for lodging, with or without meals, and not occupied as a one-family dwelling or a two-family dwelling.*

(n) *Rooming unit: Any room or group of rooms which together form a single habitable unit occupied or intended to be occupied by an individual or family for sleeping or living, but not for cooking purposes.*

(o) *Two-family dwelling: A building containing two dwelling units with not more than five lodgers or boarders in addition to the primary family in each dwelling.*

§9-3902. Rental Licenses.

(1) Required.

(a) The owner of any dwelling unit, multiple family dwelling, rooming house, dormitory, hotel, one-family dwelling, two-family dwelling, or rooming unit let for occupancy must obtain a rental license. No person shall collect rent with respect to any property that is required to be licensed pursuant to this Section unless a valid rental license has been issued for the property.

(b) Exceptions.

(i) If a building contains multiple dwelling units, a single rental license may be obtained for the entire building, *provided that such license shall specify each unit in such building governed by such license.*

* * *

(iii) *The holder of a housing inspection license under former Section PM-102.1 for 2015, or the owner of any dwelling or dwelling unit subject to the requirements of this Section that is part of a building governed by a housing inspection license applicable to such building in its entirety in 2015, need not obtain a rental license in order to let the property or any portion of such property for occupancy in 2015.*

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City of Philadelphia

BILL NO. 150266, as amended continued

SECTION 2. The holder of a housing inspection license for 2015 shall not be entitled to a refund of any fee paid in connection with such license in connection with a property, or portion of a property, with respect to which a rental license is not required in 2015 pursuant to Section 9-3902 of The Philadelphia Code as it shall go into in effect on July 1, 2015, pursuant to Bill No. 140892-A.

SECTION 3. Subcode "F" of Title 4 of The Philadelphia Code, The Philadelphia Fire Code, is hereby amended as follows:

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

* * *

SUBCODE "F" (THE PHILADELPHIA FIRE CODE)

* * *

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

* * *

SECTION 408 USE AND OCCUPANCY-RELATED REQUIREMENTS

* * *

F-408.12 High-rise buildings. The fire code official shall inspect high-rise buildings for compliance with this code. The owner, manager or operator of high-rise buildings shall pay an annual inspection fee based on the gross square footage of floor area as set forth in the Philadelphia Administrative Code.

Exception: Buildings or portions of buildings that are classified as Group R-2 occupancies, *and which are not a condominium established pursuant to 68 Pa. C.S. § 3101 et seq. or cooperative established pursuant to 68 Pa. C.S. § 4101 et seq.*, are subject to the housing inspection license in lieu of the high-rise annual inspection fee.

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City of Philadelphia

BILL NO. 150266, as amended continued

SECTION 4. This Ordinance shall go into effect on July 1, 2015.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

City of Philadelphia

BILL NO. 150266, as amended continued