

# City of Philadelphia



(Bill No. 020310)

## AN ORDINANCE

Amending Title 4 of The Philadelphia Code (“The Philadelphia Building Construction and Occupancy Code”), Subcode “PM” (The Philadelphia Property Maintenance Code), by amending Section PM-304.0 entitled “Exterior Structure” and by amending Section PM-307.0 entitled “Unsafe and Unfit Structures and Equipment” by adding provisions regulating the maintenance and inspection of piers and other waterfront structures, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 4 of The Philadelphia Code is amended to read as follows:

### TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

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#### CHAPTER 4-200 TEXT OF SUBCODES

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#### SUBCODE “PM” (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

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#### CHAPTER 3

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#### SECTION PM-304.0 EXTERIOR STRUCTURE

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*PM-304.9 Piers and other waterfront structures: In order to confirm and maintain the structural integrity of their structures, the owners of piers, bulkheads, wharves, docks, moored vessels, and other structures that have structural elements partly or totally below water along the shorelines of the Delaware River, Schuylkill River, or estuaries shall inspect and submit a structural assessment report to the Department of Licenses and Inspections on a triennial basis with the first report due no later than January 1, 2003.*

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*Subsequent reports will be due January 1, 2006 and every three years thereafter. The structural assessment report shall be subject to the provisions of PM-304.9.1 through PM-304.9.6.*

## *Exceptions*

1. *The reporting requirement shall not apply to pipelines, bridges, dams, utility towers, tram towers, and water and wastewater discharge and intake structures.*

2. *The reporting requirement shall not apply to vacant piers and other waterfront structures provided:*

(a) *A barrier to human occupancy is maintained at all points of access from the on-shore side of the pier or other waterfront structure.*

(b) *The owner files an "Affidavit of Vacant Pier" with the Department of Licenses & Inspections.*

(c) *The owner maintains a vacant property license.*

(d) *The pier or other waterfront structure is posted on all sides, in a visible and conspicuous manner, with "Danger-No Trespassing" signs.*

*PM- 304.9.1 Minimum qualification of inspection personnel: The personnel involved in the inspection of piers and other waterfront structures shall possess the following qualifications:*

*PM-309. 1.1 Project engineer: A professional engineer registered in the Commonwealth of Pennsylvania shall be designated as the project engineer and shall prepare the structural assessment report. The project engineer shall have at least five years experience in the field of marine structure construction and design techniques with specific verifiable knowledge of relieving platforms, high water structures, and cellular structures.*

*PM- 309.1.2 Team leader: All underwater inspections shall be led by and under the direction of a team leader who shall be a professional engineer registered in the Commonwealth of Pennsylvania. The team leader shall have at least three years experience in the field of marine structure construction and design techniques. The team leader shall also be a qualified diver or shall use a video monitor to assess and record the divers' inspections.*

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*PM-309.1.3 Divers: Underwater inspections shall be performed by divers who are graduates of a commercial diving school. Divers shall have completed at least 80 hours of instruction specifically related to structural inspections or shall have at least six months verifiable wharf builder experience in the Delaware bay, river, or estuary.*

*PM-304.9.2 Inspections: The inspections required by this Section shall be classified as follows:*

*PM-304.9.2.1 Routine inspections: Routine inspections shall be performed and a structural assessment report prepared at least once every three years as set forth in PM-304.9. The inspections shall include:*

*PM-304.9.2.1.1 Topside inspections: Topside inspection of the above-water portions of the pier or other waterfront structure.*

*PM-304.9.2.1.2 Underwater inspections: Underwater inspection by personnel qualified to perform such inspections, of those portions of the pier or other waterfront structure that cannot be inspected above water.*

*PM-304.9.2.2 Post-event inspection: A post-event inspection shall be performed, and a structural assessment report submitted, following a damage-causing event such as impact by vessel, major flood, ice flow, or similar event.*

*PM-304.9.3 Structural assessment rating system: A rating system conforming to the following criteria shall be used in the structural assessment report to describe the overall condition of the pier or other waterfront structure.*

*PM-304.9.3.1 Very Good - No visible defects or deterioration observed. All structural elements are sound and performing their function. No repairs are required to accommodate the structure's current use and loading conditions.*

*PM-304.9.3.2 Good - Localized minor defects or deterioration observed. All structural elements are sound and performing their function. No repairs are required to accommodate the structure's current use and loading conditions.*

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*PM-304.9.3.3 Fair - Moderate defects or deterioration observed. Primary structural elements are sound, however, repairs must be completed in order to accommodate the structure's current use and loading conditions.*

*PM-304.9.3.4 Poor - Advanced defects or deterioration observed. Overstressing of structural elements observed. The structure or a portion thereof, must be posted with maximum permitted live load certificate(s) and the use restricted until repairs are completed.*

*PM-304.9.3.5 Serious - Advanced defects or deterioration observed. Overstressing or breakage of structural elements that significantly affects the load bearing capacity of primary structural elements. Localized failure is possible and portions of the structure must be barricaded from occupancy and posted until repairs are completed.*

*PM-304.9.3.6 Critical - Very advanced defects or deterioration observed. Overstressing or breakage of structural elements has resulted in failure(s) of primary structural components. Widespread failure is possible. All occupancy must cease immediately and the structure barricaded and posted. The pier or other waterfront structure must remain closed until repairs are completed.*

*PM-304.9.4 Structural assessment report: Structural assessment reports shall be sealed by the project engineer. Each report shall consist of the following sections.*

*PM-304.9.4.1 Introduction - The introduction to the report shall include:*

- (1.) Description of the facility including use (function) and loading conditions.*
- (2.) Scope of work including any limitations affecting inspections dictated by the owner or site conditions.*
- (3.) Description of the inspection including equipment, test methods, date, time, weather, stage of tide, and the names and qualifications of the survey party.*

*PM-304.9.4.2 Existing conditions - The existing conditions section of the report shall include the following. Data and results shall be documented by drawings/sketches and pictures and shall be reported in a factual manner without comment or analysis.*

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- (1.) *Results of topside and underwater inspections.*
- (2.) *Special testing accomplished in the field.*
- (3.) *Results of laboratory testing.*

*PM-304.9.4.3 Evaluation - Evaluate the structure based upon the existing conditions, current use (function), and loading conditions. The overall structural assessment rating shall be included in this section.*

*PM-304.9.4.4 Recommendations - The report shall contain:*

- (1.) *Recommendations for repairs or replacement including timeframe for completion.*
- (2.) *Restrictions of use, and required posting(s) of live load certificate(s).*

*PM-304.9.5 Posting, repairs and restricted occupancy: Based upon the recommendations of the Project Engineer, as detailed in the structural assessment report, the following shall occur:*

*PM-304.9.5.1 Required Repairs (Fair Rating) - Repairs identified by the Project Engineer as necessary to accommodate the structure's current use shall be completed within nine months of the report date.*

*PM-304.9.5.2 Post Maximum Permitted Live Load Certification (Poor Rating) - Live load certification signs, approved by the Department of Licenses & Inspections, shall be conspicuously posted.*

*PM-304.9.5.3 Barriers (Serious Rating) - Install barriers and post approved signage to prevent access to specific areas identified by the Project Engineer.*

*PM-304.9.5.4 Restrict Occupancy (Critical Rating) - Immediately cease operation of any pier or other waterfront structure determined by the Project Engineer to be in critical condition. Post "Danger - No Trespassing" signs on all sides including the on-shore and out-shore sides. Install a barrier to prevent access to the pier or other waterfront structure from all points of access from the on-shore side.*

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*PM-304.9.5.5 Rating Upgrade - Once repairs have been completed to a pier or other waterfront structure, the Project Engineer may submit an addendum to the structural assessment report to upgrade the load limitations, use, and structural assessment rating.*

*PM-304.9.6 Submission schedule: Notification of serious or critical conditions and submission of reports shall be in accordance with the following schedule:*

*PM-304.9.6.1 Should a condition warrant a serious or critical designation, the Project Engineer shall notify the owner, current occupant, and the Commissioner of the Department of Licenses and Inspections immediately. The immediate notice may be oral, but shall in all cases be submitted in writing via certified letter within 24 hours of discovery to the owner, current occupant and the Commissioner of the Department of Licenses and Inspections.*

*PM-304.9.6.2 Structural assessment reports shall be submitted to the Commissioner of the Department of Licenses and Inspections within sixty days of physical inspection.*

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## SECTION PM-307.0 UNSAFE AND UNFIT STRUCTURES AND EQUIPMENT

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**PM-307.1 Unsafe Structures:** All structures that are or hereafter shall become unsafe, unsanitary or deficient because of inadequate means of egress facilities, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed unsafe. All unsafe structures shall be taken down and removed or made safe and secure as the code official deems necessary and as provided for in this section. A vacant building that is not secured against entry shall be deemed unsafe. *Likewise, a pier or other waterfront structure shall be deemed "unsafe" pursuant to this section where the owner has not complied with the most recent deadline for performing an inspection and submitting a structural assessment report to the Department pursuant to section PM-304.9.*

**SECTION 2.** This Ordinance shall take effect immediately.

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**Explanation:**

*Italics* indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 13, 2002. The Bill was Signed by the Mayor on June 26, 2002.



Marie B. Hauser  
Chief Clerk of the City Council