



City of Philadelphia

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

BILL NO. 150791

Introduced October 22, 2015

Councilmembers Jones and Reynolds Brown

**Referred to the
Committee on Public Safety**

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Businesses, Trades and Professions," to add a Chapter requiring individuals with responsibility for determination or evaluation of means and methods used during construction or demolition to provide notification to the City upon becoming aware of a violation of law or a substandard practice that presents a substantial threat of serious bodily injury or damage to property; and making technical changes; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

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*CHAPTER 9-4300 REPORTING REQUIREMENT REGARDING
SUBSTANTIAL THREATS FROM CONSTRUCTION AND DEMOLITION PRACTICES.*

§ 9-4301. Definitions.

(1) Responsible Person. A person with significant responsibility in connection with the determination or evaluation of means and methods used during a construction or demolition project. Such person may include a general contractor, contractor, subcontractor, construction supervisor or foreperson, site safety manager, expediter, architect, engineer, owner's representative, property owner, developer or other similarly situated individual.

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§ 9-4302. Reporting Requirement.

(1) *A responsible person who knows, or should know, of a violation of law or substandard practice concerning the means and methods used in connection with a construction or demolition project, which violation or practice presents a substantial threat of death or serious bodily injury, shall promptly notify the City using the 911 emergency response system.*

§ 9-4303. Penalties and Enforcement.

(1) *A violation of Section 9-4302 is a Class III offense subject to the penalties set forth in § 1-109. The provisions of § 1-112 do not apply to this Chapter.*

(2) *In addition to any penalties imposed under this Chapter, a licensing agency may suspend or revoke any license issued by the City to a violator, or refuse to reissue such a license, for a period of time commensurate with the severity of the violation, pursuant to the procedures of § 9-103.*

(3) *A violator shall be liable for a claim for compensatory and other damages as may otherwise be provided for by law.*

(4) *The Managing Director or his designee shall where appropriate refer a violator of this Chapter to relevant criminal law enforcement or regulatory or licensing agencies.*

SECTION 2. Section 9-105 of The Philadelphia Code is amended to read as follows:

CHAPTER 9-100. GENERAL PROVISIONS.

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§ 9-105. Penalties.

- (1) Except as otherwise provided in [Chapters 9-600, 9-702, 9-800, 9-900, 9-1000, 9-1100, 9-1200 9-1600, 9-4000 and 9-4200, Sections 9-604, 9-622 and 9-623 of] this Title, and Section 11-707(1) of Title 11, any person who violates any provision of this Title or any regulation adopted hereunder shall, in addition to any other penalty indicated in this Title, pay a fine of no less than one hundred fifty (150) dollars nor more than three hundred (300) dollars.