

# City of Philadelphia



(Bill No. 030777)

## AN ORDINANCE

Amending Title 4 of The Philadelphia Code, entitled "The Philadelphia Building Construction and Occupancy Code," by adopting and incorporating, with certain additions, deletions and amendments, the 2003 International Energy Conservation Code as The Philadelphia Energy Conservation Code, under certain terms and conditions.

WHEREAS, as required by Pennsylvania Act 45 of November 10, 1999 (35 P.S. §7210.501(a)), the City must adopt standards consistent with those set forth in the Pennsylvania Uniform Construction Code; and

WHEREAS, the purpose of this Bill is to adopt, with certain additions, deletions and amendments, the 2003 International Energy Conservation Code, as published by the International Code Council, as The Philadelphia Energy Conservation Code, which will appear as Subcode "EC" in Title 4, to achieve consistency with Act 45 as well as to make certain other technical and related changes; and

WHEREAS, separate bills are being introduced to add and amend other Subcodes included within Title 4; NOW THEREFORE,

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

**SECTION 1.** Title 4 of The Philadelphia Code, entitled "The Philadelphia Building Construction and Occupancy Code" is hereby amended to read as follows:

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

#### CHAPTER 4-100.0 LISTING OF SUBCODES

§4-101.0 Listing of Subcodes. This title shall consist of the following subcodes:

\* \* \*

( ) Subcode "EC" (The Philadelphia Energy Conservation Code)

\* \* \*

#### CHAPTER 4-200.0 TEXT OF SUBCODES

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\* \* \*

## SUBCODE “EC” (THE PHILADELPHIA ENERGY CONSERVATION CODE)

**Article EC-1.0** Adoption of the 2003 International Energy Conservation Code, with additions, deletions and amendments.

**§EC-1.1** The “2003 International Energy Conservation Code” as published by the International Code Council is hereby adopted as The Energy Conservation Code of The City of Philadelphia, with such additions, deletions and amendments as set forth in §EC-1.2.

**§EC-1.2** The 2003 International Energy Conservation Code, copies of which are on file with the Department of Licenses and Inspections, is incorporated as if fully set forth herein, subject to the following additions, deletions and amendments, including errata issued by the International Code Council:

**§EC-1.2.1** [Brackets] indicate matter deleted. *Italics* indicate matter added.

**§EC-1.2.2** Throughout the code, references to “International” codes or “ICC” codes shall be deemed to refer to the “Philadelphia” codes of the same name.

**§EC-1.2.3** The numbers of all sections and subsections shall be preceded with the prefix “EC-.”

**§EC-1.2.4** THE 2003 INTERNATIONAL ENERGY CONSERVATION CODE:

## CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

### SECTION EC-101 GENERAL

**EC-101.1 Title.** These [regulations] *provisions* shall be known as the *Philadelphia* Energy Conservation Code [of], and shall be cited as such. It is referred to herein as “this code.”

\* \* \*

**EC-101.2.2 Applicability.** The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101 *and the Administrative Code*. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

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## **EC-101.2.2.1 through EC-101.2.2.4 (Delete titles and text of Subsections without substitution)**

\* \* \*

*EC-101.5 Administrative provisions. This chapter contains those provisions that are unique to the administration of this code. All other administrative provisions applicable to this code are as set forth in the Administrative Code.*

\* \* \*

## **SECTIONS EC-104 through EC-107**

### **(Delete titles and text of sections in their entirety without substitution)**

\* \* \*

**SECTION 2.** The provisions of Title 4 of The Philadelphia Code added by Section 1 of this Ordinance, so far as they are the same as existing provisions of The Philadelphia Code, shall be construed as a continuation of such provisions and not as new enactments.

**SECTION 3.** This Ordinance shall take effect as follows:

(a) From the time of adoption of this Ordinance until January 1, 2004, an applicant for a permit under one or more of the subcodes of Title 4 of The Philadelphia Code shall have the option of proceeding under the provisions of Title 4 as amended by this Ordinance, or under the provisions of Title 4 as they existed immediately prior to adoption of this Ordinance.

(b) Effective January 1, 2004, the provisions of this Ordinance shall apply.

(c) *Notwithstanding any provision of this Ordinance to the contrary, at the option of the permit applicant, this Ordinance shall not apply to:*

(1) *new buildings or renovations to existing buildings for which an application for a building permit has been made to the City prior to the effective date of this Ordinance; or*

(2) *new buildings or renovations to existing buildings on which a contract for design or construction has been signed prior to the effective date of this Ordinance.*

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 18, 2003. The Bill was Signed by the Mayor on December 31, 2003.



Patricia Rafferty  
Chief Clerk of the City Council