

# City of Philadelphia



(Bill No. 130418)

## AN ORDINANCE

Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode PM (The Philadelphia Property Maintenance Code), by providing requirements relating to the exterior maintenance of mixed-use buildings, revising definitions, and making technical changes, all under certain terms and conditions.

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

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

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

\* \* \*

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

\* \* \*

### CHAPTER 2 DEFINITIONS

\* \* \*

### SECTION PM-202.0 GENERAL DEFINITIONS

\* \* \*

Blighting influence: A vacant *or mixed-use* building that lacks windows with frames and glazing and/or lacks one or more doors in entryways of the building if:

1. the building is located on a block face where 80% or more buildings on the block face are occupied; or
2. the Department has provided [20] 30 days notice to the owner of the property that the Commissioner of Licenses and Inspections has determined, in consultation with

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other City officials as appropriate, that the lack of windows and/or entry doors has a significant adverse influence on the community based on the following factors:

- a. deterioration and/or safety of the property;
- b. safety of the surrounding community;
- c. the value of intact, occupied properties in the surrounding vicinity of the property;
- d. marketability of the property; and
- e. community morale.

*3. For purposes of this Section mixed-use building shall mean a building consisting of no more than five stories with a nonresidential occupancy located below a residential occupancy.*

\* \* \*

## CHAPTER 3 GENERAL PROPERTY AND STRUCTURAL MAINTENANCE

\* \* \*

### SECTION PM-304.0 EXTERIOR STRUCTURE

\* \* \*

PM-304.8 Windows and doors: Every window, door and frame shall be kept in sound condition, good repair, weather tight and free of broken glazing.

\* \* \*

*PM-304.8.4 Mixed-use building: The owner of a mixed-use building that is a blighting influence shall secure all spaces designed as windows, with windows that have frames and glazing, and all entryways, with doors. Sealing the building with boards or masonry or other materials that are not windows with frames and glazing or entry doors shall be a violation of this subsection.*

*PM-304.8.4.1 Enforcement: Enforcement of PM-304.8.4 shall be in accordance with the provisions of the Administrative Code.*

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*PM-304.8.4.2 Penalties: If the owner does not comply with the notice of violation or fails to correct the conditions specified therein within the required period of time, the owner shall be subject to the penalties set forth in A-601.1 of the Administrative Code, relating to basic fines, provided that it shall be a separate offense, for which a separate fine may be imposed, for the owner to fail to secure each separate door, window or other entrance or opening enumerated in the written notice of violation. As provided in A-601.4, each day that each such separate violation continues, after issuance of a notice or order, shall also be deemed a separate offense for which a separate fine may be imposed.*

\* \* \*

SECTION 2. This Ordinance shall become effective within 90 days.

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**Explanation:**

[Brackets] indicate matter deleted.  
*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 20, 2013. The Bill was Signed by the Mayor on July 11, 2013.



Michael A. Decker  
Chief Clerk of the City Council