



City of Philadelphia

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

BILL NO. 160005

Introduced January 21, 2016

Councilmembers Blackwell and Parker

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

AN ORDINANCE

Amending Chapter 9-1000 of The Philadelphia Code, entitled "Trades," to add Section 9-1009 entitled "Restoration Contractor License," to require restoration contractors to obtain a City license and comply with other requirements; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-1000 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-1000. TRADES.

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§ 9-1009. *Restoration Contractor License.*

(1) *Definitions.*

(a) *Certified Restoration Contractor. A Restoration Contractor that meets the requirements of subsection (5).*

(b) *IICRC. Institute of Inspection Cleaning and Restoration Certification, an independent, nonprofit standard-setting and certification body.*

(c) *Restoration Contractor. Any person, corporation, partnership, sole proprietorship or other business entity that has as its primary business performing Restoration Services.*

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(d) *Restoration Services.* The cleaning, repair and restoration of structures that have suffered damage from water, fire, mold or other cause.

(2) *License Required.*

(a) *No person or business entity shall act as a Restoration Contractor unless that entity possesses a current and valid license issued under this Section.*

(b) *A license issued under this Section shall be valid for one year. The annual fee for the license shall be two hundred dollars (\$200).*

(3) *Requirements for License.*

(a) *Application Requirements.* Applications for a Restoration Contractor's license shall be made on forms to be supplied by the Department. No license or renewal shall be issued unless the applicant:

(.1) *provides the Department with a copy of the applicant's commercial activity license and tax identification number;*

(.2) *provides the Department with proof that the applicant has obtained the insurance and bonding required by this Section;*

(.3) *confirms that all City tax obligations are satisfied and that the Restoration Contractor is in compliance with all applicable laws of the Commonwealth relating to the operation of its business;*

(.4) *confirms that it can respond to emergencies on a 24/7 basis and reach a site within thirty minutes of being contacted; and*

(.5) *confirms that it is a Certified Restoration Contractor.*

(4) *Insurance and Bonding Requirements.* All Restoration Contractors licensed under this Section shall at all times maintain, at a minimum, the following types and amounts of insurance and bonding:

(a) *Insurance requirements.*

(.1) *workers' compensation where applicable at statutory limits;*

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(.2) *comprehensive general liability, including products and completed operations, of an amount to be determined by the Risk Manager; and*

(.3) *motor vehicle liability insurance, in an amount determined by the Risk Manager.*

(b) *Bonding requirements.*

(.1) *A license or permit bond in an amount to be determined by the Risk Manager shall be maintained by the Restoration Contractor to ensure compliance with all provisions of the Code.*

(5) *Certification requirement*

The Department shall issue a certification to any Restoration Contractor that demonstrates that it possesses the knowledge and skill to consistently perform Restoration Services in a professional manner. The Department may issue regulations setting forth the manner in which such a demonstration shall be made and the specific standards to be met. In any case, certification as an "IICRC Certified Firm" shall be prima facie evidence that the business qualifies for certification. The regulations may include a list of certifications provided by other rating organizations that will be accepted in lieu of an IICRC certification as prima facie evidence that a business qualifies.

(6) *License Suspension and Revocation.*

(a) *The Department may suspend or revoke any license granted under this Section for any of the following reasons:*

(.1) *fraud or deceit in obtaining or renewing a license or permit;*

(.2) *repeated failure to comply with the provisions of The Philadelphia Code, including failure to secure required permits or to pay taxes or fines;*

(.3) *failure to obtain or maintain the insurance and bonding required by this Section; or*

(.4) *conviction of a crime of fraud or dishonesty in connection with the licensed activity.*

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SECTION 2. Effective Date. This Ordinance shall take effect immediately upon final passage.

Explanation:

Italics indicate new matter added.