



City of Philadelphia

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

RESOLUTION NO. 190069

Introduced January 31, 2019

Councilmember Greenlee
for
Councilmember Henon

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter providing for the creation of a Contractor Review Board within the Department of Licenses and Inspections; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Estimates place the amount of lost tax revenue to the "Underground Economy" in Philadelphia in the tens of millions of dollars; and

WHEREAS, That money generated from the lost taxes could otherwise have gone to the Philadelphia School District; and

WHEREAS, The City of Philadelphia has a vested interest in ensuring the safety of all construction sites and all workers who are on those sites; and

WHEREAS, Implementing a Contractor Review Board will ensure that the City can do the best job possible to protect workers and cut down on the amount of revenue that is lost as a part of the "Underground Economy"; and

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE V EXECUTIVE AND ADMINISTRATIVE BRANCH

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POWERS AND DUTIES Managing Director and Departments, Boards and Commissions under his Supervision

CHAPTER 10 DEPARTMENT OF LICENSES AND INSPECTIONS AND ITS DEPARTMENTAL BOARDS

§5-1008 Contractor Review Board.

(1) The Contractor Review Board Shall:

(a) Meet bi-weekly and provide enforcement and oversight power to the Department of Licenses and Inspections over the conduct of contractors;

(b) Be comprised of no more than eleven (11) members, three of which shall be the Commissioner of Licenses and Inspections, Commissioner of Revenue, and a representative from the City of Philadelphia Law Department, or their individual designees. The remaining eight (8) shall be appointed at the discretion of the Managing Director;

(c) Act as a method for homeowners to file complaints against their contractor.

(d) Have the authority to conduct audits and investigations regarding the conduct at any given construction site, as it relates to the licensing, regulation, and compliance of such site with all applicable laws.

(d) Assist investigators from the Departments of Licenses and Inspections and Revenue with investigations related to applicable:

(i): Wage theft laws under §9-4300 of this Code

(ii): Employment and Unemployment laws under Title 34 of the Pa. Cons. St.

(iii): Permit laws under Chapter 3 of The Philadelphia Administrative Code

(iv): Licensing Laws under §9-1004 of The Philadelphia Code

(v): OSHA safety laws under Section 4 of §9-1004 of The Philadelphia Code

(vi): Tax laws under Chapter 19 of The Philadelphia Administrative Code

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(vii): Worker's Compensation Laws under 34 PA §121

(e) Conduct hearings to evaluate the validity of complaints leveled against contractors, and determine the proper means of enacting penalties, should those contractors be in violation of applicable laws.

(i): Applicable penalties shall be in accordance with those defined in Sec. 10 of §9-1004 of this Code

(ii): These hearings shall be open to the public and allow for the open discussion within this forum

(f) Hold the power to suspend a Contractor's license for violations that arise from an investigation into their conduct pursuant to Section 9 of §9-1004 of The Philadelphia Code.

(g) Prepare quarterly reports outlining the actions taken to enforce the requirements of this section, which will be made available to the public.

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