



# City of Philadelphia

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

## Legislation Details (With Text)

**File #:** 000025      **Version:** 1      **Name:**

**Type:** Bill      **Status:** ENACTED

**File created:** 2/3/2000      **In control:** Committee on Licenses and Inspections

**On agenda:**      **Final action:** 5/4/2000

**Title:** 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 amending Section PM-307.0 entitled "Unsafe and Unfit Structures and Equipment" and Section PM-308.0 entitled "Imminently Dangerous Structures" by providing for the installation of a fence or other protective devices and other related measures after demolition of a structure, under certain terms and conditions.

**Sponsors:** Councilmember Nutter, Councilmember Cohen, Councilmember Mariano, Council President Verna, Councilmember Reynolds Brown, Councilmember DiCicco, Councilmember Tasco, Councilmember Miller, Councilmember Kenney, Councilmember Ortiz, Councilmember Rizzo, Councilmember O'Neill, Councilmember Krajewski, Councilmember Clarke

**Indexes:** IMMINENTLY DANGEROUS STRUCTURES

**Code sections:** 307.0 - Unsafe and Unfit Structures and Equipment, 307.6 - Disregard of notice, 308.0 - Imminently Dangerous Structures, 308.4 - Disregard of notice, 4-100.0 - LISTING OF SUBCODES, 4-200.0 - TEXT OF SUBCODES, Title 4 - THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

**Attachments:** 1. CertifiedCopy00002501.pdf

| Date      | Ver. | Action By                             | Action  | Result | Tally |
|-----------|------|---------------------------------------|---|--------|-------|
| 5/16/2000 | 1    | MAYOR                                 | SIGNED  |        |       |
| 5/4/2000  | 1    | CITY COUNCIL                          | READ  |        |       |
| 5/4/2000  | 1    | CITY COUNCIL                          | PASSED  | Pass   | 16:0  |
| 4/27/2000 | 1    | CITY COUNCIL                          | ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR   |        |       |
| 4/27/2000 | 1    | CITY COUNCIL                          | SUSPEND THE RULES OF THE COUNCIL                      | Pass   |       |
| 4/27/2000 | 1    | CITY COUNCIL                          | ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR |        |       |
| 4/25/2000 | 0    | Committee on Licenses and Inspections | HEARING NOTICES SENT                                  |        |       |
| 4/25/2000 | 0    | Committee on Licenses and Inspections | AMENDED   |        |       |
| 4/25/2000 | 1    | Committee on Licenses and Inspections | REPORTED FAVORABLY, RULE SUSPENSION REQUESTED         |        |       |
| 2/3/2000  | 0    | CITY COUNCIL                          | Introduced  | Pass   |       |
| 2/3/2000  | 0    | CITY COUNCIL                          | Referred  |        |       |

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 amending Section PM-307.0 entitled "Unsafe and Unfit Structures and Equipment" and Section PM-308.0 entitled "Imminently Dangerous Structures" by providing for the installation of a fence or other protective devices and other related measures after demolition of a structure, under certain terms and conditions.

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 as follows:

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

**CHAPTER 4-100.0 LISTING OF SUBCODES**

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**CHAPTER 4-200.0 TEXT OF SUBCODES**

\* \* \*

**SUBCODE "PM" (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)**

\* \* \*

**SECTION PM-307.0 UNSAFE AND UNFIT STRUCTURES AND EQUIPMENT**

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**PM-307.6 Disregard of notice:** Where the order to eliminate an unsafe condition is not obeyed, the Department, in addition to invoking any other sanction or procedure, is authorized to eliminate the unsafe condition or contract with other persons for repair or demolition and, with the approval of the Law Department, collect costs, including departmental monitoring costs, from the owner by lien or otherwise. *When the Department proceeds to demolish any structure whether by contract or by its own employees, the contract or the Department may provide for the installation of a fence or other protective devices and the application of environmentally-safe treatments to control vegetative overgrowth by the demolition contractor or by Department employees in order to secure the perimeter of the vacant lot, protect the health, safety and welfare of the community, prevent overgrowth and deter the illegal dumping of trash and debris. In addition, the Department shall work cooperatively with other city and city-related agencies on any plans for the acquisition, disposition and re-use of vacant lots including, but not limited to: community development, housing, neighborhood gardening, landscaping, play areas, side yards, or any other legal uses. The Commissioner shall have the discretion to determine whether a fence or other protective device is necessary based on a planned re-use of the vacant lot by an abutting or nearby property owner, community development corporation, community-based or block organization; other unique circumstances; or upon the written request of a City department, agency or official.*

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**SECTION PM-308.0 IMMINENTLY DANGEROUS STRUCTURES**

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**PM-308.4 Disregard of notice:** Where the order to eliminate an unsafe condition is rejected or not obeyed, or when, in the opinion of the code official, immediate action is required to protect the public safety, the code official shall cause the necessary work to be done to demolish the structure or to render the structure

temporarily safe. Nothing in this code shall be deemed to limit in any way the right, under existing law or ordinance, of any department of the City to correct or remove any condition deemed to be an immediate hazard to the health or safety of the public. *When the Department proceeds to demolish any structure whether by contract or by its own employees, the contract or the Department may provide for the installation of a fence or other protective device and the application of environmentally-safe treatments to control vegetative overgrowth by the demolition contractor or by Department employees in order to secure the perimeter of the vacant lot, protect the health, safety and welfare of the community, prevent vegetative overgrowth and deter the illegal dumping of trash and debris. In addition, the Department shall work cooperatively with other city and city-related agencies on any plans for the acquisition, disposition and re-use of vacant lots including, but not limited to: community development, housing, neighborhood gardening, landscaping, play areas, side yards, or any other legal uses. The Commissioner shall have the discretion to determine whether a fence is necessary based on a planned re-use of the vacant lot by an abutting or nearby property owner, community development corporation, community-based or block organization; other unique circumstances; or upon the written request of a City department, agency or official.*

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SECTION 2. This Ordinance shall take effect on July 1, 2000.

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**Explanation:**

*Italics* indicate new matter added.