

Legislation Text

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Amending Subcode "PM" (Property Maintenance Code) of Title 4 (Building Construction and Occupancy Code) of The Philadelphia Code, by adding a new Section PM-307.1.2 entitled "Construction Excavations," requiring certain measures to ensure that construction excavations be made safe where no work has been done within the past six months, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Subcode "PM" of Title 4 of The Philadelphia Code is hereby amended as follows:

SUBCODE "PM" (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

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CHAPTER 3 GENERAL PROPERTY AND STRUCTURAL MAINTENANCE

SECTION PM-307.0 UNSAFE AND UNFIT STRUCTURES AND EQUIPMENT

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PM-307.1 Unsafe Structures: All structures that are or hereafter shall become unsafe, unsanitary or deficient because of inadequate means of egress facilities, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed unsafe. All unsafe structures shall be taken down and removed or made safe and secure as the code official deems necessary and as provided for in this section. A vacant building that is not secured against entry shall be deemed unsafe. Likewise, a pier or other waterfront structure shall be deemed "unsafe" pursuant to this section where the owner has not complied with the most recent deadline for performing an inspection and submitting a structural assessment report to the Department pursuant to section PM-304.9.

PM-307.1.2 Construction Excavations. A construction excavation where no work has been done within the past six months shall be deemed unsafe and shall be subject to the same requirements, penalties and procedures as applicable to unsafe structures under this Section, unless the developer or property owner:

- 1. Submits a report to the Department from a professional engineer registered in the Commonwealth of Pennsylvania certifying that the excavation is safe;*
- 2. Provides a suitable barrier to prevent trespass;*
- 3. Maintains the site in a sanitary condition free from any trash or refuse; and*
- 4. Provides a plan that explains, to the satisfaction of the Department, how the excavation site will be kept safe and secure.*

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Explanation:

Italics indicate new matter added.