

Legislation Text

File #: 160365-A, **Version:** 2

Amending Subcodes "A" and "PM" of Title 4 of The Philadelphia Code ("The Philadelphia Administrative Code" and "The Philadelphia Property Maintenance Code"), by establishing a separate offense for certain chronic, non-compliant violators of the Property Maintenance Code; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 4. THE PHILADELPHIA BUILDING
CONSTRUCTION AND OCCUPANCY CODE

* * *

SUBCODE "A" (THE PHILADELPHIA ADMINISTRATIVE CODE)

* * *

CHAPTER 5
VIOLATIONS

* * *

SECTION A-506 CODE VIOLATION NOTICES (CVN)

A-506.1 General. The code official is authorized to issue notices of violation for any violation of any provision of this code or the technical codes, pursuant to the procedures set forth in Section 1-112 of The Philadelphia Code.

A-506.2 Remittance amount. The amount required to be remitted in response to a notice of violation is the amount indicated in Section 1-112 of The Philadelphia Code unless otherwise specified.

Exceptions: The amount required to be remitted shall be as follows for violation of the following provisions:

* * *

10. Section PM-904 (*Chronic Non-Compliant Owner*). . . . One hundred fifty dollars (\$150.00)

* * *

CHAPTER 6
PENALTIES

SECTION A-601 PENALTIES

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A-601.2 Fines for Class II offenses: Notwithstanding subsection A-601.1, any person who violates any of the following provisions shall have committed a Class II offense and be subject to the fines set forth in subsection 1-109(2) of The Philadelphia Code:

* * *

12. [Reserved;]

[13.] PM-902 (Foreclosed Vacant Residential Properties);

13. PM-904 (*Chronic Non-Compliant Owner*);

* * *

SUBCODE "PM" (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

* * *

CHAPTER 9

ADDITIONAL SPECIAL REQUIREMENTS

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SECTION PM-904 CHRONIC NON-COMPLIANT OWNER

PM-904.1 Chronic Non-Compliant Owners. Any person who violates one or more provision of the PM Code designated in this Section PM-904.1 with respect to a residential property on separate days, at a frequency set forth in Section PM-904.2, shall, in addition to the underlying PM Code violations, be considered a Chronic Non-Compliant Owner, subject to a separate penalty for such offense as set forth in Section A-601. Each Chronic Non-Compliant Owner violation, after the first, shall constitute a separate offense.

- 1. PM Code Chapter 3 (General Requirements), but not including Section PM-305 (Interior Structure);*
- 2. Section PM-507 (Storm Drainage);*
- 3. PM Code Chapter 8 (Special Controls in Designated Areas); and*
- 4. PM Code Chapter 9 (Additional Special Requirements).*

* * *

PM-904.2 Frequency of Violations. Violations at the following frequencies shall render a person a Chronic Non-Compliant Owner, as set forth in Section PM-904.1.

- 1. Six occasions of violation within a two-year period; or*
- 2. Three occasions of violation within a two-year period, provided that, with respect to each such violation, the violation is not remedied within 30 days of provision of, nor an appeal pending regarding, the initial notice of violation.*

* * *

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.