Legislation Details (With Text)

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Type:	Bill		**Status:**	ENACTED	
File created:	5/14/2015		**In control:**	Committee on Licenses and Inspections	
On agenda:			**Final action:**	6/18/2015	

Title: Amending Section 9-1306 of The Philadelphia Code, entitled "Special Inspection Agencies and Special Inspectors," and Subsection A-902, entitled "Building, Fuel Gas and Mechanical Code Fees," to further provide for the registration of special inspection agencies and special inspectors, qualifications for such registrations and duties of such agencies and inspectors; and to authorize the Department of Licenses and Inspections to establish fees for obtaining special inspection certifications; all under certain terms and conditions.

Sponsors: Councilmember Jones, Councilmember Reynolds Brown, Councilmember Blackwell, Councilmember Quiñones Sánchez

Indexes: FEES, SPECIAL INSPECTION AGENCIES AND SPECIAL INSPECTORS

Code sections: 9-1306 - Special Inspection Agencies and Special Inspectors, A-902.0 - BUILDING, FUEL GAS AND MECHANICAL CODE FEES

Attachments: 1. CertifiedCopy15047200.pdf

Date	Ver.	Action By	Action	Result	Tally
6/30/2015	0	MAYOR	SIGNED		
6/18/2015	0	CITY COUNCIL	READ AND PASSED	Pass	15:0
6/11/2015	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
6/11/2015	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/11/2015	0	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/11/2015	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
6/11/2015	0	Committee on Licenses and Inspections	HEARING HELD		
6/11/2015	0	Committee on Licenses and Inspections	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
5/14/2015	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Section 9-1306 of The Philadelphia Code, entitled “Special Inspection Agencies and Special Inspectors,” and Subsection A-902, entitled “Building, Fuel Gas and Mechanical Code Fees,” to further provide for the registration of special inspection agencies and special inspectors, qualifications for such registrations and duties of such agencies and inspectors; and to authorize the Department of Licenses and Inspections to establish fees for obtaining special inspection certifications; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-1306 of The Philadelphia Code is amended as follows:

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§ 9-1306. Special Inspection Agencies and Special Inspectors.

* * *

(3) Registration of Special Inspection Agencies *and Special Inspectors*.

(a) General. All agencies performing special inspections must be registered with the department as a special inspection agency for each of the [following] special inspection categories [that] *with respect to which* the agency intends to perform *special inspections.* Individuals *performing special inspections on behalf of agencies must be* registered *for, and* must hold and maintain the qualifications associated with*,* each category *with respect to which the individual performs special inspections*.

[(.1) Qualifications of Primary Inspector or Inspection Supervisor: Professional Engineer (Civil/Structural) and 1 year relevant experience.

(.2) Supplemental Inspector - under direct supervision of Inspection Supervisor: Must have completed a 30-hour program designed by the United States Occupational, Safety and Health Administration ("OSHA") under its Outreach Training Program for General Industry for additional training of supervisors and workers with some safety responsibilities and 3 years relevant experience.]

(b) Form and Manner of Registration. An application for registration must be submitted in a form and manner determined by the Department and must provide such information as the Department may require.

(c) Qualifications. [All special inspection agencies must ensure that the special inspectors employed by the agency meet the qualification requirements set forth in this Section and perform special inspections only within the area of expertise for which such special inspectors are qualified.] *To be registered in connection with a particular special inspection category, special inspection agencies shall meet the qualifications established by this Section.*

(.1) Experience. An agency must submit documentation that it employs one or more special inspectors registered within the area of expertise for which the agency seeks to be registered.

(.2) Exception for Accredited Agencies. An agency meeting one or more of the following accreditation standards shall not be required to comply with subsection (c)(.1):

(.a) The agency maintains current accreditation as a special inspection agency by the International Accreditation Service (IAS) in that registration area;

(.b) The agency maintains current accreditation from an established accreditation entity as a special inspection agency in accordance with ASTM E329, Standard Specification for Agencies Engaged in Construction Inspection and/or Testing; or

(.c) The agency maintains current accreditation from an established accreditation entity in accordance with the International Organization for Standardization/International Electro-technical Commission (ISO/IEC) 17020, The General Criteria for the Operation of Various Types of Bodies Performing Inspection.

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(.3) The agency must demonstrate that it meets the requirements of subsections (3)(d) and (e).

(c.1) Special inspectors must meet the relevant qualifications of Section 9-1306(7) to be registered in a special inspection category. Those registered must hold and maintain the qualifications associated with the category for which they are registered.

* * *

(e) Agency Structure. A special inspection agency must have *at least* one primary [and up to four (4) alternative full-time directors who are] *operational manager who is a* registered design professional[s in charge] *or a registered special inspector* and all special inspections must be performed under [their] *that person's* direct supervision. [The directors] *Such person* must not be retained by any other agency that provides special inspection or testing services*,* [The directors] must possess relevant experience in the inspection and testing industry and hold *a* management position[s] in the agency.

* * *

(4) Duties.

(d) Reporting. The special inspection agency shall report any discrepancies noted during the inspection to the contractor and when applicable to the [superintendment] *superintendent* of construction, as well as to the site safety coordinator or site safety manager, for correction. * * *

(g) All special inspection agencies must ensure that the special inspectors employed by the agency meet the qualification requirements set forth in this Section and perform special inspections only within the area of expertise for which such special inspectors are qualified.

* * *

(7) Special Inspection Categories and Qualifications. Special inspection work in the following area regulated by Chapters 17 and 33 of the Building Code requires registration pursuant to this Section. Engineers and/or Geologists-in-Training licensed with the State of Pennsylvania shall be under the direct supervision of the registered engineer for the specific field of inspection listed.

(a) Demolition. Qualifications to be registered to perform special inspections of demolition activities.

(.1) Primary Inspector or Inspection Supervisor: Must be a professional engineer (Civil or Structural) and have a minimum of one year relevant experience.

(.2) To be a Supplemental Inspector, must work under the direct supervision of a Primary Inspector or Inspection Supervisor and:

(.a) Must have completed a 30-hour program designed by the United States Occupational, Safety and Health Administration ("OSHA") under its Outreach Training Program for the Construction Industry for additional training of supervisors and workers and have a minimum of 3 (three) years of relevant experience; or

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(.b) Must have certification/approval of completion of an OSHA course regarding 29 CFR 1926 Subpart T-Demolition standards and applicable 29 CFR 1910 standard and have a minimum of 3 (three) years of relevant experience.

(b) Underpinning. Qualifications to be registered to perform special inspections of the underpinning of structures.

(.1) Primary Inspector or Inspection Supervisor: Must be a professional engineer (Civil or Structural) and have a minimum of one year relevant experience.

(.2) To be a Supplemental Inspector, working under the direct supervision of an Inspection Supervisor, must have a Bachelor's Degree in Civil or Structural Engineering from an accredited institution or an equivalent degree and a minimum of two years of relevant experience.

(c) The Department is authorized to develop regulations regarding the qualifications of individuals authorized to perform special inspections in special inspection categories pursuant to requirements of the Building Code.

* * *

SECTION 2. Section A-902 of Subcode "A" (The Administrative Code) of Title 4 of The Philadelphia Code is amended as follows:

TITLE 4
SUBCODE "A" (THE PHILADELPHIA ADMINISTRATIVE CODE)

* * *

CHAPTER 9 FEES

* * *

SECTION A-902 BUILDING, FUEL GAS AND MECHANICAL CODE FEES

* * *

A-902.6.4 Special *inspection agency and special* inspector [certificate] *registration*: [For the approval and listing of individuals who are retained by the ownership of property to perform inspections in accordance with the provisions of Section B-1705.0 of the Building Code (Special Inspections) the fee schedule is as follows: For each original application for listing $25.00
For each certificate of approval issued*. $25.00
For each annual renewal*. $25.00
For each delinquent annual renewal $50.00
* Required for each category in which an inspector is approved to perform a special inspection (concrete, masonry, steel, pile driving, smoke management, etc.).]

Fees for the registration of special inspection agencies and special inspectors pursuant to the requirements

of Section 9-1306 of the Code ("Special Inspection Agencies and Special Inspectors") shall be established by the Department by regulation.

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Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.