

Legislation Details (With Text)

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File created: 4/28/2016 **In control:** Committee on Licenses and Inspections

On agenda: **Final action:** 10/6/2016

Title: 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.

Sponsors: Councilmember Henon

Indexes: BUILDING CODE

Code sections: SUBCODE "A" - (THE PHILADELPHIA ADMINISTRATIVE CODE), SUBCODE "PM" - (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

Attachments: 1. CertifiedCopy160365-A02.pdf

Date	Ver.	Action By	Action	Result	Tally
10/19/2016	2	MAYOR	SIGNED		
10/6/2016	2	CITY COUNCIL	READ AND PASSED	Pass	17:0
9/29/2016	2	CITY COUNCIL	AMENDED		
9/29/2016	2	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
9/29/2016	1	CITY COUNCIL	READ		
6/9/2016	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
6/9/2016	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/9/2016	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/6/2016	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
6/6/2016	0	Committee on Licenses and Inspections	HEARING HELD		
6/6/2016	0	Committee on Licenses and Inspections	AMENDED		
6/6/2016	1	Committee on Licenses and Inspections	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
4/28/2016	0	CITY COUNCIL	Introduced and Referred	Pass	

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

* * *

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

* * *

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.