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Title:	Amending Title 4 of The Philadelphia Code, entitled “The Building Construction and Occupancy Code,” and Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by adding disclosure requirements with respect to certain applications, permits, and notices, all under certain terms and conditions.				
Sponsors:	Council President Clarke, Councilmember Johnson				
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Date	Ver.	Action By	Action	Result	Tally
11/12/2020	1	MAYOR	NO ACTION TAKEN		
10/29/2020	1	CITY COUNCIL	READ AND PASSED	Pass	17:0
10/22/2020	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL		
10/22/2020	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
10/22/2020	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
10/19/2020	0	Committee on Rules			
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9/10/2020	0	CITY COUNCIL	Introduced and Referred		

Amending Title 4 of The Philadelphia Code, entitled “The Building Construction and Occupancy Code,” and Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by adding disclosure requirements with respect to certain applications, permits, and notices, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 4. THE BUILDING CONSTRUCTION AND OCCUPANCY CODE

* * *

SUBCODE "A" (THE PHILADELPHIA ADMINISTRATIVE CODE)

* * *

CHAPTER 3 PERMITS

* * *

SECTION A-301 APPLICATION FOR PERMITS

* * *

A-301.4 By whom application is made: Application for a permit shall be made by the owner or lessee of the building or structure, or agent of either, by the registered design professional employed in connection with the proposed work; by any person or entity with written documentation of equitable ownership of that real property; by a conservator of the property; or other licensed person authorized to apply by the codes. If the application is made by a person other than the owner in fee, it shall be accompanied by a signed statement or electronic confirmation of the qualified applicant to the effect that the proposed work is authorized by the owner in fee and that the applicant is authorized to make such application. [The full names and addresses of the owner, lessee, applicant and the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application.] The full names and addresses of the owner, lessee, applicant and the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application. *With respect to (1) building permits required pursuant to § A-301.1.1 and (2) zoning and use permits required pursuant to § A-301.1.5, if the owner of the property is not a natural person or a publicly traded company, the application shall identify, in addition to the owner of the property, the name and preferred mailing address of each natural person who has an equity interest in such owner or owners of the property that exceeds one or more of the following, regardless of whether the natural person has a direct equity interest or such natural person's equity interest is held through one or more tiers of a corporate structure, such as parent-subsidiary structure: (a) forty-nine percent (49%) of the value of the property or (b) forty-nine percent (49%) of the value of the owner of the property. If no natural person has such an interest, the application shall identify the name and preferred mailing address of the two natural persons who have the largest equity interest in the property.*

* * *

SECTION A-302 PERMITS

* * *

A-302.8 Posting of permits and licenses: Permits and licenses shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official. A true copy of all permits or notice of permits issued by the Department authorizing construction activity shall be posted on the site of the operations, open to public inspection during the entire time of the prosecution of the work for which the permit has been issued. *Each permit or notice of permit required to be posted by this subsection shall include the full name and address of the owner; provided, further, that if the owner is not a natural person, the posting shall*

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also include the full names and addresses of the owner's responsible officers. If the owner is not a natural person or a publicly traded company, the permit or notice of permit shall also include, in addition to the owner of the property, the name and preferred mailing address of each natural person who has an equity interest in such owner or owners of the property that exceeds one or more of the following, regardless of whether the natural person has a direct equity interest or such natural person's equity interest is held through one or more tiers of a corporate structure, such as parent-subsidiary structure: (a) forty-nine percent (49%) of the value of the property or (b) forty-nine percent (49%) of the value of the owner of the property. If no natural person has such an interest, the permit or notice of permit shall identify the name and preferred mailing address of the two natural persons who have the largest equity interest in the property. The Department shall be authorized to establish Regulations for additional posting and signage requirements related to construction.

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CHAPTER 10. WORK SITE PUBLIC SAFETY, WORKER TRAINING IDENTIFICATION, AND SIGNAGE

* * *

SECTION A-1001 GENERAL

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A-1001.7 Work site signage:

A-1001.7.1 Sign requirements: Signs shall be posted at all construction or demolition sites in accordance with this Section.

A-1001.7.2 Project information panel sign for major buildings: The signs required in this Section shall be constructed of 3/4 inch plywood or sheet metal. The letters on the required signs shall be black on white background, with lettering of at least 1.5 inches in height. The sign shall be prominently posted onsite in an area reasonably likely to draw the attention of persons passing by. A Project Information Panel sign shall be posted at all sites of new construction, structural alteration or demolition of Major Buildings containing the following information:

* * *

(d) The name or corporate name, physical address, and telephone number of the owner of the property. *If the owner is not a natural person or a publicly traded company, the sign shall also include, in addition to the owner of the property, the name and preferred mailing address of each natural person who has an equity interest in such owner or owners of the property that exceeds one or more of the following, regardless of whether the natural person has a direct equity interest or such natural person's equity interest is held through one or more tiers of a corporate structure, such as parent-subsidiary structure: (a) forty-nine percent (49%) of the value of the property or (b) forty-nine percent (49%) of the value of the owner of the property. If no natural person has such an interest, the sign shall identify the name and preferred mailing address of the two natural persons who have the largest equity interest in the property;*

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A-1001.7.3 Project information sign for all other buildings. The signs required in this Section shall be printed by the Department on paper no smaller than 11 inches by 17 inches. The letters on the required sign shall be black on yellow background. The sign shall be prominently posted onsite in an area reasonably likely to draw the attention of persons passing by. This sign shall be posted at all sites of new construction, structural alteration or demolition of all buildings that are not required to post a project information panel pursuant to Section A-1001.7.2, and shall contain the following information:

* * *

(c) The name or corporate name, physical address, and telephone number of the owner of the property. *If the owner is not a natural person or a publicly traded company, the sign shall also include, in addition to the owner of the property, the name and preferred mailing address of each natural person who has an equity interest in such owner or owners of the property that exceeds one or more of the following, regardless of whether the natural person has a direct equity interest or such natural person's equity interest is held through one or more tiers of a corporate structure, such as parent-subsidiary structure: (a) forty-nine percent (49%) of the value of the property or (b) forty-nine percent (49%) of the value of the owner of the property. If no natural person has such an interest, the sign shall identify the name and preferred mailing address of the two natural persons who have the largest equity interest in the property;*

* * *

SECTION 2. Title 14 of The Philadelphia Code is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING

* * *

CHAPTER 14-300. ADMINISTRATION AND PROCEDURES

* * *

§ 14-303. Common Procedures and Requirements.

* * *

(5) [Reserved.] *Owner Information Required. Any application, permit or notice required by this Title 14 to be submitted, distributed, or posted shall, in addition to any requirements set forth elsewhere in this Code, provide the following information with respect to the owner of the affected property: the full name and address of the owner; and, if the owner is not a natural person, the full names and addresses of the owner's responsible officers. If the owner is not a natural person or a publicly traded company, the application, permit or notice shall also include, in addition to the owner of the property, the name and preferred mailing address of each natural person who has an equity interest in such owner or owners of the property that exceeds one or more of the following, regardless of whether the natural person has a direct equity interest or such natural person's equity interest is held through one or more tiers of a corporate structure, such as parent-subsidiary structure: (a) forty-nine percent (49%) of the value of the property or (b) forty-nine percent (49%) of the value of the owner of the property. If no natural person has such an interest, the application, permit or notice shall identify*

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the name and preferred mailing address of the two natural persons who have the largest equity interest in the property.

* * *

(12) Neighborhood Notice and Meetings.

(a) Applicability.

This subsection (12) applies to applications that:

(.1) Require Zoning Board approval of a special exception under § 14-303(7) (Special Exception Approval);

(.2) Require Zoning Board approval of a zoning variance under § 14-303(8) (Zoning Variances); or

(.3) Meet the requirements for Civic Design Review in § 14-304(5) (Civic Design Review).

* * *

(d) Initial Notice from the Applicant to RCOs and Others.

* * *

(.2) Within twenty days after receiving the notice provided by the Commission under subsection (b), an applicant must provide written notice of its application to:

(.a) Each RCO whose boundaries include the applicant's property, as set forth in the notice provided by the Commission under subsection (b);

(.b) The district councilmember whose district includes the applicant's property;

(.c) The owner, managing agent or other responsible person at every property on the list provided to the applicant by the Commission under subsection (b). Notice under this subsection (.c) shall be sent by regular mail;

(.d) The Commission;

(.e) The Zoning Board or Civic Design Review Committee, as applicable;

(.f) Director of Commerce in cases involving property that is in a district classified as an Industrial or Industrial Mixed-Use District; and

(.g) The agency responsible for administering Chapter 18-500 ("Project

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Information Forms"), for projects that require a Project Information Form pursuant to such Chapter.

(.3) The notice required by this subsection (d) shall contain the following:

(.a) The name and address of the applicant *and the Owner Information required pursuant to § 14-303(5)*;

* * *

(13) Public Notice.

(a) Required Notices and Responsibilities.

(.1) Each applicant for a special exception or variance approval shall provide sign notice that satisfies the requirements of § 14-303(13)(c) (Sign Notice) below *and § 14-303(5). In the event that L&I, the Zoning Board, or Commission provides an applicant with a template for the required sign notice that contains inaccurate information or that does not provide all of the information required by this subsection, it shall be the responsibility of the applicant to ensure that the posted sign notice is accurate and complete.*

* * *

SECTION 3. The following amendments to the Code contained in this Ordinance shall take effect immediately:

(1) The amendment to Section A-1001.7 concerning work site signage;

(2) The amendment to Section 14-303(12)(d)(.3) concerning notice sent to RCOs and others by applicants for zoning variances and special exceptions; and

(3) The amendment to Section 14-303(13)(a)(.1) concerning signs proposing zoning variances or special exceptions.

All other amendments to the Code contained in this Ordinance shall take effect January 1, 2022.

Explanation:

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