File #: 130847-A, **Version:** 2

Amending Title 4 "The Philadelphia Building Construction and Occupancy Code," by amending Subcode "A" (The Philadelphia Administrative Code), Subcode "F" (The Philadelphia Fire Code), and Subcode "PM" (The Philadelphia Property Maintenance Code) of The Philadelphia Code, by further amending construction and demolition practices, including but not limited to the following: adding new enforcement and inspection powers for the Fire Department at construction and demolition sites, requiring sharing of information amongst the City's departments to ensure compliance with all aspects of the code, establishing worksite public safety requirements, requiring evidence of training compliance by construction and demolition workers and new signage requirements; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Subcode A of Title 4 is amended to read as follows:

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

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SUBCODE "A" (THE PHILADELPHIA ADMINISTRATIVE CODE)

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CHAPTER 2. ENFORCEMENT AUTHORITY

A-201 GENERAL

A-201.1 Administration: This code and the technical codes shall be administered and enforced by the department except:

1. The Fire Code which is administered and enforced mutually by the Fire Department and the department; [and]

2. To the extent permitted under the PA Construction Code Act and Uniform Construction Code, Fire Department battalion chiefs shall have concurrent enforcement powers with the Department to issue stop work orders at a construction or demolition site whenever a violation of the Fire Code or any other condition which presents an immediate danger to life or property is detected. In issuing stop work orders, the Fire Department shall follow the procedures in Section A-504, and shall be bound by the same rules and regulations

as the Department in issuing such orders; and

[2.] *3.* As otherwise specified in this code or the technical codes.

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A-204 INTERGOVERNMENTAL COOPERATION

A-204.1 Information Sharing: In order to enhance and coordinate enforcement efforts by the various departments of the City, a system of communication and information sharing shall be established to do the following:

1. The Fire Department shall immediately notify the Department whenever a battalion chief issues a stop work order.

2. An electronic copy of each demolition permit issued by the Department shall be provided to the Fire Department within one business day of approval.

3. An electronic copy of each asbestos permit issued pursuant to Section 6-603 of the Code shall be provided by the Department to the Fire Department within one day of issuance.

4. The Department shall have direct electronic access to a database maintained by the Revenue Department that lists whether a contractor performing construction or demolition at a site has active worker's compensation wage accounts.

5. The Department shall have direct electronic access to a database maintained by the Revenue Department that lists whether a taxpayer is in compliance with this Code.

6. The Department, in collaboration with the Fire Department and Police Department, shall provide written protocols and guidance for proper handling 3-1-1 complaints regarding construction and demolition sites, including designated personnel trained and assigned to handle calls regarding complaints regarding construction and demolition of buildings, and a systematic approach to identify and promptly transfer emergency calls to the proper public safety department for a swift response. Such protocols and guidance shall be provided to 3-1-1 and City Council by December 31, 2013.

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SECTION 2. A new Chapter 10 of Subcode A of Title 4 is added to read as follows:

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

A-1001.1 Definitions.

Unless otherwise provided in the Code, the following definitions apply to this Chapter:

"OSHA 10." The 10-hour program designed and approved *by the United States Occupational,*

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Safety and Health Administration ("OSHA") under its Outreach Training Program for Construction intended to train workers on the recognition, avoidance, abatement, and prevention of safety and health hazards in workplaces in construction.

"OSHA 30." The 30-hour program designed and approved *by the United States Occupational, Safety and Health Administration ("OSA") under its Outreach Training Program for Construction for additional training of supervisors and workers with some safety responsibilities.*

"Major Building." A building that is either:

1. *More than 3 stories in height; or*
2. *More than 40 feet (12,192 mm) in height; or*
3. *Covers 10,000 square feet (929 square meters) or more of lot space, regardless of height.*

A-1001.2 Scope.

1. The provisions of this Chapter shall evidence training compliance of all construction or demolition workers. These provisions are designed to save lives and enhance the public safety of all citizens in, around or near a construction or demolition site. For rules relating to the safety of persons employed in construction or demolition operations, OSHA standards shall apply.

2. Nothing in this Chapter shall be construed to relieve persons engaged in construction or demolition operations from complying with other applicable provisions of law, nor is it intended to alter or diminish any obligation otherwise imposed by law on the owner, construction manager, general contractor, contractors, material men, registered design professionals, or other party involved in a construction or demolition project to engage in sound design and engineering, safe construction or demolition practices, including but not limited to debris removal, and to act in a reasonable and responsible manner to maintain a safe construction or demolition site and to follow all other rules, regulations and laws.

A-1001.3 Department Duties.

1. The Department shall develop forms, cards and a tracking system to ensure that all construction and demolition workers have completed the training required under this Chapter.

2. The Department shall issue a wallet sized card to each worker that has successfully completed the training required under this Chapter, upon proper application and review by the Department. At a minimum the card shall include: the name of the applicant, a recent photograph of the applicant, the name of the Department, an issue date, an expiration date, and the level of training completed.

3. The Department may accept another form of identification that evidences the same information as the departmentally issued identification card and conforms to the same specifications.

A-1001.4 Worker training requirements:

1. In order to protect public safety, all workers performing duties at a construction or demolition site, regardless of their position, shall have completed a course of training certified by the Department to provide significant public safety benefit, which course may include OSHA 10 training, and carry the Department's card or the alternative expressed in A-1001.3(3) at all times.

2. All independent contractors working at a demolition site shall have completed a course of training certified by the Department to provide significant public safety benefit, which course may include OSHA 30 training, within the past 5 years of the date of application for a contractor's license or renewal of the contractor's license and shall carry the Department's card or the alternative expressed in A-1001.3(3) at all times.

A-1001.5 Site Safety Manager. A Site Safety Manager with OSHA 30 training must be designated by the general contractor and present on the construction or demolition of a Major Building.

A-1001.6 Contractor. Contractors, construction managers, and subcontractors engaged in building or demolition work shall institute and maintain work site public safety measures that will adequately protect the general public from harm, in addition to any OSHA requirements, and provide all equipment or temporary construction necessary to safeguard all persons and property affected by such contractor's operations.

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 ¾ 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:

(a) A rendering, elevation drawing, or zoning diagram of the building exterior that does not contain logos or commercially recognizable symbols;

(b) A title line stating "Work in Progress" and specifying the intended type(s) of Building Code Occupancy Classification(s);

(c) Anticipated project completion date;

(d) The name or corporate name, physical address, and telephone number of the owner of the property;

(e) Website and telephone number of the project developer or development company, if applicable;

(f) The corporate name and telephone number of the general contractor, or for a demolition site, the demolition contractor;

(g) A statement, in both English and Spanish printed as follows: "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE, CALL 311or 911."; and

(h) A copy of the primary project permit, with the accompanying text "To see other permits issued on this property, call 311 or visit www.phila.gov/li." The permit shall be laminated or encased in a plastic covering to protect it from the elements or shall be printed directly onto the project information panel.

EXCEPTION: A rendering, elevation drawing, or zoning diagram of the building exterior is not required for demolition projects.

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 11in. x 17in. 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 Major Buildings, and shall contain the following information.

(a) A title line stating "Work in Progress" and specifying the intended type(s) of Building Code Occupancy Classification(s);

(b) Anticipated project completion date;

(c) The name or corporate name, physical address, and telephone number of the owner of the property;

(d) The corporate name and telephone number of the contractor of record on the primary project permit, or for a demolition site, the demolition contractor;

(e) A statement, in both English and Spanish printed as follows: "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE, CALL 311or 911."; and

(f) A statement printed as follows: "To see other permits issued on this property, call 311 or visit www.phila.gov/li."

SECTION 3. Title 4 of The Philadelphia Code, Subcode "F" (The Philadelphia Fire Code) is hereby amended to read as follows:

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SUBCODE "F" (THE PHILADELPHIA FIRE CODE)

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CHAPTER 1. ADMINSTRATION

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F-104.2 Authority at fires and other emergencies.

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F-104.2.4. To the extent permitted under the PA Construction Code Act and Uniform Construction Code, a fire department official is authorized to perform inspections and issue violations for buildings and structures classified as imminently dangerous by the Department of Licenses and Inspections and to perform inspections and issue violations under the Health Code, Chapter 6-600 (Asbestos Projects).

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SECTION 4. The provisions of this Ordinance shall take effect as follows:

1. Sections 1 and 2 shall take effect within 18 months of enactment.
2. The remainder of this Ordinance shall become effective immediately.

Explanation:
Italics indicate new matter.
[Brackets] indicate matter deleted.