



CITY OF PHILADELPHIA

DEPARTMENT OF LICENSES & INSPECTIONS
Municipal Services Building - 11th Floor
Philadelphia, PA 19102-1687
(215) 686-2400

CARLTON WILLIAMS SR.
Commissioner

Commissioner Joan Decker
Department of Records
Room 156, City Hall
Philadelphia, PA 19107

August 5, 2015

Re: Regulations Under Philadelphia Code Provisions A-301.5.10 and 9-1008

Dear Commissioner Decker:

Pursuant to section 8-407(a) of the Philadelphia Home Rule Charter, I am submitting regulations governing amendments to the Philadelphia Administrative Code (Title 4; A-301.5.10) and Title 9; Chapter 1008 of the Philadelphia Code.

The proposed regulation has been reviewed by Lewis Rosman, Senior Attorney, Law Department, and found to be legal and in proper form.

Please take all necessary steps to advertise these regulations for formal adoption.

Sincerely,

Ralph DiPietro
Deputy Commissioner

Attachments

cc: Michael E. Fink, Deputy Commissioner

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Memorandum

TO: Carlton Williams, Commissioner of Licenses and Inspections

FROM: Lewis Rosman, Senior Attorney

DATE: August 4, 2015

SUBJECT: Regulations Under Philadelphia Code Sections A-301.5.10 and 9-1008

I have reviewed the attached "Regulations Under Philadelphia Code Sections A-301.5.10 and 9-1008" that was submitted to the Law Department and find the regulation to be legal and in proper form. In accordance with Section 8-407(a) of The Philadelphia Home Rule Charter, you may forward this Regulation to the Department of Records where it will be made available for public inspection.



Lewis Rosman
Senior Attorney

Attachment

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DEPARTMENT OF LICENSES AND INSPECTIONS

REGULATIONS UNDER PHILADELPHIA CODE

SECTIONS A-301.5.10 and 9-1008

The Department of Licenses and Inspections hereby promulgates the following regulations regarding demolition permits and the licensing of Demolition Contractors under Sections A-301.5.10 and 9-1008 of The Philadelphia Code.

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

* * *

SUBCODE "A" (THE PHILADELPHIA ADMINISTRATIVE CODE)

* * *

**CHAPTER 3
PERMITS**

SECTION A-301 APPLICATION FOR PERMIT

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A-301.5 Contents of application

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A-301.5.10(R) The license bond submitted as part of the Demolition Contractor license application shall satisfy the bond requirement for a demolition permit set forth in Section A-301.5(10)(g) of the Administrative Code.

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TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

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§ 9-1008. Demolition Contractor License.

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§ 9-1008(R)

1. General.

- a. "Demolition" means the removal or partial removal of structural elements for purposes of removal of an entire structure. It shall not include the removal of structural elements as part of a building alteration.
- b. OSHA 30 training, or a similar training course as may be identified by the Department on its website, is the training that a person must have completed within the previous five years in order to be designated by a Demolition Contractor as the Contractor's Site Safety Manager.

2. Prohibitions and Authorizations.

- a. No person or entity shall perform, or become engaged to perform, any Demolition unless that person or entity has a current Demolition Contractor license issued under Section 9-1008 of The Philadelphia Code and these regulations.
- c. Classes of Authorization.
 - i. Class "A" Demolition Contractors are authorized to demolish any size and type of structure.
 - ii. Class "B" Demolition Contractors are authorized to demolish any size and type of structure except for Major Buildings, as defined in the Administrative Code.
- d. All licensed Demolition Contractors shall maintain an approved Demolition Supervisor and Site Safety Manager on staff at all times. If a Demolition Contractor's Site Safety Manager or Demolition Supervisor changes, the contractor shall notify the Department within 10 days of employment of the new Site Safety Manager or Demolition Supervisor and provide any required documentation with respect to their required qualifications.
- e. No building permit for Demolition, as defined in this regulation, shall be issued to any person other than a licensed Demolition Contractor.

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- f. No building permit for Demolition, as defined in this regulation, shall remain valid if the Demolition Contractor to whom the permit was issued is no longer working on that demolition project unless the permit is amended to provide for permitting of work by another licensed Demolition Contractor.
- g. Action against a license bond concerning a Demolition Contractor's failure to meet the requirements of a Demolition Contractor license or a Demolition permit may be taken by the Department following an administrative hearing.

3. License Requirements

A Demolition Contractor License, valid for one year, shall be issued after submission of an application, on a form provided by the Department, including the following:

- a. Demonstration that the applicant has a commercial activity license and contractor certification pursuant to section 9-1008(3)(a)(.3) of the Code.
- b. Demonstration of insurance as required by section 9-1008(4)(a) of the Code.
- c. Demonstration of minimum bonding.
 - i. For Class "A" Demolition Contractors, proof of a license bond in the amount of \$25,000 shall be submitted on a form approved by the Law Department.
 - ii. For Class "B" Demolition Contractors, proof of a license bond in the amount of \$10,000 shall be submitted on a form approved by the Law Department.
- d. Identification of the contractor's Site Safety Manager and demonstration that the manager has completed the required OSHA 30 or other training in the previous five years.
- e. Identification of the contractor's Demolition Supervisor and demonstration that the Supervisor has successfully passed the examination applicable to the class of license applied for.
- f. Payment of the \$200 annual fee.

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4. Effective Date Provisions.

- a. Subsections 2.a., 2.d. and 2.e. of these regulations are effective October 30, 2015.
- b. Subsections 2.c. (with respect to Demolition Supervisors) and 3.e. (the "Demolition Supervisor provisions") are effective January 1, 2016.
- c. The remainder of this regulation is effective September 14, 2015.

5. Temporary Implementation Provision.

- a. On or after January 1, 2016, a licensed Demolition Contractor that has not complied with the Demolition Supervisor provisions shall not be issued a building permit for Demolition, and shall not be engaged for a new Demolition project, until such time as the Contractor has complied with those provisions, except as provided in subsection 5.b.
- b. On or after January 1, 2016, the Commissioner may authorize no more than two three-month extensions of the period in which a licensed Demolition Contractor may obtain a building permit for Demolition or become engaged for a new Demolition project without compliance with the Demolition Supervisor provisions, if the Contractor can demonstrate competency, through proven experience in demolition, to perform demolitions authorized by the applicable class license. No such extension shall be valid after July 1, 2016.

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