

City of Philadelphia



(Bill No. 150266)

AN ORDINANCE

Amending Chapter 9-3900 of The Philadelphia Code, entitled “Property Licenses and Owner Accountability,” by adding definitions and providing for the transition from housing inspection licenses to rental licenses in 2015; and amending Subcode “F” of Title 4, entitled “The Philadelphia Fire Code,” to remove the exception to payment of the high-rise inspection fee for certain occupancies; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-3900 of The Philadelphia Code, entitled “Property Licenses and Owner Accountability,” is amended to read as follows:

CHAPTER 9-3900. PROPERTY LICENSES AND OWNER ACCOUNTABILITY.

§9-3901. General Provisions.

(1) Administration. Subcode A of Title 4 (the Philadelphia Administrative Code) shall apply to the provisions of this Chapter, and govern their administration [.] and Chapter 9-100 shall not apply to this Chapter. [The definitions set forth in §PM-202 shall apply to this Chapter, except with respect to terms specifically defined herein.]

* * *

(5) *Definitions.* The following terms shall have the following meanings in this Chapter.

(a) *Dormitory:* A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group.

(b) *Dwelling unit:* A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, including such units contained within residential condominium buildings.

(c) *Family:* A person living independently or a group of persons living as a single household unit using housekeeping facilities in common, but not to include more

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than three persons who are unrelated by blood, marriage, adoption, or foster-child status, or are not Life Partners.

(d) *Hotel: Any building containing six or more guestrooms, intended or designed to be occupied, or which are rented or hired out to be occupied, for sleeping purposes by guests.*

(e) *Let for occupancy: To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.*

(f) *Multiple-family dwelling: A building containing more than two dwelling units.*

(g) *Occupancy: The purpose for which a building or portion thereof is used or occupied.*

(h) *One-family dwelling: A building containing one dwelling unit with not more than five lodgers or boarders in addition to the primary family.*

(i) *Operator: Any person who has charge, care, management, or control of a structure or premises, or portion of a structure or premises, which is occupied.*

(j) *Owner: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the Commonwealth of Pennsylvania or City and County of Philadelphia as holding title to the property; or otherwise having control of the property; including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.*

(k) *Person: An individual, corporation, firm, partnership, association, organization, or any other group acting as a unit.*

(l) *Premises: A lot including all buildings and structures erected on that lot.*

(m) *Rooming house: A building containing rooming units arranged or occupied for lodging, with or without meals, and not occupied as a one-family dwelling or a two-family dwelling.*

(n) *Rooming unit: Any room or group of rooms which together form a single habitable unit occupied or intended to be occupied by an individual or family for sleeping or living, but not for cooking purposes.*

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(o) *Two-family dwelling: A building containing two dwelling units with not more than five lodgers or boarders in addition to the primary family in each dwelling.*

§9-3902. Rental Licenses.

(1) Required.

(a) The owner of any dwelling unit, multiple family dwelling, rooming house, dormitory, hotel, one-family dwelling, two-family dwelling, or rooming unit let for occupancy must obtain a rental license. No person shall collect rent with respect to any property that is required to be licensed pursuant to this Section unless a valid rental license has been issued for the property.

(b) Exceptions.

(i) If a building contains multiple dwelling units, a single rental license may be obtained for the entire building, *provided that such license shall specify each unit in such building governed by such license.*

* * *

(iii) *The holder of a housing inspection license under former Section PM-102.1 for 2015, or the owner of any dwelling or dwelling unit subject to the requirements of this Section that is part of a building governed by a housing inspection license applicable to such building in its entirety in 2015, need not obtain a rental license in order to let the property or any portion of such property for occupancy in 2015.*

* * *

SECTION 2. The holder of a housing inspection license for 2015 shall not be entitled to a refund of any fee paid in connection with such license in connection with a property, or portion of a property, with respect to which a rental license is not required in 2015 pursuant to Section 9-3902 of The Philadelphia Code as it shall go into effect on July 1, 2015, pursuant to Bill No. 140892-A.

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

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

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SUBCODE "F" (THE PHILADELPHIA FIRE CODE)

* * *

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

* * *

SECTION 408 USE AND OCCUPANCY-RELATED REQUIREMENTS

* * *

F-408.12 High-rise buildings. The fire code official shall inspect high-rise buildings for compliance with this code. The owner, manager or operator of high-rise buildings shall pay an annual inspection fee based on the gross square footage of floor area as set forth in the Philadelphia Administrative Code.

Exception: Buildings or portions of buildings that are classified as Group R-2 occupancies, *and which are not a condominium established pursuant to 68 Pa. C.S. § 3101 et seq. or cooperative established pursuant to 68 Pa. C.S. § 4101 et seq.*, are subject to the housing inspection license in lieu of the high-rise annual inspection fee.

* * *

SECTION 4. This Ordinance shall go into effect on July 1, 2015.

Explanation:

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

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 4, 2015. The Bill was Signed by the Mayor on June 16, 2015.



Michael A. Decker
Chief Clerk of the City Council