

# A GUIDE TO PHILADELPHIA'S REPAIR AND MAINTENANCE OF FACADES ORDINANCE

*How Bill #090568-AAA of the Building Code Amendment  
Affects Owners and Management Companies*

A white paper from L.R. Kimball

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## HIGHLIGHTS

On February 17, 2010, the City Council of Philadelphia passed Bill #090569-AAA, amending the Philadelphia Property Maintenance Code. This Code is a sub-code of Title 4 of the Philadelphia Code titled the Philadelphia Building Construction and Occupancy Code. The amendment requires the periodic inspection of exterior walls and appurtenances of certain buildings in the city to determine if they are in need of repair and/or maintenance. It is designed to encourage ongoing building and façade maintenance, and ensure that any structural façade issues are fully addressed before they become a public safety concern.

## The Façade Ordinance

### Building Criteria and Inspection Information

The amendment to the property maintenance code applies to buildings in Philadelphia that meet any of the following criteria:

- Six stories or higher
- Appurtenances that are in excess of 60 feet in height
- Any building, other than one- or two-family dwellings, that are higher than two stories and are located in specific areas that are yet to be determined

The new city ordinance mandates that the owner of each affected building is responsible for retaining a professional to conduct periodic inspections of exterior walls and attached appurtenances. Parts of the wall are exempt if those parts are less than 12 inches from the exterior wall of an adjacent building. The measure establishes the following inspection schedule for affected buildings to identify when the initial inspections will take place. The first round of inspections will occur over five years.

Building Construction Date	Inspection report completed and filed with the city no later than:
Prior to and including 1950 or if date is uncertain	June 30, 2011
1951 – 1970	June 30, 2012
1971 – 1980	June 30, 2013
1981 – 1990	June 30, 2014
1991 – 2005	June 30, 2015
2006 -	Within 10 years of the certificate of occupancy issue date

After the initial inspection, an affected building must be re-inspected and a required report filed every five years based on the original schedule. The owner may apply for a waiver if an affected building has been substantially restored during the five years immediately preceding the date of the next required inspection.

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## HIGHLIGHTS

### Choosing the Right Consultant

For optimal inspection, reporting and follow-up results, building owners and management companies should consider contracting with a full-service architectural/engineering consulting firm that:

- Has proven experience in structural engineering and façade restoration engineering
- Is staffed by engineers who are OSHA-certified in scaffolding operation
- Uses sophisticated hand-held inspection technology, in addition to cameras, to secure detailed images of structural conditions. The technology allows them to recreate and closely examine the 3D façade in their offices, resulting in a more accurate report.
- Has extensive on-staff resources to manage or evaluate additional architectural and engineering issues, which can range from redirecting storm water lines to roof and flashing repair

To learn more about this ordinance and your responsibilities as a building owner or management company, please contact **Allan Stock, AIA** at 215.665.0308.

### Inspection Procedures

Philadelphia's new code revisions outline the following procedures for conducting façade inspections:

- Inspections must be performed by a licensed professional, registered in the Commonwealth of Pennsylvania. The professional may be either a registered structural engineer or an architect with knowledge of the design, construction and inspection of building façades.
- Before the inspection, the retained professional must review previous reports, inspections and evidence of repairs made within the previous five years and confirm that all areas previously determined to require remediation have been addressed.
- The inspection must incorporate a physical, hands-on examination of the building façade, via scaffolding or other platforms, to sample the exterior wall. The professional may need to remove portions of the wall or bore into the façade to complete this examination.
- If a distressed condition is identified, the professional must order any other tests or inspections that may be required.
- Sketches and photographs may be used to properly document conditions observed.
- Upon discovery of an unsafe condition, the professional must immediately notify the building owner electronically and the Department of Labor and Industry (DLI) within 12 hours.

Depending on the building's complexity, inspection could require a week or more.

### Report Findings and Next Steps

After the initial inspection, a written report will be generated and submitted to the owner and the DLI, generally within 30 days after the inspection is complete. The DLI may impose a processing fee not to exceed \$100.00. The report will include:

- **A front page** that identifies the building location, provides a brief history of the building, includes the name of the owner and the owner's agent in charge, if any, and lists the start and completion dates of the inspection
- **A report of all conditions and their probable cause**, including the status of exterior maintenance and maintenance requirements from other reports.
- **Documentation in the form of photographs and sketches**
- **Statement by the licensed professional** indicating repairs and/or maintenance required, and an acknowledged receipt by the owner
- **Licensed professional's certification, seal and signature**

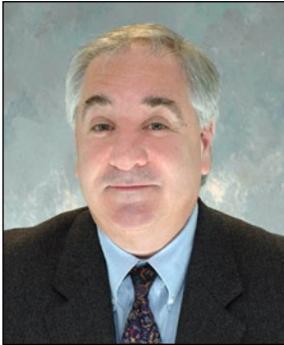
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## About the Author

**Allan Stock, AIA**, serves as an Operations Manager for L.R. Kimball. Based in Philadelphia, he brings more than 34 years of architectural experience to every client he serves. His experience includes projects related to historically certified renovations, the adaptive reuse of structures for residential and commercial purposes, health care design and construction and facilities planning and design for K-12 schools. Every project that he directs requires close attention to local, state and federal regulations.

Based on inspection findings, a building will be deemed:

- **Safe**
  - No action required until next inspection
- **Safe with a Repair and Maintenance Program**
  - A condition has been identified that can be addressed through repair and maintenance
  - Repairs must be completed within the timeframe designated in the report or to prevent it from becoming “unsafe”
- **Unsafe**
  - Building has at least one unsafe condition
  - Building owner and the DLI will be notified immediately; building owner must erect sidewalk sheds, fences, safety netting or other public safety protections within 24 hours
  - Work to correct the condition(s) must begin within 10 days of the report filing and continue without interruption until the problem is fixed
  - Repair work extensions up to 90 days are available if necessary
  - Building will be re-inspected within two weeks after the problem has been rectified
  - The owner may repeal the findings

It is important to remember that the ordinance is not designed to be punitive. Providing the report, and if required, a recommended program of remedial actions, is a far more manageable circumstance than the risk to public safety and its inherent liability. Maintaining the building is truly the best strategy of all.