

Licenses and Inspections
May 14, 2015

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COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LICENSES AND INSPECTIONS

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, May 14, 2015
1:15 p.m.

PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN DAVID OH

BILLS 150266, 150275, and 150276

- - -

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1
2 COUNCILWOMAN SANCHEZ: The
3 Committee on Licenses and Inspections
4 will now come to order. We've
5 established a quorum: Councilman David
6 Oh to my right, Councilman Bill Greenlee
7 on my left, and to my far left Councilman
8 Henon.

9 So if we could have our first
10 witness, Mr. DiPietro, Commissioner
11 DiPietro.

12 I'm sorry. Will the Clerk read
13 the title of the bills.

14 THE CLERK: 150266, an
15 ordinance amending Chapter 9-3900 of The
16 Philadelphia Code, entitled "Property
17 Licenses and Owner Accountability," by
18 adding definitions and providing for the
19 transition from housing inspection
20 licenses to rental licenses in 2015; and
21 amending Subcode "F" of Title 4, entitled
22 "The Philadelphia Fire Code," to remove
23 the exception to payment of the high-rise
24 inspection fee for certain occupancies;
25 all under certain terms and conditions.

1 5/14/15 - L&I - BILL 150266, etc.
2 150275, an ordinance amending
3 Subcode "A" of Title 4 of The
4 Philadelphia Code, entitled "The
5 Philadelphia Administrative Code," by
6 amending Chapter 3 entitled "Permits";
7 amending Chapter 6 entitled "Fines"; and
8 amending Chapter 9 entitled "Fees"; all
9 under certain terms and conditions.

10 And 150276, an ordinance
11 amending Chapter 10-700 of The
12 Philadelphia Code, entitled "Refuse and
13 Littering," by amending Section 10-701
14 entitled "Definitions," amending the
15 definition of debris, and by amending
16 Section 10-710, entitled "Dumping of
17 Debris and Short Dumping," by providing
18 that debris generated from construction
19 activities be placed in construction
20 dumpsters, all under certain terms and
21 conditions.

22 COUNCILWOMAN SANCHEZ: Thank
23 you.

24 We will take your testimony
25 now. Thank you.

1 5/14/15 - L&I - BILL 150266, etc.

2 DEPUTY COMMISSIONER DiPIETRO:

3 Good afternoon, Chairwoman Sanchez and
4 members of the Committee on Licenses and
5 Inspections. My name is Ralph DiPietro.
6 I'm the Deputy Commissioner for
7 Operations in the Department of Licenses
8 and Inspections. Thank you for the
9 opportunity today to provide testimony on
10 Bill No. 150266.

11 This bill, as proposed to be
12 amended, would provide that high-rise
13 condominiums and cooperatives previously
14 exempted from the Housing Inspection
15 License under Section 9-3902, enacted by
16 Bill No. 120647, Property Maintenance
17 Code reform bill sponsored by Councilman
18 Henon, are subject to the high-rise
19 inspection fees under Section F-408.12 of
20 the Fire Code. These types of uses would
21 be subject to the high-rise inspection
22 fee to the extent that they were
23 previously excluded from the fee
24 calculation.

25 This bill represents a positive

1 5/14/15 - L&I - BILL 150266, etc.
2 step toward reforming the fee structure
3 of the Housing Inspection License. The
4 high-rise inspection fee is also
5 implicated by this bill, and we believe
6 there may be further discussions
7 regarding how to optimize the structure
8 and calculation of that fee, and we
9 welcome the opportunity to work with the
10 sponsor on further legislation on this
11 issue.

12 Thank you for the opportunity
13 to testify before you today.

14 COUNCILWOMAN SANCHEZ: Anyone
15 here to testify?

16 (No response.)

17 COUNCILWOMAN SANCHEZ: Seeing
18 none, for the record, the Pennsylvania
19 Apartment Association has submitted
20 written testimony that's been shared with
21 the Committee.

22 Do you want to proceed to the
23 next two bills.

24 DEPUTY COMMISSIONER DiPIETRO:
25 Good afternoon, Chairwoman Sanchez again

1 5/14/15 - L&I - BILL 150266, etc.
2 and members of the Committee of License
3 and Inspection. My name is Ralph
4 DiPietro. I'm the Deputy Commissioner of
5 Operations for the Department of License
6 and Inspection. Thank you once again for
7 opportunity to provide testimony on Bills
8 No. 150275 and 150276.

9 Bill 150275 proposes to require
10 an excavation and foundation permit in
11 all cases where there is excavation or
12 foundation work to be done and where the
13 activity will also require a building
14 permit. Currently, Section A-302.6 of
15 the Administrative Code allows foundation
16 permits to be obtained prior to
17 submitting construction documents where
18 appropriate. It would also replace the
19 present Waste Material Notification
20 requirement in Section A-301.9 of the
21 Administrative Code for projects in
22 excess of \$10,000 with a more detailed
23 waste collection plan requirement for
24 projects of \$10,000 or more. The Law
25 Department has also proposed minor

1 5/14/15 - L&I - BILL 150266, etc.
2 amendments to this bill and will conform
3 to technical aspects of the state law.

4 Bill No. 150276, as the Law
5 Department has proposed it be amended,
6 would increase the fines for short
7 dumping to the \$5,000 maximum allowed
8 under state law and would require that
9 debris from excavation, construction,
10 alteration or demolition activity in
11 excess of \$10,000 must be placed in a
12 construction dumpster as currently
13 defined under Section 11-610(1)(b) of the
14 Code.

15 Short dumping is a serious
16 quality of life issue in our City's
17 neighborhoods, and the Department
18 supports increasing fines to the maximum
19 allowable under state law. The
20 Department further supports the sponsor's
21 objective of increasing the
22 accountability, enhancing enforcement
23 action against short dumping, and
24 providing more enforcement tools. To
25 that end, we look forward to further

1 5/14/15 - L&I - BILL 150266, etc.
2 discussion on how these bills can help
3 realize those goals. We also look
4 forward to assisting in getting Bill No.
5 150275 through the Construction Code
6 review by the Commonwealth Department of
7 Labor and Industry, should such review
8 ultimately be required.

9 Thank you again for the
10 opportunity to testify today.

11 COUNCILWOMAN SANCHEZ: I have a
12 question. When we talk about these waste
13 materials, this dumpster piece, one of
14 the things that I've started to see a lot
15 are the bags, are like the dumpster bags.
16 And a lot of them are left kind of all
17 over the place. How do you see enforcing
18 this provision?

19 DEPUTY COMMISSIONER DiPIETRO:
20 Those are sort of tough. I don't know
21 that they're currently covered under the
22 current environment. I don't know that
23 they're currently covered under anything.
24 They sort of caught us by surprise I
25 think a little bit in the City. I can't

1 5/14/15 - L&I - BILL 150266, etc.
2 necessarily speak for the Streets
3 Department. They seem to be really on
4 top of the trash and recycling, but I'm
5 not exactly sure how they would fit into
6 this. I mean, typically when we find
7 them on a property line within the
8 property, we will cite the owner to have
9 them removed, but I think probably what
10 you're saying is those that are found in
11 the public way or left on vacant lots,
12 and they present a different problem.
13 Now, the interesting thing is, those
14 are -- you could track those. They have
15 the ability to track those.

16 COUNCILWOMAN SANCHEZ: Those
17 bags could be tracked how?

18 DEPUTY COMMISSIONER DiPIETRO:
19 Because they're purchased through a
20 store. So there's a UPC code. So there
21 might be a possibility to track it back
22 that way to the person that dumped it.
23 Although I suspect if someone is dumping
24 it, they've probably done their best to
25 make sure they've removed any of those

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1 5/14/15 - L&I - BILL 150266, etc.

2 type of identifying marks, but certainly
3 something to consider.

4 COUNCILWOMAN SANCHEZ: Okay.

5 Any questions from the Committee?

6 (No response.)

7 COUNCILWOMAN SANCHEZ: Let me
8 recognize Councilwoman Bass has joined
9 the Committee.

10 Anyone else here to testify on
11 these bills?

12 (No response.)

13 COUNCILWOMAN SANCHEZ: Seeing
14 none, we will move to our public meeting
15 of the Committee of Licenses and
16 Inspections.

17 So I'm going to call on
18 Councilman Greenlee for the amendments on
19 all bills.

20 COUNCILMAN GREENLEE: Thank
21 you, Madam Chair. I move the adoption of
22 the presented amendments to Bills No.
23 150266, 150275, and 150276.

24 COUNCILWOMAN SANCHEZ: Can I
25 get a second?

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1 5/14/15 - L&I - BILL 150266, etc.

2 (Duly seconded.)

3 COUNCILWOMAN SANCHEZ: All

4 those in favor?

5 (Aye.)

6 COUNCILWOMAN SANCHEZ: All

7 bills have been amended as the amendments

8 have been circulated to the Committee.

9 COUNCILMAN GREENLEE: Thank

10 you, Madam Chair. I move that the

11 following bills be reported out of the

12 Committee with a favorable

13 recommendation, that the rules of Council

14 be suspended to allow for first reading

15 at the next session of Council: Bill No.

16 150266 as amended, 150275 as amended, and

17 150276 as amended.

18 (Duly seconded.)

19 COUNCILWOMAN SANCHEZ: All

20 those in favor?

21 (Aye.)

22 COUNCILWOMAN SANCHEZ: Any

23 opposition?

24 (No response.)

25 COUNCILWOMAN SANCHEZ: Seeing

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1 5/14/15 - L&I - BILL 150266, etc.
2 none, let the record reflect that Bill
3 No. 150266 as amended, 150275 as amended,
4 150276 has been deemed approved by this
5 Committee and will be reported out of
6 Committee with a favorable recommendation
7 and a rules suspension to allow first
8 reading at our next public session.

9 Thank you. That concludes our
10 meeting.

11 (Committee on Licenses and
12 Inspections concluded at 1:25 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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