


Philadelphia Administrative Code

Part 1



Agenda

- Building Code History
 - Laws and Regulations
 - Administrative Code- Part 1
- 



Building Code Enforcement History

PHILA BUILDING DEPT HISTORY


1855	Board of Building Inspectors Established by CCP appointment
1886	Board of Building Inspectors moved to the Dept of Public Safety
1899	Bureau of Building Inspection established
1951	Dept of L&I established


PHILA BLDG CODE HISTORY

1894-1969	Various versions of the Phila Bldg Code
1969-1983	1969 Phila Building Code
1983-2004	1981, 1987, 1990, and 1996 BOCA with local modification
2004 to present	Adoption of the 2003 I-Codes and PA UCC, with local modification



PA Building Enforcement

- There were a variety of laws regulating aspects of building construction prior to UCC Adoption:
 - Fire and Panic Act- **Phila exempt**
 - Universal Accessibility Law
 - Energy Act
 - Prior to the adoption of the UCC, 44 percent of Pennsylvania's 2,564 municipalities enforced a building code.
- 



Uniform Construction Code became effective in April 2004. The UCC included the State-wide adoption of the I-Codes (with modifications) and substantial administrative provisions.

Examples of Major Impacts on Phila L&I:

- All code officials must be certified.
- Limited the ability to adopt local modifications. The State will only entertain changes that meet or exceed code requirements.
- Commandeered certain responsibilities (ex. Labor & Industry shall have exclusive power to grant modifications and decide issues of technical infeasibility under Chapter 11 of the Uniform Construction Code (UCC)).
- Adopted State-wide exemptions or modifications.
- Mandated certain administrative requirements (i.e. plan review time, response format, retention schedule).

UCC applies to construction. Fire, Property Maintenance, and Zoning Codes fall outside of the UCC.




1999	PA Act 45 of 1999	Adoption of a uniform code throughout PA
2004-2009	UCC Implemented	2003, 2006, automatically adopted by the State
2009	Review Advisory Committee (RAC) formed	Required majority vote to eliminate portions of the I-Codes. Latest accessibility provisions automatically updated
2011	PA Act 1 of 2011	Required 2/3 vote of the RAC to adopt any provision of the I-Codes; Failed to adopt the 2012 Code; Could not adopt the 2015 Code
2017	PA Act 36 of 2017	Mandates adoption of 2015 I-Codes, with modification and special exemption for Phila to adopt 2018 Codes; Adoption of new I-Codes required approx. 4.5 years after publication
2022	Commonwealth Court Decision	Permanently enjoined enforcement of 2021 accessibility provisions resulting in reversion to 2018.



Laws and Regulations




Law (Code)

- **PA UCC and all other applicable State laws**
 - I-codes, referenced standards
 - Chapters 401, 403, 405 of the PA UCC
 - Labor & Industry directives
 - **Local Modifications (Philadelphia Code)**
 - Adopted by ordinance and approved by PA Labor and Industry
 - **Regulations**
 - Must be consistent with laws.
- 




L&I Publications

- Variance of General Application-existing VGAs grandfathered (i.e. Mobile Classrooms)
 - Code Bulletins
 - Clarification/Expansion of Code
 - May be used as the basis of refusal
 - 1st step to regulation
 - May be overridden by Department
 - Code Interpretations, Code Solutions, FAQs
- 





Advisory

- ICC Evaluation Reports (ICC-ES)
 - ICC-ES does technical evaluations of building products, components, methods, and materials. If it is found that the subject of an evaluation complies with code requirements, then ICC-ES publishes a report to that effect and makes the report available to the public.
 - Evaluation reports are only advisory. The authority having jurisdiction is always the final decision-maker with respect to acceptance of the product in question.
- 



Advisory

- ICC Interpretations and commentaries
 - Committee interpretations available at iccsafe.org
 - Published as commentary every three years
 - These are not Code and AHJ is not bound to determination
 - ICC Staff Code Opinions
 - Staff Code Opinions are issued by ICC technical staff and are verbal or written for members.
 - Staff code opinions issued by ICC technical staff do not represent the official position of the International Code Council. The final authority of code opinions is the responsibility of the code official. Staff opinion is not intended to influence the code official.
- 



Administrative Code Title 4-SubCode A

Scope and Administration

2018 International Residential Code (IRC) Codes / I-Codes / 2018 International Residential Code (IRC)

Version: Jan 2023

Chapter 1 Scope and Administration

CHAPTER 1
SCOPE AND ADMINISTRATION

User note:

About this chapter: Chapter 1 establishes the limits of applicability of this code and describes how the code is to be applied and enforced. Chapter 1 is in two parts: Part 1—Scope and Application (Sections R101–R102) and Part 2—Administration and Enforcement (Sections R103–R114). Section R101 identifies which buildings and structures come under its purview and references other I-Codes as applicable. Standards and codes are scoped to the extent referenced (see Section R102.4).

The one- and two-family dwelling code is intended to be adopted as a legally enforceable document, and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the building official appointed by the authority having jurisdiction and also establish the rights and privileges of the design professional, contractor and property owner.

PART 1—SCOPE AND APPLICATION

SECTION R101
GENERAL

R101.1 Title.

These provisions shall be known as the *Residential Code for One- and Two-family Dwellings of [NAME OF JURISDICTION]*, and shall be cited as such and will be referred to herein as “this code.”

R101.2 Scope.

The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.

Exception: The following shall be permitted to be constructed in accordance with this code where provided with a residential fire sprinkler

Chapter 1 of I-Codes includes detailed information on scope and administration of Code.

Largely concerned with “due process of law” in administering the code.

Scope and Administration

PART I – ADMINISTRATIVE

CHAPTER 1 SCOPE AND ADMINISTRATION

Delete the text of Chapter 1 and substitute the following:

SECTION R-R101 TITLE, SCOPE AND PURPOSE

R-R101.1 Title. These provisions shall be known as the Philadelphia Amendments to the International Residential Code, and will be referred to herein as the "Philadelphia Residential Code" or "this code".

R-R101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family egress and their accessory structures not more than three stories above grade plane in height.

Exception: The following shall be permitted to be constructed in accordance with this code where provided with a residential fire sprinkler system complying with Section P2904:

1. Live/work units located in townhouses and complying with the requirements of Section 419 of the International Building Code.
2. Owner-occupied lodging houses with five or fewer guestrooms.
3. A care facility with five or fewer persons receiving custodial care within a dwelling unit.
4. A care facility with five or fewer persons receiving medical care within a dwelling unit.
5. A care facility for five or fewer persons receiving care that are within a single-family dwelling.

R-R101.3 Purpose. The purpose of this code is to provide minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress, facilities, stability, sanitation, light the built environment, and to provide safety to fire fighters and first responders during emergency operations.

R-R101.4 Administrative provisions. This Chapter contains those provisions that are unique to the administration of this code. All other administrative provisions applicable to this code are as set forth in the Administrative Code ([§](#)

R-R101.5 Appendices. The following appendices are adopted:

1. Sections AE501 through AE503 and AE601 through AE605 of Appendix E ("Manufactured Housing Used as Dwellings").

R-R101.6 Construction safeguards. The provisions of Chapter 33 of the International Building Code with amendments ([Subcode B](#)) shall apply to the construction safeguards required for all building construction and demolition.

R-R101.7 Construction documents. In addition to the submittal requirements of the Administrative Code ([Subcode A](#)), the provisions of [R-R101.7.1](#) and [R-R101.7.2](#) shall apply.

R-R101.7.1 Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

Chapter 1 of sub-codes deleted in entirety

Replaced with general information regarding the scope of each sub-code.




Administrative Code Contents

- Chapter 1 General
- Chapter 2 Enforcement Authority
- Chapter 3 Permits
- Chapter 4 Inspections
- Chapters 5-6, Violations and Penalties
- Chapter 7 Certificates and Approvals
- Chapter 8 Appeals and Variances
- Chapter 9 Fees (Permits and some licenses)
- Chapter 10 Work Site Safety
- Chapter 11 Requirements Concerning Rat Abatement






Chapter 1 - General

- A-101 Purpose
 - A-102 Applicability
 - A-103 Validity
 - A-104 Workmanship
 - A-105 Responsibility
 - A-106 Definitions
- 



Chapter 1 - General

➤ A-101 Purpose


- *The code provides for the clear and consistent administration and enforcement of the technical codes adopted by the City of Philadelphia.*
 - **Technical Codes** shall mean the Title 4 Sub-codes and the Zoning Code, including referenced standards (as per 102.3.1)
 - The code incorporates administrative portions of the Pennsylvania Uniform Construction Code Act, adopted by the City on June 21, 2004. There are some local modifications to these provisions.
 - Chapter 1 includes Administrative provisions across codes.
 - Sub-Codes may also include administrative provisions specific to that Code.
- 



Chapter 1 - General

➤ A-102 Applicability

102.1 Exemptions

- Exemptions that are pursuant to the UCC apply to Construction Codes only.
 - Exemptions may still require permits from another agency under legislation that falls outside of the UCC. (i.e. Lifts, LP Gas) OR limited scope may still fall within UCC (i.e. Lifts).
 - Depending on source, the activity may still be required to comply with Fire, Property Maintenance and/ or Zoning Codes.
 - Exemptions and permit exceptions are different.
 - List is not all-inclusive. Other state or federal laws may supersede Admin Code requirements (i.e. DRPA, Convention Center, etc.)
- 

Chapter 1 - General

The Building Construction and Occupancy Code does not apply to: ⁸

1. The use, construction or alteration of any building owned and operated by the federal government pursuant to the Public Building, Property and Works Law, 40 U.S.C. § 3101.

2. Pursuant to the UCC, an agricultural building that is a structure used to store farm implements, hay, feed, grain or other agricultural or horticultural products or to house poultry, livestock or other farm animals, which is subject to the Property Maintenance Code, the Zoning Code and the Fire Code. The exemption does not include habitable space or spaces in which agricultural products are processed, treated or packaged, or any place of occupancy by the general public.

3. Installation of tubing, piping, propane gas burning appliances, equipment or fixtures related to liquefied petroleum gas pursuant to the Propane and Liquefied Petroleum Gas Act, Act 61 of 2002, P.L. 421 (35 P.S. §§ 1329.1 – 1329.19).

4. Construction of individual sewage disposal systems pursuant to 25 Pa. Code, Chapter 73 (relating to onlot sewage treatment facilities) as regulated by the Department of Public Health.

5. With respect to electrical provisions of the code only, to a dwelling unit utilized by a member of a recognized religious sect if a code administrator grants an exemption under Section 901(b) of the UCC.

6. Pursuant to the UCC, the construction of structures which are:

- a. Erected for the purpose of participation in a fair, flea market, arts and crafts festival or other public celebration;
- b. Less than 1,600 square feet in size;
- c. Erected for a period of less than 30 days; and
- d. Not a swimming pool or hot tub.

Such structures are subject to the Property Maintenance Code, the Zoning Code and the Fire Code.

Chapter 1 - General

7. Pursuant to the UCC, construction of a pole barn that is constructed on agricultural fairgrounds and is used solely for agricultural purposes and animal display. Such structures are subject to the Property Maintenance Code, the Zoning Code and the Fire Code. If an exempted pole barn has electrical service, a permit and inspections to determine compliance with the electrical provisions of the code are required.

8. Pursuant to the UCC, the installation and maintenance of ski lifts, inclined passenger lifts and related devices, elevators, escalators, conveying systems and related equipment as defined in the Building Code, with the exception of the accessibility requirements of the Building Code. Such devices and systems shall be regulated by the Pennsylvania Department of Labor and Industry.

9. Pursuant to the UCC, the construction or alteration of structures used for the direct, seasonal sale of agricultural commodities where such structures are:

- a. open on at least twenty-five percent (25%) of the perimeter of the structure when in operation.
- b. operated by a producer whose products make up not less than fifty percent (50%) of the agricultural commodities being sold;
- c. if not located on the producer's property, erected for less than 180 days of a calendar year;
- d. comprised of an area of not more than 1,000 square feet;
- e. used to load, unload or sort livestock at livestock auction facilities; and
- f. limited to one structure per parcel of land.

Such structures are subject to the Property Maintenance Code, the Zoning Code and the Fire Code.




Chapter 1 - General

➤ A-102 Applicability

102.2 and .3 Conflicting Provisions

- Occurring within this code -> most restrictive applies
- Between a general and specific requirement -> specific applies
- Between Code and referenced standard -> Code
 - Exception: When the code provision would violate the manufacturer's listing of an appliance or equipment, the manufacturer's instructions shall apply

102.5 Subjects Not Regulated

- Where no standards exist in technical codes, we may rely on nationally recognized standards.
- 



Chapter 1 - General

➤ **A-102 Applicability**

102.6 through through 102.14 address specific conditions and/or work

102. 6 Existing Structures

102. 7 Maintenance

102. 8 Additions, Alterations, Repairs to Structures/ Systems

102. 9 Change of Occupancy

102. 10 Historic Buildings

102. 11 Moved Structures

102. 12 Manufactured and Industrialized Housing and Industrialized Commercial

102. 13 Swimming Pools

102.14 State-Owned Buildings





Chapter 1 - General


➤ A-102.6 Existing Structures

- Pursuant to the UCC, any structure (except 1 and 2 family dwellings) erected after 1927 must have a Certificate of Occupancy in accordance with the IEBC.
 - Phila did not issue COs until 1969
 - See [Code Bulletin A-1301 - Uncertified Buildings](#), for current policy and procedure.
 - May change as records become more accessible.
- Unless explicitly stated, the Code shall not require the upgrade of legally existing building envelope or electrical, fuel gas, mechanical, and plumbing systems. *Refer to Existing Building Code, Fire Code, and PM Code.*






Chapter 1 - General

- **A-102.12 Manufactured and Industrialized Housing and Industrialized Commercial Buildings**
- Pre-fabricated components are exempt from PBOC and subject to PA DCED regulations/ third party compliance. Permits are issued to document structure and permit site-specific elements.
 - Site-built components (i.e. foundation, roof covering), placement on site (i.e. exterior wall rating, flood-plain), and utility connections must comply with the PBOC.
 - Post-installation modifications must comply with PBOC.
 - **DCED promulgated regulations for commercial structures and are now being enforced.**
 - Refer to [Modular Information Sheet](#).
- 




Chapter 1 - General

- **A-102.13 Swimming Pools**
- Swimming pools are reviewed and permitted in accordance with the I-Codes; however, they must also comply with the Public Bathing Law.
 - The Public Bathing Law places certain responsibilities with the Phila Dept of Public Health (regulated by Environmental Eng Division) . Their regulation does not impact the L&I permitting process.
 - The Act does not apply to one- and two-family dwellings.
 - The PA UCC was amended to clarify language related to ANSI, which is also reflected in Admin Code.
- 



Chapter 1 - General

➤ A-102.14 State-Owned Buildings

- See Definition of State-owned building. Very few listings (Convention Center, Family Court, Temple).
 - State owned buildings are required to comply with UCC and Title 4; however, PA DLI is responsible to issue construction permits and perform inspections as per the UCC.
 - Individual charters may exempt PA agency from other portions of the Code. Most do require zoning.
 - Applicant is responsible to obtain correct permits. A Philadelphia permit does not exempt one from DLI regulation.
- 



Chapter 1 - General

➤ A- 103 Validity

A-103.5 Flood Plain Protections

This code shall not create liability on the part of the City of Philadelphia or any officer or employee thereof for any flood damages that result from reliance on this code or any administrative decision lawfully made there under.

- Included as per FEMA suggestion. Highlights mission to protect public (and not a specific property).

➤ A-104 Workmanship

All work which is performed for compliance with this code shall be conducted, installed and completed in a workmanlike and acceptable manner.

- Frequently referenced in violations.
- 

Chapter 1 - General

- **A- 105 Responsibility**
 - Owner-bears ultimate responsibility
 - Occupant- responsible for violations that they caused (i.e. hazardous materials)
 - Contractor- responsible for work performed
 - Private Contracts- Does not transfer responsibility under this Code.
- **A- 106 Definitions- 13 definitions Including:**
 - Agricultural Bldg (*for exemption*)
 - Health Care Facility (*for DOH approval*)
 - Permit Holder (*owner*)
 - State Owned Building

STATE-OWNED BUILDING: Pursuant to the UCC, a building owned by or to be constructed for Commonwealth entities, including the General Assembly, the Unified Judicial System, the Pennsylvania Higher Education Assistance Agency, an executive agency, independent agency, and a State-affiliated entity or State-related institution. A Commonwealth authority or a Commonwealth entity shall be considered a "State-affiliated entity". The term includes the Pennsylvania Turnpike Commission, the Pennsylvania Housing Finance Agency, the Pennsylvania Municipal Retirement System, the Pennsylvania Infrastructure Investment Authority, the State Public School Building Authority, the Pennsylvania Higher Educational Facilities Authority and the State System of Higher Education. The term does not include any court or other officer or agency of the unified judicial system, the General Assembly and its officers and agencies, any State-related institution, political subdivision or any local, regional or metropolitan transportation authority.



Chapter 2 - Enforcement

- A-201 General
- A-202 Duties and Powers
- A-203 Approval

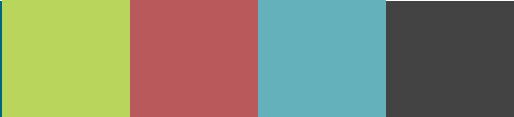


Chapter 2 - Enforcement

➤ A-201 General

A-201.1 Administration

- PBOC is administered exclusively by L&I except the Fire Code or otherwise specified in the Code.
- The Fire Code is administered and enforced mutually by the Fire Department and the Department;
 - The Fire Code identifies authorities of each and sometimes authority is granted to both departments;
 - L&I issues, complies, and adjudicates violation;
 - Fire Commissioner decides on appeals and variance requests;
 - Fire Code also details permits/licenses with fees listed in Admin Code.





Chapter 2 - Enforcement

➤ A-201 General

A-201.1 Reasonable Accommodation

- The Department is authorized to develop regulations governing requests for reasonable accommodations under the Fair Housing Act and the American Disabilities Act.
- FHA and ADA define rights.
 - Procedures defined by regulation.
 - Request filed using standard application. Examiner provides code analysis.
 - Zoning Technical Committee and BBS make recommendations to the L&I Commissioner on zoning and construction exemptions, respectively.
 - The Commissioner renders final decision.
 - The Commissioner's decision may be appealed to the ZBA or BLIR.






Chapter 2 - Enforcement

➤ **A-202 Duties and Powers of the Code Official**

A-202.1 General

- Enforcement responsibilities of Code Official.
 - Safety Training for Code Officials.
 - Code Officials must adhere to qualification requirements set forth by the UCC (certifications and CEUs).
 - Code Official's responsibility to notify OSHA of worker safety violations.
- 



Chapter 2 - Enforcement

➤ A-202 Duties and Powers of the Code Official (continued)

202.2 Applications & Permits


202.3 Notices and Orders

202.4 Inspections

Grants the Department the authority to accept third party inspection reports, such as special inspections or engineers' reports.

202.5 Regulations

Reiterates department's authority to promulgate regs in accordance with Section 8-407 of the Charter.





Chapter 2 - Enforcement

➤ A-202 Duties and Powers of the Code Official (Cont'd)

202.6 Policies and Procedures

This gives us the authority to render FAQs, Code Solutions, Code Bulletins, Policies, and Procedures. Form is not dictated by Code.

202.7 Issuance Requirement

Requires the Dept to withhold permits if owner is delinquent on taxes. Allows for exemptions related to maintenance.

Intend to apply against property taxes for new con, addition, site, and zoning permits where owner is delinquent.

202.8 Liability

Relieves code official/ Board member of personal liability.






Chapter 2 - Enforcement

➤ A-203 Approvals

203.2 Used Materials

- Allows for use as long as the material meets the current Code.
- Department would require an PA professional engineer to certify suitability.

203.3 Alternative Materials, Equipment, Construction Methods

- Code official may permit alternative materials/methods if certified by an accredited testing or evaluation agency (i.e. ICC, ISO). Should be reviewed with a supervisor.
 - BBS may allow for an alternative materials and methods through Product Approval Request.
- 




Chapter 3 - Permits

- A-301 Application for permit (Work requiring a permit/ exemptions)
 - A-302 Permits (Conditions and Limitations)
 - A-303 Demolition and Relocation of Structures
 - A-304 Registered Design Professional Services
 - A-305 Construction Documents
 - A-306 Commercial Construction Records
- 



301 – Application for Permit


➤ 301 .1 Permits Required (General)

- A separate demolition permit is not required for one story structures less than 500 sq. ft. . As such, requirements of a complete demolition permit application (i.e. licensed demo contractor) do not apply.
 - Where scope of project includes more than one lot, a permit is required for each lot.
 - L&I Permits Not Required For the Following (Code Exemptions- should overlap with Ch 1):
 - State-Owned and Federally Owned/ Operated Buildings
 - Pursuant to the UCC, boilers/ vessels regulated by the Boiler and Unfired Pressure Law .
 - Permits are issued by the PA DLI except smaller boilers are under jurisdiction of L&I
 - Pursuant to the UCC, installations of generation/ distribution equipment under the ownership and control of Public Service Agencies
 - See [Code Solution on Electrical Permits for Public Service Agencies](#).
 - Applies to equipment and not buildings or other structures
- 




➤ 301.1 Permit Required

Identifies both general and specific requirements

- Installation of a boiler in a building with less than five (5) dwelling units.
 - This falls outside of the scope of the PA Boiler and Pressure Vessel Act.
 - Installing any trailer, regardless of the method of support.
 - If the vehicle remains 'road-ready', it is classified as a vehicle (not a structure) and not subject to PBOC compliance.
 - Clearing, grubbing or earth disturbance of any land in excess of 5,000 square feet.
 - Requires review of stormwater management compliance by PWD and Natural Resource Requirements of the Zoning Code.
 - Construction in the right of way as required by Title 11 of the Philadelphia Code.
 - Private encroachments addressed under 11-600. Does not include street lights. Traffic signal poles, etc.
 - Excavation more than 5' below adjacent grade, excluding geotech, utilities.
- 



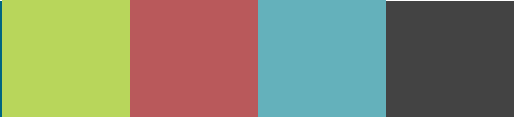
➤ 301.1 Permit Required

- Fire Permits. As per Fire Code
 - Electrical Permits
 - Plumbing Permits
 - Zoning & Use Registration Permit
 - Single Family Dwelling exempt from use permits (no charge).
 - Place of worship removed from exemptions.
 - Emergency repairs
 - Emergency repairs are permitted to commence without permits
 - Permit application must be submitted within three business days.
 - Department must be notified as soon as possible.
 - Refer repairs related to ID conditions to CSU.
- 



➤ 301.2 Permit Not Required

- Permits are not required; however, work must comply with Code.
- Permit exemptions do not apply to work in flood plain areas.
- Permits are still required for historic properties as per 14-1000 of the Philadelphia Code.
 - Permits are only required for historically designated portions.
 - This includes all exterior work, even paving.
 - Only a few buildings with designated interiors, including Curtis Center, Old Family Court, and Wanamaker's Bldg.
 - Permit need only demonstrate compliance with historic preservation requirements. *Can make an appointment to file a historic preservation permit. ID work is otherwise exempt.*



Building Permit Exemptions

1. Ordinary repairs to restore to good or sound condition any part of an existing structure for the purpose of its maintenance. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or loadbearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, gas, or similar piping or mechanical or other work affecting public health or general safety.
2. Recreational trailers, vacant trailers parked on site and trailers used in conjunction with construction for storage and construction management facilities during the construction operations.
3. Non-masonry fences that do not exceed six feet high.
4. Masonry fence walls that do not exceed two feet high.
5. Retaining walls that do not exceed two feet in height measured from the lowest level of grade to the top of the wall where no surcharge is supported and that do not impound Class I, II or III-A liquids.
6. Pointing of masonry.
7. Water tanks supported directly on grade where the tank capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2-to-1.
8. Painting, papering and similar wall and ceiling finishes that do not exceed 0.036 inches (0.9 mm) in thickness.
9. Paneling or gypsum wallboard installed over existing wall surfaces and ceiling material applied directly to existing ceilings in one- and two-family and Group U occupancies.
10. Insulation installed in one- and two-family and Group U occupancies without removal of wall or ceiling surfaces.
11. Traditional floor coverings such as wood, vinyl, linoleum, terrazzo and resilient floor coverings that are not comprised of fibers.
12. Carpeting and similar floor coverings that are not installed in exit access corridors, exit passageways or vertical exits.
13. Cabinets, counter tops and similar finishing work.
14. Movable cases, counters and partitions that are not over 5 feet 9 inches in height.
15. Temporary motion picture, television, and theater stage sets and scenery.
16. One-story detached structures accessory to one- and two-family occupancies, provided the floor area does not exceed 200 square feet (18.58 m²).
17. Prefabricated swimming pools accessory to one- and two-family occupancies where the pool is less than 24 inches deep, does not exceed 5,000 gallons and is installed entirely above ground.
18. Window awnings that are supported solely by, and do not project more than 54 inches from, the exterior wall of buildings containing one- and two-family or Group U occupancies.
19. Shade cloth structures constructed for nursery or agricultural purposes that do not include service systems.
20. Swings, playground equipment and structures limited to the use of a household pet, accessory to one- and two-family occupancies.
21. Sidewalks, driveways, patios, and similar concrete or other hard surface materials constructed on grade where they are not part of an accessible route. This exception includes decks of any material, accessory to one- and two-family occupancies where the deck is located not more than 12 inches above the ground surface below and is not over a story or basement.
22. Replacement of non-fire-resistance rated windows and doors in one- and two-family occupancies without structural change (no change in shape or size of existing openings).⁵⁴
23. Portable units including: ventilation equipment, heating appliances, cooling units, evaporative coolers, clothes drying appliances, fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
24. Steam, hot or chilled water piping within any heating or cooling equipment regulated by the Building Construction and Occupancy Code.

See www.phila.gov/li:

Projects that may not need permits


For some projects, you may not even need a Building Permit at all. As long as your property is not on the Philadelphia Historic Registry, you often don't need a permit for:

- Repairs related to regular maintenance.
- [Fencing up to six feet in height.](#)
- [Retaining walls up to two feet in height.](#)
- Some exterior work
 - Sidewalks, driveways, or projects like these that don't go into the right-of-way or include [parking](#).
 - Pointing masonry.
- Replacing doors and windows in one-or-two-family dwellings.
- Interior finish work
 - Painting, papering, and similar wall and ceiling finishes.
 - Paneling or gypsum wallboard installed over existing wall surfaces and ceiling material applied directly to existing ceilings in one-or-two-family and Group U occupancies.
 - Conventional floor coverings that are not comprised of fibers.
 - Carpeting and similar floor coverings that are not installed in exit access corridors, exit passageways, or vertical exits.
 - Cabinets and countertops.
 - Movable cases, counters, and partitions that are less than 6 ft. tall.
- Accessory structures and features
 - Detached structures, like sheds, for one-or-two-family dwellings, 200 sq. ft. or less
 - Playground and pet equipment for one-or-two-family dwellings
 - Prefabricated swimming pools or spas, less than 24 in. deep, less than 5,000 gallons.



➤ 301.2 Permit Not Required


Electrical Permit Exemptions

- Minor repair and maintenance work including, the replacement of lamps, circuit breakers and fuses; repairing or replacement of switches, lamp sockets, ballasts, drop cords, receptacles, bulbs; taping bare joints; and replacing lighting fixtures to existing connections.
 - The connection of approved portable electrical equipment to approved permanently installed receptacles.
 - The installation, alteration or repair of electrical equipment of a regulated public utility for its use in the generation, transmission, distribution or metering of electricity.
 - The installation of a temporary system required for the testing or servicing of electrical equipment or apparatus.
 - Removal of electrical wiring in the total demolition of a structure.
 - The installation of electrical componentry used in connection with partition systems which are UL listed).
 - Low-voltage wiring in one- and two-family dwellings and U occupancies.
- 



➤ 301.2 Permit Not Required

Plumbing Permit Exemptions

- Minor repairs including the replacement of faucets or valves or parts thereof with like material or material serving the same purpose; or the removal and reinstallation of water closets, provided the work does not include the replacement or rearrangement of valves, pipes or fixtures.
 - The sealing of sewer laterals for building demolitions contracted by the Department.
 - Stopping leaks in a drain, water, soil, waste, or vent pipe provided that no piping is replaced with new material.
 - Clearing stoppages or repairing leaks in pipes, valves or fixtures, provided that valves, pipes or fixtures are not replaced or rearranged.
- 

Zoning Permit Exemptions

5. Mobile Food Vendors, licensed under Section 9-203 of this Code and operating on privately-owned property, provided that such vendors comply with all of the requirements of subsection 9-203(10).⁵⁹
6. Demolitions performed under contract with the Department and in compliance with current Procurement Department Specifications.
7. Fences at or below the height allowable by the Zoning Code (Title 14).
8. Swimming pools accessory to one- and two-family dwellings.
9. Canopies or awnings accessory to a one- or two-family dwelling, provided the canopy or awning does not exceed 120 square feet.
10. Sheds, playhouses, pergolas and similar structures accessory to one- or two-family dwellings, provided the structure is located in the rear yard and does not exceed 120 square feet.
11. Temporary motion picture, television and theater sets and scenery.
12. Concrete or other hard surface materials on grade, such as driveways, walkways and patios not used for parking.
13. Decks within building lines, not more than 12 inches above the ground surface below and not over any basement or story below.
14. Decks located in the rear yard and accessory to one-family dwellings allowable by the Zoning Code (Title 14).
15. Building service equipment, such as mechanical, electrical or plumbing equipment, including necessary mounting systems, required to operate and maintain facilities located on the same lot. To qualify for this exemption, the equipment may not be located within a required setback from the street nor conflict with any dimensional restriction of the Zoning Code.

See www.phila.gov/li:

You don't need a zoning permit for:

- Alterations to an existing structure that do not change the:
 - Area.
 - Height.
 - Floor area.
 - Current legal use.
- **Fences** at or below the height allowed by the Zoning Code.
- Swimming pools installed on the property of a one-or-two-family dwelling.
- Canopies or awnings (120 sq. ft. or less) for one-or-two-family dwellings.
- Sheds, playhouses, pergolas, and similar structures (in the rear yard and 120 sq. ft. or less) for one-or-two-family dwellings.
- Concrete or other hard surface materials, such as driveways and patios.
- Decks. A deck can't be more than 12 in. above the ground or over any basement or other story.
- Equipment like generators or air conditioners (as long as they are not within a required setback from the property line and service the property).
- Exterior painting of murals (as long as the mural is not serving as advertisement).

DEPARTMENT OF LICENSES AND INSPECTIONS CODE BULLETIN OF INFORMATION No. Z-2301		CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADELPHIA TITLE 14 - ZONING CODE
SUBJECT OF BULLETIN: ZONING REQUIREMENTS FOR UNDEFINED STRUCTURES		REFERENCE CODE SECTIONS:
ISSUED BY:		ISSUE DATE: September 29, 2023
NAME: Elizabeth Baldwin, P.E.		REVISION DATE(S):
TITLE: Chief Code Engineer		PAGE 1 OF 2

BACKGROUND

The regulation of the Philadelphia Zoning Code applies to all new structures or addition to an existing structure commenced on any property within the City. The Philadelphia Zoning Code broadly defines a structure as any type or form of construction above the ground.

The Philadelphia Zoning Code includes specific requirements for certain types of structures and appurtenances, including buildings, covered structures, decks, fences, and signage. However, the Philadelphia Zoning Code does not define certain types of structures that may be classified as a structure.

This Code Bulletin establishes zoning requirements for structures and appurtenances not specifically referenced by the Code.

DIRECTION

Any structure that is permanent to the ground or building is subject to the provisions of the Philadelphia Zoning Code.

The provisions of the Philadelphia Zoning Code apply to:

- Structures and appurtenances that comply with the associated appurtenances include:
 - Occupiable Buildings
 - Other Structures
 - Fences and Retaining Walls
 - Signage
 - Solar Panels
 - Wireless Facilities
 - Decks, Roof Decks

CODE BULLETIN Z-2301 – ZONING REQUIREMENTS FOR UNDEFINED STRUCTURES PAGE 2 OF 2

A zoning permit is required unless meeting an exemption of the Philadelphia Zoning Code or Section A-301.2.5 of the Philadelphia Administrative Code.

- All permanent structures within the following areas shall require a zoning permit, demonstrating compliance with height and setback requirements of the Philadelphia Zoning Code and any special provisions identified for those areas:
 - [Special Flood Hazard Area](#)
 - Parkway Buffer and Independence Hall areas defined in Section 14-502 of the Zoning Code
- All other permanent structures (i.e., flag poles, athletic field enclosures/equipment) shall be subject to the height limitations and minimum setback requirements of the Philadelphia Zoning Code.

However, no zoning permit shall be required provided that the height and setback requirements are satisfied, and the installation does not violate any prohibitions of an applicable overlay.

Non-compliant installations shall require a zoning permit application and may only be authorized by the Zoning Board of Adjustment through a subsequent appeal of the permit denial.

Building, electrical, and/or plumbing permits shall be required in accordance with Section 301 of the Philadelphia Administrative Code.

Additional Exemptions (Not Included in Admin Code):


No permit required for component that are not defined by Zoning Code (i.e. sculptures, flag poles, scoreboard w/o copy etc.), as long as component is not in setback and does not exceed height allowance.

Inadvertently left out temporary trailers. May still apply exemption under regulation.



➤ **301.3 Form of Application** – Authorizes the Department to establish form.

➤ **301.4 By Whom Application is Made**


- Application must be made by:
 - Owner or lessee, design professional, equitable owner (w/ legal agreement), or other licensed person authorized by the Code (i.e. contractor, attorney, expediter)
 - We will allow a GC to submit associated trade apps under eCLIPSE.
 - Others may make application by Court Order (i.e. Conservatorship)
 - By signing the application, the applicant is affirming that they have rights to make the application. False claims invalidate associated permits and are subject to penalty under law.
 - We do not verify private agreements (i.e. leases, condo declaration), identity or authorization of owner.
- 



➤ 301.5 Contents of Application

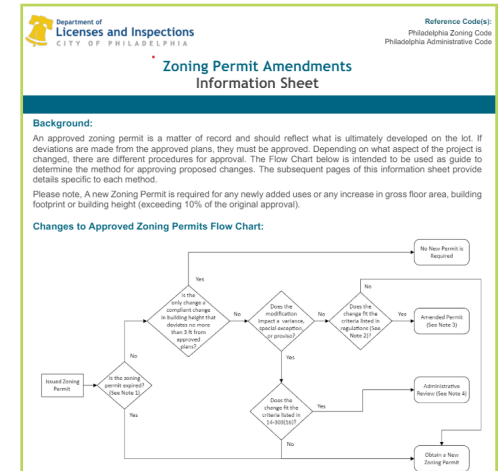
- Identifies basic detail that must be included on the application, including:
 - Address and location
 - Work Description
 - Estimated construction value covered by permit
 - License Information

➤ 301.6 Construction Documents

- References 305 for requirements.
 - Paper submissions must be provided in triplicate and are subject to imaging fees set forth in Chapter 9.
 - The Department has the authority to waive the requirement for construction documents.
- 


➤ 301.7 Amendments

- Amendments may be filed up until the work is fully completed under a permit.
- Process:
 - Amendments are reviewed in accordance with the Code under which the original permit was filed.
 - An amendment does not extend the length of the approval, unless it is explicitly for a time extension.
 - Allowable amendments are established by [regulation](#). Additional requirements apply to changes to variances.
 - Include Amendment Application.
 - See [Amended Permit Fact Sheet](#) for complete detail.






➤ 301.8 Time Limitation of Application

- An applicant has 60 calendar days to provide any requested information or pick up permit
 - We apply a shorter timeframe of 10 business days for ID/U conditions.
 - The Department may grant one or more extensions of 90 days (or less) if there is reasonable cause.
 - Request submitted prior to approval are reviewed by the examiner and requests submitted post-approval are reviewed by the Permit Support Manager or designee.
 - The responsibility to track status and request extension rests solely with the applicant.
 - First extension is granted; however, subsequent extensions are dependent upon specific circumstances. Generally will not grant additional extensions around a code change.
 - The Department may deem an application abandoned where a Court Order authorizes the Department to abate the condition.
- 




➤ **301.9 Waste Collection Plan**

- Applications for building and demo permit applications with plans must identify the name and CAL of the waste hauler.
 - This excludes trade permits.
 - The Waste Hauler does not have a special license and may be the contractor performing work.
 - The Contractor must retain copies of all tipping receipts for a period of three years after permit completion. Receipts are subject to audit.
- 



302 - Permits

➤ 302.1 Action on Application

- If the Department rejects (or fails) an application, we must notify the applicant in writing and include reasons/ citations.
 - Examiners should still attempt to contact the applicant for any necessary clarifications, when appropriate.
 - The Department must respond to an application within the following timeframes:
 - 30 bus days for commercial applications
 - 15 bus days for residential applications
 - 5 days for ID
 - PHC reviews are not subject to this limitation as they fall outside the purview of the UCC.
 - As per the UCC, work may commence without permits if the Department fails to respond.
 - The Code includes additional target service levels (20 business days for commercial, 10 days for affordable housing, 10 days for unforeseen field changes, as resourcing permits)
 - Accelerated apps to be reviewed within 5 business days. Subsequent reviews are processed in 5 business days, subject to examiner availability.
- 

Regulations promulgated to identify filing date and affordable housing review criteria.

A-302.1.1 (R)

(1) The filing date that triggers the start of review periods under A-302.2.1 is the latter of the date that a complete permit application is submitted to the Department or the date the filing fee required by A-901.7 is paid.

(2) An application shall be considered complete if has been accepted for review and identified by the Department as in the review stage.

(3) If, after application rejection, revisions that are necessary to accept for review are limited to the contents of the application identified in Section A-301.5, and corrections are provided within 5 business days that allow the application to be accepted for review, the date of the initial submission of the application shall be deemed the filing date. If such corrections are not provided within 5 business days, the date that the application was resubmitted and accepted for review is the filing date.

DEPARTMENT OF LICENSES AND INSPECTIONS

REGULATIONS PROMULGATED PURSUANT TO SECTION A-302 OF THE PHILADELPHIA CODE

(PERMITS)

Pursuant to its authority under Section A-302 of The Philadelphia Code and Section 8-407 of Home Rule Charter, the Department of Licenses and Inspections hereby promulgates the following regulations regarding time limits for permit application consideration under A-302.1.1 (3) of the Philadelphia Code:

Affordable housing projects. For the purposes of A-302.1.1(3) of The Philadelphia Code, the Department of Licenses and Inspections will provide a review of the applications for affordable housing projects, as defined below, within 10 days, to the extent capacity permits.: Applications for affordable housing projects shall be defined as the following:

1. The Zoning and Building permit applications for a property seeking the Mixed Income Housing Bonus pursuant to 14-702(7).
 - a. The Application for Zoning / Use Registration Permit and the Application for Construction Permit must identify in the scope of work that the application seeks to use the Mixed Income Housing Bonus pursuant to 14-702(7).
 - b. Trade permit applications (plumbing, mechanical, fire suppression, etc.) are only subject to a 10-business day review if those applications are filed together with the building permit application.
 - c. Permit applications for affordable housing projects shall not include permit applications, such as alterations, that are filed after the Certificate of Occupancy for the residential use is issued, which shall be subject to standard review times.
2. The Zoning and Building permit applications for a property which has obtained financing through the Low-Income Housing Tax Credit (LIHTC) program.
 - a. The Application for Zoning / Use Registration Permit and the Application for Construction Permit must identify in the scope of work that the application has obtained financing through the Low-Income Housing Tax Credit (LIHTC) program. The application must be submitted with a letter from the Director of Planning and Development, or the Director's designee, confirming that the property has been awarded financing through the LIHTC program.
 - b. Trade permit applications (plumbing, mechanical, fire suppression, etc.) are only subject to a 10-business day review if those applications are filed together with the building permit application.
 - c. Permit applications for affordable housing projects shall not include permit applications, such as alterations, that are filed after the Certificate of Occupancy for the residential

Regulations promulgated to reflect self-certification allowance.

NEW REGULATION

Regulation Under Philadelphia Code Provision A-302.1.1.

The following regulation is adopted under Title 4, Subcode A of The Philadelphia Code.

THE PHILADELPHIA CODE

TITLE 4; SUBCODE A
(THE PHILADELPHIA ADMINISTRATIVE CODE)

CHAPTER 3. PERMITS

Code Provision:

A-302.1.1 Time limit. The code official shall grant or deny a permit application in whole or in part or request further information, within 30 business days of the filing date for commercial construction and 15 business days for residential construction. *If the permit application is for an imminently dangerous structure as determined under the Property Maintenance Code Section PM-308.0, then the code official shall preliminarily review such application for completeness at the time submitted, and shall grant or deny a complete permit application within 7 days of receipt.* Reasons for a denial shall be in writing and sent to the applicant. When agreed to by the code official and the permit applicant in writing, the deadline for action shall be extended by the number of days specified in the agreement.

Proposed Regulation:

A-302.1.1(R) Pursuant to Act 45 and the Pennsylvania Uniform Construction Code, every application for a construction permit for one-family and two-family dwelling units and utility and miscellaneous use structures shall be granted or denied, in whole or in part, within five business days of the filing date if the permit application includes drawings that have been prepared by design professionals who are licensed or registered under the laws and regulations of the Commonwealth of Pennsylvania and the application contains a certification by the licensed or registered design professional that the plans meet the applicable standards of the Uniform Construction Code and ordinance as appropriate.

779282

DEPARTMENT OF LICENSING AND INSPECTIONS
2011-07-18

DEPARTMENT OF LICENSING AND INSPECTIONS PROCEDURE		CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADELPHIA TITLE 4 -- BUILDING CONSTRUCTION AND OCCUPANCY CODE
		OP-0702
SUBJECT OF PROCEDURE: SELF-CERTIFICATION OF CONSTRUCTION PLANS FOR ONE- OR TWO- FAMILY DWELLINGS		REFERENCE CODE SECTION(S): A-301.6, A-301.8, A-302.1, A-302.5.2, A-302.9 and A-304.3
FOR: CONSTRUCTION SERVICES DIVISION		PAGE 1 OF 6
ISSUED BY		ISSUE DATE: July 18, 2007
NAME: Robert D. Solvibile	SIGNATURE	EFFECTIVE DATE: July 18, 2007
TITLE: Commissioner		REVISION DATE(S):

PURPOSE:

To define a process for the self-certification of certain types of construction plans as provided for in the Pennsylvania Uniform Construction Code as amended by Act 157 of 2006.

SCOPE:

This self-certification procedure is limited to construction plans for one-family and two-family dwelling units and utility and miscellaneous use structures that have been prepared and certified by a design professional who is licensed or registered under the laws and regulations of the Commonwealth of Pennsylvania.

POLICY:

Construction plans for a one-family or two-family dwelling unit, submitted in accordance with this self-certification procedure shall be granted approval or denied, in whole or in part, within five business days of the filing date. The time limit may not be extended, even upon agreement between the parties.

The time limit for the Department's approval or denial of construction plans for a property designated historic or located in a designated historic district shall be extended by the amount of time the application is under review by the Historical Commission.

Construction plan approval is only one component of the permit process. A permit will not be issued before all other requirements have been met by the applicant.

PROCEDURE:

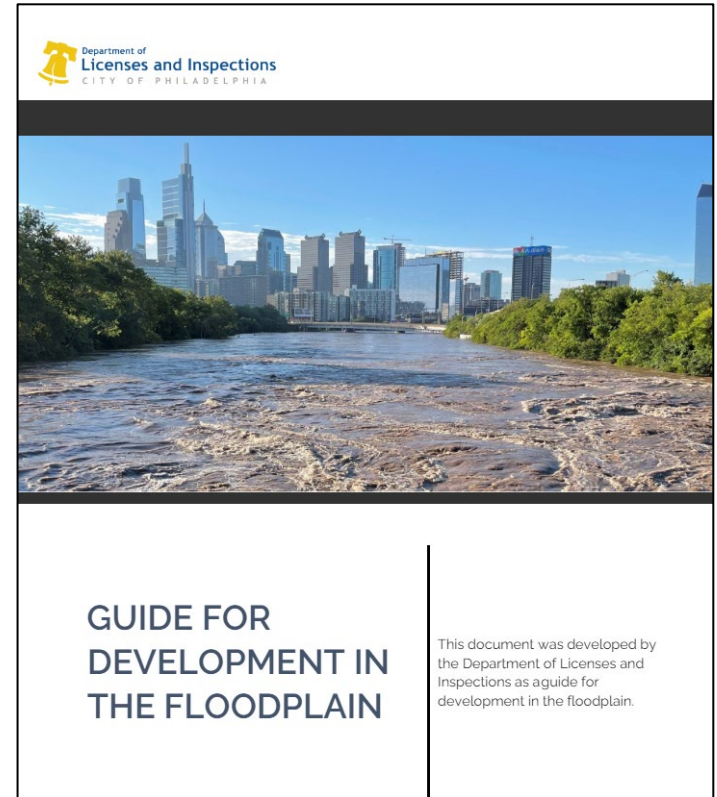
I. Licensed or Registered Design Professional

A. Design Professional in Responsible Charge

- The owner of the property, for which construction plans are submitted for self-certification, shall designate on the permit application the licensed or registered design professional who has certified the plans as being the design professional in responsible charge.

➤ 302.1.2 Substantial Improvement/ Substantial Damage

- Re-iterates the criteria used to determine substantial improvement/ damage established by FEMA regulations and included in the Existing Building Code.
- Historic Structures listed on local, state, or national registry are exempt from certain requirements.
- See [CB A-1702](#) on Development in Flood Hazard Areas and associated guide.





➤ 302.2 Suspension of Permit

- A permit becomes invalid if work does not start within six months of permit issuance or work ceases for a period of six months.
- No permit issued for construction or demolition be valid for more than five years.
- The Department is authorized to grant extensions
 - Exceptions:
 - Fire Permits- limited to specified time period (date range).
 - Z/U permits- Established by Zoning Code.
 - Work must commence within three years of permit issuance or ZBA decision and use must be established within six months (where no work is taking place).
 - A one-time one-year extension may be authorized by the Department (or by the ZBA when permit is granted by variance).
 - ID/U- work must commence within 10 days for ID and 30 days for U
 - Rough-in- work must be initiated and complete permit obtained within 60 days of permit issuance.



CODE OF GENERAL

DEPARTMENT OF LICENSES AND INSPECTIONS

CODE BULLETIN OF INFORMATION A-2001-R1

SUBJECT OF BULLETIN:

Construction Permit Expiration for Projects

ISSUED BY

NAME:

Elizabeth Baldwin, P.E.
Chief Code Official

BACKGROUND

The Philadelphia Building Construction and Occupancy Code imposes the on construction permits to ensure the work proceeds in a safe and controlled accordance with current codes:

- Section A-302.2 states that a permit shall become invalid if work is not completed within six months of issuance or is suspended for a period of six months.
- Section A-302.2.5 requires that all work covered under a permit be completed within two years of the date of issuance.

The Philadelphia Building Construction and Occupancy Code does not depend on a permit issued under a single building permit. The allowance or restriction of a condominium unit under a single permit is a function of departmental regulations and procedures in effect at the time of permit issuance.

The Department adopted a new land management program in March 2001 for each addressable object (i.e. building or condominium unit). As such, a separate permit is required for each building or unit on a parcel. This permitting structure was adopted for purposes only and it is not feasible or desirable to track permit expiration under Section A-302.2. of the Philadelphia Building Construction and Occupancy Code record. On the contrary, the Department can better enforce compliance for spaces on a parcel through the holistic review, issuance, and inspection associated with a project.

Furthermore, the Section A-301 of the Philadelphia Building Construction and Occupancy Code requires a separate permit record for each trade permit associated with

CODE BULLETIN OF INFORMATION

ZBDEPARTMENT OF LICENSES AND INSPECTIONS

Z-

SUBJECT OF INTERPRETATION:

EXPIRATION PERIODS RELATED TO ZONING PERMITS

ISSUED BY

NAME:

Elizabeth Baldwin, P.E.

TITLE:

Building Code Official

BACKGROUND:

The Philadelphia Zoning Code establishes zoning permit expirations in Section

(10) **Lapse of Permits and Approvals**

(a) *Except as specifically stated in any other section of this Zoning Code, a permit granted under this Zoning Code, including approvals by the Department pursuant to § 14-1005 (Regulation), shall expire if construction or a permit or approval has not begun within three years after the date of issuance.*

(b) *As exceptions to § 14-303(10)(a) above:*

(1) *A conditional zoning approval (see § 14-303(6)(c) (Conditional Zoning Approval Process)) shall be valid for a period of one year after the date of Zoning Approval was granted; and*

(2) *Use registration permits shall be valid for a period of one year after the date of application for a Certificate of Occupancy is submitted for the project.*

Section 14-303 of the Philadelphia Zoning Code also grants the Department (Department) and the Zoning Board of Adjustment (ZBA) the authority to establish a special exception:

(10) **Lapse of Permits and Approvals**

CODE OF GENERAL
ORDINANCES OF THE

CODE INTERPRETATION

A-1701

SUBJECT OF INTERPRETATION:

EFFECT OF APPEALS ON PERMITS

ISSUED BY

NAME:

Michael Fink

TITLE:

Chief Code Official

CODE OF GENERAL
ORDINANCES OF THE
CITY OF PHILADELPHIA
TITLE 4
PHILADELPHIA BUILDING
CONSTRUCTION AND OCCUPANCY CODE

REFERENCE CODE SECTIONS:

A-805

ISSUE DATE:

April 10, 2017

PAGE 1 OF 2

QUESTIONS:

Occasionally appeals are filed challenging the issuance and validity of a permit. Two questions typically arise when such appeals are filed.

- Can a permit which is the subject of an appeal, expire during the appeal process?
- Can a permit holder act on a permit after an appeal is filed?

DISCUSSION:

The questions involving the effect of appeals on permits revolves around the legal term of a "stay." A "stay" is typically a court order preventing further action until a future event occurs, or the order is lifted. In some instances, the law provides for an automatic stay. In most instances, however, the law is silent, and there is no stay unless one of the parties actively seeks it.

Where a stay is provided by statute, no court order is necessary to stay the action, and the mere filing of a notice of appeal operates to put a regulatory decision on hold pending review of that decision. For example, work that has been cited as a violation of the code could continue if the enforcement order is appealed and enforcement of the order is stayed.

The Administrative Code includes such language as follows:

SECTION A-805 ACTION PENDING APPEAL

A-805.1 Stay of action: Whenever an appeal filed pursuant to Sections A-801.0 or A-803.0 is pending, compliance with the decision, notice of violation, order, or license suspension or revocation which is the subject of appeal shall not be required except as provided in Section A-805.2.

A-805.2 Compliance action: An appeal shall not constitute a stay of proceedings by the department or the Fire Department where either department finds and certifies in writing that the violation is intentional or that there exists a condition of immediate danger or hazard to health, safety or welfare which requires immediate compliance. An appeal shall not constitute grounds for lifting a Stop Work Order or Cease

FAQ: When does my construction permit expire?

The life of a permit is based on when the permit was issued, how soon construction work begins, the continuity of work, and whether or not permit extensions are requested and granted. In accordance with [Section A-302.2](#) of the Philadelphia Code, work under a permit must begin within 6 months and may not be halted for a period exceeding 6 months.

Certain permits are eligible for extension. The [Construction Permit Extension Information Sheet](#) outlines general conditions under which permits may be extended and the process for requesting an extension. However, many questions arise regarding next steps, special circumstances, and electronic system records.

This FAQ is intended to address common scenarios and questions relating to permit expirations, including:

- [My permit has expired because work has not started. What happens next?](#)
- [My permit has expired because work has stalled. What happens next?](#)
- [My permit is about to expire but work is ongoing. What happens next?](#)
- [My permit has expired but is still within the eligible extension window. How do I resolve it?](#)
- [I have a large project \(i.e. housing development\) and some of the permits have expired. How do I resolve it?](#)
- [Why didn't I receive notice of expiration?](#)
- [The expiration date identified in eCLIPSE does not seem consistent with the rules. What is the correct expiration date?](#)
- [My permit is under appeal, but I received notice that the permit is set to expire. How do I resolve it?](#)

My permit has expired because work has not started. What happens next?

- If you intend to pursue the project and less than 18 months has lapsed, you can request that the permit be [reinstated](#).

You should only pursue reinstatement if you are anticipating that work will start within 18 months of issuance. In order to qualify as start of work, the work must be included in the scope of the subject permit. For example, demolition or unrelated site work does not qualify as the start of work under a new construction permit.

Construction Permit and Permit Application Extensions Information Sheet

➤ Permit Extension

How long is a permit valid?

Per the Philadelphia Administrative Code, Section [A302.2](#):

- Any permit issued shall become invalid if the authorized work is not commenced within **six (6) months** after issuance of the permit, or if the authorized work is suspended or abandoned for a period of **six (6) months** after the time of commencing the work. A permit issued for construction or demolition may be valid for no more than five (5) years from its issue date.

For information on Zoning permit extensions refer to the [Zoning Permit Extension Information Sheet](#).

Exceptions:

- **Permits related to imminently dangerous and unsafe structures or conditions.**
 1. For permits issued in connection with [imminently dangerous structures or conditions](#), the permit shall become invalid if the work does not commence within **ten (10) days** after issuance or does not progress continuously until the structure or condition is made safe.
 2. For permits issued in connection with an [unsafe structure or conditions](#), the permit shall become invalid if the work does not commence within **thirty (30) days** after permit issuance or does not progress continuously until the structure or condition is made safe.
- **Rough-in approvals.** A rough-in approval shall become invalid if the work is not initiated and the associated complete permit is not obtained within **sixty (60) days** of issuance.
- **Operational permits.** Operational permits issued under the Philadelphia Fire Code are only valid for the specified dates.

Can a permit be extended?

Per the Philadelphia Administrative Code, Section [A302.2](#), permits are eligible to be extended for a period not exceeding **six (6) months, except as noted below**. A maximum of two extensions may be granted for a total period not exceeding twelve (12) months.

The following permits are not eligible for extension:


1. Permit issued to remediate an imminently dangerous or unsafe condition.
2. A permit that has exceeded the 5-year limitation for completion.
3. A rough-in approval.



➤ 302.3 Previous Approvals


- Code changes are not retroactive- they do not apply to permits that have already been issued.
 - Changes to maintenance requirements would apply to all structures.

➤ 302.4 Signature to Permit

- The Code official must affix signature to approved permit documents.
 - Stamp or electronic signature permissible.
 - Reference documents and forms do not require a signature.
- 




➤ 302.5 Construction Documents

- The Examiner must stamp each approved plan.
 - Three sets of documents are required (for applicant, department, and inspector) when submitted on paper.
 - A paper copy must be retained at the construction site.
 - Requirement still applies to electronic submittals.
 - Errors or omissions in permit approval does not relieve the permit holder of responsibility to fully comply with Code. The Department may require corrections.
 - Refer to procedures on permit amendments and revocations.
- 



➤ **A-302.6: Foundation Permit**

The Department is authorized to issue a permit for the construction of foundations before the construction documents for the entire structure have been submitted.


- A zoning permit and PWD approval of stormwater management is required prior to issuance.
 - Issuance of a foundation permit shall be the basis for issuance of plumbing and electrical permits for work below grade.
 - The owner or his agent must submit a statement confirming that he accepts full responsibility of any changes that may be required as a result of full construction permit review.
- 

➤ A-302.7 Annual Permit

- The Department is authorized to issue an annual permit for the maintenance or alteration of existing electrical, gas, plumbing, or mechanical systems.

Authorized work may not include new installations or extensions of existing systems.

- The institution/ corporation must employ a licensed trades person for the applicable permit type and identify license holder at the time of application.
 - We presently only issue for electrical and plumbing due to the nature of licensing.
- Detailed records of all work performed shall be kept and be available for inspection.



**Annual Plumbing and Electrical Permits
Information Sheet**

Overview
The Department of Licenses and Inspections offers annual permits to perform routine maintenance and replacement of plumbing or electrical system components, in accordance with [Section A302.7](#) of the Philadelphia Code.

Limits and Conditions
To qualify for an annual permit, the institution or organization must directly employ a registered master plumber or electrician who will be responsible for the work. The associated license must be in the name of the institution or organization.
Work authorized under the annual permit is limited to maintenance or replacement work on a previously approved system in an existing building. New installations or extension of existing systems are not authorized.

- Permissible plumbing work includes the replacement of fixtures in kind with no additional piping or installations of any kind and the replacement or repair of water heaters.
- Permissible electrical work includes the replacement of lamps, broken switches, receptacles, and fixtures in kind with no additional wiring or installations of any kind.

A detailed record of all work shall be kept. These records shall be furnished to the Department upon request.
A separate permit shall be required for each trade. The permit will be processed as a General-Minor work type and shall be valid for one year from the date of issuance.

Application Submission Requirements
The following must be provided at time of application:

- A completed [Construction Permit Application](#).
- Electrical Contractor and/or Registered Master Plumber License, in the name of the institution or organization. The license must be active, current on City of Philadelphia taxes, and include current insurance on file.


How to Submit for Permit
You must [make an appointment](#) to submit virtually or in-person at the Permit and License Center. Application is not available through the online portal.



➤ 302.8 Posting of Permits & Licenses


- A true copy of all permits or notice of permits must be posted throughout the duration of the project.
 - The permit and permit notice will become two distinct documents with the eCLIPSE launch.
 - The owner will be required to post the permit notice.

Exceptions:

- Rental licenses, where there is no on-premises management office, are not required to be posted.
 - The posting of zoning and use registration permits shall be regulated by the Zoning Code.
- Insurance cert must be made available on-site and available for public inspection.
- 




➤ 302.9 Revocation of Permit

- The code official is authorized to revoke a permit under any of the following conditions:
 1. The permit was issued in error.
 2. The permit was issued on the basis of incorrect, inaccurate or incomplete information.
 3. The permit was issued on the basis of false statement or misrepresentation of fact in the application or construction documents.
 4. An ordinance, regulation, or condition of permit has been violated.
 5. Work is being conducted in an unsafe manner.
 6. A Stop Work Order or Cease Operations Order has been issued.
 - Revocations are issued by the Permit Services Manager or Code Official.
 - The permit holder has the right to appeal.
- 




➤ 302.10 Conditions of Permit

- A permit cannot be issued until all permit fees are paid. A returned payment is grounds for revocation.
 - Compliance with Code or variance.
 - Compliance with Permit
 - Permits may only be transferred as approved by the Department.
 - If change in ownership occurs after permit issuance, we do not require a permit update to document the transfer. Corrections to owner listed on application do require an amendment.
 - We allow for a Change in Contractor, in accordance with standard application requirements.
 - Zoning always runs with the land.
- 



➤ 302.10 Conditions of Permit (Cont'd)

- Asbestos Inspection Report
 - Report and lab analysis are required with an alteration permit (cost of work greater than \$50k) and demolition permit applications with following exceptions:
 - Building was constructed after 1981;
 - Legal occupancy is 3 dwellings or less.
 - Report, list of licensed investigators, and remediation requirements full under the jurisdiction of the Health Dept.
 - L&I is responsible for sharing information with Health; however, L&I does not confirm abatement.
- 

➤ 302.11 Temporary Structures

- There are multiple layers of exemptions/permissions of temporary structures- UCC specific exemptions, Ch 31 of the IBC, Fire Code provisions, the Special Events VGA, and A-301 permit exemptions.
- [Code Bulletin A-1501 R1 on Temporary Structures and Uses](#) attempts to capture the various scenarios and should be used for guidance. Multiple FAQs are also available.
- The Department has the authority to terminate such approval.
- Any structures in place more than 180 days cannot be classified as temporary.

STRUCTURES		
TYPE OF STRUCTURE	TYPE OF PERMIT	REQUIREMENTS
Tents (excluding Special Tents)		
Tents less than 400 sq ft	None	No permit required. Installation must comply with Chapter 31 of the Philadelphia Fire Code.
Tents between 400 and 700 sq ft (open on all sides with 12' clearance from other tents/structures)		
Tents, All Others	Tent Permit	Review Get a Tent Permit service; Installer must have a Commercial Activity License
Special Tents		
More than 1 story	Tent Permit	Review Get a Tent Permit service. Installer must have a Commercial Activity License . Additionally, A PA professional engineer is required to seal drawings (identifying local loading conditions) and perform structural inspection.
More than 7,500 square feet		
More than 1000 occupants		
Installation on Roof, Balcony, or Deck	Building Permit	Review Get a Building Permit service. Structure must comply with Section 3102 of the Philadelphia Building Code. Installer must have a Philadelphia Contractor's license .
Rides and Amusements		
All Rides and Amusements, including Air-Inflated or Supported Structures	Pa Dept of Agriculture Approval	Refer to Pa Dept of Agriculture website .
Air Inflated or Supported Structures (Multiple)	Pa Dept of Agriculture Approval and Tent Permit	Review Get a Tent Permit service; Installer must have a Commercial Activity License . Must make an appointment to file L&I permit applications through www.phila.gov/i .
Other Temporary Structures*		
Structures not occupied by the general public	None	Installation must comply with Section 3103 of the Philadelphia Building Code.
Platforms Exceeding 18" and occupied by the general public	Building Permit	Review Get a Building Permit service. The structure must comply with Section 3103 of the Philadelphia Building Code. Installer must have a Philadelphia Contractor's license .
Fixed or Stadium Seating		
Structure occupied by the general public		
Special Event Structure exceeding 400 sq ft, (A <i>temporary special event</i>)	Building Permit	Review Get a Building Permit service. Structure must comply with

303- Demolition

➤ 303.1 Service Connections

- The Contractor is responsible to notify all utilities and ensure that service connections are safely removed or plugged.
 - The Department only verifies such approval for water and sewer service prior to permit issuance as per 305.2.2.4

➤ 303.2 Posting & Notice:

- The Contractor is required to post a Department-issued notice on each street frontage upon permit application submittal.
 - The posting must remain in place for a minimum of 21 calendar days before demolition can commence.
 - Exceptions:
 - ID/ U Buildings
 - A structure that is the subject of a zoning variance/ SE.
- Upon permit issuance, the Department is authorized to distribute an informational bulletin to the properties located within a 100 foot radius of the subject property.
 - This provision does not create any actionable rights for neighboring property owners/ tenants.



➤ A-303 Demolition and Relocated Structures (cont'd)

303.3 Permits

- A change in Contractor requires a permit amendment.
- The Contractor must resubmit any documents that were prepared by the Contractor or require the affirmation of the Contractor.


303.4 Moved Structures

Before any structure which has been moved is occupied, the structure and mechanical equipment shall be inspected.





➤ 304 Registered Design Professional Services


- Constructions documents must be prepared by a registered design professional with the following exceptions:
 - Alterations 1) that do not include structural changes or changes to means of egress, 2) have an associated cost of less than \$25,000, and 3) there was no compensation for plan preparation.
 - This may apply to a contractor preparing plans for work that they will perform.
 - Ground floor additions to one- and two-family buildings of less than 120 square feet.
 - The Design Professional is required to comply with applicable PA registration laws.
 - Constructions documents must include the name/address of design professional and seal/ signature/ date.
 - The Code Official has the right to request additional docs prepared by the design professional where special conditions exist.
- 



➤ **304.2 Special Inspections**

- As required by the Building Code. All fees and costs shall be borne by the owner.

➤ **304.3 DPRC**

- When construction documents are required to be prepared by a design professional, a Registered Design Professional in Responsible Charge must be designated.
 - The Code provides the Department some discretion in this requirement.
 - If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge.
 - Post-issuance, we only require a substitute if an amendment or decision is required.
 - If a designer removes himself as the DPRC prior to permit issuance, we require a new DPRC.
 - A substitution does not authorize the new design professional to amend the original designer's plans.
- 



➤ 304.3.1 Deferred Submittals


- The code official is authorized to allow the submission of construction documents post- permit issuance.
 - Work associated with the deferred submittal cannot be performed until documents are approved.
 - Deferred documents are submitted through an amended permit application.
 - We only allow for truss drawings be deferred. All other requests are subject to supervisory approval.





305 Construction Documents

➤ 305.1 General

- Plans shall be drawn on suitable material, generally to scale, dimensioned, and shall be of sufficient clarity to indicate the location, nature and extent of work proposed. **Requirements set forth in checklist.**
 - The Department is authorized to develop and require the submittal of forms to collect required information in a consistent form.
 - Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.
 - Code official is authorized to waive the submission of construction documents and other data that is not required.
 - The Department is authorized to establish plan submission standards. Electronic media documents may be submitted where approved by the Department.
- 



➤ 305.2 Contents


- Identifies application materials and pre-requisite approvals for Building, Demolition, Electrical, Mechanical/ Fuel Gas, Plumbing, and Fire Suppression Permits.
- See website services and permit checklists for complete list of requirements by permit type.

➤ 305.3 Maintenance of Construction Documents

- Approved documents must be kept on-site.
- 



➤ A-306 Commercial Construction Records

- Pursuant to the UCC, the Department shall keep records of all applications received, permits issued, reviewed building plans and specifications, certificates issued, fees collected, reports of inspections, notices and orders issued under the Building Construction and Occupancy Code.
 - Documents must be retained for the life of the building.
 - We apply same to residential construction records.
 - Refer to website for information on requesting copies.
 - Applications filed pre-UCC (2004), were retained under the City's records retention schedule.
 - Major construction and construction permitted by variance may still be on file with the Department of Records.
 - COs and LOs *may* be found in the Zoning Archives.
- 



Stay Tuned

for future announcements, email communications, and
information sessions