



PHILADELPHIA FIRE DEPARTMENT

Fire Code Unit
Fire Administration Building
240 Spring Garden Street
Philadelphia, PA 19123
Phone: 215-686-1356 Fax: 215-686-1167

Instructions for Appeals to the Board of Safety and Fire Prevention

The Board of Safety and Fire Prevention hears appeals of technical code requirements. The Board will make recommendations to the Fire Commissioner for variances from the Fire Code based upon the information presented to them at an informal hearing.

Appeals of, and variances from, the requirements of the Philadelphia Fire Code are handled by the Fire Department via the Board of Safety and Fire Prevention. An appeal can be a request to meet the intent of the code by other means or a request for additional time to comply with the requirements of the code. Administrative and inspection duties involved with an appeal are handled by the Fire Department's Fire Code Unit. After an appeal is received an inspection of the property, related to the appeal, is conducted by an inspector from the Fire Code Unit. Following the inspection a hearing is scheduled before the Board of Safety and Fire Prevention. They will hear the appeal and make a recommendation to the Fire Commissioner who has the authority to grant or deny variances from the Fire Code.

A recommendation to the Fire Commissioner for an extension of time or a variance from the Fire Code by the Board of Safety and Fire Prevention shall be made where there is a finding that:

1. The variance will fulfill the intent of the code; and
2. Literal enforcement will result in unique and/or extraordinary conditions make literal compliance impractical; and
3. The variance will not be an unreasonable deviation from the requirements of the code; and
4. In the case of buildings designated as historic pursuant to Chapter 14-1000 of The Philadelphia Code or listed in the National Register of Historic Places, where strict compliance with a provision of this Title would interfere with the historic character of the property, the variance does not constitute a material life safety hazard; and
5. In the case of a request for an extension of time, efforts are being made to come into compliance as quickly as possible.

A fee and various documents are required to file an appeal. The fee is \$100.00 per building. Appeals, including a copy of the Violation Notice(s) issued by the Department of Licenses and Inspections must be sent (post marked) to the Fire Department within 30 days of the date on the Violation Notice. If a Violation Notice was not issued, but the request is in violation of the Fire Code, indicate "Permission Request" in the section of the form labeled "VIOLATIONS UNDER APPEAL or PERMISSION REQUESTED". If the violations have been referred to enforcement court, an appeal can only be accepted if it is accompanied by a letter of remand from the court. Appeal forms must be signed by the applicant and/or owner. All of the following is required before an appeal can be accepted:

1. A \$100.00 check or money order made payable to the City of Philadelphia.
2. Two copies of the appeal form.
3. One copy of each Violation Notice issued to the property.

Mail or hand-deliver these to: Philadelphia Fire Department
Board of Safety and Fire Prevention
240 Spring Garden Street
Philadelphia, PA 19123-2991



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Board of Safety and Fire Prevention
 Fire Administration Building
 240 Spring Garden Street
 Philadelphia, PA 19123-2991

APPEAL FORM CHECKLIST

- Copy of Notice of Violation attached
- All fields on this form completed
- Check or money order for \$100.00 made payable to the City of Philadelphia

FIRE CODE VIOLATION APPEAL

Address of Property: _____

APPELLANT INFORMATION

Name: _____
 Address: _____
 City: _____ State: ____ Zip: _____
 Phone number: _____

OWNER INFORMATION

Name: _____
 Address: _____
 City: _____ State: ____ Zip: _____
 Phone number: _____

POINT OF CONTACT INFORMATION

Name: _____ Phone number: _____ Email: _____

I am requesting: Extension of time to comply Variance from the Fire Code Appeal of violation

If you believe that you have been issued a violation in error, you should contact the district or unit that issued the violation.

VIOLATIONS UNDER APPEAL or PERMISSION REQUESTED (List by code section number. Example: F-907.1)

Describe why literal enforcement will result in unique and/or extraordinary conditions make literal compliance with the Code impractical:

Describe the proposal that will fulfill the intent of the Code and will ensure public safety or the reason that you believe the code does not apply:

I certify that I am familiar with the subject building and that the information provided herein is true and factual, and that I am the owner or authorized by the owner to act in his/her behalf on this appeal.

Appellant's Signature: _____ Date: _____

••SUBMIT IN DUPLICATE••