



City of Philadelphia

Philadelphia, PA 19107

BILL NO. 040998

Introduced November 18, 2004

Councilmember Mariano

**Referred to the
Committee on Licenses and Inspections**

AN ORDINANCE

Amending Title 4, Subcode "A," Section A-506, entitled "Code Violation Notices (CVN)," by providing for a new amount to be remitted in response to a code violation notice with respect to violations of The Philadelphia Building Construction and Occupancy Code; and amending Title 4, Subcode "PM," Section PM-312, entitled "Overhanging or Encroaching Trees," to make conforming changes; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 4 of The Philadelphia Code is amended to read as follows:

Title 4. THE PHILADELPHIA BUILDING CONSTRUCTION
AND OCCUPANCY CODE

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CHAPTER 4-200. TEXT OF SUBCODES

SUBCODE "A" (THE PHILADELPHIA ADMINISTRATIVE CODE)

* * *

CHAPTER 5 VIOLATIONS

* * *

SECTION A-506 CODE VIOLATION NOTICES (CVN)

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A-506.1 General. The code official is authorized to issue notices of violation for any violation of any provision of this code or the technical codes, pursuant to the procedures set forth in Section 1-112 of The Philadelphia Code.

A-506.2 Remittance amount. The amount required to be remitted in response to a notice of violation is [twenty-five dollars (\$25)] *the amount indicated in Section 1-112 of The Philadelphia Code unless otherwise specified.*

Exceptions: The amount required to be remitted shall be as follows for violation of the following provisions:

* * *

[6. Section PM-312.4.1
(overhanging or encroaching
tree) Fifty dollars (\$50.00)]

* * *

SUBCODE "PM" (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

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CHAPTER 3 GENERAL PROPERTY AND STRUCTURAL MAINTENANCE

* * *

SECTION PM-312 OVERHANGING OR ENCROACHING TREES

* * *

PM-312.4 Penalties and Enforcement: The enforcement of Section PM-312.0 and penalties for violation thereof are set forth in Sections PM-312.4.1 through 312.4.4.

* * *

PM-312.4.3 Code Violation Notice: If a violation of this section has not been remedied within thirty (30) days of issuance of the notice described in section 312.4.1, or

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immediately after such notice in cases of immediate danger to the health or safety of the public, an Enforcement Officer is authorized to issue a Code Violation Notice to the property owner pursuant to the procedures set forth in section 1-112 of the Code. The amount required to be remitted in response to a Code Violation Notice issued pursuant to section 1-112 of the Code to enforce this section is [fifty (\$50) dollars] *the amount indicated in section 1-112*. Payment in response to a Code Violation Notice shall not excuse the owner's responsibility to remedy the violation.

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Explanation:

[Brackets] indicate matter deleted
Italics indicate new matter added

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