

**CITY OF PHILADELPHIA HISTORIC PRESERVATION ORDINANCE, CHAPTER 14-1000  
WITH PERTINENT EXCERPTS FROM OTHER SECTIONS OF THE ZONING CODE  
EFFECTIVE AUGUST 22, 2012**

**CHAPTER 14-100. GENERAL PROVISIONS**

**§ 14-101. Purpose.**

This Zoning Code is the first comprehensive revision to Philadelphia's zoning laws in nearly 50 years. The earlier code, dating from 1963, was updated in 1988 when the zoning rules governing Center City were significantly reformulated. However, most modifications to the Zoning Code have occurred in small increments or through a myriad of individual ordinances and overlays, resulting in a very complicated document that was increasingly unable to meet the demands of an evolving city. In 2007, the voters of the City decided to create a Zoning Code Commission and charged this 31-member body with the task of writing a new Zoning Code. The result is this Zoning Code. It is enacted to guide the land use and development of the City and in so doing, promote the public health, safety, and general welfare of its citizens and visitors. The provisions of the Zoning Code are designed to achieve the following goals. With these goals in mind, the members of the Zoning Code Commission intend for this to be a living document that will propel the City of Philadelphia to a higher quality of life.

- (1) Promote sound planning principles by:
  - (a) Protecting the access of each property to adequate light, air, street frontage, and other public amenities;
  - (b) Promoting adjacencies of appropriate uses and conversely, discouraging or disallowing adjacencies of uses that should be separated;
  - (c) Protecting the desirable characteristics of the City's neighborhoods;
  - (d) Preserving and enhancing the public realm, including the streetscape and the pedestrian environment;
  - (e) Promoting and maintaining a balanced mix of housing choices; and
  - (f) Encouraging development that is consistent with the goals and objectives of the City's Comprehensive Plan.
- (2) Promote sustainable and environmentally responsible practices by:
  - (a) Encouraging development around nodes of mass transit;
  - (b) Supporting the City's sustainability goals to reduce vehicle miles traveled, encourage renewable energy and energy conservation, encourage water conservation, allow urban food production, promote walking and community health, and allow the City to operate more efficiently; and
  - (c) Restoring and conserving the City's natural and historic resources.
- (3) Promote growth and economic development by:
  - (a) Encouraging revitalization of deteriorated and/or vacant properties;
  - (b) Establishing opportunities to locate appropriate businesses near a base of employees and locate services with ready access to residents; and
  - (c) Removing barriers to enable responsible development to proceed 'as of right.'
- (4) Promote fair and consistent procedures for its use by:
  - (a) Establishing a single city-wide process in which projects that require relief from the rules of this Zoning Code, or projects deemed to have high impact on their surrounding community, benefit from organized community input offered in a timely manner;
  - (b) Presenting this code in well-organized hard copy and digital formats, with text written in plain English and easily read charts and illustrations; and
  - (c) Developing appropriate supporting regulations in the City agencies that administer this document.

## **CHAPTER 14-200. DEFINITIONS**

### **§ 14-201. Rules of Interpretation.**

In the interpretation of this Zoning Code the rules and definitions of this § 14-201 (Rules of Interpretation) shall be observed and applied.

- (1) Words used or defined in one tense or form shall include other tenses and derivative forms.
- (2) Words in the singular number include the plural number, and words in the plural number include the singular number.
- (3) The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- (4) The words “must,” “shall,” and “may not” are mandatory.
- (5) The words “may” and “should” are permissive.
- (6) The terms “standards,” “regulations,” and “requirements” are used to mandate a specific course of action that the applicant must incorporate in the project application. Compliance with standards, regulations, and requirements is mandatory. Statements of standards, regulations, and requirements are indicated by use of the terms “must,” “shall,” or “may not” in the rule or directive.
- (7) The term “guideline” is used for actions that are strongly encouraged to fulfill the intent of subject provision. Guidelines are indicated by use of the terms “may” or “should.” Failure to meet a voluntary guideline cannot be used as a basis for the City’s denial of a project application.
- (8) The words “Philadelphia Code” mean The Philadelphia Code of the City of Philadelphia.
- (9) The word “person” includes individuals, firms, corporations, associations, and any other similar entities, including governmental agencies.
- (10) The word “City” means the City of Philadelphia.
- (11) The words “City Council” mean the City Council of Philadelphia, Pennsylvania.
- (12) The word “Commonwealth” means the Commonwealth of Pennsylvania.
- (13) In case of any difference of meaning or implication between the text of this Zoning Code and any caption or illustration, the text shall control.
- (14) Where the meaning of a restriction in this Zoning Code is ambiguous and the intent cannot be discerned through the usual rules of statutory construction, the restriction shall be construed in favor of the landowner, provided that the resulting construction does not lead to irrationality in the Zoning Code.

### **§ 14-203. Definitions.**

For purposes of this Zoning Code, the following definitions shall apply; words, phrases, and terms not defined herein, but defined in Title 4 (The Philadelphia Building Construction and Occupancy Code), shall be construed as defined in Title 4.

- (15) Alter or Alteration.
  - (a) As used in Chapter 14-1000 (Historic Preservation): a change in the appearance of a building, structure, site, or object which is not otherwise covered by the definition of demolition, or any other change for which a permit is required under The Philadelphia Code of General Ordinances. “Alteration” includes the reroofing, cleaning, or pointing of a building, structure, or object.
- (43) Building.
  - (a) As used in Chapter 14-1000 (Historic Preservation): a structure, its site, and appurtenances created to shelter any form of human activity, including a public interior portion of a building.
- (76) Construct or Construction.
  - (a) As used in Chapter 14-1000 (Historic Preservation): The erection of a new building, structure, or object upon an undeveloped site.

- (78) Contributing Building, Structure, Site, or Object.  
As used in Chapter 14-1000 (Historic Preservation): A building, structure, site, or object within a historic district that reflects the historical or architectural character of the district, as defined in the Historical Commission's designation.
- (88) Demolition or Demolish.  
The razing or destruction, whether entirely or in significant part, of a building, structure, site, or object. Demolition includes the removal of a building, structure, site, or object from its site or the removal or destruction of the façade or surface.
- (92) Design.  
As used in Chapter 14-1000 (Historic Preservation) and § 14-504(5) (Queen Village): Features including mass, height, appearance, volume, and the texture, color, nature, and composition of materials.
- (97) District.  
(a) As used in Chapter 14-1000 (Historic Preservation): A geographically definable area possessing a significant concentration, linkage, or continuity of buildings, structures, sites, or objects united by past events, plan, or physical development. A district may comprise an individual site or individual elements separated geographically but linked by association, plan, design, or history.
- (146) Historical Commission.  
The Philadelphia Historical Commission.
- (147) Historic Building.  
A building or complex of buildings and site, or the public interior portion of a building, which is designated pursuant to § 14-1004 (Designation of a Historic Structure or District) or listed by the Historical Commission under § 14-2007 of the prior zoning ordinance or the prior historic buildings ordinance approved December 7, 1955.
- (148) Historic District, Object, Site, or Structure.  
A district, object, site, or structure, or a public interior portion of a structure, that is designated by the Historical Commission pursuant to § 14-1004 (Designation of a Historic Structure or District) or designated under § 14-2007 of the prior zoning code.
- (195) Object.  
As used in Chapter 14-1000 (Historic Preservation): A material thing of functional, aesthetic, cultural, historic, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.
- (252) Public Interior Portion.  
As used in Chapter 14-1000 (Historic Preservation): An interior portion of a building or structure that is, or was designed to be, customarily open or accessible to the public, including by invitation. A public interior portion does not include an interior portion of a building or structure that was designed to be customarily open or accessible to the public, which interior portion has been significantly altered physically such that a substantial portion of the features reflecting design for public use no longer remain. Terminating use of an interior portion of a building or structure by the public shall not in and of itself constitute conversion of the design of such interior portion. A public interior portion does not include the interior portions of a building which was designed to be and still is used exclusively as one or more private residences.
- (298) Site.  
As used in Chapter 14-1000 (Historic Preservation): The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical, cultural, or archaeological value regardless of the value of any existing structure.

(323) Structure.

(a) As used in Chapter 14-1000 (Historic Preservation): A work made up of interdependent and interrelated parts in a definite pattern of organization constructed by man and affixed to real property, including a public interior portion of a structure.

## **CHAPTER 14-300. ADMINISTRATION AND PROCEDURES**

### **§ 14-301. Reviewers and Decision Makers.**

(1) Purpose.

This section summarizes the roles and responsibilities of appointed and elected government officials and bodies primarily involved in the administration of this Zoning Code. Additional officials or agencies may be involved based on the character of the application or the size or type of development involved. No provision of this section adds to or detracts from a power, duty, or responsibility granted to any board, commission, department, committee, or agency of the City by a grant of power, duty, or responsibility in another section of the Philadelphia Home Rule Charter or The Philadelphia Code. In the case of any conflict between the provisions of this § 14-301 (Reviewers and Decision Makers) and other provisions of the Philadelphia Home Rule Charter or The Philadelphia Code, including this Zoning Code, the latter shall govern.

(7) Historical Commission.

The Historical Commission is the City of Philadelphia's historic preservation regulatory agency. Its creation and duties are described in Chapter 14-1000 (Historic Preservation).

## **CHAPTER 14-1000. HISTORIC PRESERVATION**

### **§ 14-1001. Public Policy and Purposes.**

It is hereby declared as a matter of public policy that the preservation and protection of buildings, structures, sites, objects, and districts of historic, architectural, cultural, archaeological, educational, and aesthetic merit are public necessities and are in the interests of the health, prosperity, and welfare of the people of Philadelphia. The purposes of this Chapter 14-1000 are to:

- (1) Preserve buildings, structures, sites, and objects that are important to the education, culture, traditions, and economic values of the City;
- (2) Establish historic districts to assure that the character of such districts is retained and enhanced;
- (3) Encourage the restoration and rehabilitation of buildings, structures, sites, and objects that are designated as historic or that are located within and contribute to the character of districts designated as historic without displacing elderly, long-term, and other residents living within those districts;
- (4) Afford the City, interested persons, historical societies, and organizations the opportunity to acquire or to arrange for the preservation of historic buildings, structures, sites, and objects that are designated individually or that contribute to the character of historic districts;
- (5) Strengthen the economy of the City by enhancing the City's attractiveness to tourists and by stabilizing and improving property values; and
- (6) Foster civic pride in the architectural, historical, cultural, and educational accomplishments of Philadelphia.

### **§ 14-1002. Definitions.**

The following words and phrases, which are of direct relevance to the administration, interpretation and enforcement of this Chapter 14-1000, have meanings ascribed to them in Chapter 14-200.

- (1) Alter or Alteration.
- (2) Building.
- (3) Construct or Construction.
- (4) Contributing Building, Structure, Site or Object.
- (5) Demolition or Demolish.
- (6) Design.
- (7) District.
- (8) Historic Building.
- (9) Historic District, Object, Site or Structure.
- (10) Object.
- (11) Public Interior Portion.
- (12) Site.
- (13) Structure.

### **§ 14-1003. Historical Commission.**

- (1) Appointment.

The Mayor shall appoint a Philadelphia Historical Commission consisting of

(a) the following individuals:

- (.1) President of City Council or his designee;
- (.2) the Director of Commerce;
- (.3) Commissioner of Public Property;
- (.4) the Commissioner of Licenses and Inspections;
- (.5) the Chairman of the City Planning Commission or his designee;
- (.6) the Director of Housing or his designee; and

(b) eight other persons learned in the historic traditions of the City and interested in the preservation of the historic character of the City. At least one of the appointees shall be:

- (.1) an architect experienced in the field of historic preservation;
- (.2) an historian;
- (.3) an architectural historian;
- (.4) a real estate developer;
- (.5) a representative of a Community Development Corporation; and
- (.6) a representative of a community organization.

(2) Powers and Duties.

The powers and duties of the Philadelphia Historical Commission shall be as follows:

- (a) Designate as historic those buildings, structures, sites, and objects that the Historical Commission determines are significant to the City, pursuant to the criteria of § 14-1004(1);
- (b) Designate as historic those public interior portions of buildings that the Historical Commission determines are significant to the City, pursuant to the criteria of § 14-1004(1);
- (c) Delineate the boundaries of and designate as historic those districts that the Historical Commission determines are significant to the City, pursuant to the criteria of § 14-1004(1);
- (d) Prepare and maintain or cause to be prepared and maintained a comprehensive inventory of historic buildings, structures, sites, objects, and districts;
- (e) Review and act upon all applications for building permits to alter or demolish historic buildings, structures, sites, or objects, or to alter or demolish buildings, structures, sites, or objects located within historic districts, pursuant to § 14-1005;
- (f) Review and comment upon all applications for building permits to construct buildings, structures, or objects within historic districts, pursuant to § 14-1005;
- (g) Make recommendations to the Mayor and City Council concerning the use of grants, gifts, and budgetary appropriations to promote the preservation of buildings, structures, site, objects, or districts of historic importance to the City;
- (h) Make recommendations to the Mayor and City Council that the City purchase any building, structure, site, or object of historic significance where private preservation is not feasible, or that the City acquire facade easements, development rights, or any other property interest that would promote historic preservation;
- (i) Increase public awareness of the value of architectural, cultural, and historic preservation;
- (j) Adopt rules of procedure and regulations and establishing any committees deemed necessary for the conduct of its business; and
- (k) Keep minutes and records of all proceedings, including records of public meetings during which proposed historic designations are considered.

**§ 14-1004. Designation.**

(1) Criteria for Designation.

A building, complex of buildings, structure, site, object, or district may be designated for preservation if it:

- (a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the City, Commonwealth, or nation or is associated with the life of a person significant in the past;
- (b) Is associated with an event of importance to the history of the City, Commonwealth or Nation;
- (c) Reflects the environment in an era characterized by a distinctive architectural style;

- (d) Embodies distinguishing characteristics of an architectural style or engineering specimen;
- (e) Is the work of a designer, architect, landscape architect or designer, or professional engineer whose work has significantly influenced the historical, architectural, economic, social, or cultural development of the City, Commonwealth, or nation;
- (f) Contains elements of design, detail, materials, or craftsmanship that represent a significant innovation;
- (g) Is part of or related to a square, park, or other distinctive area that should be preserved according to a historic, cultural, or architectural motif;
- (h) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community, or City;
- (i) Has yielded, or may be likely to yield, information important in pre-history or history; or
- (j) Exemplifies the cultural, political, economic, social, or historical heritage of the community.

(2) Notice.

- (a) At least 30 days before holding a public meeting to consider the proposed designation of a building, structure, site, or object as historic, the Historical Commission shall send notice to the owner of the property proposed for designation. Such notice shall indicate the date, time, and place of the public meeting at which the Historical Commission will consider the proposed designation. Notice shall be sent to the registered owner's last known address as the same appears in the real estate tax records of the Department of Revenue and sent to "Owner" at the street address of the property in question.
- (b) At least 60 days before holding a public meeting to consider the proposed designation of a district as historic, the Historical Commission shall send written notice of the proposed designation to the owners of each building, structure, site or object within the proposed district. The notice shall indicate the date, time, and place of the public meeting at which the Historical Commission will consider the proposed designation. Notice shall be sent to the registered owner's last known address as it appears in the real estate tax records of the Department of Revenue and sent to "Owner" at the street address of the property in question. The Historical Commission shall publish notice of the proposed designation of a district as historic in a newspaper having general circulation within the City at least 60 days before the Historical Commission holds a public meeting to consider the proposed designation. The Historical Commission shall post notice of the proposed designation at locations within the proposed district at least 60 days before the public meeting to consider the proposed designation.
- (c) The Historical Commission shall send written notice of the designation as historic of a building, structure, site, object, or district to the owners of each separately designated building, structure, site, or object and to the owners of each building, structure, site, or object within a district designated historic, which shall include reason for the designation. Notice shall be sent to the registered owner's last known address as the same appears in the real estate tax records of the Department of Revenue and sent to the "Owner" at the street and address of the property in question. The Historical Commission shall send written notice of historic designation to any person appearing at the public hearing who requests notification.

(3) Meetings.

Any interested party may present testimony or documentary evidence regarding the proposed designation of a building, structure, site, object, or district at the public meeting of the Historical Commission.

(4) Planning Commission Comment.

During the 60 days prior to a Historical Commission hearing on designation of a particular historic district, the Planning Commission shall review and comment on creation of the district and transmit its comments to the Historical Commission to assist the Historical Commission in making its determination.

(5) Amendment or Rescission of Designation.

Any designation of a building, structure, site, object, or district as historic may be amended or rescinded in the same manner as is specified for designation.

(6) Register of Historic Buildings, Structures, Sites, and Objects.

The Historical Commission shall compile a register of buildings, structures, sites, objects, and districts designated as historic by the Historical Commission that shall make the register available in electronic form to the public for inspection during normal business hours.

(7) Designation of Public Interior Portions of Buildings.

(a) No public interior portion of a building or structure shall be considered designated for preservation pursuant to this Chapter 14-1000 or § 14-2007 of the prior zoning ordinance unless it has been specifically designated after December 28, 2009.

(b) A public interior portion, or any part of a public interior portion, of a building or structure may be designated for preservation regardless whether the remainder of the building, structure, site or appurtenances with which it is associated has been so designated.

(c) The designation of a building, structure, or district shall not constitute designation of any public interior portion of such building, structure or a building or structure in such district, unless the public interior portion is specifically identified in such designation.

**§ 14-1005. Regulation.**

(1) Building Permit Required.

Unless a building permit is first obtained from L&I, no person shall alter or demolish a historic building, structure, site, or object, or alter, demolish, or construct any building, structure, site, or object within a historic district, nor alter or demolish a historic public interior portion of a building or structure, nor perform work on a building or structure that requires a building permit if such building or structure contains a historic public interior portion.

(2) Building Permit Application Referral.

Before L&I may issue such a building permit, L&I shall forward the building permit application to the Historical Commission for its review.

(3) Demolition Notice.

When a person applies for a building permit involving demolition, L&I shall post, within seven days, notice indicating that the owner has applied for a building permit to demolish the property; that the property is historic or is located within a historic district; that the application has been forwarded to the Historical Commission for review. The notice shall be posted on each street frontage of the premises with which the notice is concerned and shall be clearly visible to the public. Posting of a notice shall not be required in the event of an emergency that requires immediate action to protect the health or safety of the public. No person shall remove the notice unless the building permit is denied or the owner notifies L&I that he or she will not demolish the property.

(4) Comment Review.

The Historical Commission's scope of review of applications for building permits for construction, as defined herein, shall be limited to a 45-day period of comment.

(5) Submission Requirements.

(a) At the time that a building permit application is filed with L&I for alteration, demolition or construction subject to the Historical Commission's review, the applicant shall submit to the Historical Commission the plans and specifications of the proposed work, including the plans and specifications for any construction proposed after demolition and such other information as the Historical Commission may reasonably require to exercise its duties and responsibilities under this Chapter 14-1000.

(b) In any instance where there is a claim that a building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted, or where a building permit application for alteration, or demolition is based, in whole or in part, on financial hardship, the owner shall submit, by affidavit, the following information to the Historical Commission:

(.1) Amount paid for the property, date of purchase, and party from whom purchased, including a description of the relationship, whether business or familial, if any, between the owner and the person from whom the property was purchased;

(.2) Assessed value of the land and improvements thereon according to the most recent assessment;

(.3) Financial information for the previous two years which shall include, as a minimum, annual gross income from the property, itemized operating and maintenance expenses, real estate taxes, annual debt service, annual cash flow, the amount of depreciation taken for federal income tax purposes, and other federal income tax deductions produced;

(.4) All appraisals obtained by the owner in connection with his purchase or financing of the property, or during his ownership of the property;

(.5) All listings of the property for sale or rent, price asked, and offers received, if any;

(.6) Any consideration by the owner as to profitable, adaptive uses for the property; and

(.7) The Historical Commission may further require the owner to conduct, at the owner's expense, evaluations or studies, as are reasonably necessary in the opinion of the Historical Commission, to determine whether the building, structure, site or object has or may have alternate uses consistent with preservation.

(6) Building Permit Application Review.

(a) Determination.

Within 60 days after receipt by the Historical Commission of a building permit application, the Historical Commission shall determine whether or not it has any objection to the proposed alteration or demolition. Before taking any action, the Historical Commission shall afford the owner an opportunity to appear before the Historical Commission to offer any evidence the owner desires to present concerning the proposed alteration or demolition.

(.1) Where the Historical Commission has no objection, L&I shall grant the building permit subject to the requirements of any applicable provisions of The Philadelphia Code and regulations and subject to any conditions of the Historical Commission pursuant to § 14-1005(6)(c).

(.2) Where the Historical Commission has an objection, L&I shall deny the building permit.

(.3) Where the Historical Commission has determined that the purpose of this Chapter 14-1000 may best be achieved by postponing the alteration or demolition of any building, structure, site, or object subject to its review, the Historical Commission may, by resolution, defer action on a building permit application for a designated period not to exceed six months from the date of the resolution. The Historical Commission shall inform the owner in writing of the reasons for its action. Where the Historical Commission acts to postpone the proposed alteration or demolition pursuant to § 14-1005(6)(a), L&I shall defer action on the building permit application pending a final determination by the Historical Commission approving or disapproving the application.

(b) Postponement of Determination.

During the time that action on a building permit application is deferred, the Historical Commission shall consult with the owner, civic groups, public and private agencies, and interested parties to ascertain what may be done by the City or others to preserve the building, structure, site, or object that is the subject of the building permit application. When appropriate, the Historical Commission shall make recommendations to the Mayor and City Council.

(c) Conditions on Approval.

The Historical Commission may require that a building permit for the alteration or demolition of any building, structure, site, or object subject to its review be issued subject to such conditions as may reasonably advance the purposes of this Chapter 14-1000. L&I shall incorporate all such requirements of the Historical Commission into the building permit at the time of issuance. In cases where the Historical Commission, pursuant to § 14-1005(6)(a), agrees to the demolition of a historic building, structure, site, or object, or of a building, structure, site, or object located within a historic district that contributes, in the Historical Commission's opinion, to the character of the district, the Historical Commission may require that the historic building, structure, site, or object be recorded, at the owner's expense, according to the documentation standards of the Historic American Buildings Survey and the Historic American Engineering Record (HABS/HAER) for deposit with the Historical Commission.

(d) Restrictions on Demolition.

No building permit shall be issued for the demolition of a historic building, structure, site, or object, or of a building, structure, site, or object located within a historic district that contributes, in the Historical Commission's opinion, to the character of the district, unless the Historical Commission finds that issuance of the building permit is necessary in the public interest, or unless the Historical Commission finds that the building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted. In order to show that building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted, the owner must demonstrate that the sale of the property is impracticable, that commercial rental cannot provide a reasonable rate of return, and that other potential uses of the property are foreclosed.

(e) Review Criteria.

In making its determination as to the appropriateness of proposed alterations, demolition, or construction, the Historical Commission shall consider the following:

(.1) The purposes of this Chapter 14-1000;

(.2) The historical, architectural, or aesthetic significance of the building, structure, site, or object;

- (.3) The effect of the proposed work on the building, structure, site, or object and its appurtenances;
- (.4) The compatibility of the proposed work with the character of the historic district or with the character of its site, including the effect of the proposed work on the neighboring structures, the surroundings, and the streetscape; and
- (.5) The design of the proposed work.
- (.6) In addition to the above, the Historical Commission may be guided in evaluating proposals for alteration or construction by the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" or similar criteria.
- (.7) In specific cases as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Chapter 14-1000 would result in unnecessary hardship so that the spirit of this Chapter 14-1000 shall be observed and substantial justice done, subject to such terms and conditions as the Historical Commission may decide, the Historical Commission shall by a majority vote grant an exemption from the requirements of Chapter 14-1000.
- (.8) With respect to designated public interior portions,
  - (.a) the Historical Commission may grant an exemption when, owing to special consideration of the mission and financial status of a nonprofit organization, the Historical Commission determines that a literal enforcement of the provisions of this chapter would not be in the public interest and the spirit of this Chapter will be substantially observed, subject to such terms and conditions as the Historical Commission may establish; and
  - (.b) the Historical Commission shall approve a building permit application for an alteration to a non-designated interior portion if the proposed alteration neither has an effect on the appearance of, nor compromises the structural integrity of, a historic public interior portion.

(f) Jurisdiction During Consideration of Designation.

L&I shall not issue any building permit for the demolition, alteration, or construction of any building, structure, site, or object that is being considered by the Historical Commission for designation as historic or that is located within a district being considered by the Historical Commission for designation as historic where the building permit application is filed on or after the date that notices of proposed designation have been mailed, except that L&I may issue a building permit if the Historical Commission has approved the application or has not taken final action on designation and more than 90 days have elapsed from the date the permit application was filed with the Historical Commission. Where the Historical Commission takes final action on designation within the time allotted herein, any building permit application on file with L&I shall be deemed to have been filed after the date of the Historical Commission's action for purposes of this Chapter 14-1000.

**§ 14-1006. Performance of Work and Maintenance.**

(1) Inspection.

L&I shall, upon the request of the Historical Commission, examine the buildings, structures, sites, and objects designated as historic by the Historical Commission and report to the Historical Commission on their physical condition.

(2) Conformity to Permit Requirements.

All work performed pursuant to the issuance of a building permit for the alteration or demolition of a building, structure, site, or object subject to the Historical Commission's review shall conform to the requirements of such permit. It shall be the duty of L&I to inspect from time to time any work performed pursuant to such building permit in order to ensure compliance. In the event that work is not being performed in accordance with the building permit requirements, L&I shall issue a stop work order and all work shall cease until the work is brought into conformity with the requirements of the building permit.

(3) Maintenance Requirement.

The exterior of every historic building, structure, and object and of every building, structure, and object located within a historic district, and every public interior portion of a building or structure, shall be kept in good repair as shall the interior portions of such buildings, structures, and objects, neglect of which may cause or tend to cause the historic portion to deteriorate, decay, become damaged, or otherwise fall into a state of disrepair.

(4) Ordinary Maintenance and Repair.

The provisions of this Chapter 14-1000 shall not be construed to prevent the ordinary maintenance or repair of any building, structure, site, or object where such work does not require a building permit by law and where the purpose and effect of such work is to correct any deterioration or decay of, or damage to, a building, structure, site, or object and to restore the same to its condition prior to the occurrence of such deterioration, decay, or damage.

**§ 14-1007. Enforcement.**

(1) L&I Regulations.

L&I is authorized to promulgate regulations to perform its duties under this Chapter 14-1000.

(2) Violations.

In the case of a violation of this Chapter 14-1000, L&I may issue orders directing compliance with the requirements of this Chapter. An order shall be served upon the owners or person determined by L&I to be violating the requirements of this Chapter. If the person served is not the owner of the property where the violation is deemed to exist or to have occurred, a copy of the order shall be sent to the last known address of the registered owner and a copy shall be posted on the property. Where the owner's address is unknown, a copy of the order shall be posted on the property.

(3) Penalties.

In addition to those penalties listed in the Philadelphia Administrative Code, any person who alters or demolishes a building, structure, site, or object in violation of the provisions of this Chapter 14-1000 or in violation of any conditions or requirements specified in a building permit issued by the Historical Commission shall be required to restore the building, structure, site, or object involved to its appearance prior to the violation. Such restoration shall be in addition to and not in lieu of any penalty or remedy available under this Zoning Code or any other applicable law.

**§ 14-1008. Appeals.**

Any person aggrieved by the issuance or denial of any building permit reviewed by the Historical Commission may appeal such action to the Board of License and Inspection Review. Such appeal must be filed within 30 days of the date of receipt of notification of the Historical Commission's action. The Board of License and Inspection Review shall give written notice of any such appeal to the Historical Commission within three days of the filing of the appeal.