

DEPARTMENT OF LICENSES AND INSPECTIONS CODE BULLETIN OF INFORMATION No. 1101		CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADELPHIA <hr/> TITLE 4 — BUILDING CONSTRUCTION AND OCCUPANCY CODE
SUBJECT OF BULLETIN: ANNUAL HIGH RISE INSPECTION		REFERENCE CODE SECTION(S): F-408.12, A-904.6, A-906.2, B-403
ISSUED BY		
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ISSUE

Section F-408.12 of the Philadelphia Fire Code states in part: the Fire Code Official shall inspect all high rise buildings for compliance with the code. The owner, manager, or operator shall pay an annual inspection fee based on the gross square footage of floor area as specified in Section A-904.6 of the Administrative Code. Exception: Buildings or portions of buildings that are classified as R-2 (Residential, sleeping units, permanent occupants) are subject to the Housing Inspection license in lieu of the high rise annual inspection fee.

In order to obtain the high rise inspection, applicants are required to submit to the Department a completed High Rise license application form along with the appropriate fee based on the floor area of the building which is subject to inspection.

BACKGROUND

High rise inspection requirements were first included in the 1988 edition of the Philadelphia Fire Code. The intent was to facilitate a yearly inspection of all high rise buildings in the City. High rise structures are generally considered safe though they share some risks both to occupants and fire personnel. A yearly inspection mitigates those risks.

Since this inspection is authorized as part of the Fire Code, it is not intended to include residential living space. Rather, it is focused on the building safety systems (alarm, suppression, emergency lighting and power, egress, etc.). These are building components that would typically fall out of the control of an individual tenant, whether the occupancy is commercial or residential.

In addition to the high rise inspection fee, the Property Maintenance Code requires residential property owners to obtain a Housing Inspection License which is based on the total number of units (as per Section A-906.2). Because of this, an exception was included in Section F-408.12 which permits the exclusion of residential spaces from the gross floor area used in the high rise inspection fee calculation.

The code language, particularly the exception, is confusing for applicants and raises the following questions:

Question 1 – What criteria does the Department use to determine if a property is a high rise?

In accordance with the building and fire code definitions (as in B-403.1), buildings with an occupied floor located 75' or more above the lowest level of fire department vehicle access are considered a high rise.

Question 2 – What areas or spaces are subject to inclusion in the fee calculation?

All areas within the building are subject to the fee calculation. This includes corridors, egress and elevator lobbies, mechanical spaces, commercial spaces, basements, parking areas, etc.

In residential buildings with an R-2 Occupancy Classification, the following areas are exempt from the area calculation: Entrance and/or elevator lobbies, egress corridors and exit stair enclosures, and mechanical support spaces.

Question 3 – What buildings are exempt from the annual inspection?

Based upon Section 403.1 of the Building Code, the following buildings that meet the fire code definition of a high rise are exempt from the annual inspection:

- Buildings with open or partially open floors with a Group A-5 or similar Occupancy Classification (i.e. stadiums)
- Airport traffic control towers
- Industrial occupancies where the floor above the 75' height is not normally intended for human occupancy

POLICY

In order to fairly apply the code requirements with respect to residential buildings and achieve the intended result, the Department will handle high rise annual inspection in the following manner:

Properties designated as R-2 must obtain a Housing Inspection License per the Property Maintenance Code. In addition, those that qualify as a high rise building will be required to obtain an annual High Rise Inspection license. However, the high rise inspection fee will be waived provided the building is 100% residential with no commercial or common space that carries a different Occupancy Classification.

Common space may be defined as interior space which:

- Is under resident control for maintenance purposes;
- Does not have a Building and Fire Code-defined Occupancy Classification and/or;
- Is intended to facilitate entrance, egress and mechanical support within the building. (Egress corridors, stairways, elevator and entrance lobbies, and mechanical spaces, would meet this definition.)

In order to qualify for the fee exemption, a High Rise license application will be submitted to the Department with the floor area for fee calculation listed as zero (0). The application should include a written statement that the building is R-2 Occupancy only.

Alternatively, those properties, regardless of their Occupancy Classification, that contain commercial or common areas or spaces will be subject to the high rise inspection fee based upon the total gross floor area of those qualifying non-R-2 Occupancy spaces.