



Instructions for Appeals to the Plumbing Advisory Board

The Plumbing Advisory Board hears appeals of technical plumbing code requirements. The Board will make recommendations to the Commissioner of the Department of Licenses and Inspections for variances from the plumbing code based upon the information presented to the Advisory Board at an informal hearing.

• **Before You File the Appeal**

- Before you file an appeal, you will need a formal code decision from the Department of Licenses and Inspections. This decision comes in the form of a Notice of Refusal document. This document is obtained from the plan examiner reviewing your permit application or request for a formal code interpretation (also known as a "Preliminary Plan Review"). Another notice of refusal is a violation notice.
 - **Exception:** Code violation notices for unsafe or imminently dangerous designations.
- All appeals to the Plumbing Advisory Board must be accompanied by an authorization statement from the property owner or property manager, unless the applicant is also the property owner. This authorization is also required if an owner-applicant will not attend the hearing and elects to send his/her representative.

• **How Do I File the Appeal?**

- Complete the appeal application form and attach a copy of the Notice of Refusal, an authorization letter, and a check made payable to the City of Philadelphia for the amount shown on the Notice of Refusal, and mail or hand deliver these to:

**Boards Administration Unit
1401 John F. Kennedy Boulevard
Municipal Services Building — 11th Floor
Philadelphia, PA 19102-1687**

**Telephone Number: 215-686-2419
Fax Number: 215-686-1443**

- Upon receipt of a complete appeal application package, a hearing date will be scheduled by the Boards Administration Unit. Hearings are generally scheduled within four (4) weeks of receipt of a complete appeal application package. If you have specific time constraints, please request information on accelerated hearing requests.

• **When Can I File an Appeal?**

- You may file an appeal immediately after Licenses and Inspections renders a decision. However, your right to appeal expires thirty (30) days from the date of issue of the decision. All appeal requests received after this time may be returned.
 - **Note: Appeals related to unsafe or imminently dangerous designations must be filed within five (5) days of the date of such notice.**

• **What Is the Basis for an Appeal?**

- An application for appeal shall be based on a claim that:
 1. The true intent of the applicable code or regulations has been incorrectly interpreted by the Department;
 2. The provisions of the code do not fully apply; or
 3. An equivalent form of construction or installation is proposed.

• **Plumbing Advisory Board Recommendations**

- A recommendation to the Commissioner of Licenses and Inspections for an extension of time or a variance from the plumbing code by the Plumbing Advisory Board may be made where there is a finding that:
 1. The variance will fulfill the intent of the plumbing code; and
 2. Literal enforcement will result in unique and unnecessary hardship or extraordinary conditions make literal compliance impractical; and
 3. The variance will not be an unreasonable deviation from the requirements of the plumbing code; and
 4. In the case of a variance in an area prone to flooding, the considerations and conditions for issuance set forth in Appendix G of the Philadelphia Building Code are satisfied; and
 5. In the case of buildings designated as historic pursuant to Section 14-2007 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
 6. In the case of the request for an extension of time, efforts are being made to come into compliance as quickly as possible.

• **Appeals Related to Accessibility Requirements**

- Per the PA Uniform Construction Code, accessibility appeals need to be directed to the Accessibility Advisory Board of PA Department of Labor and Industry, Commonwealth of Pennsylvania. See the petition forms for instructions. Site plans may be required to be filed with those petitions.

• **Appeals Related to the Decision of the Plumbing Advisory Board**

- The decision made by the Plumbing Advisory Board may be appealed to the Board of Building Standards within thirty (30) days of the date of the decision by the Plumbing Advisory Board. Instructions and appeal form for the Board of Building Standards may be found at: <https://business.phila.gov/permit-appeals/>.