

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LICENSES AND
INSPECTIONS

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 11, 2013
11:40 a.m.

PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN DENNIS O'BRIEN

BILL 130418 - An ordinance amending Title 4 of
The Philadelphia Code, entitled "The
Philadelphia Building Construction and
Occupancy Code," by amending Subcode PM (The
Philadelphia Property Maintenance Code), by
providing requirements relating to the
exterior maintenance of mixed-use buildings,
revising definitions, and making technical
changes...

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COUNCILWOMAN SANCHEZ: Good

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afternoon -- or good morning still. Good

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morning. This is a hearing of the

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Committee on Licenses and Inspections.

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I'm noting that a quorum is

7

established. To my far left for the

8

purposes of this hearing, he will be a

9

temporary member of this Committee,

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Councilman Dennis O'Brien, Councilman Bob

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Henon, and Councilman Bill Greenlee.

12

Will the Clerk read the title

13

of the bill.

14

THE CLERK: An ordinance

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amending Title 4 of The Philadelphia

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Code, entitled "The Philadelphia Building

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Construction and Occupancy Code," by

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amending Subcode PM (The Philadelphia

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Property Maintenance Code), by providing

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requirements relating to the exterior

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maintenance of mixed-use buildings,

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revising definitions, and making

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technical changes, all under certain

24

terms and conditions.

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COUNCILWOMAN SANCHEZ: Thank

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2 you.

3 Before we get started, I will
4 ask the bill sponsor if he had a comment
5 to make before we hear testimony.

6 COUNCILMAN O'BRIEN: Very
7 simply, Madam Chair, and I appreciate you
8 holding this hearing. I introduced this
9 bill in an attempt to eradicate blight
10 from our neighborhoods, and the City
11 currently has an effective anti-blight
12 ordinance in The Property Maintenance
13 Code referred to as "doors and windows."
14 The "doors and windows" ordinance
15 requires all structures on blocks that
16 are at least 80 percent occupied to have
17 actual doors and windows where they're
18 supposed to be in place. Unfortunately,
19 some owners leave open doors and window
20 frames while others store unsightly
21 plywood to board up the openings.
22 Neither approach is deemed sufficient
23 under the ordinance.

24 Owners who fail to apply are
25 subject to up \$300 per opening per day in

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2 fines. From the date of the first
3 inspection, it normally takes L&I 30 days
4 to send the violation to the court. Thus
5 far, this program has been a wonderful
6 success. The program particularly works
7 great for properties that are entirely
8 vacant. However, as written, the
9 language prevents L&I from enforcing
10 these requirements on properties that are
11 mixed use, such as corner commercial
12 establishments. In many of our
13 neighborhoods, we have blocks with corner
14 bars, stores, other commercial
15 establishments on the ground floor, but
16 the upper floors remain boarded up with
17 plywood. These properties have a
18 profound impact on how a block is judged
19 and can have a significant and
20 detrimental effect on property values.
21 Additionally, it can have a negative
22 psychological impact on the neighborhood
23 and its residents, and to be blunt, it
24 just looks terrible and uninviting.

25 I introduced Bill No. 130418 so

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2 we can expand the "doors and window"
3 ordinance to these mixed-use properties,
4 whether they are on a corner or anywhere
5 else on a block. This expansion includes
6 not only the doors and windows
7 requirement, but also expands the fines
8 and penalties to mixed-use buildings as
9 well.

10 I believe this measure, if
11 enacted, can be used as a further
12 effective tool to help eliminate blight
13 from our neighborhood.

14 Again, Madam Chair, thank you
15 for holding today's hearing.

16 COUNCILWOMAN SANCHEZ: Thank
17 you.

18 I will note for the record that
19 the testimony submitted by the
20 Administration will be added into the
21 record, and there is no opposition from
22 the Administration in regards to the
23 adoption of this.

24 With that, our only witness
25 here is Beth McConnell from the

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2 Philadelphia Association of Community
3 Development Corporations, if you could
4 approach.

5 (Witness approached witness
6 table.)

7 MS. McCONNELL: Good morning.
8 Thank you for the opportunity to testify.
9 My name is Beth McConnell, Policy
10 Director for the Philadelphia Association
11 of Community Development Corporations,
12 PACDC.

13 PACDC supports Bill No. 130418,
14 which would require that mixed-use
15 properties that are partially vacant use
16 real windows and doors to seal openings.
17 The ordinance simply extends rules that
18 already apply to residential properties
19 to mixed-use properties up to five
20 stories in areas with low vacancy, and
21 the bill would increase the number of
22 days property owners are given notice
23 from 20 to 30 days and would assess the
24 same penalties of up to \$300 per day per
25 opening as assessed on residential

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2 properties. In some of our city's
3 struggling and transitioning commercial
4 corridors, there are dozens of mixed-use
5 properties that are boarded up on their
6 upper floors, creating a blighting
7 influence that deters investment in the
8 neighborhood. It's a particularly
9 troublesome problem when a business uses
10 metal grates to secure its occupied
11 ground floor during non-operating hours
12 such as a bar or restaurant during the
13 day, and it makes the entire building
14 look vacant if the upper floors are
15 boarded up as well.

16 At least one member of PACDC
17 who manages the commercial corridors
18 report having very limited success in
19 convincing businesses to replace plywood
20 would real windows despite spending
21 significant time reaching out to the
22 businesses to appeal for improvements.
23 We believe having the additional tool of
24 this expanded ordinance as well as
25 enforcement from L&I will help make our

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2 commercial corridor managers more
3 effective and their jobs easier, quite
4 frankly. The proposed ordinance will
5 also help make our corridors more
6 attractive to potential new shoppers,
7 residents, and businesses.

8 But as Council considers
9 expanding this ordinance, PACDC would
10 also like to encourage that you offer
11 support for the Storefront Improvement
12 Program run by the Commerce Department.
13 SIP grants to store owners in
14 neighborhood commercial corridors for
15 improvements to their facades such as new
16 windows or doors. This is a particularly
17 useful program for small businesses that
18 operate on a tight margin and might have
19 a hard time complying with the expanded
20 windows and doors ordinance. SIP
21 provides grants up to \$8,000 or 12,000
22 for a corner or multiple address
23 properties and requires a 50 percent
24 match from the property owner. According
25 to the Commerce Department, 97 projects

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2 were completed on 53 different commercial
3 corridors in the calendar year of 2012,
4 leveraging over a million dollars in
5 private investment. The City provides no
6 General Fund support for this program
7 right now. It's funded by the federal
8 Community Development Block Grant program
9 and some bond funds and other federal
10 grants. Some of those funds were
11 exhausted in 2012 and won't be available
12 moving forward. So if there will be
13 increased enforcement, we think
14 additional funds are needed to help
15 struggling businesses comply, and we'd
16 like to urge Council to work with the
17 Administration to provide some General
18 Fund support for that program as part of
19 FY14 budget process in light of the
20 changing enforcement environment on small
21 business owners that they would face
22 under this ordinance.

23 CDCs are already working
24 businesses on our corridors to help them
25 apply for the program, and we would

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2 welcome coordination with L&I to ensure
3 that businesses targeted for enforcement
4 are aware of the available resources to
5 help them.

6 We'd like to thank Councilman
7 O'Brien for his leadership in introducing
8 this bill and encourage your support, and
9 thank you for the opportunity to testify.

10 COUNCILWOMAN SANCHEZ: Thank
11 you.

12 Any questions for this witness?

13 COUNCILMAN O'BRIEN: No, Madam
14 Chair. I just want to thank you for
15 considering this bill, for your knowledge
16 and your utilization of the doors and
17 windows for residences, and also for your
18 knowledge on how important corner
19 properties are.

20 COUNCILWOMAN SANCHEZ: Thank
21 you.

22 I was sharing with Councilman
23 O'Brien that I learned from a resident of
24 mine and business owner just the --
25 Gardner, who is an urban planner, who

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2 encouraged me to strategically use the
3 money around corners, and all of the
4 investments we've done in the 7th with
5 many of your participants have targeted
6 particular corners, and it has changed
7 the landscape. Impact Services has
8 utilized this tool strategically on
9 Kensington's commercial corridor, and you
10 can see immediately the difference when
11 you fix the corner what happens with the
12 rest of the block.

13 So I thank you, Councilman
14 O'Brien, for your leadership in this.

15 If there's no one else here to
16 testify, we will now go into the public
17 meeting of the Committee on Licenses and
18 Inspections, and I will call on you,
19 Mr. O'Brien for a motion on your bill.

20 COUNCILMAN O'BRIEN: I move
21 that Bill No. 130418 be reported out of
22 Committee with a favorable recommendation
23 and a rules suspension so that it can
24 have a reading at our next session.

25 (Duly seconded.)

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2 COUNCILWOMAN SANCHEZ: All in
3 favor?

4 (Aye.)

5 COUNCILWOMAN SANCHEZ: All
6 opposed?

7 (No response.)

8 COUNCILWOMAN SANCHEZ: Hearing
9 none, Bill 130418 will be reported out of
10 this Committee with a favorable
11 recommendation and a rules suspension to
12 allow first reading at the next public
13 session.

14 That's it. We're done.

15 (Committee on Licenses and
16 Inspections concluded at 11:50 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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