

Committee on Licenses and Inspections
April 19, 2018

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COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LICENSES AND INSPECTIONS

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, April 19, 2018
1:25 p.m.

PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR
COUNCILMAN ALLAN DOMB
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN MARK SQUILLA
COUNCILMAN AL TAUBENBERGER

BILLS 160151, 180174, 180175, and 180176

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2 COUNCILWOMAN SANCHEZ: Good

3 afternoon. The Committee on Licenses and
4 Inspections will now be called to order
5 having established a quorum with our Vice
6 Chair Councilman Domb, to my right
7 Councilman Taubenberger, and to my left
8 Councilman Greenlee, who always beats
9 everybody here.

10 Will the Clerk read the title
11 of the one bill -- for the purposes of
12 the record, Bill No. 160151 will be
13 recessed to a date certain, June 11th at
14 1:00 p.m. That is the municipal ID bill.

15 Will the Clerk read the title
16 of the bills under consideration.

17 THE CLERK: Bill No. 180174, an
18 ordinance amending Title 4 of The
19 Philadelphia Code, entitled "The
20 Philadelphia Building Construction and
21 Occupancy Code," by adopting the 2015
22 edition of the "International Residential
23 Code" as published by the International
24 Code Council, with previously adopted
25 amendments thereto, as adopted through

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2 the Pennsylvania Uniform Construction
3 Code Act, all under certain terms and
4 conditions.

5 Bill No. 180175, an ordinance
6 amending Subcode "A" (The Philadelphia
7 Administrative Code) of Title 4 of The
8 Philadelphia Code (The Building,
9 Construction and Occupancy Code), by
10 revising and clarifying certain
11 provisions; making corrections for
12 compliance with the Pennsylvania Uniform
13 Construction Code Act; and making
14 technical changes; all under certain
15 terms and conditions.

16 Bill No. 180176, an ordinance
17 amending Title 4 of The Philadelphia
18 Code, entitled "The Philadelphia Building
19 Construction and Occupancy Code," by
20 adopting the 2018 edition of the
21 "International Codes" as published by the
22 International Code Council, with
23 previously adopted amendments thereto, as
24 authorized by the Pennsylvania Uniform
25 Construction Code Act, to amend the

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2 following subcodes: Building Code,
3 Existing Building Code, Energy
4 Conservation Code, Fuel Gas Code,
5 Mechanical Code, and Performance Code for
6 Buildings and Facilities; all under
7 certain terms and conditions.

8 COUNCILWOMAN SANCHEZ: Thank
9 you.

10 I am going to have the
11 Administration come forward first and
12 then I have scheduled Amy Cornelius,
13 Julian Boggs, David Moscatello, James
14 Weber, and then written testimony for the
15 record from the Green Building United,
16 Bennett Levin, and Onion Flats.

17 So we will start with our
18 Commissioner.

19 (Witness approached witness
20 table.)

21 MR. FINK: Good afternoon,
22 Chairwoman Quinones-Sanchez and members
23 of the Committee on License and
24 Inspections. My name is Michael Fink and
25 I serve as the Chief Code Official for

1 4/19/18 - L&I - BILL 180174
2 the Department of License and
3 Inspections. I am here to provide
4 testimony on Bills No. 180174, 180175,
5 and 180176, which will amend Title 4 of
6 The Philadelphia Code, entitled "The
7 Building Construction and Occupancy
8 Code."

9 You will find before you some
10 technical amendments made by the Law
11 Department related to the direction for
12 the publisher to put these items into The
13 Philadelphia Code.

14 The City of Philadelphia is
15 authorized by state law to enforce the
16 Pennsylvania Uniform Construction Code,
17 which is commonly known as the UCC, for
18 the construction and alteration of
19 buildings in Philadelphia. The UCC
20 utilizes the various International Codes
21 as its technical basis. The UCC has been
22 stalled in its adoption of any current
23 edition of these technical International
24 Codes for nearly ten years. Recent state
25 legislation has revised the code adoption

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2 process, but it shows signs of continued
3 negative impacts on the City of
4 Philadelphia in the future.

5 The three bills before this
6 Committee improve the City's position
7 related to construction codes and send a
8 message to the Pennsylvania General
9 Assembly that Philadelphia's regulation
10 of construction codes should be
11 considered an exception under the state
12 law.

13 The technical codes, which
14 serve as the basis for our construction
15 codes, are developed at a national level
16 through a government consensus process
17 over a three-year period. New editions
18 are published every three years. In
19 Pennsylvania, these codes are reviewed
20 and approved for adoption statewide by a
21 Review and Advisory Council. The UCC has
22 been utilizing the 2009 edition of the
23 International Code since January of 2010.
24 Efforts to update the 2012 and 2015
25 technical code editions have failed due

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2 to a requirement for this Advisory
3 Council to reach a two-thirds majority
4 vote, which was added by the Pennsylvania
5 General Assembly in 2010. The General
6 Assembly itself has made technical
7 amendments to the International Codes
8 which perpetuate confusion in the
9 construction industry. Additionally, the
10 UCC requires automatic adoption of the
11 most current accessibility code
12 provisions. This results in a situation
13 where this Department of License and
14 Inspections must enforce provisions from
15 three different codes in one project.

16 The failure to adopt a current
17 set of codes for construction has
18 resulted in a reduced rating of the
19 City's building code effectiveness by
20 Insurance Services Office, also known as
21 ISO. It has slowed construction
22 development approvals and increased the
23 number of appeals to our Appeals Board.

24 On October 25th, 2017,
25 Pennsylvania Act 36 made significant

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changes to the state's adoption process for the International Codes. The most significant change for Philadelphia provided a one-time exception for the City to adopt the 2018 International Codes for non-residential construction.

The impact of each of the bills before you today is as follows:

Bill No. 180174, as amended by the Law Department, serves as a placeholder for the residential construction code being formulated by the UCC Review and Advisory Council to be effective October 1st, 2018.

Philadelphia is not authorized to deviate from the rest of Pennsylvania with this code. The language appears new in the bill because it is reformatted with a more simplistic presentation that is used in other large cities across the country. There are no new provisions other than those approved at the national level. City Council will be presented with a new bill regarding the residential code once

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2 the Advisory Council publishes its
3 additional changes sometime after May
4 1st.

5 Bill No. 180175 makes several
6 technical amendments to the
7 Administrative Code, many of which are
8 based upon the UCC, which has undergone
9 numerous amendments of its administrative
10 provisions since its adoption in 2004
11 that were never added to The Philadelphia
12 Code. The bill also includes amendments
13 which support a paperless permit and
14 license application process in
15 preparation for the Department's
16 implementation of its eCLIPSE software.

17 Bill No. 180176, which I
18 believe is the most important bill before
19 you today, allows for Philadelphia to
20 adopt the 2018 International Codes for
21 non-residential construction as
22 authorized by Act 36. Adoption of the
23 2018 International Codes provides the
24 following: Construction standards which
25 use state-of-the-art technology,

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2 materials, research, construction
3 practices, and risk mitigation; the
4 latest energy efficiency provisions which
5 represent cost savings over the life of
6 the building; a single set of
7 construction codes without state
8 modifications that streamlines our
9 regulatory review process; consistency,
10 beginning in January 2019, with the
11 state's required accessibility
12 provisions; and access to current
13 training and certification programs for
14 staff.

15 Most importantly, adoption of
16 the 2018 International Codes allows
17 Philadelphia to prove to the Pennsylvania
18 General Assembly that our construction
19 differs from anything else in
20 Pennsylvania and warrants an ongoing
21 exception from the UCC and its
22 modifications at the state level.

23 Like Bill 180174, this bill
24 includes all of the existing state and
25 local amendments to the International

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2 Code. The language appears new in this
3 bill because it was drafted to be
4 consistent with the 2018 codes in its
5 numbering system and has been reformatted
6 in a more simplistic preservation. There
7 are no new provisions other than those
8 approved at the national level.

9 It is extremely important that
10 we act quickly to adopt these new codes
11 and inform the construction and
12 development communities. Projects
13 currently being designed will only have
14 until April 1st, 2019 to obtain permits
15 under the old 2009 code. This was
16 another change made at the state level
17 that negatively impacts the large
18 development projects that happen in
19 Philadelphia.

20 On a personal note, I would
21 like to thank City Council for its
22 support in getting the General Assembly
23 to agree to the amendment that was put in
24 Act 36 that allowed us to take this step
25 forward today.

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2 So I thank you for the
3 opportunity to provide the Department's
4 testimony, and I'm happy to answer any
5 questions at this time.

6 COUNCILWOMAN SANCHEZ: Thank
7 you, Commissioner. I appreciate the fact
8 that this has been an expedited review.

9 I'm going to recognize
10 Councilman Henon, who is the author of
11 this bill and our representative in
12 Harrisburg, to speak a little bit to the
13 rapid nature of this and then I'll ask
14 you any questions.

15 Councilman Henon.

16 COUNCILMAN HENON: Thank you,
17 Madam Chair, and thank you for your
18 testimony. First, this has been a
19 process that we've been waiting for for
20 nine years here in the City of
21 Philadelphia. It was accosted over a
22 hostile repeal of legislation in
23 Harrisburg with bad intent and political
24 motivations that now is finally, with a
25 lot of support with this body, I think

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2 started the conversation on how do we as
3 a city of the first class, who does a lot
4 of construction, who does a lot of
5 property maintenance, able to enforce
6 some of the newer codes. The process was
7 turned around backwards and it really
8 kind of stalled, I think, development
9 throughout not just the City but at the
10 Commonwealth at the level it deserves.

11 So we started this process at
12 the end of 2016, as you said, and all
13 members of Council agreed passing a
14 resolution here urging the State Assembly
15 to update its construction codes.

16 Finally, as a result of that, with L&I's
17 support, we were able to carve ourself
18 out for the latest published
19 International Codes, which is important.

20 We've gone through a heck of a
21 lot here in the City of Philadelphia when
22 it comes to having our code enforcers,
23 who are understaffed, going out there
24 with many books. What codes do we -- you
25 have architects, you have code enforcers,

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2 which is L&I. We're trying to train them
3 in 2015 and now it's going to be 2018,
4 thank the Lord, but we can only enforce
5 legally 2009. So there's no
6 predictability, there's no standards that
7 I think that everybody advertises on when
8 it comes to energy efficiencies and the
9 energy codes in the City of Philadelphia.
10 So you have developers, owners, everybody
11 advertising the things that we try to
12 promote as a sustainable city, and we
13 don't have the enforcement power because
14 we weren't allowed because of a ruthless
15 successful change of repealed legislation
16 in Harrisburg.

17 So with that being said, today
18 is just a culmination of that process and
19 will allow us to adopt a nine-year-old
20 code, state-of-the-art code that promotes
21 sustainability, energy efficiency, and
22 modern materials for fire protection.
23 And as we move forward with this code as
24 introduced, with the amendment here, in
25 the future, specific requirements that we

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2 will follow the state process for
3 amending the code. So it's basically a
4 one-time shot until the State Legislature
5 authorizes us again to enact codes on
6 ourselves.

7 So I want to thank L&I. I want
8 to thank you personally for the last
9 several months in really trying to make
10 sure that things are consistent and
11 things are in place when it comes to the
12 future of development in the City of
13 Philadelphia, and of course the Madam
14 Chair of this Committee, who is well
15 informed, informing all the members of
16 this body.

17 So thank you, and I look
18 forward to the conversation here today
19 and seeing this thing pass.

20 MR. FINK: Thank you,
21 Councilman. As you know, again, we
22 appreciate the support that you've given
23 us. As you know, we attempted to get
24 ourselves extracted completely out of the
25 UCC, but the General Assembly limited our

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2 exception to this one-time exception. We
3 are hoping through this effort and
4 successful implementation that we can
5 prove to the rest of the Commonwealth
6 that we can function under a different
7 set of codes and control our own destiny
8 when it comes to the technical codes
9 under the UCC, but this is the one shot
10 at this that the General Assembly was
11 willing to give us, and we hope to, as
12 you said, go back to them and ask for a
13 longer extension.

14 COUNCILWOMAN SANCHEZ: Thank
15 you. Thank you, Mr. Fink. And, again --
16 Commissioner Fink. Councilman Henon in
17 his representation introduced this bill.
18 We held a briefing among City Council.
19 This is a lot of technical code stuff,
20 and we understand that it impacts a
21 little bit of the process for staff
22 training, particularly as we cross train.

23 What will happen over the next
24 few weeks once this happens in terms of
25 us preparing not only ourselves

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2 internally but externally with the
3 partners around notification?

4 MR. FINK: So the Department
5 already has a training schedule put
6 together from now through August that
7 will train technical staff on the 2018
8 codes. It's a transition course that
9 will take them through the changes that
10 occurred in 2012, 2015, and 2018. All of
11 the -- over 150 people have already been
12 trained in the primary code, which is the
13 International Building Code, and we have
14 other classes in the other editions of
15 the code scheduled.

16 We are working with our
17 partners to expand the attention to the
18 design professional community, the
19 contractor community, BOMA, BIA in
20 exploring other training opportunities
21 and other public education opportunities
22 that will advance this movement further
23 so that we're fully prepared beginning on
24 October 1st.

25 The time sensitivity of this is

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2 that the state will move to adopt the
3 2015 codes on October 1st of 2018. So if
4 we are not in place by that time, we will
5 be operating under the 2015 code, as
6 amended at the state level, which
7 provides great confusion. So we need
8 to -- that's why we need to have this in
9 place and notify designers and
10 contractors that this is coming so that
11 they can design their projects
12 appropriately in preparation for that
13 drop-dead date of April 1st of 2019.

14 COUNCILWOMAN SANCHEZ: In your
15 testimony you allude to the fact that we
16 will be receiving after May 1st, 2018
17 some introductions around the residential
18 code after the Advisory Board publishes.
19 Can you speak to that?

20 MR. FINK: Sure. The Review
21 and Advisory Council right now is
22 discussing modifications at the state
23 level to the 2015 residential code.
24 Councilman Henon is directly aware of
25 that based upon his service on the Review

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2 and Advisory Council.

3 I have seen a number of
4 amendments that they are considering.
5 The final vote from that Review and
6 Advisory Council won't be made until at
7 least May 1st. Then it needs to go
8 through a process through Labor and
9 Industry at the state level and
10 developing regulations that will be
11 published sometime before October 1st of
12 2018.

13 Once we have those final
14 regulations, we will prepare another
15 ordinance for City Council that
16 incorporates those changes made at the
17 state level, because, again, we do not
18 have control over those, and ask that
19 Council put them into The Philadelphia
20 Code.

21 When we have all of our state
22 and local amendments in one code in
23 Philadelphia, it's easier for designers
24 to find that information and to prepare
25 their projects accordingly. When

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2 modifications are made at the state level
3 and not incorporated in The Philadelphia
4 Code, designers tend to miss that fact,
5 and it trips up the development approval
6 process and slows down development in the
7 City.

8 COUNCILWOMAN SANCHEZ: Can you
9 speak to a little bit your internal
10 process as both you and the Councilman
11 worked on the preparation of this, the
12 communication between some of our
13 stakeholders, BIA and others, to get to
14 where we are today.

15 MR. FINK: So over the past few
16 years, we have worked with the GBCA, the
17 Development Workshop, the BIA, AIA, Green
18 Building United, and many others who are
19 interested in changing codes. We are
20 actually the envy of much of the rest of
21 Pennsylvania because we have the ability
22 to move this quickly.

23 So everyone has been informed.
24 They all know that we have a one-time
25 opportunity to make this change, that we

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2 cannot make other changes related to the
3 International Codes because that's a
4 different process. The state code, when
5 it amended through Act 36 the ability for
6 Philadelphia to take this one-time
7 exception, it eliminated some of the
8 steps in the typical municipal code
9 change process that's required under the
10 Uniform Construction Code.

11 So we do not need to get
12 Pennsylvania Labor and Industry approval
13 for these changes. We do not need to --
14 we are not subject to an appeal at the
15 state level for these changes, that these
16 are national changes that people in each
17 of those organizations that I mentioned
18 have already recognized, that they will
19 in some cases increase costs and in some
20 cases decrease costs, but in the long run
21 will put the City in a better place.

22 COUNCILWOMAN SANCHEZ: Any
23 other questions from the panel?

24 (No response.)

25 COUNCILWOMAN SANCHEZ: Seeing

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2 none, we'll move to our public testimony.

3 Amy Cornelius, Julian Boggs,
4 and David Moscatello.
5 Commissioner, we'll ask you to
6 hang out.

7 MR. FINK: Certainly.

8 COUNCILWOMAN SANCHEZ: Thank
9 you.

10 (Witnesses approached witness
11 table.)

12 COUNCILWOMAN SANCHEZ: You can
13 state your name for the record and
14 proceed.

15 MS. CORNELIUS: My name is Amy
16 Cornelius. Good afternoon to the
17 Committee. Thank you for the opportunity
18 to speak.

19 Philadelphia is a national
20 leader in addressing climate change
21 impacts and in sustainability.
22 Modernizing the commercial building codes
23 is a key strategy to ensure that the City
24 meets its aspirational goal of reducing
25 carbon emissions by 80 percent by the

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year 2050. The PA DEP states that the adoption of modern building codes provides the single most cost-effective and expeditious means of achieving reductions in energy-related greenhouse gas emissions in the building sector.

But it's not just a question of mitigating the effects of climate change. It's also about the health and safety of people living and working in the built environment, about environmental equity for all Philadelphians, and about job creation within the City.

Adopting the latest building codes ensures that new construction is safer and more resilient to the effects of climate change by specifying climate-appropriate building materials and construction practices.

The indoor air quality, or IAQ, and ventilation requirements as well as the use of healthful building materials leads to reduced asthma rates and healthier, happier, and more productive

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2 building occupants.

3 Up-to-date codes reflect recent
4 technological advances in safe
5 construction practices, designs for safer
6 evacuation and sequestration,
7 incorporation of materials and testing
8 for safer occupancy, and firefighter
9 health.

10 All Philadelphians should have
11 the right to the best built environment
12 possible that is durable, resilient, and
13 carries the lowest operating and
14 maintenance costs.

15 Up-to-date codes also provide
16 opportunities for increasing skill sets
17 through training and opportunity for job
18 growth in new construction and
19 renovations.

20 The Pennsylvania State
21 Legislature has granted Philadelphia an
22 unprecedented opportunity to adopt the
23 2018 International Codes for commercial
24 and multi-family buildings for both new
25 construction and major renovations. This

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2 update would strengthen Philadelphia's
3 leadership position in the state and in a
4 competitive stance vis-a-vis neighboring
5 states. I urge the Committee to
6 recommend that City Council pass Bill
7 180176 before the summer recess so that
8 all of us in the design and construction
9 industries can get to work with training
10 for and designing the best built
11 environment for Philadelphia.

12 Thank you for allowing me to
13 speak, and if you have any questions for
14 me, I am available.

15 COUNCILWOMAN SANCHEZ: We'll
16 let the next speaker.

17 Are you Julian or are you
18 David?

19 MR. BOGGS: Yes. I am Julian.

20 COUNCILWOMAN SANCHEZ: I don't
21 have written testimony from you?

22 MR. BOGGS: You should, yes.

23 COUNCILWOMAN SANCHEZ: KEEA
24 Energy Efficiency Alliance?

25 MR. BOGGS: Yes.

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2 COUNCILWOMAN SANCHEZ: Okay.

3 You may proceed.

4 MR. BOGGS: Thank you. Good
5 afternoon, Chairperson Quinones-Sanchez,
6 members of the Committee. My name is
7 Julian Boggs. I'm the Policy Director
8 for the Keystone Energy Efficiency
9 Alliance, or KEEA. Thank you very much
10 for the opportunity to speak today.

11 KEEA is a Pennsylvania-based
12 trade association representing the energy
13 efficiency industry. Our membership
14 consists of a large swath of companies
15 and associations, a number of whom based
16 here in the Greater Philadelphia area,
17 engaged in the energy efficiency
18 industry. They include engineering
19 firms, architects, energy service
20 providers, equipment manufacturers, large
21 energy users, among others. According to
22 a 2017 study by the U.S. Department of
23 Energy, Pennsylvania accounted for over
24 62,000 energy efficiency jobs in 2016 and
25 nearly 20,000 of those jobs in

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2 Philadelphia and the surrounding
3 counties.

4 KEEA supports passage of Bill
5 180176 authorizing the adoption of the
6 2018 building codes for commercial new
7 construction and major renovations
8 because it will ensure that commercial
9 buildings constructed in Philadelphia
10 leverage state-of-the-art energy
11 efficiency technologies that will help
12 Pennsylvania's businesses and citizens
13 save energy and money on their utility
14 bills. Energy efficiency technologies
15 can be leveraged at any point during the
16 stage of a building's lifecycle, and our
17 member companies are more than ready to
18 allow that to happen. However, the
19 design and construction phase of the
20 project or a major renovation is the most
21 cost effective by far, and these savings
22 are locked in for decades. The inverse
23 of looking at that is that if we fail to
24 adopt the most energy-efficient codes,
25 those savings are lost for decades and

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2 buildings will continue to waste energy
3 over the course of their lifecycle.

4 The Department of Energy
5 estimates that a commercial building
6 constructed to 2018 codes can consume
7 nearly 30 percent less energy than those
8 constructed under the current 2009 codes.

9 This bill gives Philadelphia an
10 incredible opportunity to lead the state
11 in commercial building, and KEEA urges
12 the Council to seize this opportunity by
13 adopting Bill 180176 before it recesses
14 for the summer.

15 Thank you very much for the
16 opportunity to testify. As well, happy
17 to answer any questions.

18 COUNCILWOMAN SANCHEZ: Any
19 questions from our panel?

20 (No response.)

21 COUNCILWOMAN SANCHEZ: Seeing
22 none, the last person is David
23 Moscatello.

24 If there's anyone else here to
25 testify.

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2 I'm sorry.

3 MR. MOSCATELLO: Good

4 afternoon. My name is David Moscatello.

5 I'm a resident of Philadelphia and a

6 volunteer with the --

7 COUNCILWOMAN SANCHEZ: Hold on

8 a second. My apologies, because some

9 people just signed up.

10 I have a John Lawlor and a

11 Larry Williams. Okay. If you could join

12 us up here so we can get moving.

13 The other folks, please

14 register at the desk, because those are

15 the only other two people I have.

16 Thank you. I'm sorry.

17 MR. MOSCATELLO: That's okay.

18 COUNCILWOMAN SANCHEZ:

19 Mr. Moscatello, you can proceed.

20 MR. MOSCATELLO: Thank you,

21 Councilwoman. My name is David

22 Moscatello. I'm a resident of

23 Philadelphia. I'm a volunteer with the

24 Ready for 100 Percent Renewable Energy

25 Campaign of the Sierra Club and also with

1 4/19/18 - L&I - BILL 180174
2 the Southeastern Pennsylvania group of
3 the Sierra Club. I'd like to thank the
4 Councilmembers on the Committee of
5 License and Inspection for the
6 opportunity to testify today.

7 I'm here to express my support
8 for Bill 180176 to adopt the 2018
9 commercial codes in Philadelphia.
10 Revising our outdated construction codes
11 is vital to reducing the energy footprint
12 of large commercial and multi-unit
13 residential buildings and absolutely
14 essential to achieving Mayor Kenney's
15 goal of 80 percent reduction in
16 greenhouse gas emissions by 2050.

17 I'd also like to add that given
18 the local asthma rate and the fact that
19 Philadelphia still has a smog problem,
20 how much of which we're still waiting for
21 the EPA to tell us, that it's also key to
22 reducing ozone and other air pollution
23 for the benefit of the health of all
24 Philadelphians.

25 The primary reason to update

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2 our codes, of course, is so important is
3 that what we build today will be around
4 for decades, if not a century. I don't
5 know how much of today's building will be
6 around for a century, but I live in a
7 112-year-old row house, so it happens.

8 Since buildings consume 60
9 percent of the energy used citywide and
10 the EPA reports that 30 percent of that
11 energy is wasted, achieving significant
12 energy savings and reducing greenhouse
13 gas emissions must address building
14 efficiency. Delaying the adoption of the
15 2018 codes to 2022 would lock in energy
16 waste for whatever is built in that
17 interim for decades to come.

18 Aside from minor updates such
19 as switching out incandescent bulbs for
20 compact fluorescent or LEDs, retrofitting
21 buildings for increased energy efficiency
22 is generally significantly more expensive
23 than incorporating efficiency in the
24 original construction. In the case of
25 heating, it may be virtually impossible

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2 to substitute a more efficient heating
3 and cooling system in a large commercial
4 building that relies on, say, natural
5 gas, for example. Indeed, the
6 Pennsylvania Department of Environmental
7 Protection has found that adoption of
8 modern codes provides a single most
9 cost-effective and expeditious means of
10 achieving reductions in energy-related
11 greenhouse gas emissions in the building
12 sector. Thus, continuing to construct
13 less efficient buildings in the near term
14 essentially locks in that efficiency for
15 decades to come and will not only make it
16 impossible to achieve long-term energy
17 use reduction goals, it may make
18 Philadelphia less competitive in the
19 future relative to other localities that
20 embrace efficient construction codes
21 earlier than we do, such as New Jersey.

22 I would also like to express my
23 support for Bills 180174 and 180175,
24 which move to adopt the residential code
25 provisions and administrative code,

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2 respectively.

3 Thank you for addressing this
4 important issue and for allowing me to
5 testify today.

6 COUNCILWOMAN SANCHEZ: Thank
7 you.

8 You can proceed. State your
9 name for the record and proceed.

10 MR. WILLIAMS: My name is Larry
11 Williams. I'm Executive Director of the
12 Steel Framing Industry Association. My
13 members include such small companies as
14 U.S. Steel and ArcelorMittal and a number
15 of other companies that produce materials
16 and construct buildings, a number of
17 which are in the City of Philadelphia.

18 I wanted to speak to Bill No.
19 180176. If you open the cover of the
20 building codes, it will state that the
21 purpose of the codes is to protect -- one
22 of the purposes is to protect public
23 safety, and we think that the adoption of
24 180176 is really a very good step
25 forward. Modern building codes do, by

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2 and large, represent improvements to
3 technology and systems and methods.
4 However, one of the unintended
5 consequences that we see that's been
6 introduced in the building codes are the
7 result of changes that were adopted in
8 the 2006-2007 building codes which
9 dramatically increase the size and area
10 of buildings allowed to be built with
11 combustible framing products. We've seen
12 the results of that in places across the
13 river in New Jersey and in a number of
14 cities around the country.

15 So we think that the adoption
16 of these provisions, it's a good step
17 forward, but it's only a first step, and
18 we look forward to working with the City
19 and others to addressing other provisions
20 that we think could improve the safety of
21 the buildings for the residents of
22 Philadelphia.

23 COUNCILWOMAN SANCHEZ: Thank
24 you.

25 You may proceed.

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2 MR. LAWLOR: Thank you. My
3 name is John Lawlor. I oversee a
4 coalition called Build with Strength. We
5 are a nationwide coalition of building
6 product manufacturers that represent the
7 most resilient fire-safe and
8 cost-effective building materials on the
9 market, and locally our coalition
10 includes Cement Masons Local 592;
11 Ironworkers Local 405; the Philadelphia
12 Metal Trades Council; the Bricklayers and
13 Allied Crafts Local 1; Heat and Frost
14 Insulators and Allied Workers Local 14;
15 Sheet Metal Workers Local 19; Teamsters
16 Local 830; the Philadelphia Jewish Labor
17 Committee; the Greater Philadelphia
18 Chamber of Commerce, all their related
19 organizations and members; Philadelphia
20 Fire Department Foundation, Citizens for
21 Fire Prevention; Jerry Jordan, the
22 President of the Philadelphia Federation
23 of Teachers; the former Philadelphia Fire
24 Commissioner, Derrick Sawyer; and several
25 Board members of the Philadelphia Fire

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2 Department Foundation. We are also in
3 concurrent discussions with dozens of
4 other local Philadelphia-based
5 organizations to join the coalition.

6 We advocate for things like
7 two-hour firewalls taken all the way to
8 roof; the use of non-combustible building
9 materials, including, but not limited to,
10 fire-treated lumber, concrete, and steel
11 in mid-rise construction; changes in
12 height and area limitations such that the
13 podium or pedestal on the first or second
14 floor of a four- to seven-story building
15 counts as a floor above grade and is
16 measured from the lowest point of
17 firefighter access; changes in sprinkler
18 standards adoption from NFPA 13R to full
19 NFPA 13; a 24-hour fire watch while the
20 building is being constructed; signage on
21 the outside of the building that allows
22 the Fire Department to easily determine
23 the structural components contained
24 therein.

25 In addition, we are currently

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2 working with the City Council in Los
3 Angeles and the entire State of New
4 Jersey where the President of the Senate
5 and Speaker of the Assembly are
6 co-sponsors of our legislation there
7 advocating for such measures. The cities
8 of Chicago, New York City, the State of
9 New Jersey, the State of Maryland, and
10 many cities in the State of Georgia are
11 currently also looking at measures that I
12 have just mentioned. There are 55
13 suburbs around the City of Chicago, the
14 City of Chicago, and New York City that
15 currently ban light-framed combustible
16 construction in the built environment.

17 There are 830 on average fires
18 a year in mid-rise construction related
19 to laid frame buildings. Recent fires
20 include the City of West Chester near
21 Philadelphia where a resident died in a
22 nursing home; Edgewater and Maplewood,
23 New Jersey; College Park, Maryland; the
24 Da Vinci fire in Los Angeles; Denver,
25 Colorado; Raleigh, North Carolina;

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2 Overland Park, Kansas; Waltham,
3 Massachusetts, plus four other
4 municipalities in Massachusetts in the
5 last six months. And what my colleague
6 to my right from the steel industry
7 referred to as some changes that were
8 made in the building code since 2003 in
9 terms of trade-offs are exactly what is
10 causing this problem.

11 I have been made privy to a
12 letter that Commissioner Perri wrote to
13 Council President Clarke indicating that
14 our measures would be discussed as early
15 as the spring in terms of another update
16 that the City is considering. I would
17 make one clarification to that letter.
18 This is not about high-rise construction.
19 This is about mid-rise construction.
20 High-rise construction is already
21 non-combustible and, therefore, we
22 advocate for the same systems of
23 construction in mid-rise. Other than
24 that, we applaud the City for the
25 adoption of 180176. After all, my

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2 official title is Vice President of State
3 and Local Government Affairs for the
4 National Ready Mixed Concrete
5 Association. We make all the concrete in
6 the world. And we applaud your update,
7 we applaud your foresight, and we look
8 forward to partnering with you and
9 working with you on a further update in
10 the spring.

11 COUNCILWOMAN SANCHEZ: Thank
12 you. Yes. And the letter to the Council
13 President dated April 18 will be put in
14 the official record. And let me inform
15 you that it says mid-level and high-rise
16 level on buildings in the letter.

17 MR. LAWLOR: No problem. The
18 only point of clarification there is that
19 high-rise is already what we advocate
20 for.

21 COUNCILWOMAN SANCHEZ: Okay.
22 Thank you. We appreciate that, and that
23 will added to the record.

24 Any questions of this panel?
25 (No response.)

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2 COUNCILWOMAN SANCHEZ: Seeing
3 none, Tim McDonald and John Peter
4 McDonald.

5 (Witnesses approached witness
6 table.)

7 COUNCILWOMAN SANCHEZ: After
8 that, I have a Lindsey Walaski, Katie
9 Bartolotta. So they should be standing
10 by. And then Alon Abramson and Helen
11 Levins.

12 I had a James Weber. Is that
13 person here?

14 Okay. I'm sorry. I apologize.
15 You want to come next, because you were
16 on our original list.

17 And this young man, do you want
18 to get started? Your name for the
19 record.

20 MR. McDONALD: Maybe I'll start
21 and he can follow. My name is Tim
22 McDonald. Thank you for allowing us to
23 speak.

24 I would like to provide my
25 support for Bill 180176 to adopt the 2018

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2 commercial codes in Philadelphia. I'm a
3 developer, architect, and builder in
4 Philadelphia, and our company, Onion
5 Flats, has been developing sustainable
6 buildings in the City since 1997 and
7 demonstrated that it's possible for
8 others to do so affordably.

9 Some of the awards we've won in
10 that time are the 2016 DVGBC
11 Groundbreaker Award, the 2014 Sustainable
12 Business of the Year Award, and the 2009
13 Philadelphia Sustainability Award. We
14 have been pushing for code reform for
15 over a decade at the municipal, state,
16 and federal levels because we know that
17 buildings are responsible for almost 50
18 percent of all greenhouse gas emissions
19 and that if we are to seriously address
20 the commitments that Philadelphia, along
21 with 400 other cities, has made to the
22 Paris Climate Agreement goals, we must
23 begin by adopting the 2018 commercial
24 code now.

25 Onion Flats is walking the walk

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2 on these commitments through our work.

3 In October of 2017, we completed the

4 largest Passive House certified,

5 net-zero-energy multi-family project in

6 Philadelphia called The Battery. It is a

7 25-unit apartment building in Northern

8 Liberties, uses 80 percent less energy

9 than current code buildings, and was

10 built cost effectively. This project

11 demonstrates that high-performance

12 buildings, as those promoted in the 2018

13 commercial code, are not something

14 affordable in the future but in present

15 everyday development.

16 Similarly, our Thin Flats

17 project built directly across the street

18 from The Battery was also built

19 affordably and in 2009 became the first

20 LEED Platinum duplexes in the country and

21 was awarded the 2010 Global Award of

22 Excellence by the Urban Land Institute,

23 which identifies only five projects from

24 around the world that exemplify workable,

25 livable, and sustainable models of future

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2 development.

3 For over ten years, we've been
4 demonstrating that high performance does
5 not have to come at a high cost. In
6 2012, we demonstrated this most clearly
7 by co-developing the Belfield Townhouses
8 project in the Logan section of
9 Philadelphia, an affordable housing
10 community for formerly homeless families
11 and a commonsense model of truly
12 affordable and sustainable housing. It
13 became the first Passive House certified,
14 net-zero-energy-capable project in
15 Pennsylvania and a recipient of the City
16 Papers' 2012 Big Vision Award for
17 Sustainability and Design. After
18 developing this project, within the same
19 budget that other affordable housing
20 developers have, we were motivated to
21 promote a policy initiative with the
22 Pennsylvania Housing Finance Agency,
23 which to date has funded over 900 units
24 of Passive House, net-zero-energy-capable
25 affordable housing units in Pennsylvania.

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2 The 2018 commercial code will make
3 projects like this commonplace and
4 continue to promote Philadelphia as the
5 greenest city in the country.

6 Thank you.

7 MR. JOHN PETER McDONALD: In
8 the spring of 2014, along with a group of
9 approximately 25 stakeholders composed of
10 affordable housing developers,
11 representatives from the Sustainability,
12 Housing Authority, and Mayor's Offices of
13 Philadelphia and Pittsburgh, as well as
14 Passive House architects, designers, and
15 builders, we gathered to meet --

16 COUNCILWOMAN SANCHEZ: Your
17 name for the record. His name. I'm
18 sorry.

19 MR. JACK PETER McDONALD: I'm
20 Jack Peter McDonald.

21 COUNCILWOMAN SANCHEZ: Proceed.

22 MR. JACK PETER McDONALD: In
23 the spring of 2014, along with a group of
24 approximately 25 stakeholders composed of
25 affordable housing developers,

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2 representatives from the Sustainability,
3 Housing Authority, and Mayor's Offices of
4 Philadelphia and Pittsburgh, as well as
5 Passive House architects, designers, and
6 builders, we gathered to meet in
7 Harrisburg, Pennsylvania to propose to
8 PHFA that they initiate a project which
9 would have all affordable housing in
10 Pennsylvania to be designed and
11 constructed to a net-zero-energy-capable
12 standard by 2030. The tool proposed to
13 achieve this was Passive House. PHFA was
14 already looking to raise the bar with
15 respect to energy efficiency as
16 developers had been surpassing their
17 standards for years. PHFA welcomed the
18 challenge and, within four months, put
19 the project in motion by introducing
20 language into their 2015 Qualified
21 Allocation Plan, which incentivizes
22 developers interested in 9 percent
23 low-income housing tax credits funding to
24 design/construct their projects to meet
25 the rigorous Passive House standard. To

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2 do this, they created a new category
3 worth 10 points for Passive House
4 certification.

5 The LIHTC application is a
6 point-made system and extremely
7 competitive. Because PHFA funds only 25
8 percent of all project applications each
9 year based primarily on the highest point
10 scores, the interest from developers was
11 enormous. Eighty-five multi-family
12 project applications were received in the
13 2015 round of funding. Thirty-two of
14 those projects applied as Passive House
15 projects. The construction cost premium
16 calculated between Passive House projects
17 and non-Passive House projects across the
18 State of Pennsylvania was 2.5 percent.
19 Of the 39 projects that were awarded
20 funding, seven are Passive House projects
21 and all completed.

22 In July 2016, PHFA awarded ten
23 Passive House projects, 500 units, and
24 the cost differential between the Passive
25 House projects was 2 percent less on

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2 average to the non-Passive House
3 projects. These over 900 new affordable
4 housing units is the largest
5 concentration of Passive House
6 net-zero-energy-capable dwellings in the
7 country.

8 Pennsylvania is already doing
9 it. This is why we need to pass the 2018
10 commercial code.

11 Any questions?

12 COUNCILWOMAN SANCHEZ: I want
13 to thank you for your presentation.

14 Any questions from the panel?
15 Councilman Taubenberger.

16 COUNCILMAN TAUBENBERGER: Thank
17 you, Madam Chair.

18 Jack, is it? What grade are
19 you in?

20 MR. JACK PETER McDONALD: I'm
21 in sixth grade.

22 COUNCILMAN TAUBENBERGER: What
23 school?

24 MR. JACK PETER McDONALD: I go
25 to Greenwoods Charter School. And I will

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2 be going to Penn Charter next year.

3 COUNCILMAN TAUBENBERGER: Well,
4 that's excellent. I just want to commend
5 you on an excellent testimony. I think
6 it's great. If you need a note for your
7 teacher, because you should get some
8 extra credit here, I'd be happy to sign
9 that and I think most of my colleagues
10 here would as well. That was well done,
11 and thank you for coming and sharing your
12 thoughts on this most important piece of
13 legislation.

14 Thank you.

15 Thank you, Madam Chair.

16 COUNCILWOMAN SANCHEZ: Thank
17 you.

18 Thank you, Mr. McDonald.

19 So no more questions --
20 Councilman Domb. I'm sorry.

21 COUNCILMAN DOMB: I just want
22 to add to my colleague Councilman
23 Taubenberger. I was voting no on this
24 until I heard your presentation, and that
25 convinced me to vote yes. So thank you

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2 very much.

3 COUNCILWOMAN SANCHEZ: Thank
4 you, and congratulations to Onion Flats.
5 We've only heard great things, and
6 hopefully I'll get you guys to build on
7 my side of the district at some point.

8 MR. JOHN PETER McDONALD: Thank
9 you.

10 COUNCILWOMAN SANCHEZ: Thank
11 you.

12 Lindsey Walaski -- wait. James
13 Weber first, because I keep skipping him.
14 James, would you come up here, please,
15 from Lutron Electronics. And then I'm
16 going to have Lindsey Walaski and Katie
17 Bartolotta. We have your written
18 testimony, so feel free to summarize if
19 you want.

20 (Witnesses approached witness
21 table.)

22 MR. WEBER: My name is James
23 Weber, Engineering Software Leader for
24 Lutron Electronics. Good afternoon,
25 Madam Chair and members of the Committee

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2 on Licenses and Inspections.

3 Lutron is an electronics
4 product manufacturer headquartered in
5 Coopersburg, Pennsylvania and is one of
6 the largest employers in the Lehigh
7 Valley. Lutron has an office just blocks
8 from here in Philadelphia.

9 Lutron is a classic American
10 success story. The company was
11 established in 1961 after Joel Spira, our
12 founder, invented the first solid state
13 dimmer, which saved energy instead of
14 wasting it. We now offer more than
15 17,000 energy-saving products sold in
16 more than 100 countries around the world.
17 We make everything from dimmers for the
18 home to light management systems for
19 entire commercial buildings. In the
20 United States alone, Lutron products save
21 an estimated 10 billion kilowatts of
22 electricity or approximately 1 billion in
23 utility costs per year. The company's
24 early inventions, including the first
25 solid state dimmer invented by Joel

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2 Spira, Lutron's founder, are now in the
3 Smithsonian's National Museum of American
4 History in Washington, DC.

5 Lutron believes the adoption of
6 the latest-date codes is critical to the
7 health of Pennsylvania's manufacturing
8 sector. In particular, the latest
9 building energy code, IECC 2018, provides
10 new technologies to help Philadelphia
11 businesses save energy and money.

12 Adoption of the up-to-date
13 codes affects our business, the economy
14 of Philadelphia, and the welfare of
15 Philadelphians in these primary ways:

16 Cost and energy savings - the
17 initial purchase price of a building is
18 only the beginning. Owners also must pay
19 for operational and maintenance costs,
20 like utility bills, throughout the
21 buildings's lifespan. A building
22 constructed today will last 70 years or
23 more. So designing a building to the
24 latest energy codes provides many years
25 of energy savings and lower operating

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2 costs.

3 Lighting controls, like those
4 made by Lutron right here in
5 Pennsylvania, play a crucial role in
6 those energy savings. Lighting controls
7 can drastically reduce the energy use of
8 a building by eliminating 60 percent or
9 more of wasted lighting energy, while
10 enhancing occupancy, comfort, and
11 productivity at the same time. They
12 provide flexible control over the
13 lighting and the space and support energy
14 savings by reducing the amount of power
15 or amount of time the lighting system is
16 in use. The latest ICC building energy
17 code, IECC 2018, recognizes the
18 importance of lighting controls by
19 incorporating many cost-efficient
20 mandatory lighting control provisions.
21 What's more, IECC 2018 has been shown to
22 be at least 32 percent more efficient
23 than the current energy code in
24 Pennsylvania, IECC 2009. And a building
25 designed to IECC 2018 is 6.8 percent more

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2 energy efficient than one designed to the
3 IECC 2015 code. Thus, adoption of the
4 2018 code will save Philadelphia building
5 owners and tenants significant amounts of
6 money over the life of a building and
7 help Philadelphia achieve its energy
8 efficiency goals.

9 Additionally, this will also
10 help us with investment and jobs. The
11 investment decisions of Pennsylvania
12 companies for research and development,
13 purchase of capital equipment, and jobs
14 are often based upon nationwide adoption
15 of the latest codes. When those codes
16 are not adopted or adoption is delayed,
17 decisions to make those investments and
18 hire employees are negatively impacted.

19 New technology, such as energy
20 saving lighting controls, have been
21 gaining traction over the past few years,
22 largely due to demand created by building
23 energy codes. For instance, the IECC
24 2018 building energy code has new
25 requirements beyond those of the IECC

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2 2015 code for automatic lighting shutoff
3 in open offices. Similarly, requirements
4 for luminaire level lighting controls in
5 the IECC 2018 code creates demand for
6 energy-saving lighting fixtures with
7 embedded daylight and occupancy sensors
8 that brighten or dim the lights based on
9 the amount of daylight in the space and
10 whether the space is occupied or
11 unoccupied.

12 Lutron designs lighting control
13 solutions to meet or exceed these
14 requirements right here in Pennsylvania,
15 including in the City of Philadelphia
16 where we develop software for our
17 solutions. Delays in adopting the latest
18 energy codes impedes the adoption of
19 beneficial new technology and the demand
20 for energy-saving products. This
21 negatively impacts our business, the
22 building owners and tenants who could
23 financially benefit from the new
24 technology, and the overall economy of
25 Pennsylvania and the City of

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2 Philadelphia.

3 We urge the Committee to
4 approve Bill 180176 to allow Philadelphia
5 to lead the state and adopt the latest
6 building energy code to help achieve the
7 City's energy efficiency goals, provide
8 lower energy bills to Philadelphia
9 businesses, and support jobs in
10 Pennsylvania and in the City of
11 Philadelphia.

12 Thank you for allowing me to
13 testify today. I welcome any questions
14 you may have.

15 COUNCILWOMAN SANCHEZ: Thank
16 you.

17 I just want to recognize that
18 Councilman Squilla has joined us.

19 Councilman Domb, you have your
20 light up. Did you have any questions?

21 COUNCILMAN DOMB: Yeah, I have
22 a question.

23 COUNCILWOMAN SANCHEZ:
24 Councilman Domb.

25 COUNCILMAN DOMB: Thank you,

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2 Madam Chair.

3 Thank you for being here. I
4 just wanted to mention something. We
5 have three District Councilpeople here,
6 Chairwoman Sanchez, Councilman Henon,
7 Councilman Squilla, and I happened to
8 look at Lutron online. You're in
9 Coopersburg, 50 miles from here, and I
10 see you're advertising for like 90 jobs.
11 I just want you to know that if you
12 located your headquarters in one of their
13 districts, we have the people here who
14 can fill those jobs. You may want to
15 think about that.

16 MR. WEBER: Noted. I will take
17 that feedback back.

18 COUNCILMAN DOMB: Take that
19 back, because we're happy to work with
20 you, seriously, and bring you to
21 Philadelphia.

22 MR. WEBER: We specifically
23 opened our office here in Philadelphia to
24 attract the best talent that is
25 available. We recognize that --

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2 COUNCILMAN DOMB: You need to
3 expand that office in Philadelphia for
4 more.

5 MR. WEBER: Absolutely.

6 COUNCILMAN DOMB: Thank you.

7 Thank you, Madam Chairwoman.

8 COUNCILWOMAN SANCHEZ:

9 Councilman Henon, who leads our
10 manufacturing group, and I would be happy
11 to show you all of the spaces we have.

12 Right, Councilman?

13 COUNCILMAN HENON: We have
14 plenty of spaces.

15 COUNCILWOMAN SANCHEZ: Thank
16 you.

17 My apologies to Green Building
18 United. You were listed as a written
19 testimony. So Katie and Lindsey, you
20 want to proceed.

21 MS. WALASKI: Good afternoon.

22 My name is Lindsey Walaski. Thank you so
23 much to the Committee for hearing us
24 today. I'm an engineer at Practical
25 Energy Solutions. We're an energy

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2 consulting firm that serves the Greater
3 Philadelphia area. I'm here to speak in
4 support of Bill 180176 in terms of the
5 energy efficiency that it's going to
6 bring for Philadelphia.

7 So for our clients, we work
8 with commercial, institutional, and
9 municipal clients all over the City, and
10 one of the most ubiquitous problems that
11 we see is low consideration for how
12 buildings are operated long term.
13 Typically the owners will keep their
14 up-front costs low and not include energy
15 efficiency strategies. It ends up
16 hurting them in the long run, because
17 their utility costs are often higher. So
18 even though they're trying to save money
19 up front, they typically end up paying
20 more across the lifecycle of the
21 building. So we see the adoption of the
22 2018 codes as a really stronger bridge
23 between how buildings are designed and
24 constructed and how they're operating
25 long term. And even though there might

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2 be some higher up-front costs initially,
3 those will be quickly offset by lower
4 operating costs in the long run.

5 So irrespective of the economic
6 and technical benefits from this bill,
7 there are a lot of environmental benefits
8 as well. I personally am here as an
9 environmentalist and see a lot of really
10 great impacts long term. We've seen
11 unfortunately some of the consequences of
12 some of these decisions, and this bill is
13 a really great tool to show that we've
14 learned from those and can include some
15 of those long-term impacts of the future.

16 So I personally hope that I'm
17 not impacted by those and they live a
18 long elderly life as far as the people I
19 care about. So I think that this bill is
20 a really great way to do that.

21 So thank you very much for your
22 time today.

23 COUNCILWOMAN SANCHEZ: Thank
24 you.

25 Katie, we have your written

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2 testimony. You may proceed.

3 MS. BARTOLOTTA: Yes. Good

4 afternoon, Chairperson Quinones-Sanchez

5 and members of the Committee on Licenses

6 and Inspections. My name is Katie

7 Bartolotta and I'm the Policy and Program

8 Manager for Green Building United.

9 Through education, advocacy, and

10 strategic initiatives, Green Building

11 United promotes the development of

12 buildings that are sustainable, healthy

13 for all inhabitants, resilient, and cost

14 effective.

15 I thank you all for the

16 opportunity to speak in support of Bill

17 180176 to modernize Philadelphia's

18 building codes. And I promise not to

19 read everything on the pages before you,

20 because I'm sure you're all wondering.

21 So this issue is of particular

22 interest to Green Building United as our

23 community of architects, engineers,

24 policymakers and advocates, developers,

25 contractors, building managers, and more

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2 are instrumental in how buildings and
3 communities are designed, built, and
4 operated in our region. And while the
5 topic of building codes is considered
6 dense and dry to most, the impacts and
7 benefits of updating to the latest code
8 edition are significant and exciting for
9 all Philadelphians.

10 So by raising Philadelphia's
11 minimum building standard to the latest
12 codes edition, we can expect to, one,
13 save consumers money. So with the
14 changes to the building design practices
15 and materials with the latest code,
16 modern code-compliant buildings are
17 designed to be over 30 percent more
18 efficient and also cheaper to operate
19 than those in compliance with our current
20 minimum building standards. So for
21 residential tenants, the energy savings
22 translates to lower utility bills for
23 those living in newly constructed or
24 retrofitted multi-family buildings, which
25 are in many cases included within the

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2 scope of this bill.

3 So this opportunity for utility
4 cost savings is especially important in
5 Philadelphia where low-income households
6 are among the most burdened by the amount
7 of household income spent on energy in
8 the United States.

9 Number two, we can expect
10 improved safety and resiliency. So the
11 effects of climate changes are already
12 underway in Philadelphia and we must
13 adapt as a city to those projections for
14 hotter and wetter weather. The latest
15 building codes ensure that new
16 construction is safer and more resilient
17 to these effects by specifying
18 climate-appropriate building materials
19 and construction practices.

20 Number three, we can expect to
21 reduce our environmental impact in a
22 cost-effective manner. I know you've all
23 heard folks say this earlier, but over 60
24 percent of carbon emissions in
25 Philadelphia originate in the building

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2 sector. So to slow the pace of climate
3 change and to meet the City's goal to
4 reduce carbon emissions 80 percent by
5 2050, there is no better way in terms of
6 speed or cost effectiveness to reach that
7 goal than to adopt modern building codes.

8 Number four, we can lead as a
9 city and gain independence from state
10 control. The adoption of the 2018
11 commercial codes would position
12 Philadelphia as a leader in modern code
13 adoption on par with neighboring states,
14 and this opportunity also ensures
15 stability by removing the City from the
16 volatile state-level code adoption
17 process at least one time and puts the
18 decision-making back into the hands of
19 local officials, which is all of you.

20 So Philadelphia has the
21 opportunity to lead while also benefiting
22 the health, safety, and pocketbooks of
23 its residents by passing Bill 180176 to
24 modernize our building codes. We look
25 forward to this bill being voted out of

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2 Committee without amendment, along with
3 its companions, Bills 180174 and 180175.
4 For additional information or to speak
5 with professionals within Green Building
6 United's community, please do not
7 hesitate to follow up with me.

8 Thanks.

9 COUNCILWOMAN SANCHEZ: Thank
10 you.

11 I just want to add for the
12 record that five years ago we passed
13 single sales factor. So if you're a
14 manufacturer, whatever you sell in the
15 global market, you don't pay your net
16 profits tax. That was my bill five years
17 ago. Just my last pitch.

18 MR. WEBER: Okay.

19 COUNCILWOMAN SANCHEZ: Thank
20 you.

21 Any questions from the panel?
22 (No response.)

23 COUNCILWOMAN SANCHEZ: Seeing
24 none, I have Alon Abramson and Helen
25 Levins. And after that, I have no one

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2 else, if no one else stands to testify on
3 these bills.

4 (Witnesses approached witness
5 table.)

6 COUNCILWOMAN SANCHEZ: You may
7 proceed.

8 MR. ABRAMSON: Great.
9 Chairwoman Quinones-Sanchez and members
10 of the Licenses and Inspections
11 Committee, thank you very much for the
12 time and the opportunity to testify
13 before you today. My name is Alon
14 Abramson. I'm the Manager for Energy
15 Efficiency Programs at the Philadelphia
16 Energy Authority. I'm here to share
17 PEA's strong support for Bill 180176,
18 which will allow Philadelphia to accept a
19 one-time jump ahead to the 2018
20 International Construction Code.

21 The Energy Authority is
22 particularly interested in the positive
23 effects that the code change will have on
24 energy efficiency in Philadelphia's
25 booming development of commercial and

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2 multi-family buildings. Our mission at
3 the Philadelphia Energy Authority is to
4 drive energy affordability and
5 sustainability for our city. As you may
6 know, in February 2016 with the
7 leadership of Council President Darrell
8 Clarke, we launched the Philadelphia
9 Energy Campaign to this end. The
10 campaign is a ten-year, billion-dollar
11 investment in energy efficiency and clean
12 energy projects in City buildings,
13 schools, low and modern-income housing,
14 and small businesses citywide. The
15 campaign will create 10,000 jobs and help
16 build our city's clean energy economy.

17 This bill is a critical
18 component of the success of the Energy
19 Campaign and of meeting Mayor Kenney's
20 climate and carbon commitments. That is
21 because 68 percent of Philadelphia's
22 carbon footprint currently comes from
23 buildings. The 2018 codes will reduce
24 the energy use in new construction and in
25 major rehabs by more than 30 percent

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2 compared to today's building codes. That
3 means that a family living in an
4 apartment building that is built
5 according to the new code requirements
6 will spend 30 percent less on their
7 utility bills.

8 I want to be sure to stress how
9 significant the cost reduction is here in
10 Philadelphia, where our lowest earning
11 families, those earning less than 30
12 percent of area median income, are
13 spending upwards of 23 percent of their
14 salary on their utility bill. That's
15 more than any other income bracket. In
16 fact, Philadelphia has one of the
17 country's highest energy burdens.
18 Families facing high utility bills and
19 limited incomes are living in a state of
20 energy insecurity where they are forced
21 to choose between keeping their homes
22 adequately heated in the winter and
23 cooled in the summer or paying for basic
24 necessities like food, rent, and
25 medicine. This is not an isolated

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problem. According to recent data from the federal Energy Information Administration focused on urban areas in the Mid-Atlantic, more than half of African American households at all income levels reported facing energy insecurity for some part of the year, along with 30 percent of renters, over 35 percent of households with children, and over 40 percent of households earning less than \$20,000 per year.

The 2018 codes take advantage of construction materials and techniques that have been in use for years and have been well vetted by the construction industry. In fact, the Pennsylvania Housing Finance Agency has been pushing developers to build to these or higher standards for years in order to be eligible for their financing, as you heard from the brilliant testimony earlier. New subsidized affordable housing is already held at a higher energy standard than regular developers.

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2 Adopting the 2018 code will
3 also result in an update to the national
4 electrical code, moving Philadelphia to
5 the 2017 code, which provides -- which
6 improves fire safety across many
7 parameters, including for new buildings
8 that put solar on roof. Philadelphia's
9 solar market expanded by 46 percent in
10 2017, making now an important time to
11 ensure that we have stronger safety
12 standards to recognize the latest
13 technology.

14 As a city of the first class,
15 Philadelphia has the opportunity to lead
16 the state and the region with modern
17 building codes, support energy-efficient
18 new housing and commercial buildings, and
19 ensure long-term affordability for the
20 newest wave of development in our city.

21 Thank you for your time today.

22 COUNCILWOMAN SANCHEZ: You can
23 proceed.

24 MS. LEVINS: Good afternoon.

25 My name is Helen Levins. I'm the

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2 Government Affairs Manager for the
3 Penn-Del-Jersey Chapter of the National
4 Electrical Contractors Association, also
5 known as NECA. Thank you for having me
6 here today. I'm here to testify in
7 support of the 2018 International Codes
8 by passing Bill 180176 before summer
9 recess.

10 Just by way of background, the
11 Penn-Del-Jersey Chapter of NECA
12 represents nearly 150 local electrical
13 contractors that employ close to 10,000
14 people each year. Our biggest
15 jurisdiction is here in Philadelphia
16 where we have about 50 contractor
17 members, and we work in partnership with
18 the IBEW Local 98 and 126, the line
19 division.

20 Our primary interest in
21 updating to the 2018 International Codes
22 is because they contain the 2017 national
23 electrical codes, which set the
24 foundation for electrical safety. Any
25 city contains comprehensive guidance on

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electrical wiring, overcurrent protection, grounding, and installation of equipment. Currently, Pennsylvania is one of only five states nationwide using the 2008 national electrical codes since Pennsylvania has not approved the ICC update since 2009. Updating to the 2018 ICC is a commonsense action, and it's in NECA's interest. We're most concerned about public and building safety and the implementation of new electrical systems and equipment such as, but not limited to, energy storage, large-scale solar, micro grids, energy management, wireless charging, and power over Ethernet.

Philadelphia right now has the unique opportunity to adopt safe and efficient up-to-date building codes that are in the best interest of everyone living and working in Philadelphia. As someone who represents NECA on the state and city level as experienced in Harrisburg, I think that failing to take advantage of this one-time opportunity

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2 would be missing a great opportunity with
3 Harrisburg to work on behalf of
4 Philadelphia citizens and harm our
5 ability to negotiate future exemptions
6 from state legislative requirements.

7 So I really just want to
8 reenforce today that is a unique
9 opportunity that Harrisburg has given to
10 us. We should take advantage of it.

11 And thank you for your time.

12 COUNCILWOMAN SANCHEZ: Thank
13 you. Thank you for your testimony.

14 Anybody from the panel have any
15 questions?

16 (No response.)

17 COUNCILWOMAN SANCHEZ: Seeing
18 none, anyone else here to testify on this
19 bill?

20 (No response.)

21 COUNCILWOMAN SANCHEZ: Seeing
22 none, the Committee on Licenses and
23 Inspection will now move to its public
24 meeting.

25 As mentioned earlier, and I

1 4/19/18 - L&I - BILL 180174
2 believe I need a motion for date certain
3 for Bill 160151 to be moved to June 11th
4 at 1:00 p.m. The Chair recognizes Vice
5 Chair Domb for a motion.

6 COUNCILMAN DOMB: Thank you,
7 Madam Chair. I move that Bill No. 160151
8 be held in Committee until June 11th.

9 (Duly seconded.)

10 COUNCILWOMAN SANCHEZ: All
11 those in favor?

12 (Aye.)

13 COUNCILWOMAN SANCHEZ: Any
14 oppositions?

15 (No response.)

16 COUNCILWOMAN SANCHEZ: Seeing
17 none, Bill 160151 will be heard on June
18 11th at 1:00 p.m. Thank you.

19 The Chair now recognizes Vice
20 Chair for an amendment on Bill 180174 and
21 an amendment on Bill 180176. The
22 amendment has been circulated.

23 Councilman Domb.

24 COUNCILMAN DOMB: Thank you,
25 Madam Chairwoman. I move that the

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1 4/19/18 - L&I - BILL 180174
2 amendment to Bills No. 108174 and 180176
3 be adopted.

4 (Duly seconded.)

5 COUNCILWOMAN SANCHEZ: All
6 those in favor?

7 (Aye.)

8 COUNCILWOMAN SANCHEZ: Any
9 oppositions?

10 (No response.)

11 COUNCILWOMAN SANCHEZ: Seeing
12 none, the amendments to Bill 180174 and
13 180176 have been approved.

14 Councilman Domb, can I get a
15 motion for the approval of 180174 as
16 amended, 180175, 180176 as amended.

17 COUNCILMAN DOMB: Thank you,
18 Madam Chairwoman. I move that Bill
19 180174 as amended, 180175, 180176 as
20 amended be voted out of this Committee
21 with a favorable recommendation and
22 further move that the rules of Council be
23 suspended to allow first reading at our
24 next session of Council.

25 (Duly seconded.)

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2 COUNCILWOMAN SANCHEZ: All

3 those in favor?

4 (Aye.)

5 COUNCILWOMAN SANCHEZ: Any

6 opposition?

7 (No response.)

8 COUNCILWOMAN SANCHEZ: Seeing

9 none, the bills as read will be moved out
10 of this Committee with a favorable
11 recommendation and further moved that the
12 rules of Council be suspended to permit
13 first reading at our next public session.

14 Thank you all. This concludes
15 our hearing. Thank you, all the folks
16 who have come in and have testified.

17 (Committee on Licenses and
18 Inspections concluded at 2:30 p.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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