

AN ORDINANCE

Amending Subcode “A” (The Philadelphia Administrative Code) of Title 4 (The Philadelphia Building Construction and Occupancy Code) of The Philadelphia Code, by amending Section A-703, entitled “Special Certificate of Inspection,” to enhance building safety requirements for educational occupancies, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section A-703 of Subcode “A” of Title 4 of The Philadelphia Code is hereby amended to read as follows:

SECTION A-703 SPECIAL CERTIFICATE OF INSPECTION

A-703.1 Special occupancy requirement for structures in Group E occupancy: No structure in Group E occupancy, the Educational occupancy, as defined in Subcode "B" of Title 4 owned or operated by an entity to which the City provides substantial funding, shall be occupied unless a current special certificate of inspection has been issued in connection with such structure.

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A-703.2 Issuance of special certificates of inspection: Special certificates of inspection shall be issued on the following basis:

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4. The Department shall not issue a special certificate of inspection unless the building has been inspected for fire, safety, electrical, lead paint, water quality, *asbestos*, *mold* and all other property-related hazards and:

* * *

B. the Health Department has certified that the building is in substantial compliance with applicable lead paint requirements of this Code *and the non-lead safety requirements set forth at subparagraph (.1)*, below, and that the building can be occupied safely without endangering life or public safety or welfare, and the Health Department or a testing agency certified by the Pennsylvania Department of Environmental Protection has certified, within the previous five years, that the building is in substantial compliance with applicable water quality requirements of the Board of Health, provided that in no event shall applicable water quality requirements be deemed to permit lead in water at an outlet such as a sink or water fountain that is in service at 10 ppb or more. Any water outlet determined to exceed any such water quality requirements shall be taken out of service within 24 hours of notification of the relevant test. The owner of the educational occupancy shall post the results of the most recent

water quality *and other testing required by this Section* at each particular educational occupancy to a generally available website within ten days of receipt of the results.

(.1) A building shall be certified as in substantial compliance with non-lead safety requirements if it is in compliance with the best practices for testing, remediation, abatement, cleaning, and management of asbestos, mold, and other property-related hazards not otherwise regulated in this Section as identified by the Managing Director no less than six months prior to the issuance of the special certificate of inspection. The Managing Director shall identify any additional property-related hazards after considering the recommendations of the Building Safety Advisory Group, which shall consist of the following appointments by the Mayor:

- (a) Three representatives of the School District of Philadelphia;*
- (b) One representative of the Managing Director;*
- (c) One representative of the Philadelphia Federation of Teachers;*
- (d) One representative of the Service Employees International Union Local 32BJ;*
- (e) One representative of the Commonwealth Association of School Administrators Local 502;*
- (f) One parent-representative of Philadelphia Home & Schools Council;*
- (g) One parent-representative of Philadelphia School Advisory Councils;*
- (h) One parent who advocates on environmental justice, health, construction, or related matters;*
- (i) One expert on environmental testing and abatement who is unaffiliated with the School District of Philadelphia; and*
- (j) No fewer than one and not more than three students of Philadelphia schools, who may serve in a non-voting capacity.*

SECTION 2. This Ordinance shall be effective with respect to special certificates of inspection required for occupancy on and after August 1, 2022.