

City of Philadelphia



(Bill No. 180994)

AN ORDINANCE

Amending Title 3 of The Philadelphia Code, entitled “Air Management Code,” and Chapter 6-600 of The Philadelphia Code, entitled “Asbestos Projects,” to revise fees, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 3 of The Philadelphia Code is hereby amended as follows:

TITLE 3. AIR MANAGEMENT CODE.

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CHAPTER 3-300. ADMINISTRATIVE PROVISIONS.

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§ 3-307. Fees.

(1) Installation Permits. The fee shall be as follows:

(a) Boilers, Warm Air Furnaces, and Hot Water Heaters:

(.1) Where the rated capacity is 20,000,000 BTU per hour or less. . . . [\$250.00] *\$375*

(.2) Where the rated capacity is over 20,000,000 BTU per hour. . . . [\$400.00] *\$600*

(.3) Capacity is calculated on the basis of the net load rating;

One square foot of steam radiation has a capacity of 240 British Thermal Units per hour;

One square foot of hot water radiation has a capacity of 150 British Thermal Units per hour; and

One boiler horsepower is equivalent to 33,472 British Thermal Units per hour.

(b) Incinerators and crematories. . . . [\$400.00] *\$600*

(c) Smoke ovens, tar and asphalt kettles, road material treating plants, and varnish and paint heating kettles. . . . [\$400.00] *\$600*

(d) Paint spraying equipment and dryers, per unit. . . . [\$400.00] *\$600*

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(e) Chemical processing equipment; crushing, grinding or milling equipment; rendering kettles; and air cleaning devices, per unit. . . . [\$400.00] \$600

(f) Others. . . . [\$400.00] \$600

(2) Operating Licenses. An operating license shall be obtained for each boiler, furnace, or other combustion unit, process unit, or air-cleaning device and their related appurtenances. In general, the classification established for the installation permit shall apply to operating licenses. A fee of [\$150.00] \$225 shall be charged for the issuance of an indefinite operating license. An annual fee for renewable operating licenses shall be charged according to the following schedule:

(a) Boilers and furnaces of a capacity of 20,000,000 BTU per hour, or less. . . . [\$150.00] \$225

(b) Boilers and furnaces of a capacity of more than 20,000,000 BTU per hour. . . . [\$400.00] \$600

(c) Incinerators and crematories. . . . [\$400.00] \$600

(d) Smoke ovens, tar and asphalt kettles, road material treating plants, and varnish and paint heating kettles. . . . [\$250.00] \$375

(e) Paint spraying equipment and dryers. . . . [\$250.00] \$375

(f) Chemical processing equipment; crushing, grinding or milling equipment; rendering kettles; and air cleaning devices. . . . [\$400.00] \$600

(g) Gas stations. . . . [\$275.00] \$375

(h) Others. . . . [\$400.00] \$600

(3) Filing Fees. In addition to any applicable fee set forth in (1) and (2) above, each application for a permit or license required by this Title shall also be assessed a non-refundable filing fee of [\$30.00] \$45, payable at the time the application is submitted.

SECTION 2. Title 6 of The Philadelphia Code is hereby amended as follows:

TITLE 6. HEALTH CODE.

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CHAPTER 6-600. ASBESTOS PROJECTS.

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§ 6-602. Licenses.

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(4) Licenses shall be valid for one (1) year. The annual license fee shall be [four] *six* hundred dollars [(\$400.00)] (*\$600*), plus an annual non-refundable application fee of [thirty] *fifty* dollars [(\$30.00)] (*\$50*).

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§ 6-603. Permits and Notification.

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(3) [Project permit fees shall be based on the estimated cost of the asbestos abatement portion of the project but shall be no less than two and one half percent (2.5%) of the first fifty thousand (\$50,000) dollars and an additional one and one quarter percent (1.25%) of any amount over fifty thousand (\$50,000) dollars. The minimum fee shall be one hundred twenty-five dollars (\$125.00).] *Project permit fees shall be computed as follows, subject to a minimum fee of one hundred and fifty dollars (\$150.00) –*

(a) three and three quarters percent (3.75%) of the cost of the asbestos abatement contemplated under the permit, so long as said cost is less than or equal to fifty thousand dollars (\$50,000); and

(b) an additional one and seven eighths percent (1.875%) for any portion of the cost of abatement cost over fifty thousand (\$50,000) dollars.

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(10) Minor Asbestos Project Notification.

(a) No contractor or other person shall commence a minor asbestos project unless he/she has notified the Department in accordance with regulations established by the Board at least twenty-four (24) hours prior to the commencement of the project. Such notification shall be accompanied by payment of a [\$25.00] *\$45* notification fee.

§ 6-604. Certification.

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(2) Asbestos Project Inspectors.

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(d) Certification shall be valid for one (1) year. The annual fee shall be [one] *two* hundred and [fifty] *twenty five* dollars [(150.00)] (\$225).

(3) Analytical Testing Laboratories.

* * *

(c) Certification shall be valid for one (1) year. The annual fee shall be [four] *six* hundred dollars [(\$400.00)] (\$600).

(4) Asbestos Investigators.

* * *

(c) Certification shall be valid for one (1) year. The annual fee shall be [one] *two* hundred and [fifty] *twenty five* dollars [(\$150.00)] (\$225).

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§ 6-606. Standards for Major Asbestos Projects.

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(6) The Department may approve alternative equivalent methods for work area preparation proposed in the permit application if the methods required by this Section are not technically feasible or would cause unsafe or unhealthy conditions. A request to the Department for approval of alternative equivalent methods shall include the reasons for not using the methods required by this Section and a description of the proposed alternative methods. The fee for an application for an alternate method request pursuant to this subsection shall be [\$25.00] \$45.

§ 6-607. Standards for Minor, Small and Incidental Asbestos Projects.

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C. The Department may approve alternative equivalent methods for work area preparation proposed in the permit application if the methods required by this Section are not technically feasible or would cause unsafe or unhealthy conditions. A request to the Department for approval of alternative equivalent methods shall include the reasons for not using the methods required by this Section and a description of the proposed alternative methods. The fee for an application for an alternate method request pursuant to this subsection shall be [\$25.00] \$45.

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SECTION 3. Effective Date. This Ordinance shall take effect immediately.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 13, 2018. The Bill was Signed by the Mayor on January 03, 2019.



Michael A. Decker
Chief Clerk of the City Council