

PHILADELPHIA ENACTS FACADE INSPECTION LEGISLATION

On 17 February, Mayor Michael Nutter signed into law Philadelphia's first facade inspection ordinance. A spate of incidents involving falling masonry prompted the bill's introduction, most recently this past August, when a Center City man fell through a fire tower railing to his death.

The incident brought to mind the 1997 death of Judge Berel Caesar, who was crushed by five tons of falling debris and a 500-pound sign on South Broad Street. It wasn't until a series of near-misses in 2009, however, that legislators finally took action. Just a week before the August fatality, a pair of masonry panels fell from the sixth floor of a Chestnut Street building.

The month before, a parapet wall collapsed near 16th and Chestnut Streets, raining debris down into traffic below. In June, marble facade panels plunged 80 feet from The Broadcast Building onto Walnut Street. These four incidents came on the heels of still others in 2008, involving falling terra cotta at 23rd and Walnut and collapsing brick at the Bellevue on South Broad Street, both in 2008.

In response to public outcry and critical media reports ("Some cities require owners to have periodic structural inspections of older buildings. But not here," lamented John Rawlins of ABC Action News in Philadelphia last August), the City Council introduced an amendment to the building code requiring periodic inspections.

STATE DIGEST

Phila. judge critical after being hit by sign

Associated Press

PHILADELPHIA - A Philadelphia judge was in critical condition with head and hand injuries this morning after being struck by bricks and a large sign that fell from a parking garage wall. Two others also were hit by the debris on Broad Street Sunday as they and hundreds of other people attended a performing arts festival.

Senior Common Pleas Judge Berel Caesar, 69, was in Thomas Jefferson University Hospital. A second man was in stable condition at Allegheny University Hospitals-Hahnemann, hospital spokesmen said.

The third person did not seek treatment, said Fire Department supervisor Harry Johnson.

The "Park" sign, which spanned two of the public garage's three stories, fell to the sidewalk at about 3 p.m. along the city's main downtown thoroughfare.

At the time, about 30 people were passing by a fruit and soda stand in front of building, police Lt. Steve Cross said. An attendant was inside, said Lt. Matthew Medley of the Fire Marshal's office.

"You could hear this loud crackling, and people could see it breaking away from the wall," said Eliseo LaBruno, who was working at a food stand about a half-block away. "Luckyly, they were able to clear out of there pretty quickly."

"People were yelling and panicking everywhere, trying to figure out what was going on," said James Turner, a music technician working across the street.

Excerpt from Reading Eagle, 6 Oct 1997.

What Building Owners Need to Do Now

Determine Your Filing Deadline.

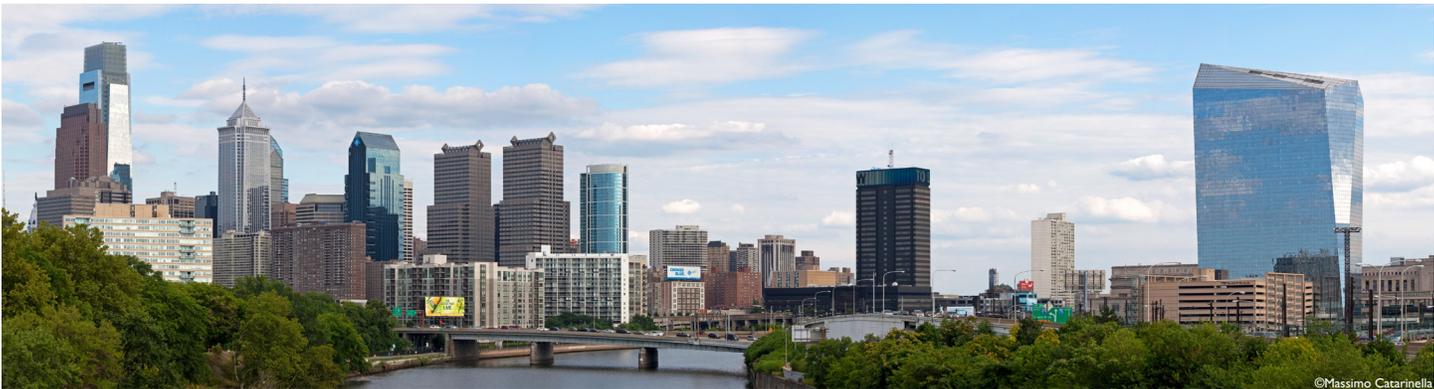
Modeled after the New York City code, the legislation aims to improve public safety by setting a schedule and standards for evaluating facade conditions. All buildings with six or more stories, or those with appurtenances, such as steeples or turrets, greater than 60 feet tall, must submit inspection reports to the Department of Licenses and Inspections (L&I) every five years. Filing deadlines are staggered, not by block number as in New York, but by building age:

Facade Inspection Reporting Schedule	
Construction Date	First Report Completion Deadline
1950 and earlier	30 June 2011
1951-1970	30 June 2012
1971-1980	30 June 2013
1981-1990	30 June 2014
1991-2005	30 June 2015
2005 and later	Within 10 years of certificate of occupancy issuance

Following the initial inspection, a new report is due every five years, based on this original schedule.

What if your building is older, but you've just restored the facade?

Apply for a waiver. Restoration within five years of the inspection deadline can qualify you for a deferral, provided work was substantial enough to assure stability.



Retain a Licensed Professional.

Only a Pennsylvania licensed Professional Engineer experienced in structural engineering or a Registered Architect knowledgeable in the design, construction, and inspection of building facades may conduct the inspection and complete the report. Since the passage of New York City's first facade inspection ordinance in 1980, Hoffmann Architects has helped hundreds of building owners meet inspection, repair, and reporting requirements. We are experienced in applying the provisions and mandates of Local Law 10 of 1980 / Local Law 11 of 1998 in New York, Municipal Code section 9-9.12 in Boston, and the Property Maintenance Code in Pittsburgh, all of which are similar to the regulations now adopted in Philadelphia.

Hoffmann Architects has provided architectural and engineering services related to facade inspection and remediation for a number of buildings in Philadelphia, including the Philadelphia Inquirer Building, Sheraton Philadelphia University City Hotel, the Aramark Building, the Hyatt at the Bellevue, Lewis Tower, and the Pennwalt Building at Three Parkway.

Be Aware of Hidden Costs.

Building owners should be prepared to pay for scaffolding or lifts, as physical inspection from an elevated platform is required for a representative sample of the exterior wall.

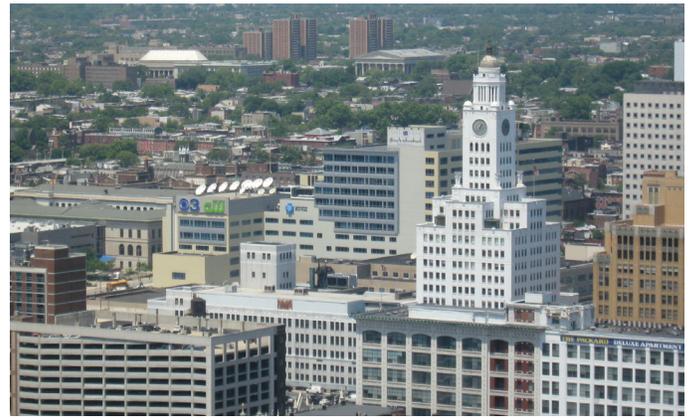


Other expenses might include testing to determine the extent and probable cause of observed distress, as well as photographic documentation, research, and historical document review.

Understand the Rating System.

Reports must include an assessment of all facade conditions, including observed deterioration, movement, and water-tightness. Each facade element is then classified individually, as follows:

- **Safe.** Most areas of a well-maintained building will likely earn a "safe" rating. However, only a building with zero "unsafe" or "safe with a repair and maintenance program" conditions can be classified, overall, as "safe."
- **Safe with a repair and maintenance program.** These are conditions that, while not immediately unsafe, can become hazardous in the near future if steps are not taken toward remediation. For example, moderately worn sealant joints might not pose an imminent threat of falling stone, but if allowed to deteriorate further, they might.
- **Unsafe.** An exterior wall, window, air conditioner, planting box, flagpole, sign, parapet, coping, guard rail, exterior light fixture, or other element that is part of or attached to the building facade is considered "unsafe" if it is dangerous to people or to property. While identifying some types of unsafe conditions can be intuitive (a bowed and cracking parapet that is leaning toward the street, say), some can remain quite hidden to the untrained eye—right up until the point of collapse.



Plan Ahead.

Just one "unsafe" condition means that the entire building must be reported as such. An owner then has just 24 hours to take emergency action to protect public safety. Fences, sidewalk bridging, and netting can be expensive to install on short notice, and owners have only three days to submit permit applications. Corrective work must begin within ten days, with a new report due to the L&I two weeks after repairs are complete.

Even a building classified as "safe with a repair and maintenance program" has more leeway than an "unsafe" one, with corrective action to be completed within whatever time frame the inspector proscribes in the report.

Particularly for older buildings, the deadline is already fast approaching. Advance planning will enable you to budget resources and to minimize disruption to building use.

What the Inspection Law Means for Your Building

Every structure is different. Although the city aims to standardize maintenance and repair practices, there is room in the new law to accommodate diverse situations. A number of provisions were added to the original bill to provide for extensions and appeals, such that owners have some recourse if an inspection report is inaccurate or if circumstances make the stipulated repair timeline unreasonable. Work with your design professional to determine how best to achieve compliance with the new regulations while working within scheduling, budgetary, and logistical demands.

For more information, contact Hoffmann Architects at (800) 239-6665 or visit www.hoffarch.com.

Founded in 1977, Hoffmann Architects specializes in the rehabilitation of the building envelope. The firm's work focuses on the exteriors of existing structures, resolving deterioration within facades, roofs, windows, plazas, parking garages, and historic/landmark structures. Our technical professionals investigate and correct damage resulting from time and weather, substandard construction, design defects, material failures, poor workmanship, structural movement, and stress.

Material provided in this bulletin is for informational purposes. Before taking action, consult a design professional for more specific recommendations.