



**Citizens' Guide to
Development Permits**

City of Philadelphia

Mayor John F. Street

*"That an example may be set up to the nations as . . .
a holy experiment."*

- William Penn

Dear Fellow Philadelphian:

When William Penn organized Philadelphia as a "greene Countrie Towne," he charged its citizens with the care and stewardship of the city's environmental resources. Today, with one of the largest city parks in the country, active community garden groups, comprehensive environmental and land resource programs and citizens concerned about the beauty of their community, the city is well-situated to carry out Penn's charge.

Federal, state and local environmental and land use laws play an essential role in this effort. To ensure compliance with these laws, the city maintains environmental, zoning and building permitting processes.

This guide briefly describes which facilities require permits, how facility owners can apply for a permit, and how citizens can participate in the permitting process. The practical information in this guide is meant to help facility owners comply with environmental and land use laws and to help citizens become empowered and informed partners in enforcing our environmental and land use regulations. The permitting processes work best when the permit applicants know the obligations the law imposes on them and when the community is active and informed. With knowledgeable applicants and citizenry, we can continue our green tradition and set an example of environmental stewardship that will be the envy of cities across the nation.

Philip R. Goldsmith
Managing Director

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This guide addresses environmental, zoning and building permits.

ENVIRONMENTAL PERMITS

Philadelphia's environmental permitting system ensures compliance with federal, state and city environmental laws. The city issues permits for air quality, water quality, sewage disposal and potable water.

Air Quality Permits

Facilities in Philadelphia are subject to two separate but related sets of permitting processes, one for permits required by the Commonwealth of Pennsylvania, and one for permits required by the city. Air Management Services (AMS), a division of the Philadelphia Department of Public Health, administers both processes.

Application for State Air Quality Permits

Pennsylvania law requires that an owner wishing to build or change a facility that emits or reduces air contaminants apply for and obtain Plan Approval from AMS. The Plan Approval allows the owner to construct the facility and to operate it temporarily. Once construction is complete and AMS determines that the owner has fulfilled any conditions contained in the Plan Approval, the owner must apply for and obtain an Operating Permit to operate the facility.

The types of Plan Approvals and Operating Permits required and the fees owed generally depend on the amount of pollutants that the facility has the potential to emit when operating at maximum capacity. AMS issues Operating Permits for up to 5 years. An owner must apply to renew an Operating Permit at least 6 months and not more than 18 months before expiration of the existing Operating Permit.

AMS publishes notices of applications for Plan Approval and Operating Permits in the Pennsylvania Bulletin. The Pennsylvania Bulletin is available online at www.pabulletin.com or in your neighborhood library. Within 30 days after publication, the public may contact AMS and comment on the application or request a hearing on the application. After the 30-day public comment period and any hearing, AMS decides whether to issue the Plan Approval or Operating Permit.

Application for City Air Quality Permits

The Philadelphia Code requires that an owner wishing to install equipment that emits or reduces air contaminants apply for and obtain an Installation Permit. To operate the equipment once work is completed, the owner must apply for and obtain an Operating License. The types of Installation Permits and Operating Licenses required generally depend on the amount of energy that the equipment consumes. An Operating License is valid for one year, at which time the owner must reapply for a new Operating License. The requirements for obtaining city air quality permits are generally stricter than those for obtaining state air quality permits; but, unlike the application process for state permits, the application process for city permits does not require public comment.

State and City Permits Required

An owner of a facility or equipment in Philadelphia must generally have state and city air quality permits. In practice, however, AMS waives the city permit requirements for some Philadelphia facilities that obtain state permits.

AMS Reports

AMS issues status reports to Philadelphia City Council members, various citizens groups, Philadelphia Department of Licenses and Inspections, the Pennsylvania Department of Environmental Protection (DEP), and the United States Environmental Protection Agency (EPA) about the applications it has received. Citizens may request a copy of these status reports from AMS.

To apply for state and city air quality permits or to obtain status reports or other information about applications, already-issued permits, emissions at existing Philadelphia facilities or other Philadelphia air quality issues, contact AMS at:

Air Management Services
Source Registration Unit
321 University Ave.
Philadelphia, PA 19104-4543
phone: (215) 685-9428

or visit the Department of Public Health online at www.phila.gov/health/.

Appeals

An air quality permit applicant or any Philadelphia resident may appeal an AMS decision to issue or not to issue an air permit within 30 days after that decision. The Philadelphia Board of Licenses and Inspections Review decides these appeals. For more information about the appeal process, call or write to the Board of Licenses & Inspections Review at:

Board of License and Inspection Review
Municipal Services Bldg., Concourse Level
1401 JFK Blvd.
Philadelphia, PA 19102-1687
phone: (215) 686-2427

Permit Information for Facilities Outside of Philadelphia

The Pennsylvania Department of Environmental Protection (DEP) issues air quality permits for facilities outside of Philadelphia. For information about DEP applications, contact DEP at:

Department of Environmental Protection
Southeast Regional Office
Permit Coordinator
Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428-2233
phone: (610) 832-6000
fax: (610) 832-6022

or visit DEP's permit information section online at <http://www.dep.state.pa.us/dep/efacts/>.

Permit Violations

To report a property in Philadelphia that does not comply with an issued air quality permit, a property that does not have an air quality permit when required, or smoke, foul odors, noise or an air quality nuisance, call the AMS complaint number at (215) 685-7580.

Where AMS finds an air quality permit violation, AMS may cite the owner with a violation. AMS will require the owner to correct any violations within a reasonable period of time, and the owner may be subject to fines and, ultimately, permit revocation.

Wastewater Discharge Permits

The Industrial Waste Unit (IWU) of the Philadelphia Water Department (PWD) issues wastewater discharge permits for facilities that discharge wastewater into Philadelphia's sewer system. Kinds of water quality permits include wastewater discharge permits for significant industrial users (SIUs), septage discharge permits, and groundwater remediation permits.

Wastewater Discharge Permits

An SIU must have an SIU Permit to discharge to the City's Publicly-Owned Treatment Works (POTW). The POTW is the city's system for treating sewage and industrial waste. An SIU is an Industrial User that either (1) is regulated to any National Categorical Pretreatment Standard, (2) discharges an average of 25,000 gallons per day or more of process wastewater into the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater), (3) contributes a process wastestream that makes up at least 5% of the dry weather organic or hydraulic capacity of the POTW, or (4) is found by the City to have a reasonable potential to adversely affect the POTW, the Collector System, the Solid Waste Byproducts of the POTW, or the air emissions from the POTW.

A Septage Hauler must have a Septage Discharge Permit to discharge a truckload of septic waste into the city's Southwest Water Pollution Control Plant. IWU must sample and approve each load of septic waste before allowing its discharge into the plant. About 10 companies currently hold Septage Discharge Permits.

Groundwater Discharge Permits

A person must have a Groundwater Discharge Permit before cleaning up a site contaminated with certain pollutants that may be present in the groundwater. For example, a Groundwater Discharge Permit is

required if groundwater is to be discharged during a remediation involving the excavation of an underground storage tank. A Groundwater Discharge Permit is also required to release groundwater containing volatile organic compounds into the POTW. After the 30-day comment period, the PWD Commissioner determines whether to issue the permit. There is no publication or public comment period for Groundwater Discharge Permit applications.

Application for Wastewater Discharge Permits

An applicant for a wastewater discharge permit must submit information about the applicant's plant and production process, the kind and amount of wastewater pollutants that the applicant will discharge, and the applicant's process, if any, for pretreating the waste before discharge into the POTW.

IWU publishes a notice of each proposed SIU Permit or Septage Discharge Permit in the Philadelphia Inquirer. For 30 days after publication of the notice, the applicant or any person located within the PWD's service area may comment on the permit application by writing to IWU. The PWD may impose conditions on the issuance of a wastewater discharge permit, for example, by restricting the amount of discharge or by requiring for periodic inspection and sampling of the discharge during the life of the permit.

Wastewater discharge permits are valid for up to 5 years. Permit holders must reapply for permit renewal at least 180 days before expiration of an existing permit.

Appeals

A permit applicant or other aggrieved person may appeal the issuance of a water quality permit, the refusal to issue a permit, or any conditions placed on a permit, within 30 days after the decision. The Philadelphia Board of Licenses and Inspections Review decides these appeals. For more information about the appeal process, contact the Board of Licenses and Inspections Review at:

Board of License and Inspection Review
Municipal Services Bldg., Concourse Level
1401 JFK Blvd.
Philadelphia, PA 19102-1687
phone: (215) 686-2427

Permit Violations

To report a property in Philadelphia that does not comply with an issued wastewater discharge permit or does not have a wastewater discharge permit when required, call the PWD complaint number at (215) 685-6300.

Where the city finds that a permit holder is violating the conditions of its permit, the city may serve the permit holder with a notice of revocation. The permit holder has 15 days to respond in writing to the notice. After the response period, the city may require that the violation be abated or revoke the permit. In addition, the PWD regulations contain a Civil Penalty Assessment Policy that calls for fines up to \$25,000 per violation per day.

Other Information for Facilities in Philadelphia

For information about already-issued permits, existing facilities or other wastewater quality issues in Philadelphia, contact IWU at:

Philadelphia Water Department
Industrial Waste Unit
Aramark Tower, 3rd Floor
1101 Market St.
Philadelphia, PA 19107
phone: (215) 685-4910
fax: (215) 685-6232

or visit the IWU online at www.phila.gov/water/iwu.html.

Permit Information for Facilities Outside of Philadelphia

The Pennsylvania Department of Environmental Protection (DEP) issues water quality permits for facilities outside of Philadelphia including point source water permits. For information about DEP water quality permits, contact the DEP Southeast Regional office or

visit the DEP Office of Water Management online at <http://www.dep.state.pa.us/dep/deputate/watermgt/watermgt.htm> or DEP's permit information section at <http://www.dep.state.pa.us/dep/efacts/>

On-Lot Sewage Disposal Permits and Individual Potable Water Supply Approvals

About 2,450 properties in Philadelphia that are not connected to the city sewage system have on-site septic systems. Pennsylvania law requires that these properties have On-Lot Sewage Disposal System Permits. About 530 properties in Philadelphia that are not connected to the city water supply have their own wells for drinking water. The city Plumbing Code requires that these properties have Individual Potable Water Supply Approvals. Environmental Health Services (EHS), a division of the Philadelphia Department of Public Health, administers these programs.

Application for On-Lot Sewage Disposal System Permits and Individual Potable Water Supply Approval

To install a new on-lot sewage system or repair an existing on-lot sewage system, the owner must have an On-Lot Sewage Disposal System Permit. Applicants must submit their application and arrange for testing of the site. An EHS official will monitor the test and record the results. The applicant must then submit a design of the system in accordance with the results of the site test. If the design is acceptable, EHS issues a construction permit. After construction of the system, EHS inspects it, and if the system is satisfactory, issue the permit. There is no provision for public participation in the On-Lot Sewage Disposal Permit process.

The Philadelphia Department of Licenses and Inspections (L&I) requires an Individual Potable Water Supply Approval from EHS before an owner may drill a well for drinking water. To receive the approval, the applicant must submit a plan for the well showing its location, design, operation, maintenance and any sources of contaminants. EHS reviews the plan and samples and analyzes the water. If the plans and water sample are acceptable, EHS issues a letter to L&I approving the well as a drinking water source.

To apply for On-Lot Sewage Disposal System Permits and Individual Potable Water Supply Approval, for more information about already-issued permits or to complain about an on-site septic disposal facility, contact EHS at:

Environmental Health Services
321 University Ave.
Philadelphia, PA 19104-4543
phone: (215) 784-7342
fax: (215) 382-1210

or visit EHS online at
<http://www.phila.gov/health/units/ehs/enviroeng.html>

Appeals

A permit applicant or aggrieved person may appeal the issuance or denial of an On-Lot Sewage Disposal System Permit within 30 days after the issuance or denial. An applicant for an Individual (Potable) Water Supply Approval may appeal the denial of approval within 30 days after the denial. The Philadelphia Board of License and Inspection Review decides these appeals. Alternatively, the applicant or aggrieved person may appeal the issuance or denial of an On-Lot Sewage Disposal System Permit to the DEP. For more information about appeals, contact the Board of Licenses and Inspections Review at:

Board of License and Inspection Review
Municipal Services Bldg., Concourse Level
1401 JFK Blvd.
Philadelphia, PA 19102-1687
phone: (215) 686-2427

or the DEP Southeast Regional Office at:

Department of Environmental Protection
Southeast Regional Office
Permit Coordinator
Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428-2233
phone: (610) 832-6000
fax: (610) 832-6022

Permit Information for Facilities Outside of Philadelphia

For information about on-lot septic systems and wells outside of Philadelphia, contact the DEP Southeast Regional Office or read DEP's permit information section online at <http://www.dep.state.pa.us/dep/efacts/>.

City Review of State Waste Permits

EHS reviews all applications for solid waste management permits that have been filed with the DEP. Examples of DEP solid waste management permits are recycling facility permits, scrap yard permits and transfer station permits. EHS may decide to file a grievance with the Pennsylvania Environmental Hearing Board about a solid waste management permits application. The Board is a state-level council created to hear grievance actions concerning environmental matters.

For information about solid waste applications and permits, contact EHS.

ZONING PERMITS

The zoning permitting system was created to protect the public's health, safety and welfare by placing restrictions on bulk, height and the use of land and buildings. With few exceptions, zoning cannot change or correct what was legally permitted in the past, however, zoning can prohibit new construction or changes to structures or changes in the use of structures.

Zoning Districts

To plan for the orderly and best development of the city, the City Council has created zoning districts. Under the Philadelphia Zoning and Planning Code, different uses are permitted in each zoning district, and each district has certain building and development requirements. For example, some areas of the city are designated as commercial and others are designated residential. Residential areas will have requirements consistent with residential activity and commercial areas will have requirement consistent with commercial activity.

The Zoning and Planning Code is Title 14 of the Philadelphia Code. The Philadelphia Code is available at your neighborhood library and online at http://www.amlegal.com/philadelphia_pa/.

Maps of Philadelphia showing each zoning district are available online at <http://citymaps.phila.gov/citymaps/> and at the Philadelphia Department of Licenses and Inspections.

The Planning Commission makes recommendations to City Council to change zoning districts. The Planning Commission also approves property subdivisions.

For information about zoning district changes, subdividing property or other planning issues, contact the Planning Commission at:

Philadelphia City Planning Commission
One Parkway, 13th Floor
1515 Arch Street
Philadelphia, Pennsylvania 19102
phone: (215) 683-4615
fax: (215) 683-4630
email: info@philaplanning.org

or visit the Planning Commission online at <http://www.philaplanning.org/>.

Zoning Permits

The Department of Licenses & Inspections (L&I) issues Zoning Permits in accordance with the Philadelphia Zoning and Planning Code. Before converting property to a new use or before making alterations to an existing use, an owner generally must apply for and obtain a Zoning Permit from L&I. The owner is entitled to a Zoning Permit if the use is permitted in the zoning district and if the use meets the bulk and height requirements for that district. Bulk and height requirements govern such things as setback distances, building heights and fences.

To apply for a zoning permit, to look at Philadelphia zoning maps or for other information about zoning, visit the L&I Permit Services Unit in person at:

Department of Licenses and Inspections
Municipal Services Bldg., Concourse Level
1401 JFK Blvd.
Philadelphia, PA 19102-1687

You can email the L&I Permit Services Unit at permit.services@phila.gov.

For general information about obtaining a Zoning Permit, please request a copy of "Zoning: How to Obtain a Zoning Permit" from L&I.

Appeals

Generally, a permit applicant or Philadelphia resident may appeal the issuance or denial of a Zoning Permit within 30 days after the issuance or denial of a permit. The Philadelphia Zoning Board of Adjustment decides these appeals. For information about zoning appeals, contact the Zoning Board of Adjustment at:

Zoning Board of Adjustment
Municipal Services Bldg., Concourse Level
1401 JFK Blvd.
Philadelphia, PA 19102-1687
phone: (215) 686-2429

Special Use Permits and Zoning Board of Adjustment Certificates.

The Philadelphia Code specifically permits certain uses in certain zoning districts only by Special Use Permit or Zoning Board of Adjustment Certificate. The Zoning Board of Adjustment issues Special Use Permits and Zoning Board of Adjustment Certificates. The Zoning Board of Adjustment will schedule a public hearing. At the hearing the applicant must show that the use meets certain criteria that relate to potential adverse effects of the use. For example, the applicant must show that the use will not substantially increase street congestion, that it will not increase the danger of fire, that it will not overcrowd the land, and that it will not unduly concentrate population. The applicant, Philadelphia

residents and city agencies may appear at the hearing and be heard. For information about Special Use Permits and Zoning Board of Adjustment Certificates, contact L&I or the Zoning Board of Adjustment.

Variances

If a proposed use is not permitted in the applicant's zoning district or if the proposed use is permitted but would violate bulk and height requirements, the applicant must apply to the Zoning Board of Adjustment for a variance. The Zoning Board of Adjustment will schedule a public hearing on the variance application and require the applicant to post the property with a notice of application and the hearing. At the hearing, the applicant must show, among other things, that denying the variance would cause unnecessary hardship, that the conditions giving rise to the need for the variance are unique to the property and not caused by the applicant, and that granting the variance would not substantially or permanently injure adjacent property. The applicant, Philadelphia residents and city agencies may appear at the hearing and be heard. For information about variances, contact L&I or the Zoning Board of Adjustment.

Reports of Zoning Violations

To report a property in Philadelphia that does not have the required zoning permit or that does not otherwise comply with the Zoning Code, call the L&I Services and Operations Unit at (215) 686-2463. L&I may inspect the property, issue notices of any violations and assess fines. An owner who fails to correct any violations may be subject to additional fines and may be ordered to cease operations on the property.

BUILDING PERMITS

L&I issues building permits in accordance with the Philadelphia Building Construction and Occupancy Code, which is Title 4 of the Philadelphia Code. The Philadelphia Code is available at your neighborhood library and is available online at http://www.amlegal.com/philadelphia_pa/.

Building permits are required for new construction, building repairs, alterations, demolitions or additions; installation of foundations for tanks and equipment; and construction or demolition of ducts, sprinkler or standpipe systems. If a variance from the Building Code is required, a hearing will be held before the Board of Building Standards. To apply for a building permit or for more information about building permits, contact the L&I Construction Services Division at (215) 686-2467 or permit.services@phila.gov or visit the Construction Services Division online at <http://www.phila.gov/li/faq/permits/index.html>.

To report construction in Philadelphia that does not have a building permit or that does not otherwise comply with the Building Construction and Occupancy Code, call the L&I Services and Operations Unit at (215) 686-2463.

Citizens Have the Right to be Heard

To raise questions or concerns about land use and environmental issues, citizens may contact their Council persons, civic associations or community organizations.

Community planners are assigned by the Planning Commission to represent each neighborhood or ward. They serve as liaisons between developers and the community. They can provide technical assistance and advice. Contact the Planning Commission for referral to an assigned community planner.

PHONE NUMBERS FOR AGENCIES INVOLVED IN PERMITTING PROCESSES

City of Philadelphia

- Board of Licenses & Inspections Review(215) 686-2427
- Department of Licenses & Inspections
 - Building Permit Services Unit(215) 686-2467
 - Service & Operations Unit(215) 686-2463
- Department of Public Health
 - General Number(215) 685-6300
 - Air Management Services(215) 784-9428
 - Environmental Health Services(215) 784-7342
- Managing Director's Office(215) 686-3480

Planning Commission(215) 683-4615
 Water Department
 General Number(215) 685-6300
 Industrial Waste Unit(215) 685-4910
 Zoning Board of Adjustment(215) 686-2429

Commonwealth of Pennsylvania

Department of Environmental Protection
 Southeast Regional Office(610) 832-6000

OTHER CONTACT NUMBERS

Abandoned vehicles(215) 683-2277
 Animal feces(215) 685-9054
 Arson Investigation(215) 686-1362
 Dead animals(215) 685-9054
 Dumpster complaints(215) 685-5618 or (215) 686-3082
 Fire and Police Emergency911
 Fire Code violations(215) 686-2463
 Fire hydrant leaks(215) 685-6300
 Foul odors(215) 685-7580
 Gas leakage(215) 235-1212
 Graffiti(215) 685-9556
 Lead Poisoning/Peeling Paint(215) 685-2797
 Leaflets(215) 686-3082
 Neighborhood Cleanup(215) 686-5560
 Noise and Vibration Complaints(215) 685-9428
 Rodents(215) 685-9009
 Illegal dumping of trash(215) 686-3082
 Illegal dumping into inlets or manholes(215) 686-4514
 Stagnant trash or recyclables(215) 685-4275 or 4276
 Trash-strewn lots(215) 685-2463
 Tree limb trimming(215) 685-0014
 Unshoveled sidewalks(215) 686-5560
 Vector Control(215) 685-9000
 Water or sewer main break(215) 685-6300
 Wild animals(215) 685-9702

This guide has been the work of many City departments, agencies and volunteers, included among them are the staff of the Managing Director's Office, City Planning Commission, and the Departments of Commerce, Public Health, Law, Licenses and Inspections, and Water. Officials at the Region III Office of the Environmental Protection Agency, and the Southeastern Office of the Pennsylvania Department of Environmental Protection are also to be commended for their contributions.

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