April 30, 2020

TO: ALL MEMBERS OF THE PHILADELPHIA, NORRISTOWN, AND S&C DIVISIONS

FROM: AARON R. KELLEY, GOVERNMENT AFFAIRS COORDINATOR

RE: PHILADELPHIA CONSTRUCTION REOPENING ORDER

Philadelph ia Mayor Jim Kenney has released an Order outlining additional restrictions for the May 1 Construction reopening in the City.

Contractors resuming work in Philadelphia must adhere to these restrictions in addition to those announced by Governor Tom Wolf in his April 23 Guidance.

Mayor Kenney’s complete Order is available by clicking on the link below:

PHILADELPHIA CONSTRUCTION REOPENING ORDER

Please note that City construction reopening guidelines are subject to change at any time. Please review the Philadelphia L&I webpage below for the latest information prior to resuming work:

PHILADELPHIA L&I CONSTRUCTION REOPENING INFO

A brief summary of this Order is below.

Section 1: Scope

- This Order applies to projects with permits issued on or before March 20, 2020.

- Restrictions remain on projects with permits issued after March 20, 2020. These will be addressed in a future order. Work on such projects shall not take place until after these restrictions are lifted, except for projects to abate emergencies.

- No work is permitted in Residential interiors except for emergency repairs.

- No work is permitted in Multi-family buildings within occupied dwelling units or shared common areas except for emergency repairs.

- The following types of construction work remain prohibited:
  - underpinning work,
o demolition of an attached structure; and

o projects that require the support of an existing party wall.

Section 2: Period of Authorized Work

- Work may begin on May 1, 2020 at 7 AM.

- Work must take place between 7 AM and 5 PM on Mondays through Fridays.

- Work is prohibited on Saturdays or Sundays, or before 7 AM or after 5 PM on a weekday, except in emergency situations.

Section 3: Safety and Mitigation Requirements

- Work must conform to the requirements of all Pennsylvania Secretary of Health (April 5 and April 15) and Governor’s Orders and applicable CDC Guidance.
  
  - This includes worker per square foot requirements, i.e. no more than four (4) persons working at an enclosed commercial site of less than 2,000 square feet; one additional worker allowed for each additional 500 enclosed square feet.

- Contractors must assign a “Pandemic Safety Officer” and “Site Safety Manager”. One will be required to remain at each active job site and will also need to acquire a COVID-19 training certificate from a source authorized by Philadelphia L&I. However, there is conflicting language between the Mayor’s Order and L&I Guidance. The Chapter is awaiting further clarification from the City of Philadelphia on these matters and will release updated information when it becomes available.

- A COVID-19 Safety plan must be maintained at each job site.

- Sick or other applicable leave time, as required by City, state, or federal law, must not be restricted in connection with activities allowed under this Order.

Section 4: Adherence to Limitations of this Order

- This Order will be strictly enforced; violations may lead to the issuance of violation notices, stop work orders, the imposition of fines, the revocation or suspension of licenses, and any other remedies available under law.

Section 5: No Vested Rights

- Work based on permits for which a right of appeal has not expired because of the extension of appeal rights due to the emergency shall proceed at the builder’s own risk and not be subject to a claim of vested rights or any other similar claim.
Additional City Guidelines

- Future City building permitting must be completed online.

- Permits for projects requesting zoning code variances will not be issued by the City until further notice.

Please review the complete Order, the latest Philadelphia L&I requirements, and all applicable state Orders and Guidelines before resuming work in the City of Philadelphia.

If you have any questions, please contact me at akelley@neca-pdj.org. Thank you for your time!

Very Respectfully,

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