



✕ Violation Notice and Order to Correct

L&I File Number: CF-2021-011853



DISTRICT OFFICE

Fire Safety East District
3RD FLR
667 N Broad St
Philadelphia, PA 19123
215-685-3917

PROPERTY IN VIOLATION

2100 BYBERRY RD, Philadelphia, PA 19116-3018

DATE OF NOTICE

02/24/2021

On 02/23/2021 the Department of Licenses and Inspections inspected/investigated the property in violation and found the following condition(s) or activity which violate the Philadelphia Code. Based on these the property is deemed:

IN VIOLATION

The property will remain in this status until all the violations below are corrected and the Department of Licenses and Inspections has verified the corrective action. You are the person responsible for the correction of these violations.

Any permit or license obtained to comply a violation of working without or in excess of a permit or a license will result in an additional inspection fee equal to the cost of the permit or license. (Phila. Code § A-901.13)

YOU ARE ORDERED TO MAKE THE NECESSARY REPAIRS AND/OR TAKE THE NECESSARY ACTION(S) TO CORRECT THE CITED CONDITIONS PRIOR TO 03/30/2021

VIOLATIONS

PHILA. CODE §	FINE AMOUNT	SCAN QR CODE FOR HOW TO RESOLVE
FC-13-105	\$300.00	(QR Code Unavailable)
PHILA. CODE LANGUAGE		
An Operations or Construction Permit is required for the following activity F-105.1		
CONDITION IN VIOLATION		
PROPERTY OWNER MUST OBTAIN A CONSTRUCTION PERMIT FOR BUILDING WALLS TO SEPERATE ARESA WITHIN THE INTERIOR OF WAREHOUSE		
LOCATION		
2100 BYBERRY RD.		



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VIOLATIONS

PHILA. CODE § A-701.1/3	FINE AMOUNT \$2,000.00	SCAN QR CODE FOR HOW TO RESOLVE 
PHILA. CODE LANGUAGE A violation has been issued because the building or a portion of the building that has changed from one Occupancy Group to another is occupied prior to the issuance of a Certificate of Occupancy.		
CONDITION IN VIOLATION PROPERTY OWNER MUST OBTAIN A CERTIFICATE OF OCCUPANCY FOR THE PROPERTY DUE TO CHANGE IN ZONING ALSO SECTIONS OF WAREHOUSE BEING SEPERATED BY BUILDING WALLS		
LOCATION WAREHOUSE		

PHILA. CODE § FC-13-2703.5.1	FINE AMOUNT \$300.00	SCAN QR CODE FOR HOW TO RESOLVE (QR Code Unavailable)
PHILA. CODE LANGUAGE Individual containers, cartons or packages shall be conspicuously marked or labeled in an approved manner. Rooms or cabinets containing compressed gases shall be conspicuously labeled: COMPRESSED GAS. F-2703.5.1		
CONDITION IN VIOLATION PROPERTY OWNER MUST INSTALL SIGNAGE TO ALL EXTERIOR CONTAINERS WHICH ARE BEING USED ALSO THE CONTAINERS WHICH ARE EMPTY STATING WHATS IN IT ALSO WHICH ONES ARE EMPTY.		
LOCATION EXTERIOR LOT AT PROPERTY		



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PHILA. CODE §	FINE AMOUNT	SCAN QR CODE FOR HOW TO RESOLVE
FC-13-2701.5	\$300.00	(QR Code Unavailable)
PHILA. CODE LANGUAGE The quantity of hazardous material at this location exceeds the amount allowed without a permit. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts indicated within the Fire Code. You must obtain the required operational permit or reduce, in an approved manner, the quantity of hazardous material on-site to or below the code limitation. F-2701.5		
CONDITION IN VIOLATION PROPERTY OWNER MUST OBTAIN A HAZMAT LICENSE FOR WAREHOUSE DUE TO STORAGE OF FAMMABLE & COMBUSTIBLES WITHIN INTERIOR		
LOCATION WAREHOUSE		

PHILA. CODE §	FINE AMOUNT	SCAN QR CODE FOR HOW TO RESOLVE
FC-13-2703.5	\$300.00	(QR Code Unavailable)
PHILA. CODE LANGUAGE Visible hazard identification signs as described in NFPA 704 for the specific material contained must be placed on above-ground tanks, stationary containers, and at the entrance to locations where hazardous materials are stored, dispensed, used, or handled. Such signs and markings must not be obscured or removed, must be in English as a primary language or in symbols allowed by this code and must be durable, and the size, color and lettering must be approved. You must properly identify each above location with a sign meeting the above standards. F-2703.5		
CONDITION IN VIOLATION PROPERTY OWNER MUST OBTAIN A NFPA 704 SIGNAGE DUE TO FLAMMABLE & COMBUSTIBLE CONTENTS BEING STORED WITHIN WAREHOUSE, MUST BE INSTALLED AT SPACE OR SPACES BEING USED TO STORE HAZARDOUS MATERIAL ALSO AT FRONT EXTERIOR WALL OF BUILDING		
LOCATION WAREHOUSE ALSO SPACE OR SPACES STORING HAZARDOUS MATERIALS		



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PHILA. CODE §	FINE AMOUNT	SCAN QR CODE FOR HOW TO RESOLVE
FC-13-2701.8	\$300.00	(QR Code Unavailable)
PHILA. CODE LANGUAGE Product Material and Safety Data Sheets (MSDS) and Safety Data Sheets must be placed in a weather proof located box on the exterior or at 24/7 location and made readily available to emergency responders F-2701.8		
CONDITION IN VIOLATION PROPERTY OWNER MUST HAVE A MSDS (HAZARDOUSE MATERIAL) CONTAINER BOX INSTALLED AT FRONT EXTERIOR WALL OF BUILDING		
LOCATION AT FRONT OF BUILDING		

PHILA. CODE §	FINE AMOUNT	SCAN QR CODE FOR HOW TO RESOLVE
FC-13-2701.8.1	\$300.00	(QR Code Unavailable)
PHILA. CODE LANGUAGE Where required by Section 2701.8 to provide emergency information available on a 24- hour basis, the Emergency Information Container shall contain the following information for a facility. The information shall be updated whenever a change occurs. 1. Material Safety Data Sheets (MSDS) stored in a binder and filed in alphabetical order by chemical name. 2. Hazardous Materials Management Plan (see Section 2701.5.1). 3. Hazardous Materials Inventory Statement (see Section 2701.5.2). 4. Name and telephone number of facility personnel knowledgeable in facility operations and emergency procedures to call in the event of an emergency.		
CONDITION IN VIOLATION PROPERTY OWNER MUST PROVIDE SAFETY DATA SHEETS INSIDE OF MSDS CONTAINER BOX AT FRONT EXTERIOR WALL		
LOCATION WAREHOUSE		

PHILA. CODE § A-301.1/30	FINE AMOUNT \$300.00	SCAN QR CODE FOR HOW TO RESOLVE 
PHILA. CODE LANGUAGE A building permit is required for the extension of a standpipe system.		
CONDITION IN VIOLATION MUST HAVE A LICENSED FIRE SUPPRESSION CONTRACTOR TO OBTAIN THE NECESSARY PERMIT FOR EXTENDING SPRINKLER SYSTEM INTO BATHROOMS NEAR DISTRIBUTION OFFICE AT REAR OF WAREHOUSE		
LOCATION BATHROOMS NEAR DISTRIBUTION OFFICE AT REAR OF WAREHOUSE		



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VIOLATIONS

PHILA. CODE § FC-13-901.6	FINE AMOUNT \$300.00	SCAN QR CODE FOR HOW TO RESOLVE (QR Code Unavailable)
PHILA. CODE LANGUAGE Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or shall be removed upon obtaining the required permit from the Department of Licenses and Inspections. Periodic testing of fire protection systems shall be in accordance with Section 915. F-901.6		
CONDITION IN VIOLATION PROPERTY OWNER MUST HAVE A LICENSED SPRINKLER CONTRACTOR TO SERVICE ALL POST INDICATING VALVE DUE TO NOT BEING ABLE TO SEE IF VALVE IS CLOSED OR OPEN ALSO MUST BE PAINTED DUE TO DETERIORATION & ALL MUST BE MONITORED		
LOCATION ALL POST INDICATING VALVES AT FRONT & REAR EXTERIOR OF THE BUILDING PERIMETER AREAS		

PHILA. CODE § FC-13-901.6	FINE AMOUNT \$300.00	SCAN QR CODE FOR HOW TO RESOLVE (QR Code Unavailable)
PHILA. CODE LANGUAGE Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or shall be removed upon obtaining the required permit from the Department of Licenses and Inspections. Periodic testing of fire protection systems shall be in accordance with Section 915. F-901.6		
CONDITION IN VIOLATION PROPERTY OWNER MUST HAVE A LICENSED SPRINKLER CONTRACTOR TO REPLACE MISSING SPRINKLER SYSTEM LEADING TO BATHROOM NEAR DISTRIBUTION OFFICE AT REAR OF WAREHOUSE		
LOCATION BATHROOMS NEAR DISTRIBUTION OFFICES AT REAR OF WAREHOUSE		



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VIOLATIONS

PHILA. CODE § FC-13-605.5	FINE AMOUNT \$300.00	SCAN QR CODE FOR HOW TO RESOLVE (QR Code Unavailable)
PHILA. CODE LANGUAGE Extension cords in violation of section F-605.5		
CONDITION IN VIOLATION PROPERTY OWNER MUST REMOVE ALL EXTENSION CORDS USES THROUGHOUT WAREHOUSE, SHOULD PROVIDE AN APPROVED ELECTRICAL OUTLET IN THE AREAS INSTEAD.		
LOCATION THROUGHOUT WAREHOUSE		
PHILA. CODE § FC-13-605.6	FINE AMOUNT \$300.00	SCAN QR CODE FOR HOW TO RESOLVE (QR Code Unavailable)
PHILA. CODE LANGUAGE Open junction boxes, open splices or exposed wiring are prohibited F-605.6		
CONDITION IN VIOLATION PROPERTY OWNER MUST INSTALL COVERS TO ALL OPEN JUNCTION BOXES THROUGHOUT EXTERIOR & INTERIOR AT REAR WHERE FIRE PUMP ROOM IS LOCATED		
LOCATION FIRE PUMP ROOM AT REAR OF LOT BY WATER TOWER		
PHILA. CODE § FC-13-503.3	FINE AMOUNT \$300.00	SCAN QR CODE FOR HOW TO RESOLVE (QR Code Unavailable)
PHILA. CODE LANGUAGE Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING - FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. F-503.3		
CONDITION IN VIOLATION TEST HEADER SHOULD BE MARK WITH A SIGNAGE STATING TEST HEADER WHEEL		
LOCATION REAR FIRE PUMP ROOM BY WATER TOWER		



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Failure to timely correct the violations listed above by or before the correction date listed above will result in the stated fine amount being imposed against you. The fines will be imposed on a per day basis for each violation that remains uncorrected AFTER the stated correction date. Phila. Code § A-601. If you timely correct each violation by the stated correction date, no fines will be due.

In addition to the fines listed above, failure to timely correct the violations will result in you being charged:

- Labor and material costs for any work performed by the City, such as a demolition; sealing of windows or doors; clearing of weeds, trash or debris; relocation expenses for removing occupants, costs associated with cease operations orders. Such costs are subject to an additional administrative fee of 21% (Phila. Code § A-503);
- An additional \$100 fee for repeat abatement work (Phila. Code § A-503.2); and
- Reinspection fees as follows: \$100 for the third inspection, \$200 for the fourth inspection, and \$350 for any additional inspections (Phila. Code § A-901.12.2).



YOU HAVE THE RIGHT TO APPEAL THIS NOTICE. YOUR APPEAL MUST BE FILED BY 03/26/2021.

IF YOU DO NOT TIMELY FILE AN APPEAL THEN YOU WAIVE YOUR RIGHT TO LATER CHALLENGE ANY PART OF THIS NOTICE. This includes waiving your right to argue: whether the violations existed, whether you were responsible to correct the violations, whether you had enough time to correct the violations, whether the City should have abated the violations, and whether the City can impose fines, fees, or costs against you.

For more information on filing an appeal and/or to obtain the approved form visit the appeals section of the Department of Licenses and Inspections website at www.phila.gov/li or the Boards Administration Unit, 11th Floor Municipal Services Building, 1401 J.F.K. Blvd., Philadelphia PA.

Appeals of the Technical Codes, such as the Zoning Code and/or Fire Code, need to be submitted to the appropriate Technical Appeal Board such as the Zoning Board of Adjustment and/or the Board of Safety and Fire Prevention. For additional information call 215-686-8686.

IF YOU HAVE ANY LEGAL QUESTIONS YOU SHOULD CONSULT WITH AN ATTORNEY.

If you do not have an attorney, you can contact the Philadelphia Bar Association Referral and Information Line at 215-238-6333 to have an attorney referred to you. You can also find a list of legal aid service providers at <http://palegalaid.net/legal-aid-providers-in-pa>.



The Philadelphia Code may be found online for free at www.phila.gov under "Open government."

If you have any questions regarding this notice or would like to schedule a re-inspection, please contact: EMERITO ALVARADO JR. Emerito.Alvarado@phila.gov or the district office noted above.

ATTENTION: This is an important notice! For information in your language, call 215-686-8686

ATENCIÓN: ¡Este es un aviso Importante! Para recibir información en su idioma, llame al 215-686-8686

注意: 这是重要通知! 如果您需要以您的语言获得此信息, 请致电 215-686-8686

CHÚ Ý: Đây là thông báo quan trọng! Nếu bạn cần thư này bằng ngôn ngữ khác, vui lòng gọi 215-686-8686

주의: 중요 통지입니다! 이 서신을 귀하의 언어로 받고 싶으시면 215-686-8686번으로 전화하시기 바랍니다

توجہ فرمائیں: یہ ایک ضروری اطلاع نامہ ہے! ترجمے کی خدمات کے لیے 215-686-8686 پر کال کریں

ATTENTION: Cet avis est important ! Si vous avez besoin de cet avis dans une autre langue, appelez le 215-686-8686