

Department of Permits Licenses and Inspections
Board of License and Inspection Review

Rules and Regulations

Unanimously approved by vote of the fully appointed Board on
March 6, 2019

In accordance with 701.15 (d) of the Pittsburgh City Code.

Board of License and Inspection Review Rules and Regulations, as Amended March 6, 2019

Rules Governing Procedures of Appeals Before the Board of License and Inspection Review

Rule 1: Administration and General

Rule 2: Applicability & Notice

Rule 3: Adjudication

Rule 1: Administration and General Provisions

A. Statement of Purpose

The purpose of the Board of License and Inspection Review (hereinafter referred to as the LIR Board”) is to ensure independent oversight to the license and inspections determinations reached by the License Officer and Code Officials of the City of Pittsburgh Department of Permits, Licenses, and Inspections (herein referred to as “PLI”). As used herein, the terms License Officer and Code Official(s) shall include the Director of PLI and the employees of PLI with the designated authority to make licensing or inspection related decisions.

B. Administration

PLI will be responsible for the timely delivery of materials, scheduling, and coordinating of the LIR Board for the purposes of completing business.

C. Fair Housing Statement

The City of Pittsburgh’s Fair Housing Practice Ordinance (659.04) and the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) mandate that all persons be afforded equal opportunity to housing regardless of race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, disability, or familial status. Adjudication of complaints before the License and Inspection Board shall be administered without discrimination. Any person wishing to file a complaint of discrimination may contact the City of Pittsburgh Commission on Human Relations at 412-255-2600.

D. Applicable Laws, Codes, Ordinances and Standards

The following is a list of laws, codes, ordinances, and standards that are applicable to the adjudication of cases before the LIR Board:

City of Pittsburgh Code of Ordinances, Title Seven: Business Licensing

City of Pittsburgh Code of Ordinances: Chapter 1004, International Property

Maintenance Code (hereinafter referred to as the “IPMC”)

Rule 2: Applicability & Notice

A. Applicable Parties

Any person aggrieved by any action of the License Officer regarding the issuance, transfer, renewal, refusal, suspension, revocation, or cancellation of any license; and any person aggrieved by any action which occurred because of the completion of a property maintenance inspection by a Code Official, including a notice of violation of the IPMC, shall have the right to appeal to the Board. The appealing party will be known as “the Appellant.”

B. Notice and Delivery

If the License Officer or Code Official determines that an applicable code violation has occurred, PLI shall give written notice to the person(s) deemed responsible for the violation(s). Notices shall be deemed served when delivered by hand to the alleged violator or to any adult person in charge of the premises where the alleged violation exists; or regularly mailed to the last known residence of the alleged violator or their agent or the usual place of business of the alleged violator or their agent.

The violation notice shall include:

- a. If applicable, the address or description of the real estate sufficient for identification;
- b. A brief statement of the violation(s), including the date the violation was observed, why the notice is being issued, and, in the case of a license suspension or revocation, the effective date of the suspension or revocation;
- c. If applicable, corrections to be made and a reasonable time frame to complete said corrections;
- d. Information regarding the right to appeal, including the costs thereof;
- e. If applicable, a statement that a violation of a provision of the codes enforced by the PLI shall be prosecuted within the limits of state law, the City Code, and PLI’s Rules and Regulations.

C. Form and Time of Appeal

An appeal must be provided in writing to PLI on the appeal form and in the manner prescribed by PLI. As provided in City Code Section 701.16 (b), an appeal must be filed no later than thirty (30) days from the date of the action being appealed. The LIR Board will provide notice to the Appellant regarding the date that the appeal will be heard before the LIR Board in accordance with the LIR Board's regularly scheduled meetings. Appeals filed ten (10) days or less from the date of a regularly scheduled meeting will be scheduled for a hearing at the next subsequent regular meeting.

D. Cost of Appeal

In order to be valid and timely received, an appeal must be filed at the same time as the payment as required by PLI fee schedule and policy.

Rule 3: Adjudication

A. Actions Pending Appeal

As per Pittsburgh City Code Section 701.17:

“Whenever an appeal is filed pursuant to this Chapter or Title X, Chapter 1004, Section 1004.02 is pending, compliance with the order, decision, notice of violation, or license suspension or revocation which is the subject of the appeal shall not be required except where there exists a condition of immediate danger or hazard to health, safety, or welfare which requires immediate compliance. (Ord. No. 29-2015, § 1, eff. 8-11-15).”

B. Scheduling the Appeal Hearing

When an appeal is timely filed as established in the City Code and subsequent Rules and Regulations of this Board and PLI, the appeal shall be received, date stamped, and filed by PLI.

A hearing date shall be scheduled at a regular LIR Board meeting. Notice of the hearing date shall be advertised as required. All hearings before the Board shall be open to the public.

C. Summary of the Appeal Hearing

A summary of the appeal shall be provided to the board within seven (7) days prior to monthly board meetings. The summary will outline the nature of appeal, the applicable section(s) of the Code(s), and the alleged deficiency(ies) resulting in the violation.

D. Appeal Hearing Procedure

1. A quorum of the Board, as defined in the Board By-Laws, shall be sufficient for hearing and deciding a case.
2. During the hearing, the Appellant, the code official and/or license officer, and any person whose interests are affected shall be given an opportunity to be heard.
3. The circumstances surrounding the appeal shall be presented to Board by the Appellant or Appellant's counsel.
4. The Board shall not be bound by the strict rules of evidence in the conduct of the public hearing.
5. Within applicable constitutional and legal limits, the Chair shall have full authority to control the procedure of the hearing, and to admit or exclude testimony or other evidence.
6. The Board may call and examine witnesses, request the production of documents, and require submission of relevant evidence.
7. After the parties to the appeal finish presenting their evidence and legal arguments, any additional members of the public who are then present may offer comment regarding the appeal.
8. Either immediately following deliberation at the meeting at which the hearing occurred or at the beginning of the next regularly scheduled Board meeting, the Board will announce its decision.
 - i. If the Board intends to announce the decision at the next regularly scheduled Board meeting, the Board will announce that intention at the meeting at which the hearing occurred.
9. A stenographic record of the proceedings shall be made at PLI's expense.

E. Appeal Hearing Decision

The LIR Board shall, by a majority vote of the quorum present at the meeting, affirm, modify, reverse, vacate, or revoke the notice, order, or action from which an appeal is taken. The decision of the board shall be recorded and announced at a regular meeting, and copies of the decision shall be furnished to the Appellant and to the code official or license officer.

F. Court Review of the Board's Decision

Any Appellant wishing to appeal the Board's decision to the Allegheny County Court of Common Pleas must do so within thirty (30) days from the date of the decision.