

Pennsylvania Building Code Official Update

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1

Pennsylvania UCC

- ▶ The Pennsylvania Construction Code Act (Act 45 of 1999) established the basic requirements for the Uniform Construction Code. It has been altered thirteen times since becoming law:



2

regulations

- ▶ Pennsylvania Code Title 34
- ▶ Part XIV
- ▶ Chapter 401 – Uniform Construction Code Training & Certification of Code Administrators
- ▶ Chapter 403 - Administration
- ▶ Chapter 405 – Elevators & Other Lifting Devices



3

Chapter 401

UNIFORM CONSTRUCTION CODE TRAINING & CERTIFICATION OF CODE ADMINISTRATORS



4

Agricultural building

- (i) A structure utilized to store farm implements, hay, feed, grain or other agricultural or horticultural products or to house poultry, livestock or other farm animals, a milk house and a structure used to grow mushrooms.
- (ii) The term includes a carriage house owned and used by members of a recognized religious sect for the purposes of housing horses and storing buggies.
- (iii) The term does not include habitable space or spaces in which agricultural products are processed, treated or packaged and will not be construed to mean a place of occupancy by the general public.



5

Board of appeals

- ▶ A body established by a municipality or municipalities which are parties to an agreement for the joint administration and enforcement of the act to hear requests for variances or extensions of time, and appeals from code administrator decisions.



6

Building code official

- ▶ A construction code official, or the building code official's designee, who manages, supervises and administers building code enforcement activities under § 401.7(a)(18) (relating to certification category specifications). Duties include, but are not limited to: management of building code enforcement activities; supervision of building inspectors or plan examiners; authorizing issuance of certificates of occupancy; issuance of building permits, violation notices and orders to vacate; and the initiation of prosecutions.



7

Certificate of occupancy

- ▶ Certificate issued by a building code official allowing occupancy of a building or structure under the Uniform Construction Code.



8

Commercial construction

- ▶ A building, structure or facility that is not a residential building.



9

Construction code official

- ▶ An individual certified by the Department in an appropriate category established under section 701(b) of the act (35 P.S. § 7210.701(b)) to perform plan review of construction documents, inspect construction or administer and enforce codes and regulations in that category under the act or related acts under section 103 of the act.



10

Filing date

- ▶ The date that the Department or building code official receives the completed permit application.



11

Fire and Panic Act

- ▶ The act of April 27, 1927 (P.L. 465, No. 299) (35 P.S. §§ 1221—1235), known as the Fire and Panic Act.



12

Industrialized housing

- ▶ Under section 3 of the Industrialized Housing Act (35 P.S. § 1651.3), a structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation, or assembly and installation, on the building site. The term does not include housing units defined as mobile homes.



13

Manufactured housing

- ▶ Under section 901(a) of the act (35 P.S. § 7210.901(a)), housing which bears a label as required by and referenced in the Manufactured Housing Act (35 P.S. §§ 656.1—1656.9), certifying that it conforms to Federal construction and safety standards adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. §§ 5401—5426).



14

Certification label (AKA - HUD tag)

- ▶ a metal plate that is affixed to the outside of the manufactured home. Section 3280.11 (b) states, "The label shall be approximately 2 in. by 4 in. in size and shall be permanently attached to the manufactured home by means of 4 blind rivets, drive screws, or other means that render it difficult to remove without defacing it. It shall be etched on 0.32 in. thick aluminum plate. The label number shall be etched or stamped with a 3 letter designation which identifies the production inspection primary inspection agency and which the Secretary shall assign. Each label shall be marked with a 6 digit number which the label supplier shall furnish. The labels shall be stamped with numbers sequentially."



15

Certification label (AKA - HUD tag)

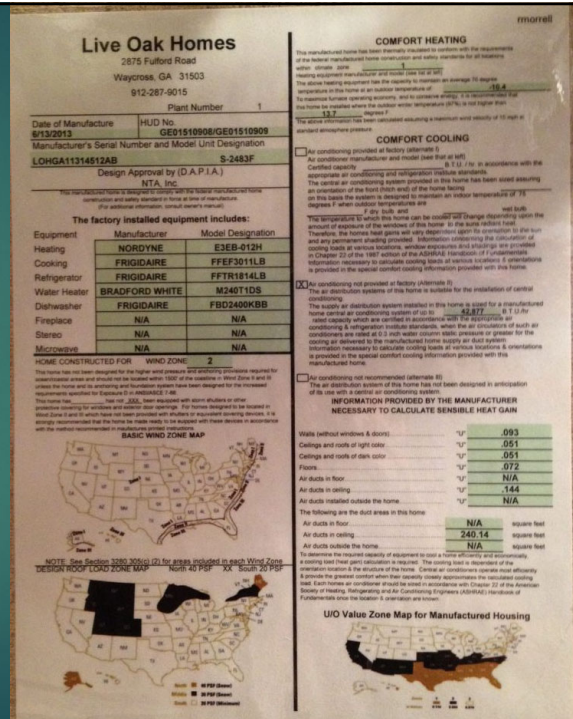
- ▶ Where Can I Find My HUD Certification Label?
- ▶ The label is typically located on the back right corner of the outside of the manufactured home. It may also be on the "tongue" of the home or corner of the frame.



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HUD data plate

- ▶ a paper label affixed inside the home and is the size of a standard sheet of paper (8 1/2" x 11"). The Data Plate can be found in a kitchen cabinet, an electrical panel, or a bedroom closet. The Data Plate has maps of the United States to inform the owner of the Wind Zone, Snow Load, and Roof Load of the home; the Data Plate will contain the following information:



17

HUD data plate

- ▶ The manufacturer's data plate is an 8 1/2-inch by 11-inch sheet of paper, printed by the home's manufacturer, that contains important and helpful information about the home. This sheet of paper is glued to the home's interior, typically in the main bedroom closet, a kitchen cabinet door, or inside the circuit breaker box cover



18

HUD data plate

- a) The name and address of the manufacturing plant in which the manufactured home was manufactured.
- b) The serial number and model designation of the unit, and the date the unit was manufactured.
- c) The applicable statement:

This manufactured home is designed to comply with the Federal Manufactured Home Construction and Safety Standards in force at the time of manufacture;

or

This manufactured home has been substantially completed in accordance with an approved design and has been inspected (except for the components specifically identified in the instructions for completion on-site) in accordance with the Federal Manufactured Home Construction and Safety Standards and the requirements of the Department of Housing and Urban Development (HUD) in effect on the date of manufacture.



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HUD data plate

- d) The applicable statement:

This manufactured home IS designed to accommodate the additional loads imposed by the attachment of an attached accessory building or structure in accordance with the manufacturer installation instructions. The additional loads are in accordance with the design load(s) identified on this Data Plate;

or

This manufactured home IS NOT designed to accommodate the additional loads imposed by the attachment of an attached accessory building or structure in accordance with the manufacturer installation instructions.

- d) A list of the certification label(s) number(s) that are affixed to each transportable manufactured section under § 3280.8.(f) A list of major factory-installed equipment, including the manufacturer's name and the model designation of each appliance.



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HUD data plate

- e) A list of the certification label(s) number(s) that are affixed to each transportable manufactured section under § 3280.8.
- f) A list of major factory-installed equipment, including the manufacturer's name and the model designation of each appliance.
- g) Reference to the roof load zone and wind load zone for which the home is designed and duplicates of the maps as set forth in § 3280.305(c). This information may be combined with the heating/cooling certificate and insulation zone map required by §§ 3280.510 and 3280.511. The Wind Zone Map on the Data Plate shall also contain the statement:

This home has not been designed for the higher wind pressures and anchoring provisions required for ocean/coastal areas and should not be located within 1500' of the coastline in Wind Zones II and III, unless the home and its anchoring and foundation system have been designed for the increased requirements specified for Exposure D in ANSI/ASCE 7-88.



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HUD data plate

- h) The statement:
This home has_ has not_ (appropriate blank to be checked by manufacturer) been equipped with storm shutters or other protective coverings for windows and exterior door openings. For homes designed to be located in Wind Zones II and III, which have not been provided with shutters or equivalent covering devices, it is strongly recommended that the home be made ready to be equipped with these devices in accordance with the method recommended in the manufacturers printed instructions.
- i) The statement: *Design Approval by, followed by the name of the agency that approved the design.*
- j) The statement: *The manufacturer certifies this home is compliant with the Title VI, Toxic Substances Control Act.*



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PHRC & Pennsylvania's Alternative Residential Energy Provisions

- ▶ The Pennsylvania Housing Research Center, 219 Sackett Building, University Park, Pennsylvania 16802.
- ▶ The "Pennsylvania Alternative Residential Energy Provisions" issued in 2009 by the PHRC. This term includes all errata issued by the PHRC.



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Recreational cabin

A structure where all of the following apply:

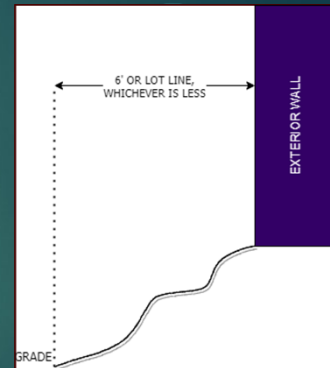
- (i) The cabin is utilized principally for recreational activity.
- (ii) The cabin is not utilized as a domicile or residence for any individual for any time period.
- (iii) The cabin is not utilized for commercial purposes.
- (iv) The cabin is not greater than two stories in height, excluding basement.
- (v) The cabin is not utilized by the owner or any other person as a place of employment.
- (vi) The cabin is not a mailing address for bills and correspondence.
- (vii) The cabin is not listed as an individual's place of residence on a tax return, driver's license, car registration or voter registration.



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Residential building

- ▶ Detached one-family and two-family dwellings and townhouses which are not more than three stories above grade plane in height with a separate means of egress and their accessory structures.
- ▶ **GRADE PLANE.** A reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building between the structure and a point 6 feet (1829 mm) from the building.



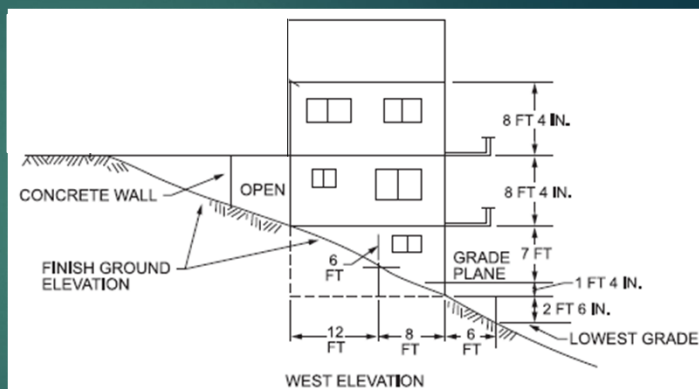
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Residential building

STORY ABOVE GRADE PLANE.

Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is either of the following:

1. More than 6 feet (1829 mm) above grade plane.
2. More than 12 feet (3658 mm) above the finished ground level at any point.



26

State-owned building

- ▶ A building owned by or to be constructed for Commonwealth entities consisting of the General Assembly, the Unified Judicial System, the Pennsylvania Higher Education Assistance Agency, an executive agency, independent agency, and a State-affiliated entity or State-related institution as defined in 62 Pa.C.S. § 103 (relating to definitions).



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Uncertified building

- (i) An existing building which was not approved for use and occupancy by the Department or a municipality which was enforcing a building code before April 9, 2004.
- (ii) The term does not include a residential building.



28

Utility and miscellaneous use structures

- (i) Buildings or structures of an accessory character and miscellaneous structures not classified by the ICC in any specific use group.
- (ii) The term includes carports, detached private garages, greenhouses and sheds having a building area less than 1,000 square feet.
- (iii) The term does not include swimming pools or spas.



29

401.2a. Municipal and third-party agency fees.

- (a) A municipality or third-party agency that enforces the Uniform Construction Code may establish fees for its administration and enforcement and time periods for payment of the fees. The municipality or third-party agency may establish a required time period for payment of the fees and fees for plan review, inspections and other activities related to the Uniform Construction Code.
- (b) The building code official for the municipality and a third-party agency shall make the fee schedule available to the public.
- (c) A municipality or third-party agency may establish a fee refund policy.
- (d) A municipality or third-party agency may withhold issuance of a certificate or permit until a required fee is paid.
- (e) A municipality may establish other fees authorized by law.



30

401.3. Certification required.

- (a) A person may not perform a plan review of construction documents, inspect construction or equipment, or administer and enforce the Uniform Construction Code without being currently certified or registered by the Department in the category applicable to the work that is to be performed.
- (b) A person may not approve plans or perform inspections relating to accessibility requirements without being certified by the Department as an accessibility inspector/plans examiner.



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401.7. Certification category specifications.

- ▶ Commercial inspectors may inspect the corresponding residential construction



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401.8. Certification renewal.

- (a) A certification holder shall renew a certification every 3 years from date of issuance to continue to act as a code administrator. If a certification holder receives certification in an additional category, the expiration date of all his certifications shall be the date of expiration of the certification that was last issued to the certification holder.



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Continuing education

- (a) Prior to certification renewal, an applicant shall complete 15 credit hours of continuing education in courses relating to the professional competency of code administrators. An applicant with multiple certification areas shall complete 15 credit hours of continuing education for each category after the issuance of the certification or most recent renewal of certification. The applicant is not required to complete more than 45 credit hours for renewal. At least 1/3 of the applicant's continuing education requirement shall be in approved courses relating to the applicant's certification categories.



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401.11. Certification of third-party agency.

(a) Current certification as a third-party agency is required to act as a construction code official, perform plan review of construction documents, inspect construction or administer and enforce codes and regulations in accordance with the act under contract with a person, firm, corporation or the Commonwealth.



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401.12. Liability insurance.

(a) A third-party agency shall carry errors and omissions liability insurance in at least the amount of \$1 million for each person and each occurrence to satisfy claims or judgments for property damage or personal injury, or both.



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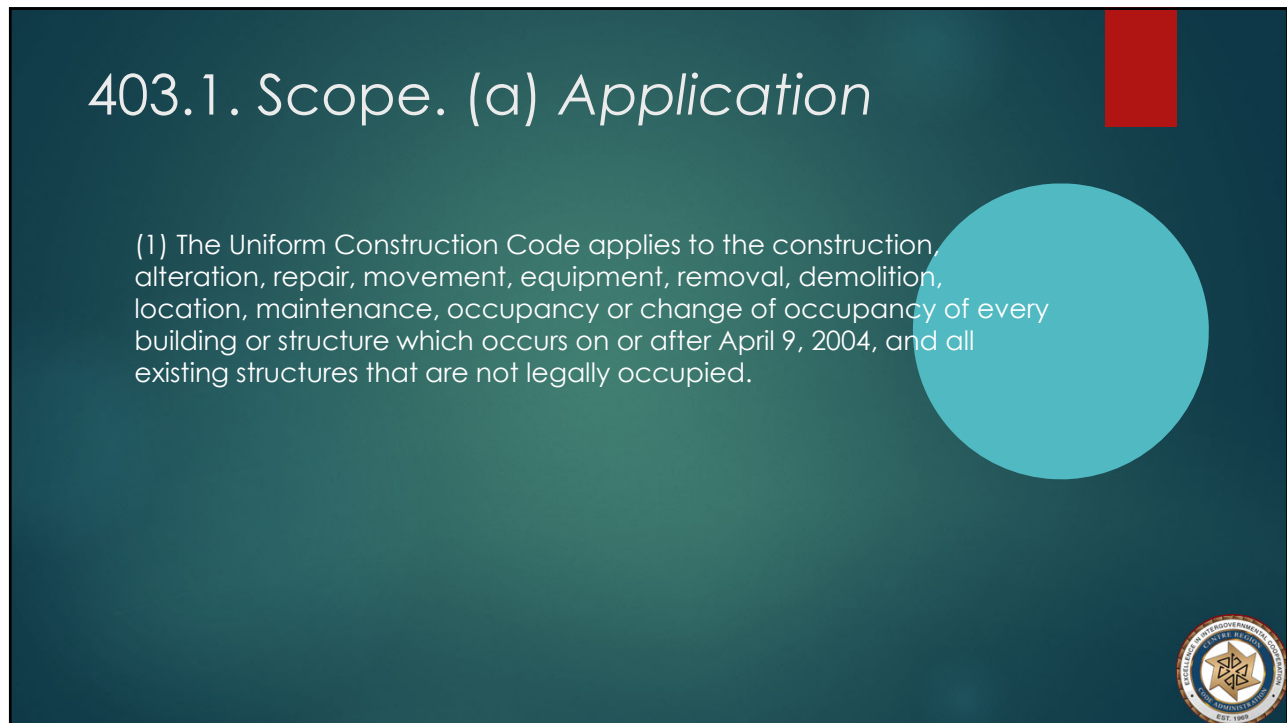


Chapter 403

ADMINISTRATION




37



403.1. Scope. (a) *Application*

(1) The Uniform Construction Code applies to the construction, alteration, repair, movement, equipment, removal, demolition, location, maintenance, occupancy or change of occupancy of every building or structure which occurs on or after April 9, 2004, and all existing structures that are not legally occupied.



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(b) Exclusions and exemptions.

The Uniform Construction Code does not apply to:

- 1) New buildings or renovations to existing buildings for which an application for a permit was made to the Department or a municipality before April 9, 2004.
- 2) New buildings or renovations to existing buildings on which a contract for design or construction was signed before April 9, 2004.
- 3) The following structures if the structure has a building area less than 1,000 square feet and is accessory to a detached one-family dwelling except as might be required by an ordinance adopted under section 503 of the act (35 P. S. § 7210.503):
 - i. Carports.
 - ii. Detached private garages.
 - iii. Greenhouses.
 - iv. Sheds.



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(b) Exclusions and exemptions.

- 4) An agricultural building.
- 5) Manufactured or industrialized housing shipped from the factory under section 901(a) of the act (35 P. S. § 7210.901(a)) as provided in § 403.25 (relating to manufactured and industrialized housing).
- 6) Installation of tubing, piping, propane gas burning appliances, equipment or fixtures related to liquefied petroleum gas under the Propane and Liquefied Petroleum Gas Act (35 P. S. §§ 1329.1—1329.19).
- 7) Construction of individual sewage disposal systems under 25 Pa. Code Chapter 73 (relating to onlot sewage treatment facilities).



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(b) Exclusions and exemptions.

- 8) Alterations to residential buildings which do not make structural changes or changes to means of egress, except as required by ordinances in effect under sections 303(b)(1) or 503 of the act (35 P. S. §§ 7210.303(b)(1) and 7210.503). Under this subsection, a structural change does not include a minor framing change needed to replace existing windows or doors.
- 9) Repairs to residential buildings, except as required by ordinances in effect under sections 303(b)(1) and 503 of the act.
- 10) Installation of aluminum or vinyl siding onto an existing residential or an existing commercial building, except as might be required by ordinances in effect under section 303(b)(1) (35 P. S. §§ 7210.303(b)(1)) or section 503 of the act.



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(b) Exclusions and exemptions.

- 11) A recreational cabin if the following conditions are met:
 - i. The cabin is equipped with at least one smoke detector, one fire extinguisher and one carbon monoxide detector in both the kitchen and sleeping quarters.
 - ii. The owner of the cabin files one of the following with the municipality:
 - a) A Department form UCC-13 attesting to the fact that the cabin meets the definition of a "recreational cabin" in § 401.1 (relating to definitions).
 - b) A valid proof of insurance for the recreational cabin, written and issued by an insurer authorized to do business in this Commonwealth, stating that the structure meets the definition of a "recreational cabin."



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(b) Exclusions and exemptions.

- 12) Structures which are (temporary structures):
 - i. Erected for the purpose of participation in a fair, flea market, arts and crafts festival or other public celebration.
 - ii. Less than 1,600 square feet in size.
 - iii. Erected for a period of less than 30 days.
 - iv. Not a swimming pool, spa or hot tub.
- 13) A pole barn that is constructed on agricultural fairgrounds and is only used for agricultural purposes and animal display. If an exempted pole barn has electrical service, a permit and inspections to determine compliance with the electrical provisions of the Uniform Construction Code are required.



43

(b) Exclusions and exemptions.

- ▶ No more than one structure per parcel of land which meets all of the following requirements:
 - i. The structure is used for the direct, seasonal sale of agricultural commodities.
 - ii. The structure is open on at least 25% of the perimeter of the structure when in operation.
 - iii. The structure is operated by a producer whose products make up not less than 50% of the agricultural commodities being sold.
 - iv. If not located on the producer's property, the structure is erected for less than 180 days of a calendar year.
 - v. The structure has an area of not more than 1,000 square feet.
- ▶ Structures used to load, unload or sort livestock at livestock auction facilities.



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(c) Continuity of recreational cabin exclusion.

- 1) Upon the transfer of ownership of a recreational cabin subject to the recreational cabin exclusion, written notice of the following shall be provided in the sales agreement and the deed:
 - i. The recreational cabin is exempt from the act.
 - ii. The recreational cabin may not be in conformance with the Uniform Construction Code.
 - iii. The recreational cabin is not subject to municipal regulation.
- 2) Failure to comply with the notice requirement under paragraph (1) renders the sale void at the purchaser's option.



45

Religious exemptions

- ▶ The electrical, plumbing and lumber and wood provisions, except for the wood provisions related to pressure treatment, of the Uniform Construction Code do not apply to a dwelling unit or one-room schoolhouse utilized by a member or members of a recognized religious sect if a code administrator grants an exemption under section 901(b) of the act (35 P.S. § 7210.901(b)) as follows:



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Religious exemption

- 1) The permit applicant shall file an application with the code administrator stating the manner in which an electrical provision, a plumbing provision or a lumber and wood provision of the Uniform Construction Code conflicts with the applicant's religious beliefs. The application must also contain an affidavit by the applicant stating:
 - i. The permit applicant is a member of a religious sect.
 - ii. The religious sect has established tenets or teachings which conflict with an electrical, a plumbing or a lumber and wood provision of the Uniform Construction Code.



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Religious exemption

- iii. The permit applicant adheres to the established tenets or teachings of the sect.
 - a) For a dwelling unit, the dwelling will be used solely as a residence for the permit applicant and the applicant's household.
 - b) For a one-room schoolhouse, the schoolhouse will be used solely by members of the religious sect.



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Religious exemption

- 2) The code administrator shall grant the application for the exemption if made in accordance with paragraph (1).
- 3) If the permit applicant receives an exemption for a building under section 901(b) of the act and the applicant subsequently sells or leases the building, the applicant shall bring the building into compliance with the provision of the Uniform Construction Code from which it was exempted prior to the sale or lease of the building unless the prospective subsequent owner or lessee files an affidavit in compliance with paragraph (1).



49

403.3. Building code official delegation.

- (a) The Department, a municipality or third-party agency shall employ or contract with a building code official to enforce the act.
- (b) A building code official may delegate his duties to a construction code official or current code administrator.



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codes



51

Codes 2018 edition

- ▶ International Building Code (IBC) (Modified) (No Chapter 1)
- ▶ International Energy Conservation Code (IECC) (Modified)
- ▶ International Existing Building Code (IEBC) (Modified)
- ▶ International Fire Code (IFC) (By reference only!)
- ▶ International Fuel Gas Code (IFGC)
- ▶ International Mechanical Code (IMC)
- ▶ ICC Performance Code for Buildings and Facilities (ICCPC)
- ▶ International Plumbing Code (IPC)
- ▶ International Residential Code for One- and Two-Family Dwellings (IRC) (Modified)
- ▶ International Wildland-Urban Interface Code (IWUIC)
- ▶ International Swimming Pool and Spa Code (ISPSC)



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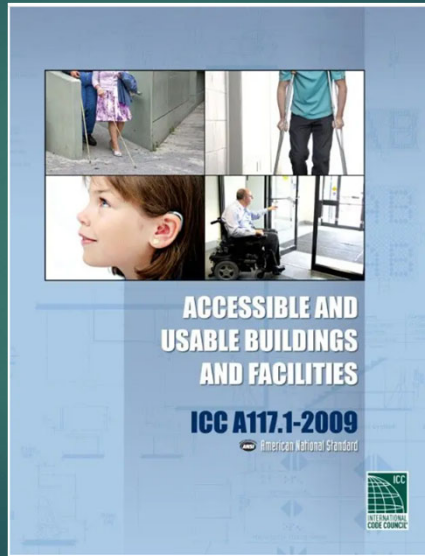


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54

ICC A117.1-09



55

International plumbing code – 2018 ed.

- ▶ 403.4 - Signage
- ▶ 403.5 - Drinking fountain location
- ▶ 404 - ACCESSIBLE PLUMBING FACILITIES
- ▶ 405.3.1 - Water closets, urinals, lavatories and bidets



56

International swimming pool & spa code – 2018 ed.

- ▶ 307.1.4 - Accessibility



57

International existing building code – 2018 ed.

- ▶ 306 - ACCESSIBILITY FOR EXISTING BUILDINGS
- ▶ 1101.2 - Creation or extension of nonconformity.
- ▶ 1508 - ACCESSIBILITY
- ▶ Appendix B - SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING BUILDINGS AND FACILITIES



58

403.24. Historic buildings, structures and sites.

A building code official may exclude an entire historic building or structure or part of the building or structure from compliance with the Uniform Construction Code if it meets all of the following conditions under section 902 of the act (35 P.S. § 7210.902):

- 1) The building or structure is an existing building or structure, or a new building or structure that is not intended for residential use on an historic site.
- 2) The building or structure is identified and classified by Federal or local government authority or the Historical and Museum Commission as an historic building or site.
- 3) A building code official judges the building or structure or parts of the building and structure as safe and the exclusion is in the interest of public health, safety or welfare. The building code official shall apply the Uniform Construction Code to parts of the building or structure where its exclusion is not within the interest of the public health, safety and welfare. A building code official may not waive the Uniform Construction Code's accessibility requirements under this section.



59

403.25. Manufactured and industrialized housing.

(a) Manufactured housing is governed by the following under section 901(a) of the act (35 P.S. § 7210.901(a)):

- 1) Except as provided in paragraph (2), the Uniform Construction Code does not apply to new manufactured housing assembled by and shipped from the manufacturer and which bears a label which certifies that it conforms to Federal construction and safety standards adopted under the Housing and Community Development Act of 1974 (42 U.S.C.A. §§ 5401—5426) and installation of new manufactured housing in conformity with the manufacturer's approved design applicable to the particular home.



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403.25. Manufactured and industrialized housing.

- 2) Construction activities or processes including utility connections and grading not addressed by the manufacturer's approved design must comply with the Uniform Construction Code.
- 3) The Uniform Construction Code applies to the following:
 - i. Alteration or repair to the unit that does not fall within 24 CFR 3280.1—3280.904 (relating to manufactured home construction and safety standards) and the manufacturer's installation instructions after assembly and shipment by the manufacturer.
 - ii. Additions to the unit after delivery to the site.
 - iii. Construction, alteration, repair or change of occupancy if the manufactured housing is resold to a subsequent purchaser.
 - iv. Construction, alteration, repair or change of occupancy if the original purchaser relocates the manufactured housing.



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403.25. Manufactured and industrialized housing.

(b) Industrialized housing is governed by the following under section 901 (a) of the act:

- 1) Except as provided in subsection (b)(2), the Uniform Construction Code does not apply to industrialized housing assembled by and shipped from the manufacturer.
- 2) The Uniform Construction Code applies to all of the following:
 - i. Site preparation.
 - ii. Foundation construction.
 - iii. Utilities connection.
 - iv. Construction, alteration or repair to the industrialized housing unit after installation.
 - v. Construction, alteration, repair or occupancy if industrialized housing is resold to a subsequent purchaser.
 - vi. Construction, alteration, repair or occupancy if industrialized housing is relocated.



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403.26. Swimming pools.

- a) A swimming pool, hot tub and spa which is accessory to a one-family or two-family dwelling must comply with the "International Swimming Pool and Spa Code of 2018."
- b) A swimming pool, hot tub or spa that is not accessory to a one-family or two-family dwelling must comply with the Public Bathing Law (35 P.S. §§ 672—680d) and the "International Swimming Pool and Spa Code of 2018." The accessibility provisions contained in section 307.1.4 (relating to general design requirements) of the "International Swimming Pool and Spa Code of 2021" are adopted.



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403.28. Uncertified buildings

- a) Under section 902(b)(6) of the act (35 P.S. § 7210.902(b)(6)), an uncertified building that was built before April 27, 1927, is deemed to be legally occupied until the owner proposes to renovate, add an addition, alter or change the occupancy of the building. The renovation, addition, alteration or change in occupancy must comply with the Uniform Construction Code.



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403.28. Uncertified buildings

- c) The following apply to uncertified buildings where the Department does not have jurisdiction and which are not governed under subsection (a):
- 1) A construction code official shall issue a certificate of occupancy to an uncertified building if it meets the requirements of the latest version of the "International Existing Building Code of 2018" or Chapter 34 of the "International Building Code of 2018." The construction code official shall utilize the code for the municipality which best applies, in the official's professional judgment.
 - 2) A construction code official may deny the issuance of a certificate of occupancy if the official deems that a building is unsafe because of inadequate means of egress, inadequate lighting and ventilation, fire hazards or other dangers to human life or to public welfare.
 - 3) A municipality governed under this subsection may utilize the standards of subsection (b) for the issuance of certificates of occupancy to uncertified buildings if the municipality adopts an ordinance.



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403.41. Commercial construction



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403.42. Permit requirements and exemptions.

- a) An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a commercial building, structure and facility or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system regulated by the Uniform Construction Code shall first apply to the building code official and obtain the required permit under § 403.42a (relating to permit application).
- b) Emergency repairs or replacement of equipment may be made without first applying for a permit if a permit application is submitted to the building code official within 3 business days of the repair or replacement.



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Exemptions

- c) A permit is not required for the exceptions listed in § 403.1(b) (relating to scope) and the following construction as long as the work does not violate a law or ordinance:



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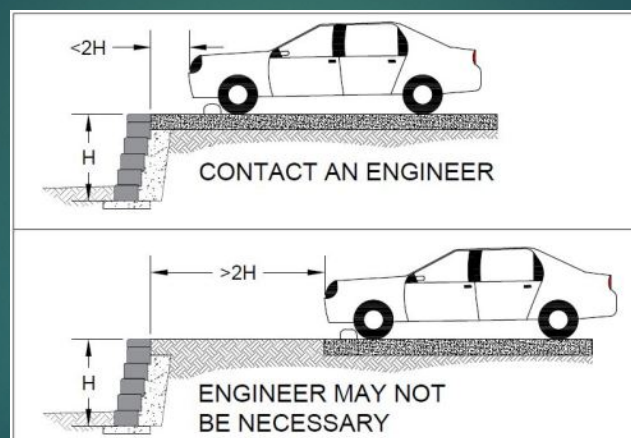
Exemptions

- 1) Building construction for the following:
 - i. Fences that are not over 6 feet high.
 - ii. Oil derricks.
 - iii. Retaining walls, which are not over 4 feet in height measured from the lowest level of grade to the top of the wall, unless it is supporting a surcharge or impounding Class I, II or III-A liquids.
 - iv. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
 - v. Sidewalks and driveways not more than 30 inches above grade and that are not located over a basement or story below it and which are not part of an accessible route.



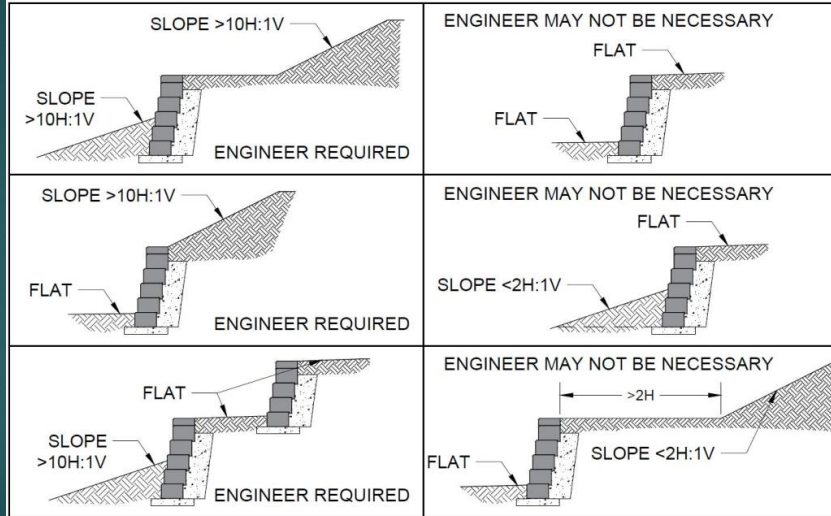
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Surcharge



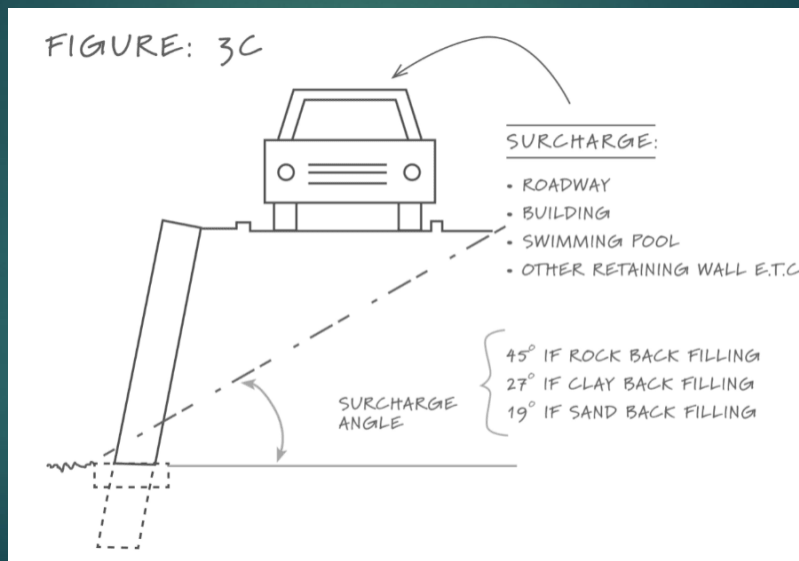
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Surcharge



71

Surcharge



72

Exemptions

- vi. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finishing work.
- vii. Temporary motion picture, television, and theater stage sets and scenery.
- viii. Prefabricated swimming pools accessory to a Group R-3 occupancy which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely aboveground.
- ix. Shade cloth structures constructed for nursery or agricultural purposes that do not include service systems.



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Exemptions

- vi. Swings and other playground equipment accessory to one- or two family dwellings.
- vii. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of group R-3 as applicable in the 'International Building Code of 2018,' and Group U occupancies.
- viii. Movable cases, counters and partitions that are not over 5 feet 9 inches in height.
- ix. Window replacement without structural change.



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Exemptions

- 2) Electrical work for the following:
 - i. Minor repair and maintenance work that includes the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
 - ii. Electrical equipment used for radio and television transmissions. The provisions of the Uniform Construction Code apply to equipment and wiring for power supply and the installation of towers and antennas.
 - iii. The installation of a temporary system for the testing or servicing of electrical equipment or apparatus.



75

Exemptions

- 3) The following gas work:
 - i. A portable heating appliance.
 - ii. Replacement of a minor part that does not alter approval of equipment or make the equipment unsafe.



76

Exemptions

- 4) The following mechanical work or equipment:
 - i. A portable heating appliance.
 - ii. Portable ventilation equipment.
 - iii. A portable cooling unit.
 - iv. Steam, hot or chilled water piping within any heating or cooling equipment governed under the Uniform Construction Code.
 - v. Replacement of any part that does not alter its approval or make it unsafe.
 - vi. A portable evaporative cooler.
 - vii. A self-contained refrigeration system containing 10 pounds or less of refrigerant and placed into action by motors that are not more than 1 horsepower.



77

Exemptions

- 5) The following plumbing repairs:
 - i. Stopping leaks in a drain and a water, soil, waste or vent pipe. The Uniform Construction Code applies if a concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and is removed and replaced with new material.
 - ii. Clearing stoppages or repairing leaks in pipes, valves or fixtures, and the removal and installation of water closets, faucets and lavatories if the valves or pipes are not replaced or rearranged.



78

Not ordinary repairs

(d) An ordinary repair does not require a permit. The following are not ordinary repairs:

- 1) Cutting away a wall, partition or portion of a wall.
- 2) The removal or cutting of any structural beam or load-bearing support.
- 3) The removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements.
- 4) The addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical.



79

Utility exemption

(e) A permit is not required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment under the ownership and control of public service agencies.



80

Annual permits

(f) A building code official may issue an annual permit instead of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation. All of the following are required:

- 1) The applicant shall regularly employ at least one qualified trades person in the building or structure owned or operated by the applicant.
- 2) The applicant shall submit an application in accordance with § 403.42a(m).
- 3) An annual permit holder shall keep detailed records of alterations made in accordance with the annual permit. The permit holder shall provide access to these records to the building code official.



81

403.42a. Permit application.

(b) A permit applicant shall submit an application to the building code official and attach construction documents, including plans and specifications, and information concerning special inspection and structural observation programs, Department of Transportation highway access permits, all other permits or approvals related to the construction required under § 403.102(n) (relating to municipalities electing to enforce the Uniform Construction Code) and other data required by the building code official with the permit application. The applicant shall submit three sets of documents when the Department conducts the review.



82

403.42a. Permit application.

(c) A licensed architect or licensed professional engineer shall prepare the construction documents under the Architects Licensure Law (63 P. S. §§ 34.1— 34.22), or the Engineer, Land Surveyor and Geologist Registration Law (63 P. S. §§ 148—158.2). An unlicensed person may prepare design documents for there modeling or alteration of a building if there is no compensation and the remodeling or alteration does not relate to additions to the building or changes to the building's structure or means of egress.



83

PA Architects Licensure Law

- ▶ "Practice of architecture." The rendering or offering to render certain services, hereinafter described, in connection with the design and construction of a structure or group of structures which have as their principal purpose human habitation or use, and the utilization of space within and surrounding such structures. The services referred to in the previous sentence include planning, providing preliminary studies, designs, drawings, specifications, and other design documents, construction management and administration of construction contracts. The foregoing shall not be deemed to include the practice of engineering as such, for which separate registration is required under the provisions of the act of May 23, 1945 (P.L.913, No.367), known as the "Professional Engineers Registration Law," excepting only engineering work incidental to the practice of architecture.



84

PA Engineer, Land Surveyor And Geologist Registration Law

- ▶ “Practice of Engineering” shall mean the application of the mathematical and physical sciences for the design of public or private buildings, structures, machines, equipment, processes, works or engineering systems, and the consultation, investigation, evaluation, engineering surveys, construction management, planning and inspection in connection therewith, the performance of the foregoing acts and services being prohibited to persons who are not licensed under this act as professional engineers unless exempt under other provisions of this act.



85

PA Engineer, Land Surveyor And Geologist Registration Law

- ▶ The term “Practice of Engineering” shall also mean and include related acts and services that may be performed by other qualified persons, including but not limited to, municipal planning, incidental landscape architecture, teaching, construction, maintenance and research but licensure under this act to engage in or perform any such related acts and services shall not be required.



86

PA Engineer, Land Surveyor And Geologist Registration Law

- ▶ The foregoing shall not be deemed to include the practice of architecture as such, for which separate registration is required under the provisions of the act of July 12, 1919 (P.L.933, No.369), entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners; defining the power and duties of said board of examiners; and providing penalties for the violation of this act," excepting only architectural work incidental to the "practice of engineering."



87

PA License Verification

- ▶ <https://www.pals.pa.gov/#!/page/search>



88

DEPARTMENT OF STATE HOME SUPPORT APPLICATION CHECKLIST

Welcome to the Pennsylvania Licensing System Verification service. By using this service you are able to search for license information on individuals and businesses regulated by the Bureau of Professional and Occupational Affairs. This site is considered a primary source for verification of license credentials provided by the Pennsylvania Department of State.

Search - Enter one or more fields below. Person Facility Disciplinary Provider

Board/Commission: License Type: License Number:

Name:

City: State: Zip:


Country: Country:

Person details

Show: entries Search:

Full Name	License Number	Board/Commission	License Type	Status	Address
No data available in table					

Showing 0 to 0 of 0 entries Previous Next



89


License Information

WALTER G SCHNEIDER
STATE COLLEGE, Pennsylvania 16801 🔔 🚗 ⚙️

Board/Commission:	Engineers	Status Effective Date:	
License Type:	Professional Engineer	Issue Date:	9/11/2000
Specialty Type:		Expiration Date:	9/30/2025
License Number:	PE056250E	Last Renewal:	8/23/2023
Status:	Active		

Disciplinary Action Details

No disciplinary actions were found for this license.



90

403.42a. Permit application.

(d) A building code official may require submission of additional construction documents in special circumstances.

(e) The permit applicant shall submit construction documents in a format approved by the building code official. Construction documents shall be clear, indicate the location, nature and extent of the work proposed, and show in detail that the work will conform to the Uniform Construction Code.



91

403.42a. Permit application.

(f) All of the following fire egress and occupancy requirements apply to construction documents:

- 1) The permit applicant shall submit construction documents that show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the Uniform Construction Code.
- 2) The construction documents for occupancies other than Groups R-2 and R-3 shall contain designation of the number of occupants to be accommodated on every floor and in all rooms and spaces.
- 3) The permit applicant shall submit shop drawings for a fire protection system that indicates conformance with the Uniform Construction Code in accordance with the following:
 - i. The shop drawings shall be approved by the building code official before the start of the system installation.
 - ii. The shop drawings must contain the information required by the referenced installation standards contained in Chapter 9 of the 'International Building Code of 2018.'



92

Construction documents

(g) Construction documents shall contain the following information related to the exterior wall envelope:

- 1) Description of the exterior wall envelope indicating compliance with the Uniform Construction Code.
- 2) Flashing details.
- 3) Details relating to intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves, or parapets, means of drainage, water-resistive membrane and details around openings.



93

Construction documents

(h) Construction documents shall contain a site plan that is drawn to scale. The building code official may waive or modify the following site plan requirements if the permit application is for an alteration or repair or if waiver or modification is warranted. Site plan requirements include all of the following:

- 1) The size and location of new construction and existing structures on the site.
- 2) Accurate boundary lines.
- 3) Distances from lot lines.
- 4) The established street grades and the proposed finished grades.
- 5) If the construction involves demolition, the site plan shall indicate construction that is to be demolished and the size and location of existing structures and construction that will remain on the site or plot.
- 6) Location of parking spaces, accessible routes, public transportation stops and other required accessibility features.



94

Construction documents

(j) A permit applicant shall identify, on the application, the name and address of the licensed architect or engineer in responsible charge. The permit applicant shall notify the building code official in writing if another licensed architect or engineer assumes responsible charge.

(k) The permit applicant shall describe an inspection program, identify a person or firm who will perform special inspections and structural observations if section 1704 and 1705 of the "International Building Code of 2018" requires special inspections or structural observations for the construction.



95

DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.

- ▶ A registered design professional engaged by the owner or the owner's authorized agent to review and coordinate certain aspects of the project, as determined by the building official, for compatibility with the design of the building or structure, including submittal documents prepared by others, deferred submittal documents and phased submittal documents.



96

Construction documents

(I) A building code official may waive or modify the submission of construction documents, that are not required to be prepared by a licensed architect or engineer, or other data if the nature of the work applied for does not require review of construction documents or other data to obtain compliance with the Uniform Construction Code. The building code official may not waive the submission of site plans that relate to accessibility requirements.



97

403.43. Grant, denial and effect of permits.

(a) A building code official shall grant or deny a permit application, in whole or in part, within 30 business days of the filing date. Reasons for the denial must be in writing, identifying the elements of the application which are not in compliance with the relevant provisions of the Uniform Construction Code and ordinance as appropriate and providing a citation to the relevant provisions of the Uniform Construction Code and ordinance as appropriate, and sent to the applicant. The building code official and the permit applicant may agree in writing to extend the deadline by a specific number of days. A building code official may establish a different deadline to consider applications for a permit in an historic district.



98

403.43. Grant, denial and effect of permits.

(c) A building code official shall stamp or place a notation on each page of the set of reviewed construction documents that the documents were reviewed and approved for Uniform Construction Code compliance before the permit is issued. The building code official shall clearly mark any required non design changes on the construction documents. The building code official shall return a set of the construction documents with this notation and any required changes to the applicant. The permit holder shall keep a copy of the construction documents at the work site open to inspection by the construction code official or an authorized representative.



99

403.43. Grant, denial and effect of permits.

(d) A building code official may not issue a permit for any property requiring access to a highway under the Department of Transportation's jurisdiction unless the permit contains notice that a highway occupancy permit is required under section 420 of the State Highway Law (36 P. S. § 670-420) before driveway access to a Commonwealth highway is permitted.



100

403.43. Grant, denial and effect of permits.

(e) A building code official may issue a permit for the construction of the foundations or other parts of a building or structure before the construction documents for the whole building or structure are submitted if the permit applicant previously filed adequate information and detailed statements for the building or structure under the Uniform Construction Code. Approval under this section is not assurance that the building code official will issue a permit for the entire building or structure.



101

403.43. Grant, denial and effect of permits.

(g) A permit becomes invalid unless the authorized construction work begins within 180 days after the permit's issuance or if the authorized construction work permit is suspended or abandoned for 180 days after the work has commenced. A permit holder may submit a written request for an extension of time to commence construction for just cause. The building code official may grant extensions of time to commence construction in writing. A permit may be valid for no more than 5 years from its issue date.



102

403.43. Grant, denial and effect of permits.

(k) A building code official may allow deferred submittals of portions of the design of the building and structure from the time of the application until a specified time set by the building code official. All of the following apply to deferred submittals:

- 1) The building code official shall provide prior approval of the deferral of any submittal items.
- 2) A licensed architect or professional engineer in responsible charge shall list the deferred submittals on the construction documents for review by the building code official.
- 3) A licensed architect or professional engineer shall first review submittal documents for deferred submittal items and place a notation on the documents that the architect or engineer reviewed the documents and that the documents are in general conformance with the design of the building or structure.
- 4) Deferred submittal items may not be installed until the building code official approves the design and submittal documents for the deferred submittal items.



103

403.43. Grant, denial and effect of permits.

(m) A permit is not valid until the required fees are collected under §§ 401.2 and 401.2a (relating to Department fees; and municipal and third-party agency fees).



104

403.45. Inspections.

- a) A construction code official shall perform inspections to insure that the construction complies with the approved permit and the Uniform Construction Code.
- b) Before issuing a permit, a building code official may examine, or cause to be examined, buildings, structures, facilities or sites related to the permit application.
- c) The permit holder or an authorized agent shall notify the construction code official when work is ready for inspection and provide access for the inspection. The work shall remain accessible and exposed for inspection. A construction code official may inspect the construction and equipment only during normal hours at the construction site unless the permit holder or agent requests or agrees to another time. Inspections may be conducted under § 403.86 (relating to right of entry to inspect).
- d) A construction code official shall notify a permit holder if construction complies with the Uniform Construction Code or fails to comply with the Uniform Construction Code.



105

403.45. Inspections.

- (e) A construction code official shall conduct a final inspection of the completed construction work and file a final inspection report, which indicates that all of the following areas met Uniform Construction Code requirements after a final inspection of the completed construction work:



106

403.46. Certificate of occupancy.

- a) A building, structure or facility may not be used or occupied without a certificate of occupancy issued by a building code official.
- b) A building code official shall issue a certificate of occupancy within 5 business days after receipt of a final inspection report that indicates compliance with the Uniform Construction Code. The certificate of occupancy shall contain the following information:
 - 1) The permit number and address of the building, structure or facility.
 - 2) The permit holder's name and address.
 - 3) A description of the portion of the building, structure or facility covered by the occupancy permit.
 - 4) The name of the building code official who issued the occupancy permit.



107

403.46. Certificate of occupancy.

- 5) The applicable construction code edition applicable to the occupancy permit.
- 6) The use and occupancy classification under Chapter 3 (Use and Occupancy Classification) of the "International Building Code of 2018," when designated.
- 7) The type of construction defined in Chapter 6 (Types of Construction) of the "International Building Code of 2018," when designated.
- 8) Special stipulations and conditions relating to the permit and board of appeals' decisions and variances for accessibility requirements granted by the Secretary.
- 9) The date of the final inspection.



108

403.46. Certificate of occupancy.

- c) A building code official may issue a certificate of occupancy for a portion of a building, structure or facility if the portion independently meets the Uniform Construction Code.
- d) A building code official may suspend or revoke a certificate of occupancy when the certificate was issued in error, on the basis of incorrect information supplied by the permit applicant or in violation of the Uniform Construction Code. Before a certificate of occupancy is revoked, a building owner may request a hearing before the board of appeals under § 403.122 (relating to appeals, variances and extensions of time).
- e) A building code official may issue a temporary certificate of occupancy for a portion or portions of the building or structure before the completion of the entire work covered by the permit if the portion or portions may be occupied safely. The building code official shall set a time period during which the temporary certificate of occupancy is valid.



109

403.61. Residential buildings.



110

403.62. Permit requirements and exemptions.

(a) An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a residential building or erect, install, enlarge, alter, repair, remove, convert or replace an electrical, gas, mechanical or plumbing system regulated by the Uniform Construction Code shall first apply to the building code official and obtain the required permit under § 403.62a (relating to permit application).



111

403.62. Permit requirements and exemptions.

(b) An emergency repair or replacement of equipment may be made without first applying for a permit if a permit application is submitted to the building code official within 3 business days of the repair or replacement.



112

403.62. Permit requirements and exemptions.

- 1) Fences that are no more than 6 feet high.
- 2) Retaining walls that are not over 4 feet in height measured from the lowest level of grade to the top of the wall unless the wall supports a surcharge.
- 3) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.



113

403.62. Permit requirements and exemptions.

- 4) Sidewalks and driveways that are 30 inches or less above adjacent grade and not placed over a basement or story below it.
- 5) Prefabricated swimming pools that are less than 24 inches deep.
- 6) Swings and other playground equipment accessory to a one- or two family dwelling.
- 7) Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
- 8) Installation of an uncovered deck where the floor of the deck is no more than 30 inches above grade.
- 9) Installation or rearrangement of communications wiring.



114

403.62. Permit requirements and exemptions.

(d) An ordinary repair does not require a permit. The following are not ordinary repairs:

- 1) Cutting away a load-bearing wall, partition or portion of a wall.
- 2) The removal or cutting of any structural beam or load-bearing support.
- 3) The removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements.
- 4) The addition to, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical.



115

403.62a. Permit application.

(b) A permit applicant shall submit an application to the building code official and attach construction documents with plans and specifications and all other permits or approvals related to the construction required by § 403.102(n) (relating to municipalities electing to enforce the Uniform Construction Code).

(c) A building code official may waive the submission of construction documents if the nature of the construction does not require the review of the construction documents to determine compliance with the Uniform Construction Code.



116

403.62a. Permit application.

(d) A permit applicant for a building or structure located in a flood hazard area under the National Flood Insurance Program shall submit the following information with the construction documents:

- 1) Delineation of flood hazard areas, floodway boundaries and flood zones and the design flood elevation, as appropriate.
- 2) The elevation of the proposed lowest floor including basement and the height of the proposed lowest floor including basement above the highest adjacent grade is to be included in the documents if the building or structure is located in areas of shallow flooding (Zone AO).
- 3) Design flood elevations contained on the municipality's Flood Insurance Rate Map produced by the Federal Emergency Management Agency. The building code official and the applicant shall obtain and reasonably utilize design flood elevation and floodway data available from other sources if this information is not contained on the municipality's Flood Insurance Rate Map.



117

403.62a. Permit application.

(e) The application must contain a site plan showing the size and location of the new construction and existing structures on the site and the structures' distance from lot lines. If the construction involves demolition, the site plan must indicate construction that is to be demolished and the size and location of existing structures and construction that will remain on the site or plot. A building code official may waive or modify the site plan requirement when the permit application is for an alteration or a repair or if the waiver is warranted for other reasons.



118

403.63. Grant, denial and effect of permits.

(a) A building code official shall grant or deny a permit application, in whole or in part, within 15 business days of the filing date or the application is deemed approved. If the drawings were prepared by a design professional who is licensed or registered under the laws and regulations of the Commonwealth and the application contains a certification by the licensed or registered design professional that the plans meet the applicable standards of the Uniform Construction Code and ordinance as appropriate, a building code official shall grant or deny a permit application, in whole or in part, within 5 business days of the filing date or the application is deemed approved. Reasons for denial must be in writing, identifying the elements of the application which are not in compliance with the relevant provisions of the Uniform Construction Code and ordinance as appropriate and providing a citation to the relevant provisions of the Uniform Construction Code and ordinance as appropriate, and sent to the permit applicant. The building code official and the applicant may agree in writing to extend the deadline by a specific number of days.



119

403.63. Grant, denial and effect of permits.

Certification by the licensed or registered design professional that the plans meet the applicable standards of the Uniform Construction Code and ordinance as appropriate, a building code official shall grant or deny a permit application, in whole or in part, within 5 business days of the filing date or the application is deemed approved.



120

403.63. Grant, denial and effect of permits.

(c) A building code official shall stamp or place a notation on each page of the set of reviewed construction documents that the documents were reviewed and approved for Uniform Construction Code compliance before the permit is issued. The building code official shall clearly mark any required nondesign changes on the construction documents. The building code official shall return a set of the construction documents with this notation and any required changes to the applicant. The applicant shall keep a copy of the construction documents at the work site open to inspection by the construction code official or an authorized representative.



121

403.63. Grant, denial and effect of permits.

(d) A building code official may not issue a permit for any property requiring access to a highway under the Department of Transportation's jurisdiction unless the permit contains notice that a highway occupancy permit is required under section 420 of the State Highway Law (36 P. S. § 670-420) before driveway access to a Commonwealth highway is permitted.



122

403.63. Grant, denial and effect of permits.

(e) A building code official may issue a permit for the construction of the foundations or other parts of a building or structure before the construction documents for the whole building or structure are submitted if the permit applicant previously filed adequate information and detailed statements for the building or structure under the Uniform Construction Code. Approval under this section is not assurance that the building code official will issue a permit for the entire building or structure.



123

403.63. Grant, denial and effect of permits.

(g) A permit becomes invalid unless the authorized construction work begins within 180 days after the permit's issuance or if the authorized construction work permit is suspended or abandoned for 180 days after the work has commenced. A permit holder may submit a written request for an extension of time to commence construction for just cause. The building code official may grant extensions of time to commence construction in writing. A permit may be valid for no more than 5 years from its issue date.



124

403.63. Grant, denial and effect of permits.

(h) The permit holder shall keep a copy of the permit on the work site until the completion of the construction.

(j) Work shall be installed in accordance with the approved construction documents. The permit holder shall submit a revised set of construction documents for approval for changes made during construction that are not in accordance with the approved construction documents.

(k) A permit is not valid until the required fees are collected under § 401.2a (relating to municipal and third-party agency fees).



125

inspections

- ▶ (a) A construction code official shall inspect all construction for which a permit was issued. The permit holder shall insure that the construction is accessible for inspection. An inspection does not bar prosecution or other legal action for violation of the Uniform Construction Code.
- ▶ (b) The permit holder or an authorized agent shall notify the construction code official when work is ready for inspection and provide access for the inspection.
- ▶ (c) The construction code official shall notify a permit holder if construction complies with the Uniform Construction Code or fails to comply with the Uniform Construction Code.



126

Inspections

(d) A construction code official shall make the following inspections and file inspection reports relating to Uniform Construction Code compliance in all of the following areas:

- 1) Foundation inspection.
- 2) Plumbing, mechanical and electrical system inspection.
- 3) Frame and masonry inspection.
- 4) Wallboard inspection.

(e) The construction code official may conduct other inspections to ascertain compliance with the Uniform Construction Code or municipal ordinances.

(f) A construction code official shall conduct a final inspection of the completed construction work and file a final inspection report that indicates compliance with the Uniform Construction Code.



127

403.65. Certificate of occupancy

- a) A residential building may not be used or occupied without a certificate of occupancy issued by a building code official.
- b) A building code official shall issue a certificate of occupancy after receipt of a final inspection report that indicates compliance with the Uniform Construction Code and ordinance within 5 business days or within 10 business days in cities of the first class. The certificate of occupancy must contain the following information:
 - 1) The permit number and address of the residential building.
 - 2) The name and address of the owner of the residential building.
 - 3) A description of the portion of the residential building covered by the occupancy permit.
 - 4) A statement that the described portion of the residential building was inspected for compliance with the Uniform Construction Code.



128

403.65. Certificate of occupancy

- 5) The name of the building code official who issued the occupancy permit.
- 6) The construction code edition applicable to the occupancy permit.
- 7) If an automatic sprinkler system is provided.
- 8) Any special stipulations and conditions relating to the building permit.



129

403.65. Certificate of occupancy

- c) A building code official may issue a certificate of occupancy for a portion of a residential building if the portion independently meets the Uniform Construction Code.
- d) A building code official may suspend or revoke a certificate of occupancy when the certificate was issued in error, on the basis of incorrect information supplied by the permit applicant, or in violation of the Uniform Construction Code. Before a certificate of occupancy is revoked, a building owner may request a hearing before the board of appeals in accordance with § 403.122 (relating to appeals, variances and extensions of time).



130

403.65. Certificate of occupancy

- e) A third-party agency under contract with a building permit holder shall submit a copy of the certificate of occupancy to the municipality.
- f) A building code official may issue a temporary certificate of occupancy for a portion or portions of the building or structure before the completion of the entire work covered by the permit if the portion or portions may be occupied safely. The building code official shall set a time period during which the temporary certificate of occupancy is valid.



131

403.81. Stop work order.

- a) A building code official may issue a written stop work order when the official determines that construction violates the Uniform Construction Code or is being performed in a dangerous or unsafe manner. The stop work order is to contain the reasons for the order and list the required conditions for construction to resume.
- b) The building code official shall serve the stop work order on the permit owner or the owner's agent by certified mail or personal service.
- c) A person who continues construction after service of a stop work order, except for construction work that is necessary to remove a violation or an unsafe condition, may be subject to the penalties under section 903 of the act (35 P. S. § 7210.903). A building code official may seek enforcement of a stop work order in a court of competent jurisdiction.



132

403.82. Notice of violations.

A building code official shall follow the following procedures if an inspection reveals a violation of the Uniform Construction Code:

1. A construction code official shall discuss the inspection results with the permit holder at the completion of the inspection.
2. The building code official may issue a written notice of violations to the permit holder. The notice is to contain a description of the violations and an order requiring correction of the violations within a reasonable period determined by the building code official. When a violation relates to an unsafe building, structure or equipment, a building code official shall act in accordance with § 403.84 (relating to unsafe building, structure or equipment).



133

403.82. Notice of violations.

- 3) After the compliance date contained in the order, the building code official shall inspect the building, structure or equipment to determine whether the violation was corrected. The building code official shall close the order if the violation was corrected. The building code official may issue an order to show cause under § 403.83 (relating to order to show cause/order to vacate) to the owner for a violation that was not corrected.



134

403.83. Order to show cause/order to vacate.

(a) A building code official may initiate action to vacate or close a building, structure or equipment for violations of the Uniform Construction Code by issuing an order to show cause to the owner or owner's agent of a building or structure.



135

403.84. Unsafe building, structure or equipment.

- a) A building code official may determine that a building, structure or equipment is unsafe because of inadequate means of egress, inadequate light and ventilation, fire hazard, other dangers to human life or the public welfare, illegal or improper occupancy or inadequate maintenance. A vacant building or structure that is not secured against entry is unsafe under this section.
- b) When a building code official determines the existence of an unsafe condition, the building code official shall order the vacating of the building or structure.



136

403.85. Release, retention and sharing of commercial construction records.

(a) A building code official shall keep records of all applications received, permits issued, reviewed building plans and specifications, certificates issued, fees collected, reports of inspections, notices and orders issued for all commercial buildings and structures under the Uniform Construction Code. A building code official shall retain these records as long as the related building, structure or equipment remains in existence.



137

403.86. Right of entry to inspect.

- a) A construction code official may enter a building, structure or premises during normal business hours or at a time agreed to by the owner or owner's agent to perform inspections under the Uniform Construction Code, to enforce Uniform Construction Code provisions or if there is reasonable cause to believe a condition on the building, structure or premises violates the Uniform Construction Code or which constitutes an unsafe condition.
- b) A construction code official may enter a building, structure or premises when the official presents credentials to the occupant and receives permission to enter.
- c) A construction code official may not enter a building, structure or premises that is unoccupied or after normal business hours without obtaining permission to enter from the owner or the owner's agent.
- d) A construction code official may seek the assistance of a law enforcement agency to gain entry to enforce the Uniform Construction Code when the construction code official has reasonable cause to believe that the building, structure or premises is unsafe.



138

403.121. Board of appeals.

- a) A municipality which has adopted an ordinance for the administration and enforcement of the Uniform Construction Code or is a party to an agreement for the joint administration and enforcement of the Uniform Construction Code shall establish and appoint members to serve on a board of appeals under section 501(c) of the act (35 P. S. § 7210.501(c)).
- b) The board of appeals shall hear and rule on appeals, requests for variances and requests for extensions of time. An application for appeal shall be based on a claim that the true intent of the act or Uniform Construction Code has been incorrectly interpreted, the provisions of the act or Uniform Construction Code do not fully apply or an equivalent form of construction is to be used.



139

Other regulations

- The Boiler and Unfired Pressure Vessel Law (35 P. S. §§ 1331.1—1331.19).
- The Propane and Liquefied Petroleum Gas Act (35 P. S. §§ 1329.1—1329.19).
- The Health Care Facilities Act.
- The Older Adult Daily Living Centers Licensing Act (62 P. S. §§ 1511.1—1511.22).



140

Boilers

(6) Storage water heaters and instantaneous water heaters if all the following limitations are not exceeded:

- i. A heat input of 200,000 Btus /hr (58.6 kW).
- ii. A water temperature of 210°F (99°C).
- iii. A nominal water-containing capacity of 120 gallons (454 L).



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Areas to watch

- ▶ Cannot build across a property line
- ▶ Make sure you know who the owner is
- ▶ Need sewer/septic permits
- ▶ Need water permits
- ▶ Need zoning permits
- ▶ Other local ordinances



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Grandfather clause

A grandfather clause (or grandfather policy or grandfathering) is a provision in which an old rule continues to apply to some existing situations while a new rule will apply to all future cases. Those exempt from the new rule are said to have grandfather rights or acquired rights, or to have been grandfathered in. Frequently, the exemption is limited; it may extend for a set time, or it may be lost under certain circumstances.



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Grandfather clause

The term originated in late nineteenth-century legislation and constitutional amendments passed by a number of U.S. Southern states, which created new requirements for literacy tests, payment of poll taxes, and/or residency and property restrictions to register to vote. States in some cases exempted those whose ancestors (grandfathers) had the right to vote before the American Civil War, or as of a particular date, from such requirements. The intent and effect of such rules was to prevent African-American former slaves and their descendants from voting, but without denying poor and illiterate whites the right to vote.



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PA UCC Review & Advisory Council



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Review and Advisory Council (RAC)

- ▶ The Uniform Construction Code (UCC) Review and Advisory Council were established by the Pennsylvania Construction Code Act (PCCA). The Council consists of 21 members, with appointments made by the Governor and the General Assembly.
- ▶ The members represent industry sectors that participate in the various aspects relating to building - including building component design, construction, building code enforcement and local government representation.



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Review and Advisory Council (RAC)

- ▶ The Council is charged with making recommendations to the Governor, the General Assembly and Labor & Industry regarding proposed changes to the PCCA.
- ▶ The Council is also charged with reviewing the most recent triennial building code updates published by the International Code Council (ICC).



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Review and Advisory Council (RAC)

Governor Appointments

- ▶ Commercial Building Owner: Richard Madzar
- ▶ 1st Class City Official: Elizabeth Baldwin
- ▶ UCC Building Code Official: Edward Fegley
- ▶ Licensed Architect (Commercial): Michael Thompson
- ▶ Licensed Mechanical Engineer (HVAC Systems): E. Mitchell Swann
- ▶ UCC Residential Inspector: Matthew Wojaczyk (Vice-Chair)
- ▶ UCC Building Inspector/Plans Examiner: Amrinder Singh
- ▶ Plumbing/ Fire Protection Engineer: John E. Kampmeyer
- ▶ Modular Housing: Jerry Phelan
- ▶ Structural Engineer: Dr. Walter Schneider, III (Chair)
- ▶ Licensed Architect (Residential): Charles Coltharp
- ▶ Borough Elected Official: Brian E. Trimble



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Review and Advisory Council (RAC)

Governor Appointments (cont)

- ▶ Licensed Electrical Engineer: Kevin Maynard
- ▶ Manufactured Housing: William Henry
- ▶ Residential Contractor Renovation: Vacant
- ▶ 2nd Class Township Public Official: James Lucas
- ▶ UCC Fire Inspector: William Yeagley



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Review and Advisory Council (RAC)

President pro tempore of the Senate Appointment

- ▶ General Contractor Residential: Jonathan Sukonik

Minority Leader of the Senate Appointment

- ▶ 2nd or 3rd Class City Elected Official: Vacant

Speaker of the House of Representatives Appointment

- ▶ General Contractor Non-residential: Marty Marra

Minority Leader of the House of Representatives Appointment

- ▶ Construction Trades: Karen Masino



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Technical Advisory Committee (TAC)

- ▶ There shall be a technical advisory committee for each of the codes included in the Uniform Construction Code and specified in 34 Pa. Code § 403.21, and such other technical advisory committees as the council deems necessary to facilitate its review.
- ▶ Each technical advisory committee shall be limited to a maximum of 12 members.
- ▶ The chair of the council shall appoint a council member to chair each technical advisory committee. If more than four council members seek appointment to a technical advisory committee, the chair of the council shall appoint four of the council members seeking appointment to serve and the remaining council members seeking appointment shall serve only if additional positions on the technical advisory committee remain after selection of the technical advisory committee members pursuant to subparagraph.



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Technical Advisory Committee (TAC)

- ▶ The department shall publish a notice seeking participation in the technical advisory committees.
- ▶ The chair of the council shall seek to ensure diversity of interests on each technical advisory committee. Technical advisory committee members shall be selected by the chair of the council from among the interested persons identified so as to ensure that the technical advisory committee as a whole has, at minimum, representation from affected contractor associations, affected building trade organizations, the code enforcement community, the design professional community and other relevant industries.



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Meetings

▶ Future meeting dates can be found below, and agenda topics will be added once available, usually 1-2 weeks prior to the meeting date. Because of the pandemic conditions, all Council meetings will be held virtually until further notice.



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RAC final report

▶ <https://www.dli.pa.gov/ucc/Documents/ICC-Code-Review-2018-Final-Report.pdf>



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Code review process lessons learned

- ▶ TAC process needs structure
- ▶ TAC process needs uniformity
- ▶ TAC designation of controversial items
- ▶ What can be/should be reviewed



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2021 ICC code review & adoption process



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Updated sections

Those sections of the ICC Codes that have changed from the published 2018 ICC codes to the 2021 published codes



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Additional sections

The council shall also review, in accordance with the procedures outlined in this act, any section of the collective codes that do not otherwise constitute updated sections but only if two-thirds of the council membership so determine. The sections selected for review shall be referred to as "additional sections." The additional sections shall be treated for purposes of review and approval or disapproval by the council as updated sections. The selection of additional sections shall occur prior to commencement of the review process.



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What is the basis of review

Each updated section subject to review shall be examined by applying all of the following criteria:

- i. The impact that the section may have upon the health, safety and welfare of the public.
- ii. The economic and financial impact of the section, including impact on the end consumer.
- iii. The technical feasibility of the section.



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2021 ICC code review & adoption process

- ▶ 1/31/2021 - ICC Officially Publishes 2021 ICC Family of Codes
- ▶ 11/15/2021 - Open Public Comment for Proposed Additional Sections
- ▶ 2/13/2022 - Close Public Comment for Proposed Additional Sections
- ▶ 9/8/2022 - Publish list of additional sections to be considered
- ▶ 10/13/2022 - RAC Initiates PA Review of 2021 ICC Family of Codes



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2021 ICC code review & adoption process

- ▶ 11/12/2022 - RAC Opens Public Comment on 2021 ICC Family of Codes
- ▶ TAC Committee Applications are Opened
- ▶ 12/12/2022 - TAC Committee Applications are Closed
- ▶ 3/12/2023 - Public Comment Closed
- ▶ 3/16/2023 - RAC Receives Public Comment and Assigns Comments to TAC's
- ▶ 9/14/2023 - RAC Meets With Update From TAC Committee's Being Presented
- ▶ 12/7/2023 - TAC Review Completed with Final Reports to PA DL&I
- ▶ 1/4/2024 - RAC Receives Final Report From TAC Committee's
- ▶ 1/15/2024 - TAC Final Reports are Posted for Public Review



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2021 ICC code review & adoption process


- ▶ 2/1/2024 - RAC First Public Hearing (EAST)
- ▶ 2/29/2024 - RAC Second Public Hearing (Harrisburg)
- ▶ 3/28/2024 - RAC Third Public Hearing (WEST)
- ▶ 4/18/2024 - RAC Meeting to Deliberate
- ▶ 5/2/2024 - RAC Meeting to Deliberate
- ▶ 5/16/2024 - RAC Meeting to Deliberate
- ▶ 5/30/2024 - RAC Meeting to Deliberate
- ▶ 6/13/2024 - RAC Meeting to Deliberate
- ▶ 6/27/2024 - RAC Meeting to Deliberate



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2021 ICC code review & adoption process

- ▶ 7/25/2024 - Draft Report Presented to the RAC
- ▶ 9/12/2024 -Final Report Approved by RAC
- ▶ 10/1/2024 - Final Report Submitted to PA DL&I
- ▶ 1/1/2025 – 2024 ICC Accessibility Provisions go into effect
- ▶ 2/27/2025 - RAC Meeting
- ▶ 5/8/2025 - RAC Meeting
- ▶ 7/13/2025 – 2021 ICC Adopted Code Provisions go into effect



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Questions



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