
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 46 Session of
2023

INTRODUCED BY OWLETT, PICKETT, HAMM, ZIMMERMAN, ARMANINI AND
ROWE, MARCH 7, 2023

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 7, 2023

AN ACT

1 Amending the act of November 10, 1999 (P.L.491, No.45), entitled
2 "An act establishing a uniform construction code; imposing
3 powers and duties on municipalities and the Department of
4 Labor and Industry; providing for enforcement; imposing
5 penalties; and making repeals," in adoption and enforcement
6 by municipalities, further providing for administration and
7 enforcement.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 501(c) (4) and (5) of the act of November
11 10, 1999 (P.L.491, No.45), known as the Pennsylvania
12 Construction Code Act, are amended and the subsection is amended
13 by adding a paragraph to read:

14 Section 501. Administration and enforcement.

15 * * *

16 (c) Board of appeals.--

17 * * *

18 (4) The fee for an appeal to the [Board of Appeals]
19 board of appeals for a municipality that is administering and
20 enforcing this act shall not exceed actual costs of the

1 public notice of the hearing, appearance fee for the court
2 reporter and administrative fees as necessary.

3 (5) In the case of an appeal or request for variance or
4 extension of time involving the construction of a one-family
5 or two-family residential building, the board of appeals
6 shall convene a hearing within 30 days of the appeal. The
7 [Board of Appeals] board of appeals shall render a written
8 decision to the parties within five business days, or within
9 ten business days in cities of the first class, of the last
10 hearing. If the board of appeals fails to act within the time
11 period under this paragraph, the appeal shall be deemed
12 granted.

13 (6) In the case of a change of code administrator with
14 jurisdiction over a project, subsequent code administrators
15 shall be subject to decisions previously rendered on the
16 project by the board of appeals.

17 * * *

18 Section 2. This act shall take effect in 60 days.