

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 39

Session of
2001

INTRODUCED BY THOMAS, MANDERINO, J. TAYLOR, HARHAI, LAUGHLIN,
STEELMAN, YOUNGBLOOD AND J. WILLIAMS, JANUARY 23, 2001

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JANUARY 23, 2001

AN ACT

1 Amending the act of November 10, 1999 (P.L.491, No.45),
2 entitled, "An act establishing a Uniform Construction Code;
3 imposing powers and duties on municipalities and the
4 Department of Labor and Industry; providing for enforcement;
5 imposing penalties; and making repeals," defining "modular
6 home"; further providing for adoption by regulations, for
7 administration and enforcement by municipalities and for
8 consideration of applications and inspections; and providing
9 for modular home inspections.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 103 of the act of November 10, 1999
13 (P.L.491, No.45), known as the Pennsylvania Construction Code
14 Act, is amended by adding a definition to read:

15 Section 103. Definitions.

16 The following words and phrases when used in this act shall
17 have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 * * *

20 "Modular home." A factory-built home designed to meet State
21 or local building codes rather than the code established by the

Housing and Urban Development Agency and that is transported on
a flat-bed-type vehicle, with no wheels and axles of its own.

* * *

Section 2. Sections 301(a)(2), 501(e)(1) and (2) and 502(a)
of the act are amended to read:

Section 301. Adoption by regulations.

(a) Regulations.--

* * *

(2) The regulations shall include a provision that all
detached one-family and two-family dwellings, modular homes
and one-family townhouses that are not more than three
stories in height and their accessory structures shall be
designed and constructed either in accordance with the I.C.C.
International One and Two Family Dwelling Code, 1998 edition,
or in accordance with the requirements of the Uniform
Construction Code at the option of the building permit
applicant. The provision shall require that an irrevocable
election be made at the time plans are submitted for review
and approval. If the building permit applicant does not
indicate a code, the design and construction shall be in
accordance with the Uniform Construction Code.

* * *

Section 501. Administration and enforcement.

* * *

(e) Nonmunicipal administration.--

(1) In municipalities which have not adopted an
ordinance for the administration and enforcement of this act,
it shall be the duty of the municipality to notify an
applicant for a construction permit that it shall be the
responsibility of the permit applicant of one-family or two-

1 family dwelling units, modular homes and utility and
2 miscellaneous use structures to obtain the services of a
3 construction code official or third-party agency with
4 appropriate categories of certification to conduct the plan
5 review and inspections. For one-family and two-family
6 dwelling units, modular homes and utility and miscellaneous
7 use structures, all of the following five inspections shall
8 be required:

9 (i) Foundation inspection.

10 (ii) Plumbing, mechanical and electrical inspection.

11 (iii) Frame and masonry inspection.

12 (iv) Wallboard inspection.

13 (v) Final inspection. The final inspection shall not
14 be deemed approved until all previous inspections have
15 been successfully completed and passed.

16 (2) In municipalities which have not adopted an
17 ordinance for the administration and enforcement of this act,
18 it shall be the duty of the municipality to notify the
19 department and an applicant for a construction permit that it
20 shall be the responsibility of the owner of structures other
21 than one-family or two-family dwelling units, modular homes
22 and utility and miscellaneous use structures to obtain the
23 services of the department or a third-party agency with
24 appropriate categories of certification under contract to the
25 department to conduct the plan review and inspections
26 required by this act.

27 * * *

28 Section 502. Consideration of applications and inspections.

29 (a) Applications for construction permits.--

30 (1) Every application for a construction permit for one-

1 family and two-family dwelling units, modular homes and
2 utility and miscellaneous use structures shall be granted or
3 denied, in whole or in part, within 15 business days of the
4 filing date. All other construction permits shall be granted
5 or denied, in whole or in part, within 30 business days of
6 the filing date. Municipalities may establish different time
7 limits to consider applications for construction permits in
8 historic districts.

9 (2) If an application is denied in whole or in part, the
10 code administrator shall set forth the reasons in writing.

11 (3) If the code administrator fails to act on an
12 application for a construction permit for one-family and two-
13 family dwelling units, modular homes and utility and
14 miscellaneous use structures within the time prescribed, the
15 application shall be deemed approved. The [time limits] 30
16 business day time limit established in [this section for
17 permit applications other than one-family and two-family
18 dwellings] paragraph (1) may be extended upon agreement in
19 writing between the applicant and the municipality for a
20 specific number of additional days.

21 * * *

22 Section 3. The act is amended by adding a section to read:

23 Section 505. Modular home plans and inspections.

24 Nothing in this act shall be construed to prohibit a
25 municipality from:

26 (1) Requiring the submission to the municipality of
27 onsite construction plans for modular homes prior to the time
28 that construction begins on the sites.

29 (2) Conducting inspections of modular homes prior to the
30 time of settlement or occupancy.

1 Section 4. This act shall take effect immediately.