18

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 466

Session of 2007

INTRODUCED BY ROBBINS, SCARNATI, O'PAKE, MADIGAN, WOZNIAK, CORMAN, LAVALLE, RHOADES, MUSTO, PUNT, WONDERLING, BOSCOLA, REGOLA, McILHINNEY, BAKER, BRUBAKER AND FOLMER, MARCH 15, 2007

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, JULY 12, 2007

AN ACT

Amending the act of November 10, 1999 (P.L.491, No.45), entitled "An act establishing a uniform construction code; imposing 3 powers and duties on municipalities and the Department of Labor and Industry; providing for enforcement; imposing penalties; and making repeals, "further providing for application, FOR CHANGES IN THE UNIFORM CONSTRUCTION CODE and <--for exemptions. 8 The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: 10 Section 1. Section 104(b)(7) of the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code 11 Act, amended July 15, 2004 (P.L.748, No.92), is amended and the 12 subsection is amended by adding a paragraph PARAGRAPHS A 13 14 PARAGRAPH to read: 15 Section 104. Application. * * * 16 (b) Exclusions. -- This act shall not apply to: 17

(7) any recreational cabin ii.		
(i) the cabin is equipped with at least one	e smoke	
detector, one fire extinguisher and one carbon :	monoxide	
detector in both the kitchen and sleeping quarte	ers; [and]	
(ii) the owner of the cabin files with the		
municipality either:		
(A) an affidavit on a form prescribed l	by the	
department attesting to the fact that the ca	abin meets	
the definition of a "recreational cabin" in	section	
103; or		
(B) a valid proof of insurance for the		
recreational cabin, written and issued by a	n insurer	
authorized to do business in this Commonwea	lth,	
stating that the structure meets the definit	tion of a	
"recreational cabin" as defined in section	103[.] <u>;</u>	
and	<	
(8) temporary structures, including, but not l	imited to,	
fire resistant tents or canopies, that are erected	for a	
period of 30 days or less for the purposes of partic	<u>cipation</u>	
in a fair, flea market, arts and crafts festival or	<u>-other</u>	
public celebration. Such structures shall not be sul	bject to	
municipal or third party inspections provided a safe	ety check	
is performed by safety or emergency personnel affil:	iated with	
the sponsor or hosting organization.		
(8) TEMPORARY STRUCTURES ERECTED FOR LESS THAN	<u>180</u> <	
CONTINUOUS DAYS, EXCEPT AS MIGHT BE REQUIRED BY ORD	INANCES IN	
EFFECT UNDER SECTION 303(B)(1) OR ADOPTED UNDER SECTION	TION 503;	
(9) TEMPORARY STRUCTURES WHICH:		
(I) ARE LESS THAN 1,600 SQUARE FEET IN SIZE	포:	
(II) ARE ERECTED FOR A PERIOD OF LESS THAN	-30	

1	CONTINUOUS DAYS FOR:
2	(A) THE PURPOSE OF PARTICIPATION IN A FAIR, FLEA
3	MARKET OR ARTS AND CRAFTS FESTIVAL; OR
4	(B) OTHER PUBLIC OR PRIVATE USE; AND
5	(III) ARE SUBJECT TO SECTION 503(A)(2); AND
6	(10) CONSTRUCTION JOB TRAILERS UNTIL THE COMPLETION OF
7	THE CONSTRUCTION PROJECT.
8	<u>AND</u> <
9	(8) TEMPORARY STRUCTURES WHICH ARE:
10	(I) ERECTED FOR THE PURPOSE OF PARTICIPATION IN A
11	FAIR, FLEA MARKET, ARTS AND CRAFTS FESTIVAL OR OTHER
12	PUBLIC CELEBRATION.
13	(II) LESS THAN 1,600 SQUARE FEET IN SIZE.
14	(III) ERECTED FOR A PERIOD OF LESS THAN 30 DAYS.
15	(IV) NOT A SWIMMING POOL, SPA OR HOT TUB.
16	(V) SUBJECT TO SECTION 503(A)(2).
17	* * *
18	SECTION 1.1. SECTION 503(A) OF THE ACT, AMENDED JULY 15, <
19	2004 (P.L.748, NO.92), IS AMENDED TO READ:
20	SECTION 503. CHANGES IN UNIFORM CONSTRUCTION CODE.
21	(A) ADMINISTRATION
22	(1) MUNICIPALITIES MAY ENACT ORDINANCES WHICH EQUAL OR
23	EXCEED THE MINIMUM REQUIREMENTS OF CHAPTER 1 OF THE 1999 BOCA
24	NATIONAL BUILDING CODE, FOURTEENTH EDITION, OR SUCCESSOR
25	CODES, RELATING TO ADMINISTRATION CONSISTENT WITH THE
26	PROVISIONS OF SECTION 501(C).
27	(2) AN ORDINANCE UNDER THIS SUBSECTION APPLICABLE TO THE
28	EXCEPTION UNDER SECTION 104(B)(9) MAY REQUIRE COMPLIANCE WITH
29	ANY OF THE FOLLOWING STANDARDS:
30	(T) FLAME PROPAGATION CRITERIA OF THE APPLICABLE

- 1 EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION'S
- 2 <u>LIFE SAFETY CODE</u>, NFPA NO. 701.
- 3 <u>(II) THE ICC ELECTRICAL CODE.</u>
- 4 (III) INTERNATIONAL FIRE CODE CRITERIA AS TO NUMBER
- 5 OF PORTABLE FIRE EXTINGUISHERS.
- 6 * * *
- 7 Section 2. Section 901 of the act is amended by adding a
- 8 subsection to read:
- 9 Section 901. Exemptions.
- 10 * * *
- 11 (e) Pole barns at agricultural fairs.--Neither this act nor
- 12 any adoption of the International Fire Code by a Commonwealth
- 13 agency, a political subdivision or a local agency shall apply to
- 14 a pole barn that is constructed on agricultural fairgrounds and
- 15 <u>is only used for agricultural purposes and animal display. This</u>
- 16 <u>section shall not apply to inspections required pursuant to the</u>
- 17 ICC Electrical Code or its successor codes.
- 18 Section 3. This act shall take effect immediately.