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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

1 2 3 4 5 6 7	Amending the act of November 10, 1999 (P.L.491, No.45), entitled "An act establishing a uniform construction code; imposing 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	
9	hereby enacts as follows:	
L O	Section 1. Section 104(b)(7) of the act of November 10, 1999	
L1	(P.L.491, No.45), known as the Pennsylvania Construction Code	
L2	Act, amended July 15, 2004 (P.L.748, No.92), is amended and the	
L3	subsection is amended by adding a paragraph PARAGRAPHS A	<
L4	PARAGRAPH to read:	
L5	Section 104. Application.	
L6	* * *	

(b) Exclusions. -- This act shall not apply to:

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2	(7) any recreational cabin if:	
3	(i) the cabin is equipped with at least one smoke	
4	detector, one fire extinguisher and one carbon monoxide	
5	detector in both the kitchen and sleeping quarters; [and]	
6	(ii) the owner of the cabin files with the	
7	municipality either:	
8	(A) an affidavit on a form prescribed by the	
9	department attesting to the fact that the cabin meets	
LO	the definition of a "recreational cabin" in section	
L1	103; or	
L2	(B) a valid proof of insurance for the	
L3	recreational cabin, written and issued by an insurer	
L4	authorized to do business in this Commonwealth,	
L5	stating that the structure meets the definition of a	
L6	"recreational cabin" as defined in section $103[.]$	
L7	and	<
L8	(8) temporary structures, including, but not limited to,	
L9	fire resistant tents or canopies, that are erected for a	
20	period of 30 days or less for the purposes of participation	
21	in a fair, flea market, arts and crafts festival or other	
22	public celebration. Such structures shall not be subject to	
23	municipal or third party inspections provided a safety check	
24	is performed by safety or emergency personnel affiliated with	
25	the sponsor or hosting organization.	
26	(8) TEMPORARY STRUCTURES ERECTED FOR LESS THAN 180	<
27	CONTINUOUS DAYS, EXCEPT AS MIGHT BE REQUIRED BY ORDINANCES IN	
28	EFFECT UNDER SECTION 303(B)(1) OR ADOPTED UNDER SECTION 503;	
29	(9) TEMPORARY STRUCTURES WHICH:	
3.0	(I) ARE LESS THAN 1.600 SOHARE FEET IN SIZE:	

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

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

Section 3. This act shall take effect immediately.

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