

2019D02179AJB:AAS

No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for consideration of applications and inspections.

INTRODUCED _____ **20** _____

By _____ **District NO.** _____

By _____ **District NO.** _____

By _____ **District NO.** _____

By _____ **District NO.** _____

See next page for additional co-sponsors.

Prior Session _____

Referred to Committee on	
Date _____	20 _____
Reported _____	20 _____
As Committed-Amended	
Recommendation	

By Hon. _____	

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 consideration of
7 applications and inspections.

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

10 Section 1. Section 502(a) of the act of November 10, 1999
11 (P.L.491, No.45), known as the Pennsylvania Construction Code
12 Act, is amended to read:

13 Section 502. Consideration of applications and inspections.

14 (a) Applications for permits and inspections.--

15 (1) Every application for a construction permit for one-
16 family and two-family dwelling units and utility and
17 miscellaneous use structures shall be granted or denied, in
18 whole or in part, within 15 business days of the filing date
19 or, if the drawings have been prepared by design
20 professionals who are licensed or registered under the laws

1 and regulations of this Commonwealth and the application
2 contains a certification by the licensed or registered design
3 professional that the plans meet the applicable standards of
4 the Uniform Construction Code and ordinance as appropriate,
5 within five business days of the filing date. Every
6 application for a certificate of occupancy for one-family and
7 two-family dwelling units and miscellaneous use structures
8 shall be granted or denied, in whole or in part, within five
9 business days, or within ten business days in cities of the
10 first class, after receipt of a final inspection report
11 indicates compliance with the Uniform Construction Code and
12 ordinance as appropriate. All other construction permits
13 shall be granted or denied, in whole or in part, within 30
14 business days of the filing date. Municipalities may
15 establish different time limits to consider applications for
16 construction permits in historic districts. A code
17 administrator shall review a construction plan of a building
18 permit application upon submission and shall issue a notice
19 of construction plan approval on a building permit
20 application within the periods set forth in this section if
21 the construction plans comply with the Construction Code Act
22 and any other applicable municipal construction code
23 ordinance. The municipality shall also provide a list of all
24 other required permits necessary prior to issuance of the
25 building permit. The municipality will not be liable for the
26 completeness of any list. When a construction plan has been
27 approved, a code administrator shall issue a building permit
28 immediately upon receipt of all other required permits or
29 approvals related to the construction. All revisions or
30 changes to construction plans so approved under this

1 subsection shall necessitate an additional plan review prior
2 to the issuing of the building permit.

3 (2) If an application is denied in whole or in part, the
4 code administrator shall set forth the reasons in writing,
5 identifying the elements of the application which are not in
6 compliance with the relevant provisions of the Uniform
7 Construction Code and ordinance as appropriate and providing
8 a citation to the relevant provisions of the Uniform
9 Construction Code and ordinance as appropriate. The written
10 notification shall provide specific references to the
11 sections of the applicable ICC codes which the code
12 administrator requires the application to be in compliance
13 with before the application can be approved.

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

23 (4) A construction code official shall perform the
24 required inspections of construction to ensure that the
25 construction complies with a permit approved under this
26 subsection and the Uniform Construction Code. Inspections
27 shall only be conducted during normal business hours at the
28 construction site unless the permit holder or agent requests
29 or agrees to another time. The construction code official
30 shall provide the permit holder with a written description of

1 items which are not in compliance. The written description
2 shall include specific references to the sections of the
3 applicable ICC codes which require remedial action.

4 (5) A municipality shall ensure that the form utilized
5 for a permit application notifies an applicant of all of the
6 following:

7 (i) The department investigates complaints about
8 code administrators, including reports of incompetence or
9 gross negligence, a failure to abide by time frames
10 established under this act and rude or unprofessional
11 behavior or discrimination based on a personal bias
12 against the applicant.

13 (ii) The department has a publicly accessible
14 Internet website which includes the form for filing a
15 complaint under subparagraph (i).

16 (iii) An applicant may file a complaint with the
17 department about a violation of this subsection or other
18 provisions of this act.

19 * * *

20 Section 2. The amendment of section 502(a) of the act shall
21 apply to applications for construction permits submitted on or
22 after the effective date of this act.

23 Section 3. This act shall take effect in 180 days.