



March 18, 2019

Mr. Jim Cox
State Representative
129th District
2909 Windmill Road, Suite 7
Sinking Spring, PA 19608

Dear Representative Cox:

Thank you for taking the time to meet with myself and the group of public officials representing a sampling of the municipalities in your district on February 27th regarding Representative Heffley's bill (HB 349).

As you heard at the meeting, the attending local municipal officials (all from your district) sincerely and respectfully request that you withdraw your support of this unnecessary legislation. Most, if not all of the municipalities that you represent do not support this bill. You cite broader consumer choice as the reason for supporting the bill, however, you are actually limiting the choice of local municipal officials who are charged with administering the Uniform Construction Code (UCC) on a daily basis.

Please consider the following points when making your decision:

- An appeal process is available locally for aggrieved individuals
- A complaint process is already in place through the Department of Labor & Industry
- An aggrieved individual always has the option to voice their concerns to their local municipal official
- The bill usurps power from the local municipality
- The bill creates an insurance problem for a third party that is the designated Building Code Official. No insurance company that we are aware of will allow one third party agency to sign off on the work of another third party agency. This necessitates the employment of an in-house Building Code Official by the municipality, thus creating another unfunded mandate.
- A municipality that wishes to offer a choice of more than one inspection agency may do so now
- Nowhere else is the state mandating duplicate services, thus this bill is targeted toward third party inspection agencies. The bill fails to mandate multiple choice for municipalities that administer the Uniform Construction Code (UCC) with in-house personnel.
- Eighteen months ago the Pennsylvania Association of Building Code Officials (PABCO) obtained information on all complaints concerning UCC administration via a Right to Know request from the Department of Labor & Industry (L & I). That information revealed that approximately 85% of the complaints received by L & I were regarding in-house code officials
- By not allowing the municipality to choose a sole third party agency that they feel administers the UCC in a proper manner, this bill creates a situation where the cheapest and easiest enforcement agency will be chosen in most cases. This will result in safety concerns state-wide and a "race to the bottom" as agencies that do an excellent job at enforcing the minimum standards, known as the building codes, will be forced to compromise their standards to garner business.

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- Labor & Industry does not have the money or the manpower to properly police all third party agencies in the state, thus creating an unlevel playing field resulting in the "race to the bottom"

Would you want your child or grandchild attending a school that was inspected by an agency that is the cheaper & easier path for a contractor who is looking to maximize profits?

As presented at our meeting, PABCO has crafted alternate language that they feel addresses problems with administration of the UCC. This compromise has been given little or no consideration. Why would this alternate language not be given consideration? Please don't play politics with public safety!

Again, please support the authority of your local municipalities by removing yourself as a co-sponsor of this bill and voting against it.

Respectfully,



Glenn R. Kraft

Owner & Concerned Citizen