



1 certified under this act to engage in the practices of code  
2 enforcement.

3 "Code" shall mean the building and building-related  
4 regulations heretofore or hereafter enacted or adopted.

5 "Code enforcement" shall mean the examination and approval of  
6 plans and specifications, and the inspection of the manner of  
7 construction, workmanship, and materials of construction of  
8 buildings and structures and components thereof as an agent of  
9 the Commonwealth of Pennsylvania or local government, to assure  
10 compliance with the applicable state and local statutes.

11 "Municipality" shall mean any county, city, township,  
12 borough, town, or incorporated town within the Commonwealth.

13 Section 3. Training Programs.--(a) The Department of  
14 Community Affairs is hereby authorized to conduct or sponsor in-  
15 service and pre-entry training programs on the technical, legal  
16 and administrative aspect of building or related codes  
17 administration and enforcement. For this purpose it may  
18 cooperate and contract with educational institutions, local,  
19 regional, State, or national building officials organizations,  
20 and with any other appropriate organization for the purpose of  
21 this section.

22 (b) The board may approve those training programs or  
23 portions thereof, in which State and local code enforcement  
24 officers and other employees participate under the provisions of  
25 this section, as meeting the requirements for certification of  
26 code enforcement officers.

27 (c) The Department of Community Affairs may reimburse the  
28 participation expenses incurred by code enforcement officers  
29 whose attendance at in-service training programs is approved by  
30 the Department of Community Affairs.

1 (d) The Department of Community Affairs, in the development  
2 and sponsorship of educational and training programs, shall:

3 (1) develop such programs to enhance the educational  
4 background of code enforcement personnel;

5 (2) improve the code enforcement and inspection program of  
6 the State and local municipalities;

7 (3) improve and professionalize the code enforcement  
8 profession;

9 (4) improve uniform understanding, education,  
10 interpretations and enforcement of the Pennsylvania Building  
11 Act;

12 (5) plan such courses to aid in the testing and  
13 certification of code enforcement officers; and

14 (6) move toward a college, junior college, trade and  
15 technical school and university degree program in code  
16 enforcement.

17 Section 4. Code Enforcement Officers Certification Board.--

18 (a) There is hereby established in the Department of Community  
19 Affairs a Pennsylvania Code Enforcement Certification Board.

20 (b) The membership of the board shall consist of one  
21 registered architect, one registered professional engineer, two  
22 code enforcement officers, one building contractor, one elected  
23 or appointed local government official and one educator. All  
24 members shall be generally familiar with construction, and with  
25 code enforcement practices. The Secretary of the Department of  
26 Community Affairs or his designee shall also serve as a non-  
27 voting member of the board.

28 (c) The terms of office for the membership of the board  
29 shall be four years, except that the Governor shall initially  
30 appoint four members for two-year terms and three members for

1 four-year terms. The Governor shall appoint all members to fill  
2 new terms and all vacancies on the board.

3 (d) Any member of the board may be removed by the Governor  
4 for cause, after being given a written statement of the charges  
5 and an opportunity to be heard thereon. Vacancies shall be  
6 filled for the unexpired term in the same manner as appointments  
7 are made.

8 (e) The board shall elect its own chairman and any other  
9 officers deemed necessary for the functioning of the board. The  
10 board shall meet at the request of the chairman or the Secretary  
11 of the Department of Community Affairs or at the written request  
12 to the chairman of at least two members. The board shall meet  
13 not less than once every three months.

14 (f) In appointing the membership of the initial board, the  
15 Governor shall appoint one of the code enforcement officers to a  
16 term of two years, and one to a term of four years. On the  
17 completion of these terms of office these seats on the board  
18 shall be filled by the appointment of a certified code  
19 enforcement officer.

20 (g) Each member shall receive necessary per diem travel and  
21 other expenses incurred in the actual performance of his duties.

22 Section 5. Powers of the Board.--The board is authorized and  
23 empowered to:

24 (1) formulate, propose, adopt, promulgate, and amend all  
25 rules and regulations as are necessary to govern the examination  
26 and evaluation of applicants seeking certification as code  
27 enforcement officers;

28 (2) adopt all other rules and regulations necessary for the  
29 board to carry out the duties assigned to it under this act and  
30 otherwise prescribed by law;

1 (3) develop, administer and score examinations for  
2 applicants seeking certification as code enforcement officers;

3 (4) enter into a contract or agreement with other agencies,  
4 private corporations or individuals to develop or administer  
5 score examinations;

6 (5) establish the required examination performance level,  
7 which shall be necessary for the certification of code  
8 enforcement officers;

9 (6) establish additional qualifications and criteria deemed  
10 necessary for certification which may include individual  
11 background, experience, education, training and employment;

12 (7) issue certificates to individuals meeting all  
13 requirements established by the board;

14 (8) establish the duration of certification and purpose,  
15 promulgate, adopt and amend rules and regulations necessary to  
16 the continuance of certification;

17 (9) propose, adopt, promulgate and amend rules and  
18 regulations for the suspension or revocation of certification as  
19 required under section 8, of this act;

20 (10) establish various types and classes of certifications  
21 as deemed necessary by the board.

22 Section 6. Application of this Act.--(a) After the effective  
23 date of this act, and the rules and regulations issued pursuant  
24 thereto, it shall be unlawful for any person not possessing a  
25 valid certification to engage in building code enforcement in  
26 the Commonwealth of Pennsylvania.

27 (b) After the effective date of this act, and the rules and  
28 regulations issued pursuant thereto, it shall be unlawful for  
29 any person not possessing valid certification to use the title  
30 or term "Certified Code Enforcement Officer," or any similar or

1 related title, or for any individual not possessing valid  
2 certification to sign, approve, validate, or issue any  
3 certificate of compliance or non-compliance with the applicable  
4 codes.

5 Section 7. Issuance of Certification.--(a) An applicant for  
6 registration shall file an application with the board and pay  
7 the application and examination fees as may be established by  
8 the board.

9 (b) The board shall ascertain by written or oral  
10 examination, evaluation and review or qualification, if an  
11 applicant is qualified for a certification of the type for which  
12 he has applied. If the applicant's examination and  
13 qualifications meet the minimum requirements, the board shall  
14 issue a certificate to the applicant affixed with the seal of  
15 the board, showing that the person named therein is entitled to  
16 practice as a certified code enforcement officer in the  
17 Commonwealth of Pennsylvania in accordance with the provisions  
18 and rules and regulations of this act. Such certificates shall  
19 bear the signatures of the chairman and the secretary of the  
20 board.

21 (c) The board may deny certification to an applicant upon  
22 proof of the commission by the applicant of any act or omission  
23 which would constitute grounds for disciplinary action under  
24 this act.

25 (d) The board shall keep a record of the names and addresses  
26 of all certified code enforcement officers and such additional  
27 personal data as the board may require.

28 (e) A duplicate certificate to practice as a certified code  
29 enforcement officer in place of one which has been lost,  
30 destroyed or mutilated shall be issued upon payment of the

1 required fee, subject to the rules and regulations of the board.

2 Section 8. Discipline.--(a) The board may upon its own  
3 motion, and shall upon the verified complaint in writing of any  
4 person, investigate the action of any certified inspector, and  
5 may suspend or revoke the certification of any certified  
6 inspector who is found guilty of any one or more of the acts or  
7 omissions constituting grounds for disciplinary action under  
8 this act.

9 (b) The board shall establish such rules and regulations  
10 necessary to establish procedures and due process for suspension  
11 or revocation of certification.

12 (c) All proceedings for the suspension or revocation of  
13 certification under this act shall be conducted in accordance  
14 with the rules established by the board.

15 (d) A certification may be suspended or revoked if the board  
16 determines that the holder:

17 (1) is practicing in violation of the provisions of this  
18 act;

19 (2) has obtained the registration by fraud or  
20 misrepresentation, or the person named in the certification has  
21 obtained it by fraud or misrepresentation;

22 (3) is impersonating a certified code enforcement officer or  
23 formal certified code enforcement officer of the same or similar  
24 name, or is practicing under an assumed or fictitious name;

25 (4) has aided or abetted in practice, as a certified code  
26 enforcement officer, any person not authorized to practice as a  
27 certified code enforcement officer under the provisions of this  
28 act;

29 (5) has been guilty of fraud or deceit in practice as a  
30 certified code enforcement officer;

1 (6) has been guilty of negligence or willful misconduct  
2 constituting grounds for disciplinary action in practice as a  
3 certified code enforcement officer;

4 (7) has been guilty of gross incompetence; or

5 (8) has affixed his signature to a report of inspection or  
6 other instrument of service where no inspection has been made by  
7 him or under his immediate and responsible direction, or has  
8 permitted his name to be used for the purpose of assisting any  
9 person, not a certified code enforcement officer, to evade the  
10 provisions of this act.

11 (e) The conviction of a felony in connection with the  
12 practice as a certified code enforcement officer constitutes  
13 grounds for revocation or suspension of a certificate.

14 Section 9. Appeals.--All appeals to decisions, rules and  
15 regulations issued pursuant to this act shall be heard by the  
16 board. The board shall promulgate rules and regulations  
17 establishing an appeal procedure.

18 Section 10. Severability.--If any section, sentence, clause,  
19 phrase or word of this act is held invalid, the remainder of  
20 this act shall not be affected.

21 Section 11. Appropriations.--The General Assembly hereby  
22 appropriates one hundred thousand dollars (\$100,000) annually  
23 for the administration, training cost, or cost for the  
24 enforcement of this act, unless it is determined that this  
25 amount is inadequate.