
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 647 Session of
1999

INTRODUCED BY WAUGH, WAGNER, KUKOVICH, HART, CORMAN, SALVATORE,
BRIGHTBILL, THOMPSON, WOZNIAK, BOSCOLA AND CONTI,
MARCH 24, 1999

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 19, 1999

AN ACT

1 Establishing a Uniform Construction Code; imposing powers and
2 duties on municipalities and the Department of Labor and
3 Industry; providing for enforcement; imposing penalties; and
4 making repeals.

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17 The General Assembly of the Commonwealth of Pennsylvania

18 hereby enacts as follows:

19 CHAPTER 1

20 PRELIMINARY PROVISIONS

21 Section 101. Short title.

22 This act shall be known and may be cited as the Pennsylvania

23 Construction Code Act.

24 Section 102. Legislative findings and purpose.

25 (a) Findings.--The General Assembly finds as follows:

26 (1) Many municipalities within this Commonwealth have no

27 construction codes to provide for the protection of life,

28 health, property and the environment and for the safety and

29 welfare of the consumer, general public and the owners and

30 occupants of buildings and structures. Consumers and

1 occupants may be at risk from substandard construction.

2 (2) Likewise, in some regions of this Commonwealth a
3 multiplicity of construction codes currently exist and some
4 of these codes may contain cumulatively needless requirements
5 which limit the use of certain materials, techniques or
6 products and lack benefits to the public. Moreover, the
7 variation of construction standards caused by the
8 multiplicity of codes may slow the process of construction
9 and increase the costs of construction.

10 (3) The way to insure uniform, modern construction
11 standards and regulations throughout this Commonwealth is to
12 adopt a Uniform Construction Code.

13 (4) The model code of the Building Officials and Code
14 Administrators International, Inc. (BOCA), is a construction
15 code which has been widely adopted in this Commonwealth and
16 in the geographical region of the United States of which this
17 Commonwealth is a part. Adoption of a nationally recognized
18 code will insure that this Commonwealth has a uniform, modern
19 construction code which will insure safety, health and
20 sanitary construction.

21 (b) Intent and purpose.--It is the intent of the General
22 Assembly and the purpose of this act:

23 (1) To provide standards for the protection of life,
24 health, property and environment and for the safety and
25 welfare of the consumer, general public and the owners and
26 occupants of buildings and structures.

27 (2) To encourage standardization and economy in
28 construction by providing requirements for construction and
29 construction materials consistent with nationally recognized
30 standards.

1 (3) To permit to the fullest extent feasible the use of
2 state-of-the-art technical methods, devices and improvements
3 consistent with reasonable requirements for the health,
4 safety and welfare of occupants or users of buildings and
5 structures.

6 (4) To eliminate existing codes to the extent that these
7 codes are restrictive, obsolete, conflicting and contain
8 duplicative construction regulations that tend to
9 unnecessarily increase costs or retard the use of new
10 materials, products or methods of construction or provide
11 preferential treatment to certain types or classes of
12 materials or methods of construction.

13 (5) To eliminate unnecessary duplication of effort and
14 fees related to the review of construction plans and the
15 inspection of construction projects.

16 (6) To assure that officials charged with the
17 administration and enforcement of the technical provisions of
18 this act are adequately trained and supervised.

19 (7) To insure that existing Commonwealth laws and
20 regulations, including those which would be repealed or
21 rescinded by this act, would be fully enforced during the
22 transition to Statewide administration and enforcement of a
23 Uniform Construction Code. Further, it is the intent of this
24 act that the Uniform Construction Code requirements for
25 making buildings accessible to and usable by persons with
26 disabilities do not diminish from those requirements
27 previously in effect under the former provisions of the act
28 of September 1, 1965 (P.L.459, No.235), entitled, as amended,
29 "An act requiring that certain buildings and facilities
30 adhere to certain principles, standards and specifications to

1 make the same accessible to and usable by persons with
2 physical handicaps, and providing for enforcement."

3 (8) To start a process leading to the design,
4 construction and alteration of buildings under a uniform
5 standard.

6 Section 103. Definitions.

7 The following words and phrases when used in this act shall
8 have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 "Advisory board." The Accessibility Advisory Board created
11 in section 106.

12 "Agricultural building." A structure utilized to store farm
13 implements, hay, feed, grain or other agricultural or
14 horticultural products or to house poultry, livestock or other
15 farm animals. The term shall not include habitable space, spaces
16 in which agricultural products are processed, treated or
17 packaged and shall not be construed to mean a place of occupancy
18 by the general public.

19 "Board of appeals." The body created by a municipality or
20 more than one municipality to hear appeals from decisions of the
21 code administrator as provided for by Chapter 1 of the 1999 <—
22 Building Officials and Code Administrators International, Inc.,
23 National Building Code, FOURTEENTH EDITION. <—

24 "BOCA." Building Officials and Code Administrators
25 International, Inc.

26 "Code administrator." A municipal code official, a
27 construction code official, a third party agency or the
28 Department of Labor and Industry.

29 "Construction code official." An individual certified by the
30 Department of Labor and Industry in an appropriate category

1 established pursuant to section 701(b) of this act to perform
2 plan review of construction documents, inspect construction or
3 administer and enforce codes and regulations in such code
4 category under this act or related acts.

5 "Department." The Department of Labor and Industry of the
6 Commonwealth.

7 "Habitable space." Space in a structure for living,
8 sleeping, eating or cooking. Bathrooms, toilet compartments,
9 closets, halls, storage or utility spaces and similar areas
10 shall not be construed as habitable spaces.

11 "Health care facility." As defined in section 802.1 of the
12 act of July 19, 1979 (P.L.130, No.48), known as the Health Care
13 Facilities Act.

14 ~~"I.A.P.M.O." The International Association of Plumbing and~~ <—
15 ~~Mechanical Officials.~~

16 "I.C.C." The International Code Council.

17 "Industrialized housing." The term shall have the meaning
18 ascribed to it in the act of May 11, 1972 (P.L.286, No.70),
19 known as the Industrialized Housing Act.

20 "Manufactured housing." Housing which bears a label, as
21 required by and referred to in the act of November 17, 1982
22 (P.L.676, No.192), known as the Manufactured Housing
23 Construction and Safety Standards Authorization Act, certifying
24 that it conforms to Federal construction and safety standards
25 adopted under the Housing and Community Development Act of 1974
26 (Public Law 93-383, 88 Stat. 139).

27 "Municipal code official." An individual employed by a
28 municipality or more than one municipality and certified by the
29 Department of Labor and Industry under this act to perform plan
30 review of construction documents, inspect construction or

1 administer and enforce codes and regulations under this act or
2 related acts.

3 "Municipality." A city, borough, incorporated town, township
4 or home rule municipality.

5 "NCSBCS." The National Conference of State Building Codes
6 and Standards.

7 "Occupancy." The purpose for which a building, or portion
8 thereof, is used.

9 "Secretary." The Secretary of Labor and Industry of the
10 Commonwealth.

11 "State institutions." As defined in section 901 of the act
12 of June 13, 1967 (P.L.31, No.21), known as the Public Welfare
13 Code.

14 "Technically infeasible." An alteration of a building or a
15 facility that has little likelihood of being accomplished
16 because the existing structural conditions require the removal
17 or alteration of a load-bearing member that is an essential part
18 of the structural frame, or because other existing physical or
19 site constraints prohibit modification or addition of elements,
20 spaces or features which are in full and strict compliance with
21 the minimum requirements for new construction and which are
22 necessary to provide accessibility.

23 "Third-party agency." A person, firm or corporation
24 certified by the Department of Labor and Industry as a
25 construction code official and contracted to perform plan review
26 of construction documents, inspect construction or administer
27 and enforce codes and regulations under this act.

28 "Uniform Construction Code." The code established in section
29 301.

30 "Utility and miscellaneous use structures." Buildings or

1 structures of an accessory character and miscellaneous
2 structures not classified by the Building Officials and Code
3 Administrators International, Inc., in any specific use group.

4 The term includes carports, detached private garages,
5 greenhouses and sheds having a building area less than 500
6 square feet. THE TERM DOES NOT INCLUDE SWIMMING POOLS OR SPAS. <—

7 Section 104. Application.

8 (a) General rule.--This act shall apply to the construction,
9 alteration, repair and occupancy of all buildings in this
10 Commonwealth.

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

12 (1) new buildings or renovations to existing buildings
13 for which an application for a building permit has been made
14 to the municipality prior to the effective date of the
15 regulations promulgated under this act;

16 (2) new buildings or renovations to existing buildings
17 on which a contract for design or construction has been
18 signed prior to the effective date of the regulations
19 promulgated under this act on projects requiring department
20 approval;

21 (3) utility and miscellaneous use structures that are
22 accessory to detached one-family dwellings ~~except for~~ <—
23 ~~swimming pools and spas~~; or

24 (4) any agricultural building.

25 (c) Prior permits and construction.--

26 (1) Subject to paragraph (2) a construction permit
27 issued under valid construction regulations prior to the
28 effective date of the regulations issued under this act shall
29 remain valid, and the construction of any building or
30 structure may be completed pursuant to and in accordance with

1 the permit.

2 (2) If the requirements of the permit have not been
3 actively prosecuted within two years of the effective date of
4 the regulations or the period specified by a municipal
5 ordinance, whichever is less, the former permit holder shall
6 be required to acquire a new permit. Where construction of a
7 building or structure commenced before the effective date of
8 the regulations promulgated under this act and a permit was
9 not required at that time, construction may be completed
10 without a permit.

11 (d) Preemption.--

12 (1) Except as otherwise provided in this act,
13 construction standards provided by any statute or local
14 ordinance or regulation promulgated or adopted by a board,
15 department, commission, agency of State government or agency
16 of local government shall continue in effect only until the
17 effective date of regulations promulgated under this act, at
18 which time they shall be preempted by regulations promulgated
19 under this act and deemed thereafter to be rescinded.

20 (2) (i) Except as otherwise provided in this act and as
21 specifically excepted in subparagraph (ii), a homeowners'
22 association or community association shall be preempted
23 from imposing building construction standards or building
24 codes for buildings to be constructed, renovated, altered
25 or modified.

26 (ii) In municipalities which have not adopted an
27 ordinance for the administration and enforcement of this
28 act, a homeowners' association or community association
29 may adopt by board regulations the Uniform Construction
30 Code or the I.C.C. International One and Two Family

1 Dwelling Code, 1998 edition. The applicable building code
2 shall constitute the standard governing building
3 structures in the association's community.

4 (3) Nothing in this act shall preempt any licensure or
5 Federal certification requirements for health care
6 facilities, intermediate care facilities for the mentally
7 retarded or for persons with related conditions or State
8 institutions. This paragraph includes building and life
9 safety code standards set forth in applicable regulations.

10 (4) Nothing in this act shall limit the ability of the
11 Department of Aging, the Department of Health or the
12 Department of Public Welfare to promulgate or enforce
13 regulations which exceed the requirements of this act.

14 (e) Municipal regulation.--Nothing in this act shall
15 prohibit a municipality from licensing any persons engaged in
16 construction activities or from establishing work rules or
17 qualifications for such persons.

18 Section 105. Department of Labor and Industry.

19 (a) Review.--

20 (1) The department shall with reasonable cause review
21 municipalities, municipal code officials, third-party
22 agencies, construction code officials and code administrators
23 concerning the enforcement and administration of this act,
24 including specifically complaints concerning accessibility
25 requirements.

26 (2) The department shall make a report to the governing
27 body of the municipality that was the subject of the review.
28 The report shall include recommendations to address any
29 deficiency observed by the department.

30 (3) The department may require compliance with this act

1 through proceedings in Commonwealth Court.

2 (b) State-owned buildings.--

3 (1) The department shall maintain plan and specification
4 review and inspection authority over all State-owned
5 buildings. State-owned buildings shall be subject to
6 regulations promulgated under this act. The department shall
7 notify municipalities of all inspections of State-owned
8 buildings and give municipalities the opportunity to observe
9 the department inspection of such buildings.

10 (2) Municipalities shall notify the department of all
11 inspection of buildings owned by political subdivisions and
12 give the department the opportunity to observe municipal
13 inspection of such buildings.

14 (3) The department shall make available to
15 municipalities, upon request, copies of all building plans
16 and plan review documents in the custody of the department
17 for State-owned buildings.

18 (4) A municipality shall make available to the
19 department upon request copies of all building plans and plan
20 review documents in the custody of the municipality for
21 buildings owned by political subdivisions.

22 (c) Elevators and conveying systems.--

23 (1) The department shall maintain Statewide
24 administration and inspection authority over ski lifts,
25 inclined passenger lifts and related devices, and elevators,
26 conveying systems and related equipment as defined in section
27 3002.0 (definitions) of Chapter 30 of the 1999 BOCA National
28 Building Code, Fourteenth Edition.

29 (2) Notwithstanding Chapters 3 and 5, the department
30 may, subject to the act of June 25, 1982 (P.L.633, No.181),

1 known as the Regulatory Review Act, by regulation, modify the
2 1999 BOCA National Building Code, FOURTEENTH EDITION <—
3 Referenced Standards for elevator construction, repair,
4 maintenance and inspection. The department shall not require
5 reshackling more than once every two years.

6 (3) Nothing in this section shall be construed to
7 disallow third-party elevator inspections.

8 (d) Department of Health.--

9 (1) Health care facilities, intermediate care facilities
10 for the mentally retarded or for persons with related
11 conditions and State institutions shall continue to comply
12 with building codes and standards set forth in the applicable
13 licensure laws and regulations. This paragraph includes the
14 applicable edition of the National Fire Protection
15 Association's Life Safety Code, NFPA No. 101, and the
16 applicable edition of the Guidelines for Construction and
17 Equipment of Hospital and Medical Facilities.

18 (2) The department may delegate its responsibility for
19 conducting plan reviews and inspections for health care
20 facilities to the Department of Health.

21 (e) Limitation.--Nothing in this act, the regulations under
22 this act nor the administration of the act or the regulations by
23 the department shall contravene the right of builders to freely
24 compete for and perform contracts for construction of commercial
25 buildings in this Commonwealth.

26 Section 106. Accessibility Advisory Board.

27 (a) Creation and composition.--

28 (1) There is hereby created an Accessibility Advisory
29 Board which shall be composed of 11 members appointed by the
30 secretary. At least six members of the advisory board shall

1 be public members, three of whom shall be persons with
2 physical disabilities, one shall be an architect registered
3 in Pennsylvania, one shall be a member of the business
4 community and one shall be a representative of the
5 multifamily housing industry. One member shall be a municipal
6 official. The chairman and minority chairman of the Labor and
7 Industry Committee of the Senate and the chairman and
8 minority chairman of the Labor Relations Committee of the
9 House of Representatives, or their designees, shall be
10 members. All members of the advisory board, except the
11 members of the General Assembly, shall serve for a term of
12 two years and until their successors are appointed.

13 (2) The members of the advisory board shall be paid
14 traveling expenses and other necessary expenses and may
15 receive a per diem compensation at a rate to be determined by
16 the secretary for each day of actual service in the
17 performance of their duties under this act.

18 (3) Meetings of the advisory board shall be called by
19 the secretary. A quorum of the advisory board shall consist
20 of four members.

21 (4) The initial advisory board shall be the body
22 constituted under the former provisions of section 3.1 of the
23 act of September 1, 1965 (P.L.459, No.235), entitled, as
24 amended, "An act requiring that certain buildings and
25 facilities adhere to certain principles, standards and
26 specifications to make the same accessible to and usable by
27 persons with physical handicaps, and providing for
28 enforcement."

29 (b) Advice on regulation.--The advisory board shall review
30 all proposed regulations under this act and shall offer comment

1 and advice to the secretary on all issues relating to
2 accessibility by persons with physical disabilities, including
3 those which relate to the enforcement of the accessibility
4 requirements.

5 (c) Recommendations for modifications.--The advisory board
6 shall review all applications from individual projects for
7 modifications of the provisions of Chapter 11 (Accessibility) of
8 the Uniform Construction Code and any other accessibility
9 requirements contained in or referenced by the Uniform
10 Construction Code, and shall advise the secretary regarding
11 whether modification should be granted or whether compliance by
12 existing facilities with provisions of Chapter 11
13 (Accessibility) of the Uniform Construction Code and any other
14 accessibility requirements contained in or referenced by the
15 Uniform Construction Code is technically infeasible.

16 CHAPTER 3

17 UNIFORM CONSTRUCTION CODE

18 Section 301. Adoption by regulations.

19 (a) Regulations.--

20 (1) The department shall, within 180 days of the
21 effective date of this section, promulgate regulations
22 adopting the 1999 BOCA National Building Code, Fourteenth
23 Edition, as a Uniform Construction Code, except as provided
24 in section 105(c)(2) and this section. The department shall
25 promulgate separate regulations which may make changes to
26 Chapter 1 of the 1999 BOCA National Building Code, FOURTEENTH <—
27 EDITION relating to administration that are necessary for the
28 department's implementation of this act.

29 (2) The regulations shall include a provision that all
30 detached one-family and two-family dwellings AND ONE-FAMILY <—

1 TOWNHOUSES that are not more than three stories in height AND <—
2 THEIR ACCESSORY STRUCTURES shall be designed and constructed
3 either in accordance with the I.C.C. International One and
4 Two Family Dwelling Code, 1998 edition, or in accordance with
5 the requirements of the Uniform Construction Code at the
6 option of the building permit applicant. The provision shall
7 require that an irrevocable election be made at the time
8 plans are submitted for review and approval. IF THE BUILDING <—
9 PERMIT APPLICANT DOES NOT INDICATE A CODE, THE DESIGN AND
10 CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE UNIFORM
11 CONSTRUCTION CODE.

12 (3) The regulations shall include a provision that the
13 secretary shall have the exclusive power to grant
14 modifications and decide issues of technical infeasibility
15 under Chapter 11 (Accessibility) of the Uniform Construction
16 Code and any other accessibility requirements contained in or
17 referenced by the Uniform Construction Code for individual
18 projects.

19 (4) The secretary shall consider the recommendations of
20 the advisory board as provided in section 106(c). The
21 department shall consider the comments of the advisory board
22 with respect to accessibility issues in any proposed
23 regulations.

24 (5) The regulations shall provide for a system of
25 periodic compliance reviews conducted by the department and
26 for enforcement procedures conducted by the department to
27 ensure that code administrators are adequately administering
28 and enforcing Chapter 11 (Accessibility) of the Uniform
29 Construction Code and any other accessibility requirements
30 contained in or referenced by the Uniform Construction Code.

1 (6) The regulations shall include the provisions of
2 exception 8 to section 1014.6 (relative to stairway treads
3 and risers) of the 1993 BOCA National Building Code, Twelfth
4 Edition and the provisions of section R-213.1 (relative to
5 stairways) of the CABO One and Two Family Dwelling Code, 1992
6 edition, which provisions shall continue in effect until
7 December 31, 2003, and such provisions shall be applicable
8 notwithstanding section 304(b), which shall not apply to the
9 provisions of any municipal building code ordinance which
10 equals or exceeds these provisions.

11 (7) The department shall consult with the Department of
12 Health in the development of regulations relating to health
13 care facilities, intermediate care facilities for the
14 mentally retarded or for persons with related conditions and
15 State institutions.

16 (b) International Fuel Gas Code.--The department shall,
17 within 180 days of the effective date of this section,
18 promulgate regulations adopting the International Fuel Gas Code
19 for the installation of fuel gas piping systems, fuel gas
20 utilization equipment and related accessories as the standard
21 for the installation of piping, equipment and accessories in
22 this Commonwealth.

23 (c) Prescriptive methods for energy-related standards.--The
24 department shall, within 180 days of the effective date of this
25 section, by regulation promulgate prescriptive methods to
26 implement the energy-related standards of the Uniform
27 Construction Code which take into account the various climatic
28 conditions through this Commonwealth. In deriving these
29 standards the department shall seek to balance energy savings
30 with initial construction costs.

(d) Scope of regulations.--

(1) The regulations adopted by the department implementing these codes shall supersede and preempt all local building codes regulating any aspect of the construction, alteration and repair of buildings adopted or enforced by any municipality or authority or pursuant to any deed restriction, rule, regulation, ordinance, resolution, tariff or order of any public utility or any State or local board, agency, commission or homeowners' association, except as may be otherwise specifically provided in this act.

(2) The department may establish by regulation plan review and inspection fees where the department is responsible for administration and enforcement and requirements for municipal notification to the department of ordinance adoption and repeal under Chapter 5. The department shall consult with the Department of Aging, the Department of Health or the Department of Public Welfare, as appropriate, to determine fees for health care facilities, intermediate care facilities for the mentally retarded or for persons with related conditions and State institutions.

(3) The department shall establish by regulation standards for the retention and sharing of building plans and other documents, for other than one-family or two-family dwelling units and utility and miscellaneous use structures, by the department, municipalities and third-party agencies.

~~Section 302. Establishment.~~

~~(a) Uniform plumbing code. The Uniform Plumbing Code as published by the IAPMO is hereby established as the standard for the installation of plumbing systems in this Commonwealth and shall be construed to be part of the Uniform Construction Code.~~

1 ~~Where differences occur between provisions of the 1999 BOCA~~
2 ~~National Building Code, Fourteenth Edition and the Uniform~~
3 ~~Plumbing Code, the provisions of the Uniform Plumbing Code shall~~
4 ~~apply.~~

5 ~~(b) Uniform mechanical code. The Uniform Mechanical Code as~~
6 ~~published by the IAPMO is hereby established as the standard for~~
7 ~~the installation of mechanical systems in this Commonwealth and~~
8 ~~shall be construed to be part of the Uniform Construction Code.~~

9 ~~Where differences occur between provisions of the 1999 BOCA~~
10 ~~National Building Code, Fourteenth Edition and the Uniform~~
11 ~~Mechanical Code, the provisions of the Uniform Mechanical Code~~
12 ~~shall apply.~~

13 Section ~~303~~ 302. Referenced standards. <—

14 (a) General rule.--The standards referenced in Chapters 30
15 and 35 relating to elevators and conveying systems and
16 referenced standards, respectively, or the applicable chapter,
17 of the 1999 BOCA National Building Code, FOURTEENTH EDITION and <—
18 the American National Standards for Passenger Tramways, Aerial
19 Tramways, Aerial Lifts, Surface Lifts and Tows, ASME/ANSI B77.1,
20 shall be considered part of the requirements of the Uniform
21 Construction Code to the prescribed extent of each such
22 reference except that BNPMC-96 BOCA National Property
23 Maintenance Code and ASME/ANSI A17.3 (safety code for existing
24 elevators and escalators) shall be excluded.

25 (b) No preemption.--Nothing contained in this act shall be
26 construed to preempt the ability of a municipality to adopt or
27 enforce the codes referred to in this ~~subsection~~ SECTION to the <—
28 extent not referenced, in whole or in part, in Chapter 35
29 relating to referenced standards or applicable chapter of the
30 1999 BOCA National Building Code, FOURTEENTH EDITION. <—

1 Section ~~304~~ 303. Existing municipal building codes. <—

2 ~~(a) Failure to meet requirements. Except as provided in~~ <—

3 ~~subsection (d), all~~

4 (A) FAILURE TO MEET REQUIREMENTS.-- <—

5 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), municipal

6 building code ordinances in effect on ~~January 1, 1998~~, THE <—

7 EFFECTIVE DATE OF THIS ACT that do not comply with the

8 minimum requirements of the regulations promulgated under

9 this act shall be amended by the effective date of the

10 regulations promulgated under this act to provide for the

11 minimum requirements.

12 (2) A MUNICIPAL BUILDING CODE ORDINANCE PROVISION IN <—

13 EFFECT IN OR ADOPTED BY A CITY OF THE FIRST CLASS ON OR

14 BEFORE JANUARY 1, 1998, SHALL REMAIN IN EFFECT UNTIL DECEMBER

15 31, 2003, BY WHICH TIME THE ORDINANCE MUST BE AMENDED TO MEET

16 THE MINIMUM REQUIREMENTS OF REGULATIONS PROMULGATED UNDER

17 THIS ACT.

18 (b) Provisions which equal or exceed the Uniform

19 ~~Construction Code. Except as provided in subsection (d), all~~ <—

20 ~~municipal~~ CONSTRUCTION CODE.-- <—

21 (1) MUNICIPAL building code ordinances in effect on

22 ~~January 1, 1998~~ JULY 1, 1999, or reenactments of provisions <—

23 of simultaneously repealed ordinances which were originally

24 adopted prior to ~~January 1, 1998~~ JULY 1, 1999, which contain <—

25 provisions which equal or exceed the specific requirements of

26 the regulations promulgated under this act shall remain in

27 effect.

28 ~~(c) Ordinance adopted after January 1, 1998. Except as~~ <—

29 ~~provided in subsection (d), any municipal building code~~

30 ordinance

(2) MUNICIPAL BUILDING CODE ORDINANCES adopted or
effective after ~~January 1, 1998~~ JULY 1, 1999, except
reenactments of provisions of simultaneously repealed
ordinances which were originally adopted prior to ~~January 1,~~
~~1998~~ JULY 1, 1999, shall continue in effect only until the
effective date of the regulations promulgated under this act,
at which time the municipal building code ordinance shall be
preempted by the regulations promulgated under this act and
shall be deemed thereafter to be rescinded.

~~(d) Cities of the first class. Any municipal building code
ordinance in effect or adopted by a city of the first class by
July 1, 1998, shall remain in effect until December 31, 2003, by
which time the ordinance shall be amended to incorporate the
specific requirements of the regulations promulgated under this
act or shall be amended using the provisions of Chapter 5 to
incorporate provisions which equal or exceed the specific
requirements of the regulations promulgated under this act.~~

Section ~~305~~ 304. Revised or successor codes.

(a) Building code.--

(1) By December 31 of the year of the issuance of a new
triennial BOCA National Building Code, or its successor
building code, the department shall promulgate regulations
adopting the new code as the Uniform Construction Code.

(2) BY DECEMBER 31 OF THE YEAR OF ISSUANCE OF A NEW
TRIENNIAL ICC INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE
OR ITS SUCCESSOR BUILDING CODE, THE DEPARTMENT SHALL
PROMULGATE REGULATIONS PROVIDING THAT ALL DETACHED ONE-FAMILY
AND TWO-FAMILY DWELLINGS AND ONE-FAMILY TOWNHOUSES THAT ARE
NOT MORE THAN THREE STORIES IN HEIGHT AND THEIR ACCESSORY
STRUCTURES MAY BE DESIGNED IN ACCORDANCE WITH THAT CODE OR

1 THE UNIFORM CONSTRUCTION CODE AT THE OPTION OF THE BUILDING
2 PERMIT APPLICANT.

3 (b) International Fuel Gas Code.--By December 31 of the year
4 of the issuance of a new International Fuel Gas Code, or its
5 successor code, the department shall promulgate regulations
6 adopting the new code.

7 (c) Prior permits and construction.--

8 (1) A construction permit issued under valid
9 construction regulations prior to the effective date of
10 regulations for a subsequent Uniform Construction Code or
11 International Fuel Gas Code issued under this act shall
12 remain valid, and the construction of any building or
13 structure may be completed pursuant to and in accordance with
14 the permit.

15 (2) If the permit has not been actively prosecuted
16 within two years of the effective date of the regulation or
17 the period specified by a municipal ordinance, whichever is
18 less, the former permitholder shall be required to acquire a
19 new permit.

20 (3) Where construction of a building or structure
21 commenced before the effective date of the regulations for a
22 subsequent Uniform Construction Code or International Fuel
23 Gas Code issued under this act and a permit was not required
24 at that time, construction may be completed without a permit.

25 CHAPTER 5

26 ADOPTION AND ENFORCEMENT BY MUNICIPALITIES

27 Section 501. Administration and enforcement.

28 (a) Adoption of ordinance.--

29 (1) In order to administer and enforce the provisions of
30 this act, municipalities shall enact an ordinance

1 concurrently adopting the Uniform Construction Code as their
2 municipal building code and the International Fuel Gas Code
3 for the purposes described in section 303(a). Municipalities
4 may adopt the Uniform Construction Code and incorporated
5 codes and the International Fuel Gas Code by reference.

6 ~~(2) The ordinance shall provide for reciprocal~~ <—
7 ~~acceptance of a certificate of registration issued for a~~
8 ~~contractor or dealer by another municipality.~~

9 ~~(3)~~ (2) Municipalities shall have 90 days after the <—
10 effective date of this act to adopt such an ordinance.

11 Municipalities shall notify the department of the adoption of
12 such an ordinance within 30 days. A municipality may adopt
13 such an ordinance at any time thereafter, upon giving the
14 department 180 days' notice of its intention to adopt such
15 ordinance.

16 (b) Municipal administration and enforcement.--This act may
17 be administered and enforced by municipalities in any of the
18 following ways:

19 (1) By the designation of an employee to serve as the
20 municipal code official to act on behalf of the municipality
21 for administration and enforcement of this act.

22 (2) By the retention of one or more construction code
23 officials or third-party agencies to act on behalf of the
24 municipality for administration and enforcement of this act.

25 (3) Two or more municipalities may provide for the joint
26 administration and enforcement of this act through an
27 intermunicipal agreement under 53 Pa.C.S. Ch. 23 Subch. A
28 (relating to intergovernmental cooperation).

29 (4) By entering into a contract with the proper
30 authorities of another municipality for the administration

1 and enforcement of this act. When such a contract has been
2 entered into, the municipal code official shall have all the
3 powers and authority conferred by law in the municipality
4 which has contracted to secure such services.

5 (5) By entering into an agreement with the department
6 for plan reviews, inspections and enforcement of structures
7 other than one-family or two-family dwelling units and
8 utility and miscellaneous use structures.

9 (c) Board of appeals.--

10 (1) ~~Where the municipality~~ A MUNICIPALITY WHICH has <—
11 adopted an ordinance for the administration and enforcement
12 of this act, ~~the municipality shall or two or more~~ <—
13 ~~municipalities may~~ OR MUNICIPALITIES WHICH ARE PARTIES TO AN <—
14 AGREEMENT FOR THE JOINT ADMINISTRATION AND ENFORCEMENT OF
15 THIS ACT SHALL establish a board of appeals as provided by
16 Chapter 1 of the 1999 BOCA National Building Code, FOURTEENTH <—
17 EDITION to hear appeals from decisions of the code
18 administrator. Members of the municipality's governing body
19 may not serve as members of the board of appeals.

20 (2) An application for appeal shall be based on a claim
21 that the true intent of this act or regulations legally
22 adopted under this act have been incorrectly interpreted, the
23 provisions of this act do not fully apply or an equivalent
24 form of construction is to be used.

25 (3) When a municipality cannot find persons to serve on
26 a board of appeals who meet the minimum qualifications of
27 Chapter 1 of the BOCA National Building Code, the
28 municipality may fill a position on the board with a
29 qualified person who resides outside of the municipality.

30 (d) Registration.--Nothing in this act shall allow a

1 municipality to prohibit a construction code official who meets
2 the requirements of Chapter 7 and remains in good standing from
3 performing inspections in the municipality. This section does
4 not alter the power and duties given to municipalities under
5 subsection (b)(1), (3) and (4).

6 (e) Nonmunicipal administration.--

7 (1) In municipalities which have not adopted an
8 ordinance for the administration and enforcement of this act,
9 it shall be the duty of the municipality to notify an
10 applicant for a construction permit that it shall be the
11 responsibility of the permit applicant of one-family or two-
12 family dwelling units and utility and miscellaneous use
13 structures to obtain the services of a construction code
14 official or third-party agency with appropriate categories of
15 certification to conduct the plan review and inspections. For
16 one-family and two-family dwelling units and utility and
17 miscellaneous use structures, all of the following five
18 inspections shall be required:

19 (i) Foundation inspection.

20 (ii) Plumbing, mechanical and electrical inspection.

21 (iii) Frame and masonry inspection.

22 (iv) Wallboard inspection.

23 (v) Final inspection. The final inspection shall not
24 be deemed approved until all previous inspections have
25 been successfully completed and passed.

26 (2) In municipalities which have not adopted an
27 ordinance for the administration and enforcement of this act,
28 it shall be the duty of the municipality to notify the
29 department and an applicant for a construction permit that it
30 shall be the responsibility of the owner of structures other

1 than one-family or two-family dwelling units and utility and
2 miscellaneous use structures to obtain the services of the
3 department or a third-party agency with appropriate
4 categories of certification under contract to the department
5 to conduct the plan review and inspections required by this
6 act.

7 (3) A copy of the final inspection report shall be sent
8 to the property owner and to the builder and to a lender
9 designated by the builder.

10 (4) In municipalities which require a building permit or
11 a certificate of occupancy but do not conduct inspections,
12 the code administrator shall also be required to submit a
13 copy of the report to the municipality. No certificate of
14 occupancy shall be issued for a building unless it meets all
15 of the APPLICABLE ACCESSIBILITY provisions of the Uniform <—
16 Construction Code or has been granted a variance for the
17 requirements it does not meet. A certificate of partial
18 occupancy may be issued if the space to be occupied complies
19 with the accessibility requirements contained in the Uniform
20 Construction Code unless a variance for the space has been
21 obtained in accordance with this act.

22 (f) Private right of action.--

23 (1) In relation to complaints arising out of Chapter 11
24 (Accessibility) of the Uniform Construction Code, any
25 individual, partnership, agency, association or corporation
26 who reasonably believes there is a violation of THE <—
27 ACCESSIBILITY PROVISIONS OF this act and its regulations by a
28 governmental entity or private owner may file a complaint
29 with the body responsible for enforcement of the Uniform
30 Construction Code ~~Act~~. The complaint shall be in writing, <—

1 shall be verified and shall set forth the grounds for the
2 complaint. Within 60 days after the receipt of the complaint,
3 the code enforcement body shall respond to the complaint by
4 acknowledging receipt of the complaint in writing. The
5 enforcement body shall investigate the complaints and respond
6 to the complainant in writing with its findings,
7 determinations and any enforcement measures initiated or
8 contemplated within 120 days after the receipt of the
9 complaint. For the purpose of investigating a complaint, an
10 employee of the enforcement organization may inspect at
11 reasonable times the building or building site which is the
12 subject of the complaint and may make any additional
13 investigation deemed necessary for the full and effective
14 determination of compliance with this act and regulations
15 promulgated pursuant to it.

16 (2) Any individual, partnership, agency, association or
17 corporation aggrieved by a final determination of the
18 enforcement agency of a complaint filed pursuant to paragraph
19 (1) hereof may file a petition for review within 30 days of
20 the final determination in the Commonwealth Court pursuant to
21 42 Pa.C.S. § 763(a) (relating to direct appeals from
22 government agencies). The decision of the enforcement agency
23 shall not be reversed unless it is found to be arbitrary,
24 capricious, illegal or not supported by substantial evidence.

25 (3) (i) Any individual, partnership, agency,
26 association or corporation who filed a complaint pursuant
27 to paragraph (1) and received no written response from
28 the enforcement agency acknowledging receipt of its
29 complaint within 60 days or received a response from the
30 enforcement agency indicating that a violation was found

1 but enforcement measures were not contemplated or
2 enforcement measures were contemplated but such measures
3 were not initiated after a period of 60 days from said
4 response may bring a civil action in the appropriate
5 court of common pleas against the agency for failure to
6 enforce the provisions of this act and the regulations
7 promulgated thereto or a building owner or owner's agent
8 for a violation of any provisions of this act or
9 regulations promulgated pursuant to it.

10 (ii) If the court finds a violation of this act or
11 of regulations adopted pursuant to it, the court may
12 enjoin construction or remodeling of the building, direct
13 the correction of violations within a reasonable and
14 specified time period or order such other relief deemed
15 appropriate. The court, in issuing any final orders in
16 any action brought pursuant to this section, may award
17 costs of litigation, attorney and expert witness fees, to
18 any party, whenever the court determines such an award is
19 appropriate. The court may, if a temporary restraining
20 order or preliminary injunction is sought, require the
21 filing of a bond or equivalent security in accordance
22 with the rules of civil procedure.

23 (iii) An architect or licensed design professional
24 who has complied with the provisions of this act and its
25 regulations and prepared construction documents in
26 accordance with accepted professional standards shall
27 have no further liability pursuant to litigation
28 commenced under this section.

29 Section 502. Consideration of applications and inspections.

30 (a) Applications for construction permits.--

1 (1) Every application for a construction permit for one-
2 family and two-family dwelling units and utility and
3 miscellaneous use structures shall be granted or denied, in
4 whole or in part, within 15 business days of the filing date.
5 All other construction permits shall be granted or denied, in
6 whole or in part, within 30 business days of the filing date.
7 Municipalities may establish different time limits to
8 consider applications for construction permits in historic
9 districts.

10 (2) If an application is denied in whole or in part, the
11 code administrator shall set forth the reasons in writing.

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

21 (b) Highway occupancy permit.--

22 (1) No building permit shall be issued for any property
23 which will require access to a highway under the jurisdiction
24 of the Department of Transportation, unless the permit
25 contains a notice that a highway occupancy permit is required
26 pursuant to section 420 of the act of June 1, 1945 (P.L.1242,
27 No.428), known as the State Highway Law, before driveway
28 access to a State highway is permitted.

29 (2) The Department of Transportation shall, within 60
30 days of the date of receipt of an application for a highway

1 occupancy permit:

2 (i) approve the permit;

3 (ii) deny the permit;

4 (iii) return the application for additional
5 information or correction to conform with regulations of
6 the Department of Transportation; or

7 (iv) determine that no permit is required, in which
8 case the Department of Transportation shall notify the
9 municipality and applicant in writing.

10 (3) (i) If the Department of Transportation fails to
11 take any action within the 60-day period, the permit
12 shall be deemed to be issued. The permit shall be marked
13 to indicate that access to the State highway shall be
14 only as authorized by a highway occupancy permit.

15 (ii) Notwithstanding the provisions of subparagraph
16 (i), if the highway occupancy permit requires a
17 determination by the United States Department of
18 Transportation, the Pennsylvania Department of
19 Transportation shall have 60 days from the receipt of the
20 determination to take action on the permit or the permit
21 shall be deemed to be issued.

22 (4) (i) Neither the Department of Transportation nor
23 any municipality to which permit-issuing authority has
24 been delegated under section 420 of the State Highway Law
25 shall be liable in damages for any injury to persons or
26 property arising out of the issuance or denial of a
27 driveway permit, or for failure to regulate any driveway.

28 (ii) The municipality from which the building permit
29 approval has been requested shall not be held liable for
30 damages to persons or property arising out of the

1 issuance or denial of a driveway permit by the Department
2 of Transportation.

3 (c) Financial interest prohibited.--A code administrator
4 shall not review or approve any plans for or construction of any
5 building or structure in which the code administrator has any
6 financial interest.

7 Section 503. Changes in Uniform Construction Code.

8 (a) Administration.--Municipalities may enact ordinances
9 which equal or exceed the minimum requirements of Chapter 1 of
10 the 1999 BOCA National Building Code, FOURTEENTH EDITION <—
11 RELATING TO ADMINISTRATION consistent with the provisions of
12 section 501(c).

13 (b) Minimum requirement.--Subject to the provisions of this
14 act, no municipality may propose or enact any ordinance which is
15 less than the minimum requirement of the Uniform Construction
16 Code.

17 (c) Modification of minimum requirement.--Subject to the
18 provisions of this act, the municipal governing body may propose
19 and enact an ordinance to equal or exceed the minimum
20 requirements of the Uniform Construction Code under the law
21 governing the adoption of ordinances in that jurisdiction.

22 (d) Public hearing.--The municipality ~~must~~ SHALL hold at <—
23 least one public hearing prior to adoption of the ordinance.

24 (e) Notice of public hearing.--The municipality shall place
25 notice in a newspaper of general circulation in the municipality
26 at least seven days, but not more than 60 days, in advance of a
27 public hearing to consider the proposed ordinance.

28 (f) Filing of proposed ordinance with department.--The
29 municipality shall file a copy of the proposed ordinance with
30 the department at least 30 days prior to public hearing. The

1 department shall make proposed ordinances available for public
2 inspection.

3 (g) Municipal action.--Following the public hearing, the
4 municipal governing body may enact the ordinance under the law
5 governing the adoption of ordinance in that jurisdiction.

6 (h) Amendment of proposed ordinance.--If the municipality
7 proposes any substantive amendment to a proposed ordinance, the
8 municipal governing body shall be required to meet the
9 advertising, filing, notice and public hearing requirements of
10 this section before enacting the proposed ordinance.

11 (i) Department review.--The department shall review all
12 proposed ordinances required to be filed with the department
13 under subsection (f) for compliance with subsection (b). If the
14 proposed ordinance does not comply with subsection (b), the
15 department shall advise the municipality of its finding setting
16 forth the reasons in writing. The municipality shall then
17 withdraw the proposed ordinance or revise the proposed ordinance
18 to meet the minimum requirements of the ~~BOCA National Building~~ <—
19 UNIFORM CONSTRUCTION Code. <—

20 (j) Challenge of ordinance.--

21 (1) Aggrieved parties shall have 30 days from date of
22 enactment of the ordinance to file a written challenge with
23 the department and the municipality. The challenge shall
24 state the reason or reasons for the challenge. A municipal
25 ordinance may not take effect for a period of 35 days
26 following its enactment. If a challenge is filed in writing
27 with the department within 30 days, the department has five
28 business days from the end of the 30-day filing period to
29 notify a municipality of the challenge. There may be no
30 enforcement of the ordinance until a ruling is issued by the

1 secretary or 45 days after the filing date of the last
2 challenge to the ordinance, whichever occurs first.

3 (2) The department shall review any ordinance which
4 would equal or exceed the minimum requirements of the Uniform
5 Construction Code based on the following standards:

6 (i) that certain clear and convincing local
7 climatic, geologic, topographic or public health and
8 safety circumstances or conditions justify the exception;

9 (ii) the ~~exemption~~ EXCEPTION shall be adequate for <—
10 the purpose intended and shall meet a standard of
11 performance equal to or greater than that prescribed by
12 the ~~BOCA National Building~~ UNIFORM CONSTRUCTION Code; and <—

13 (iii) the exception would not diminish or threaten
14 the health, safety and welfare of the public; AND <—

15 (IV) THE EXCEPTION WOULD NOT BE INCONSISTENT WITH
16 THE LEGISLATIVE FINDINGS AND PURPOSE DESCRIBED IN SECTION
17 102.

18 THE DEPARTMENT SHALL TAKE INTO CONSIDERATION, IN RENDERING THE
19 DETERMINATION, THE PROVISION, CODE DEVELOPMENT PROCESS HISTORY,
20 PURPOSE AND INTENT OF RELEVANT PROVISIONS OF THE 1999 BOCA
21 NATIONAL BUILDING CODE, FOURTEENTH EDITION, I.C.C. INTERNATIONAL
22 ONE AND TWO FAMILY DWELLING CODE, 1998 EDITION, OR THEIR
23 SUCCESSOR CODES.

24 (k) Ruling by secretary.--A ruling on a challenge by an
25 aggrieved party shall be issued by the secretary within 45 days
26 of receipt of the filing of the last challenge to the ordinance.
27 If the secretary approves the ordinance, the municipality may
28 begin to administer and enforce the ordinance. If the secretary
29 disapproves the ordinance, the ordinance shall be null and void.
30 The secretary shall state the reasons for the disapproval in

1 writing to the municipality.

2 Section 504. Appeals.

3 (a) Ruling of secretary.--An appeal of the secretary's
4 ruling may be taken to the Commonwealth Court within 30 days of
5 the date of the ruling.

6 (b) Application for enforcement of ordinance.--Any person
7 aggrieved by the application or enforcement of any provision of
8 an ordinance adopted pursuant to section 503 shall have the
9 right to challenge the validity of the ordinance in the
10 appropriate court of common pleas.

11 CHAPTER 7

12 TRAINING AND CERTIFICATION OF INSPECTORS

13 Section 701. Training of inspectors.

14 (a) Training program.--The department, in consultation with
15 the advisory board, BOCA, NCSBCS and other interested parties,
16 shall by regulation adopt a program of required training and
17 certification for all categories of code administrators. This
18 education program shall include accessibility requirements
19 contained in and referenced by the Uniform Construction Code.
20 The department may contract with third parties to provide the
21 code training and testing programs.

22 (b) Categories of inspectors.--The department, in
23 consultation with BOCA and other interested parties, shall
24 establish appropriate categories of code administrators.

25 (c) Certification.--Upon determination of qualification, the
26 department shall issue a certificate to the code administrator
27 stating that he is so certified.

28 (d) Waiver.--The department shall by regulation establish a
29 procedure for the consideration of requests for waivers of the
30 initial training and certification requirements for individuals

1 who present documentation that they have previously satisfied
2 substantially similar training, testing and certification
3 requirements. Any waiver shall not apply to continuing education
4 requirements.

5 (e) Current officials.--

6 (1) The department shall by regulation determine the
7 time period for current code administrators to meet the
8 training and certification requirements of this act. This
9 time period shall not be less than three years and not exceed
10 seven years from the effective date of this act for
11 individuals conducting plan review and inspections of one-
12 family or two-family residential property or not be less than
13 five years and not exceed ten years for individuals
14 conducting plan reviews and inspections on all other
15 buildings and structures.

16 (2) Notwithstanding the provisions of this subsection,
17 the department shall adopt regulations specifically providing
18 for the department's administration and enforcement of the
19 provisions of Chapter 11 (Accessibility) of the Uniform
20 Construction Code and any other accessibility requirements
21 contained in or referenced by the Uniform Construction Code
22 until code administrators have been certified regarding
23 accessibility provisions. The department shall maintain
24 jurisdiction over the provisions of Chapter 11
25 (Accessibility) of the Uniform Construction Code and any
26 other accessibility requirements contained in or referenced
27 by the Uniform Construction Code until such time as municipal
28 code administrators meet the requirements for certification.

29 (f) Continuing education.--The department shall, by
30 regulation, adopt and implement the continuing education program

1 and all code administrators shall participate in the
2 department's continuing education programs.

3 (g) Remedial education.--The department is empowered to
4 require code administrators to participate in remedial education
5 programs for just cause.

6 (h) Decertification.--The department is empowered to
7 decertify code administrators for just cause. The department
8 shall, by regulation, establish a procedure for the notification
9 of code administrators of decertification and the right of the
10 individual to receive a hearing before the department on
11 decertification.

12 (i) List of code administrators.--The department shall
13 maintain a list of code administrators, indicating the
14 categories of certifications, which shall be made available to
15 municipalities and, upon request, the public.

16 (j) Fees.--The department shall determine and approve
17 reasonable fees for educational programs, testing and
18 certification of code administrators. The department shall
19 consult with the Department of Aging, the Department of Health
20 or the Department of Public Welfare, as appropriate, to
21 determine fees for health care facilities, intermediate care
22 facilities for the mentally retarded or for persons with related
23 conditions and State institutions.

24 (k) Insurance.--The department shall promulgate regulations
25 requiring code administrators in third-party agencies to carry
26 minimum levels of liability insurance.

27 Section 702. Reciprocity.

28 The department may develop reciprocity agreements with other
29 states or jurisdictions which have established accreditations
30 and certification requirements which the department determines

1 to be substantially similar to those set forth in this act.

2 CHAPTER 9

3 EXEMPTIONS AND PENALTIES

4 Section 901. Exemptions.

5 This act shall not apply to manufactured housing which bears
6 a label, as required by and referred to in the act of November
7 17, 1982 (P.L.676, No.192), known as the Manufactured Housing
8 Construction and Safety Standards Authorization Act, which
9 certifies that it conforms to Federal construction and safety
10 standards adopted under the Housing and Community Development
11 Act of 1974 (Public Law 93-383, 88 Stat. 139), nor shall it
12 apply to industrialized housing, as defined in the act of May
13 11, 1972 (P.L.286, No.70), known as the Industrialized Housing
14 Act.

15 Section 902. Penalties.

16 (a) Violation of act.--

17 (1) Any individual, firm or corporation that violates
18 any provision of this act commits a summary offense and
19 shall, upon conviction, be sentenced to pay a fine of not
20 more than \$1,000 and costs.

21 (2) Each day that a violation of this act continues
22 shall be considered a separate violation.

23 (b) Disposition of penalties.--The amount of the penalty
24 shall be forwarded to the entity with enforcement jurisdiction.

25 CHAPTER 11

26 MISCELLANEOUS PROVISIONS

27 Section 1101. Savings.

28 This act shall not repeal or in any way affect:

29 Sections 1, 3.3, 3.4, 3.5, 3.6(f)(1)(i), (f.1) and (g), 10.1,
30 13, 14 and 15 of the act of April 27, 1927 (P.L.465, No.299),

1 referred to as the Fire and Panic Act.

2 Section 2203-A of the act of April 9, 1929 (P.L.177, No.175),
3 known as The Administrative Code of 1929.

4 Act of May 2, 1929 (P.L.1513, No.451), referred to as the
5 Boiler Regulation Law.

6 Act of August 24, 1951 (P.L.1304, No.315), known as the Local
7 Health Administration Law, insofar as it applies to counties of
8 the first class and of the second class, and rules and
9 regulations adopted by counties of the first class and of the
10 second class under the act. Any construction standard adopted
11 after October 31, 1996, by counties of the first class and of
12 the second class under the authority of the Local Health
13 Administration Law shall comply with Chapters 3 and 5 of this
14 act.

15 Act of December 27, 1951 (P.L.1793, No.475), referred to as
16 the Liquefied Petroleum Gas Act.

17 Act of October 27, 1955 (P.L.744, No.222), known as the
18 Pennsylvania Human Relations Act, and regulations promulgated
19 under the act.

20 Act of January 24, 1966 (1965 P.L.1535, No.537), known as the
21 Pennsylvania Sewage Facilities Act, and regulations promulgated
22 under the act.

23 Act of June 13, 1967 (P.L.31, No.21), known as the Public
24 Welfare Code.

25 Act of October 4, 1978 (P.L.851, No.166), known as the Flood
26 Plain Management Act, and regulations and ordinances promulgated
27 under the act.

28 Act of July 19, 1979 (P.L.130, No.48), known as the Health
29 Care Facilities Act.

30 Act of July 11, 1990 (P.L.499, No.118), known as the Older

1 Adult Daily Living Centers Licensing Act.

2 Section 1102. Repeals.

3 (a) Absolute.--The following acts and parts of acts are
4 repealed:

5 Sections 2, 3, 3.1, 3.2, 3.6(a), (b), (c), (d), (e),
6 (f)(1)(ii), (iii) and (2), 4, 4.1, 4.2, 5, 6, 7, 8, 9, 10, 11,
7 12 and 15.1 of the act of April 27, 1927 (P.L.465, No.299),
8 referred to as the Fire and Panic Act.

9 Act of May 2, 1929 (P.L.1518, No.452), referred to as the
10 Elevator Regulation Law.

11 Act of September 1, 1965 (P.L.459, No.235), entitled, as
12 amended, "An act requiring that certain buildings and facilities
13 adhere to certain principles, standards and specifications to
14 make the same accessible to and usable by persons with physical
15 handicaps, and providing for enforcement."

16 Act of July 9, 1976 (P.L.919, No.170), entitled "An act
17 providing for the approval or disapproval of applications for a
18 permit relating to the construction or maintenance of
19 improvements to real estate."

20 Act of December 15, 1980 (P.L.1203, No.222), known as the
21 Building Energy Conservation Act, and regulations promulgated
22 thereunder.

23 Act of December 17, 1990 (P.L.742, No.185), entitled "An act
24 providing for restrooms in facilities where the public
25 congregates; and requiring that restroom facilities be provided
26 for women on an equitable basis."

27 Act of December 19, 1990 (P.L.1387, No.214), known as the Dry
28 Cleaning Law.

29 (b) General.--All other acts and parts of acts are repealed
30 insofar as they are inconsistent with this act.

1 Section 1103. Effective date.

2 This act shall take effect as follows:

3 (1) Sections 104(d)(3) and (4), 301, ~~303~~ 302, 701 and <—
4 this section shall take effect immediately.

5 (2) The remainder of this act shall take effect 90 days
6 following publication of notice in the Pennsylvania Bulletin
7 that the regulations required by this act have been finally
8 adopted.