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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2013** Session of  
2003

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INTRODUCED BY STEIL, CORRIGAN, CRAHALLA, GOODMAN, GRUCELA,  
HORSEY, KELLER, KENNEY, LEACH, MANN, O'NEILL, ROEBUCK, ROSS,  
SOLOBAY, E. Z. TAYLOR, TIGUE AND YOUNGBLOOD,  
SEPTEMBER 29, 2003

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, SEPTEMBER 29, 2003

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AN ACT

1 Authorizing municipalities to obtain certain information prior  
2 to issuance of occupancy permits.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Regulated  
7 Profession Occupancy Permit Act.

8 Section 2. Policy.

9 The General Assembly declares that it is the public policy of  
10 this Commonwealth and the purpose of this act to empower  
11 municipalities to safeguard the public and promote the lawful  
12 use of property by regulating the occupancy of buildings or  
13 parts thereof by persons in certain regulated occupations by  
14 requiring, as a condition of occupancy, evidence that the  
15 person's license, certification, registration or permit is  
16 current and has not been suspended or revoked.

17 Section 3. Definitions.

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

4 "Occupancy permit." A document, also called a certificate of  
5 occupancy, that evidences permission granted by a municipality  
6 to occupy a building or portion thereof.

7 "Regulated occupation." A trade, profession or occupation  
8 for which a license, certification, registration or permit is  
9 issued by a board, commission or department of the Commonwealth.  
10 Section 4. Authorization.

11 (a) Regulated occupations.--A municipality may, by  
12 ordinance, establish the following requirements with regard to  
13 the issuance of an occupancy permit:

14 (1) A municipality may permit one or more regulated  
15 occupations to occupy a building or portion thereof.

16 (2) A municipality may require an applicant to provide  
17 the names of all persons who the applicant knows will be  
18 using or occupying the building or a portion thereof for the  
19 purpose of engaging in a regulated occupation listed in  
20 accordance with paragraph (1).

21 (3) A municipality may require an applicant to provide  
22 evidence that:

23 (i) all persons named by the applicant under  
24 paragraph (2) have a current license, certification,  
25 registration or permit to engage in the regulated  
26 occupation; and

27 (ii) the license, certification, registration or  
28 permit has not been suspended or revoked.

29 (b) New tenants.--A municipality may, by ordinance, require  
30 and establish standards for the issuance of an occupancy permit

1 as a condition to permitting a new tenant to occupy existing  
2 space in a building or portion thereof, notwithstanding that an  
3 occupancy permit for the space to be used by another was  
4 previously issued.

5 (c) Powers cumulative.--The authority granted by this  
6 section is in addition to any other powers granted by law or  
7 regulation to municipalities regarding the imposition of  
8 conditions and requirements for issuing a certificate of  
9 occupancy.

10 Section 5. Effective date.

11 This act shall take effect immediately.