
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1096 Session of
2007

INTRODUCED BY BUXTON, ARGALL, BELFANTI, BIANCUCCI, CALTAGIRONE,
CAPPELLI, CARROLL, CLYMER, FABRIZIO, FAIRCHILD, GEORGE,
GERGELY, GIBBONS, HALUSKA, HENNESSEY, HUTCHINSON, JAMES,
KORTZ, KOTIK, MARKOSEK, McILHATTAN, M. O'BRIEN, SCAVELLO,
SONNEY, TRUE, EVERETT, LONGIETTI, COX, GINGRICH AND STURLA,
APRIL 18, 2007

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 18, 2007

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," defining "council"; and
6 establishing the Uniform Construction Code Advisory Council.

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

9 Section 1. Section 103 of the act of November 10, 1999
10 (P.L.491, No.45), known as the Pennsylvania Construction Code
11 Act, is amended by adding a definition to read:

12 Section 103. Definitions.

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

16 * * *

17 "Council." The Uniform Construction Code Advisory Council
18 established under this act.

1 * * *

2 Section 2. The act is amended by adding a section to read:

3 Section 107. Uniform Construction Code Advisory Council.

4 (a) Establishment.--The Uniform Construction Code Advisory
5 Council is hereby established.

6 (b) Duties.--The council shall do the following:

7 (1) Gather information from municipal officers, building
8 code officials, construction code officials, licensed design
9 professionals, builders and property owners, concerning
10 issues with the Uniform Construction Code raised by council
11 members, or changes proposed by members of the General
12 Assembly.

13 (2) Evaluate the information compiled under paragraph
14 (1) and make recommendations to the following:

15 (i) The Governor.

16 (ii) The Labor and Industry Committee of the Senate.

17 (iii) The Labor Relations Committee of the House of
18 Representatives.

19 (iv) The Code Development Councils of the
20 International Code Council.

21 (c) Composition.--The council shall consist of the following
22 members appointed by the Governor:

23 (1) A general contractor from an association
24 representing the residential construction industry who has
25 recognized ability and experience in the construction of
26 residential buildings.

27 (2) A general contractor from an association
28 representing the commercial construction industry who has
29 recognized ability and experience in the construction of
30 commercial buildings.

1 (3) A certified residential building inspector from an
2 association representing building code officials who has
3 experience administering and enforcing residential codes.

4 (4) A certified building inspector from an association
5 representing building code officials who has experience
6 administering and enforcing commercial codes.

7 (5) A certified fire official from an association
8 representing fire officials.

9 (6) One residential contractor who has recognized
10 ability and experience in remodeling residential buildings.

11 (7) A licensed architect from an association
12 representing architects who has recognized ability and
13 experience in the construction of buildings.

14 (8) A licensed structural engineer from an association
15 representing professional engineers who has recognized
16 ability and experience in the construction of buildings.

17 (9) A licensed mechanical engineer from an association
18 representing professional engineers who has recognized
19 ability and experience in the construction of buildings.

20 (10) A master plumber from an association representing
21 the plumbing industry who has recognized ability and
22 experience in the construction of buildings.

23 (11) An electrical contractor from an association
24 representing the electrical construction industry who has
25 recognized ability and experience in the construction of
26 buildings.

27 (12) An elected municipal official who has recognized
28 ability and experience in the construction of buildings.

29 (13) A representative of the Department of Labor and
30 Industry managing the Uniform Construction Code program.

1 (d) Vacancies.--Vacancies on the council shall be filled in
2 the same manner in which they were originally designated, within
3 30 business days of the vacancy. If the Governor fails to act
4 within the 30 business days, the council chairperson shall
5 appoint an individual to fill the vacancy.

6 (e) Removal.--A member may be removed for just cause by the
7 appointing authority.

8 (f) Terms.--A member of the council shall serve terms of two
9 years and until his successor is appointed beginning July 1,
10 2007, except the initial term of members appointed under
11 subsection (c)(1), (3), (5), (7), (9), (11) and (13) shall be
12 for three years and until their successor is appointed.

13 (g) Chairperson and vice chairperson.--The members shall
14 elect, by a majority vote, a chairperson and vice chairperson of
15 the council.

16 (h) Quorum.--Nine members shall constitute a quorum.

17 (i) Meetings.--Meetings shall be held in Harrisburg in
18 locations provided by the department. The meetings shall also be
19 conducted as required by 65 Pa.C.S. Ch. 7 (relating to open
20 meetings) as follows:

21 (1) The council shall meet at least once every six
22 months. Meeting dates shall be set by majority vote of the
23 council members or by the call of the chair along with at
24 least seven business days' notice to all members.

25 (2) All meetings of the council shall be publicly
26 advertised and shall be open to the public. Members of the
27 general public shall be given reasonable opportunity to
28 address the council.

29 (3) The council shall publish a schedule of its meetings
30 in the Pennsylvania Bulletin and in at least one newspaper of

1 general circulation. The notice shall be published at least
2 five business days in advance of each meeting. The notice
3 shall specify the date, time and place of the meeting and
4 shall state that the meetings of the council are open to the
5 general public.

6 (j) Administrative support.--The secretary shall provide the
7 administrative support necessary for the functions of the
8 council.

9 (k) Technical support.--The council may solicit and retain,
10 without compensation, individuals who are qualified by training
11 or experience to provide expert input to the council and, at the
12 discretion of the council, such individuals may be reimbursed
13 for reasonable travel expenses at a rate established by the
14 secretary.

15 (l) Compensation and expenses.--Members of the council shall
16 not receive a salary or per diem allowance for their service,
17 but shall be reimbursed for reasonable travel expenses and other
18 necessary expenses, at a rate to be determined by the secretary,
19 while attending council meetings.

20 Section 3. This act shall take effect in 60 days.