
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 466 Session of
2007

INTRODUCED BY ROBBINS, SCARNATI, O'PAKE, MADIGAN, WOZNIAK,
CORMAN, LAVALLE, RHOADES, MUSTO, PUNT, WONDERLING, BOSCOLA,
REGOLA, McILHINNEY, BAKER, BRUBAKER AND FOLMER,
MARCH 15, 2007

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 5, 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," further providing for
6 application, FOR CHANGES IN THE UNIFORM CONSTRUCTION CODE and <—
7 for exemptions.

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

10 Section 1. Section 104(b)(7) of the act of November 10, 1999
11 (P.L.491, No.45), known as the Pennsylvania Construction Code
12 Act, amended July 15, 2004 (P.L.748, No.92), is amended and the
13 subsection is amended by adding a ~~paragraph~~ PARAGRAPHS to read: <—
14 Section 104. Application.

15 * * *

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

17 * * *

18 (7) any recreational cabin if:

1 (i) the cabin is equipped with at least one smoke
2 detector, one fire extinguisher and one carbon monoxide
3 detector in both the kitchen and sleeping quarters; [and]

4 (ii) the owner of the cabin files with the
5 municipality either:

6 (A) an affidavit on a form prescribed by the
7 department attesting to the fact that the cabin meets
8 the definition of a "recreational cabin" in section
9 103; or

10 (B) a valid proof of insurance for the
11 recreational cabin, written and issued by an insurer
12 authorized to do business in this Commonwealth,
13 stating that the structure meets the definition of a
14 "recreational cabin" as defined in section 103[.];

15 and ←

16 ~~(8) temporary structures, including, but not limited to,~~
17 ~~fire resistant tents or canopies, that are erected for a~~
18 ~~period of 30 days or less for the purposes of participation~~
19 ~~in a fair, flea market, arts and crafts festival or other~~
20 ~~public celebration. Such structures shall not be subject to~~
21 ~~municipal or third party inspections provided a safety check~~
22 ~~is performed by safety or emergency personnel affiliated with~~
23 ~~the sponsor or hosting organization.~~

24 (8) TEMPORARY STRUCTURES ERECTED FOR LESS THAN 180 ←
25 CONTINUOUS DAYS, EXCEPT AS MIGHT BE REQUIRED BY ORDINANCES IN
26 EFFECT UNDER SECTION 303(B)(1) OR ADOPTED UNDER SECTION 503;

27 (9) TEMPORARY STRUCTURES WHICH:

28 (I) ARE LESS THAN 1,600 SQUARE FEET IN SIZE;

29 (II) ARE ERECTED FOR A PERIOD OF LESS THAN 30

30 CONTINUOUS DAYS FOR:

1 (A) THE PURPOSE OF PARTICIPATION IN A FAIR, FLEA
2 MARKET OR ARTS AND CRAFTS FESTIVAL; OR
3 (B) OTHER PUBLIC OR PRIVATE USE; AND
4 (III) ARE SUBJECT TO SECTION 503(A)(2); AND
5 (10) CONSTRUCTION JOB TRAILERS UNTIL THE COMPLETION OF
6 THE CONSTRUCTION PROJECT.

7 * * *

8 SECTION 1.1. SECTION 503(A) OF THE ACT, AMENDED JULY 15, <—
9 2004 (P.L.748, NO.92), IS AMENDED TO READ:

10 SECTION 503. CHANGES IN UNIFORM CONSTRUCTION CODE.

11 (A) ADMINISTRATION.--

12 (1) MUNICIPALITIES MAY ENACT ORDINANCES WHICH EQUAL OR
13 EXCEED THE MINIMUM REQUIREMENTS OF CHAPTER 1 OF THE 1999 BOCA
14 NATIONAL BUILDING CODE, FOURTEENTH EDITION, OR SUCCESSOR
15 CODES, RELATING TO ADMINISTRATION CONSISTENT WITH THE
16 PROVISIONS OF SECTION 501(C).

17 (2) AN ORDINANCE UNDER THIS SUBSECTION APPLICABLE TO THE
18 EXCEPTION UNDER SECTION 104(B)(9) MAY REQUIRE COMPLIANCE WITH
19 ANY OF THE FOLLOWING STANDARDS:

20 (I) FLAME PROPAGATION CRITERIA OF THE APPLICABLE
21 EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION'S
22 LIFE SAFETY CODE, NFPA NO. 701.

23 (II) THE ICC ELECTRICAL CODE.

24 (III) INTERNATIONAL FIRE CODE CRITERIA AS TO NUMBER
25 OF PORTABLE FIRE EXTINGUISHERS.

26 * * *

27 Section 2. Section 901 of the act is amended by adding a
28 subsection to read:

29 Section 901. Exemptions.

30 * * *

1 (e) Pole barns at agricultural fairs.--Neither this act nor
2 any adoption of the International Fire Code by a Commonwealth
3 agency, a political subdivision or a local agency shall apply to
4 a pole barn that is constructed on agricultural fairgrounds and
5 is only used for agricultural purposes and animal display. This
6 section shall not apply to inspections required pursuant to the
7 ICC Electrical Code or its successor codes.

8 Section 3. This act shall take effect immediately.