

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 377 Session of
2011

INTRODUCED BY EVERETT, BAKER, BENNINGHOFF, BARRAR, BEAR, BOYD, R. BROWN, BUXTON, CARROLL, CAUSER, CHRISTIANA, CLYMER, COX, CREIGHTON, CUTLER, DAY, DENLINGER, DUNBAR, FLECK, FRANKEL, GABLER, GEIST, GILLEN, GODSHALL, GROVE, HAHN, HALUSKA, HARKINS, HARRIS, HELM, HESS, HORNAMAN, M.K. KELLER, KIRKLAND, KNOWLES, KRIEGER, LAWRENCE, LONGIETTI, MAHONEY, MAJOR, MALONEY, MASSER, METCALFE, METZGAR, MILLARD, MUSTIO, OBERLANDER, PEIFER, PETRARCA, PICKETT, PYLE, RAPP, REED, REICHLEY, ROAE, ROCK, SACCONI, SAYLOR, SCAVELLO, CULVER, S. H. SMITH, SONNEY, STERN, STEVENSON, TALLMAN, TURZAI, VULAKOVICH, BLOOM, BROOKS, TOEPEL, MOUL, F. KELLER, SAINATO, HICKERNELL, SWANGER, AUMENT, EVANKOVICH, TOBASH, MILLER AND KORTZ, JANUARY 31, 2011

AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 28, 2011

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 exemptions.

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

9 Section 1. Section 901(a) of the act of November 10, 1999
10 (P.L.491, No.45), known as the Pennsylvania Construction Code
11 Act, amended July 7, 2006 (P.L.1052, No.108), is amended and the
12 section is amended by adding subsections to read:

13 Section 901. Exemptions.

14 (a) Manufactured housing.--This act shall not apply to

1 manufactured housing which bears a label, as required by and
2 referred to in the act of November 17, 1982 (P.L.676, No.192),
3 known as the Manufactured Housing Construction and Safety
4 Standards Authorization Act, which certifies that it conforms to
5 Federal construction and safety standards adopted under the
6 Housing and Community Development Act of 1974 (Public Law
7 93-383, 88 Stat. 633), nor shall it apply to industrialized
8 housing, as defined in the act of May 11, 1972 (P.L.286, No.70),
9 known as the Industrialized Housing Act, with the exception that
10 any model code enacted pursuant to the Industrialized Housing
11 Act shall not include code provisions specifically omitted from
12 adoption pursuant to this act.

13 * * *

14 (f) Log walls.--Log walls with a minimum average wall
15 thickness of five inches or greater which comply with the
16 International Code Council Standard on the Design and
17 Construction of Log Structures, ICC 400-2007, or other successor
18 standard which the department may specify by regulation, shall
19 be permitted in residential buildings if:

20 (1) the area weighted average U-factor for fenestration
21 products in the log walls is a maximum of 0.31; and

22 (2) (i) the building heating equipment meets or exceeds
23 the following Department of Energy ratings:

24 (A) Gas furnace - 90 annual fuel utilization
25 efficiency (AFUE).

26 (B) Oil furnace - 85 annual fuel utilization
27 efficiency (AFUE).

28 (C) Boilers - 85 annual fuel utilization
29 efficiency (AFUE).

30 (D) Air source heat pumps - 8.2 heating seasonal

1 performance factor (HSPF) split systems.

2 (E) For water-to-air geothermal heat pumps:

3 (I) Closed loop water-to-air, an energy
4 efficiency rating of 14.1 and coefficient of
5 performance of 3.3.

6 (II) Open loop water-to-air, an energy
7 efficiency rating of 16.2 and coefficient of
8 performance of 3.6.

9 (F) For water-to-water geothermal heat pumps:

10 (I) Closed loop water-to-water, an energy
11 efficiency rating of 15.1 and coefficient of
12 performance of 3.0.

13 (II) Open loop water-to-water, an energy
14 efficiency rating of 19.1 and coefficient of
15 performance of 3.4.

16 (G) For direct geothermal exchange, an energy
17 efficiency rating of 15.0 and coefficient of
18 performance of 3.5;

19 or

20 (ii) the building heating equipment is qualified
21 under the Energy Star program jointly operated by the
22 Department of Energy and the Environmental Protection
23 Agency as provided for in 10 CFR Pt. 430 (relating to
24 energy conservation program for consumer products); and

25 (iii) all energy efficiency requirements of this act
26 applicable to components other than log walls are met.

27 AN APPLICANT FOR A BUILDING PERMIT THAT WAS SUBMITTED PRIOR TO
28 THE EFFECTIVE DATE OF THIS SUBSECTION MAY OPT TO UTILIZE THE
29 STANDARDS OF THIS SUBSECTION.

30 (g) Automatic fire sprinkler systems in one-family and two-



1 family dwellings.--

2 (1) Section R313.2 (relating to automatic fire sprinkler
3 systems in one- and two-family dwellings) of the
4 International Residential Code (2009 edition), and any
5 successor triennial revisions, is excluded from this act and
6 shall not be part of Chapter 3.

7 (2) A builder of a one-family or two-family dwelling
8 subject to the International Residential Code shall, at or
9 before the time of entering into the purchase contract, do
10 all of the following:

11 (i) Offer to a buyer the option to install or equip,
12 at the buyer's expense, an automatic fire sprinkler
13 system in the building or dwelling unit designed and
14 installed in accordance with the provisions of section
15 R313.2.1 (relating to design and installation of
16 automatic fire sprinkler systems) of the International
17 Residential Code (2009 edition).

18 (ii) Provide the buyer with information which
19 explains the initial and ongoing cost of installing and
20 equipping an automatic fire sprinkler system in the
21 building or dwelling unit.

22 (III) PROVIDE THE BUYER WITH INFORMATION, AS MADE ←
23 AVAILABLE BY THE STATE FIRE COMMISSIONER ON THE AGENCY'S
24 INTERNET WEBSITE, ON THE POSSIBLE BENEFITS OF INSTALLING
25 AN AUTOMATIC SPRINKLER SYSTEM.

26 ~~(3) An applicant for a construction permit that has been~~ ←
27 ~~approved under section 502, prior to the effective date of~~
28 ~~this subsection, may opt to utilize the provisions of this~~
29 ~~subsection on construction authorized under the permit.~~

30 (3) IF AN APPLICATION IS SUBMITTED FOR A BUILDING PERMIT ←

1 FOR A ONE-FAMILY OR TWO-FAMILY DWELLING ON OR AFTER JANUARY
2 1, 2011, AND PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION,
3 THE APPLICANT MAY OPT TO NOT INSTALL AN AUTOMATIC FIRE
4 SPRINKLER SYSTEM IN THE DWELLING.

5 (h) Fire protection of floors.--Section R501.3 of the 2012
6 International Residential Code shall be part of the Uniform
7 Construction Code. This subsection shall apply to construction
8 under which the permit applicant opts to not apply the automatic
9 sprinkler requirement under subsection (g) (3).

10 Section 2. This act shall take effect immediately.