
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 176 Session of
2017

INTRODUCED BY PICKETT, BAKER, BARRAR, V. BROWN, CAUSER,
D. COSTA, COX, DeLUCA, FEE, GABLER, GODSHALL, A. HARRIS,
HEFFLEY, PHILLIPS-HILL, JAMES, LAWRENCE, MILLARD, MURT, WARD,
WHEELAND, ZIMMERMAN AND GILLEN, JANUARY 23, 2017

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JANUARY 23, 2017

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," in preliminary provisions,
6 further providing for definitions and for application.

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
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 * * *

17 "Farmer." Includes:

18 (1) a member of a farmer's immediate family;

19 (2) an employee of a farmer; and

1 (3) a person authorized in writing to operate the stand
2 on behalf of a farmer.

3 * * *

4 Section 2. Section 104(b) of the act is amended to read:
5 Section 104. Application.

6 * * *

7 (b) Exclusions.--This act shall not apply to any of the
8 following:

9 (1) [new] New buildings or renovations to existing
10 buildings for which an application for a building permit has
11 been made to the municipality prior to the effective date of
12 the regulations promulgated under this act[;].

13 (2) [new] New buildings or renovations to existing
14 buildings on which a contract for design or construction has
15 been signed prior to the effective date of the regulations
16 promulgated under this act on projects requiring department
17 approval[;].

18 (3) [utility] Utility and miscellaneous use structures
19 that are accessory to detached one-family dwellings[;].

20 (4) [any] Any agricultural building[;].

21 (5) [alterations] Alterations to residential buildings
22 which do not make structural changes or changes to means of
23 egress, except as might be required by ordinances in effect
24 pursuant to section 303(b) (1) or adopted pursuant to section
25 503. For purposes of this paragraph, a structural change does
26 not include a minor framing change needed to replace existing
27 windows or doors[;].

28 (6) [repairs] Repairs to residential buildings, except
29 as might be required by ordinances in effect pursuant to
30 section 303(b) (1) or adopted pursuant to section 503[;].

1 (6.1) [the] The installation of aluminum siding or vinyl
2 siding onto an existing residential or an existing commercial
3 building, except as might be required by ordinances in effect
4 pursuant to section 301 or adopted pursuant to section
5 503[;].

6 (7) [any] Any recreational cabin if:

7 (i) the cabin is equipped with at least one smoke
8 detector, one fire extinguisher and one carbon monoxide
9 detector in both the kitchen and sleeping quarters;

10 (ii) the owner of the cabin files with the
11 municipality either:

12 (A) an affidavit on a form prescribed by the
13 department attesting to the fact that the cabin meets
14 the definition of a "recreational cabin" in section
15 103; or

16 (B) a valid proof of insurance for the
17 recreational cabin, written and issued by an insurer
18 authorized to do business in this Commonwealth,
19 stating that the structure meets the definition of a
20 "recreational cabin" as defined in section 103[;
21 and].

22 (8) [temporary] Temporary structures which are:

23 (i) Erected for the purpose of participation in a
24 fair, flea market, arts and crafts festival or other
25 public celebration.

26 (ii) Less than 1,600 square feet in size.

27 (iii) Erected for a period of less than 30 days.

28 (iv) Not a swimming pool, spa or hot tub.

29 (v) Subject to section 503(a)(2).

30 (9) Structures which meet all of the following

1 requirements:

2 (i) Are used for the direct, seasonal sale of
3 agricultural, horticultural and food products.

4 (ii) Are open on at least one side.

5 (iii) Are operated by a farmer whose products make
6 up not less than 50% of the commodities being sold.

7 (iv) If not located on the farmer's property, are
8 temporary in nature.

9 (v) Have an area of less than 1,000 square feet.

10 * * *

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