

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 269 Session of 2017

INTRODUCED BY BAKER AND RAFFERTY, JANUARY 31, 2017

SENATOR WARD, LABOR AND INDUSTRY, AS AMENDED, APRIL 25, 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 Uniform
7 Construction Code Review and Advisory Council and providing
8 for review of updated sections and adoption of updated
9 sections into Uniform Construction Code; in Uniform
10 Construction Code, further providing for revised or successor
11 codes; in adoption and enforcement by municipalities, further
12 providing for administration and enforcement; in training and
13 certification of inspectors, further providing for education
14 and training programs; and, in exemptions, applicability and
15 penalties, further providing for applicability to certain
16 buildings.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. The definition of "board of appeals" in section
20 103 of the act of November 10, 1999 (P.L.491, No.45), known as
21 the Pennsylvania Construction Code Act, is amended and the
22 section is amended by adding definitions to read:

23 Section 103. Definitions.

24 The following words and phrases when used in this act shall
25 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 \* \* \*

3 "Board of appeals." The body created by a municipality or  
4 more than one municipality to hear appeals from decisions of the  
5 code administrator as provided for by [Chapter 1 of the 1999  
6 Building Officials and Code Administrators International, Inc.,  
7 National Building Code, Fourteenth Edition] the department by  
8 regulation.

9 \* \* \*

10 "Collective codes." The term includes:

11 (1) Provisions of the ICC codes specified in 34 Pa. Code  
12 § 403.21 (relating to Uniform Construction Code).

13 (2) Any other sections of the ICC codes which were  
14 previously subject to review by the council whether or not  
15 those sections were incorporated into the Uniform  
16 Construction Code or specified in 34 Pa. Code § 403.21.

17 \* \* \*

18 "Existing sections." All sections of the collective codes  
19 that have been incorporated into the Uniform Construction Code  
20 that are currently in effect at the time of review by the  
21 council pursuant to section 108.

22 \* \* \*

23 "Unopposed sections." Any and all updated sections that:

24 (1) Do not receive a public comment recommending  
25 modification or rejection pursuant to section 108(a)(3)(ii).

26 (2) Are not selected for further review by a technical  
27 advisory committee pursuant to section 108(a)(3)(v).

28 (3) Are not selected for further review by the council  
29 pursuant to section 108(a)(3)(ix)(A).

30 "Updated sections." Any and all sections of the newest

1 editions of the ICC codes subject to review by the council under  
2 section 108(a)(1) that are different from, added to or deleted  
3 from, the immediately preceding editions of the ICC codes. Each  
4 updated section shall be referenced by the section number  
5 assigned to the section by the ICC codes.

6 \* \* \*

7 Section 2. Section 107 of the act is amended to read:

8 Section 107. Uniform Construction Code Review and Advisory  
9 Council.

10 (a) Establishment.--The Uniform Construction Code Review and  
11 Advisory Council is hereby established.

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

13 (1) Gather information from municipal officers, building  
14 code officials, construction code officials, licensed design  
15 professionals, builders [and], property owners, construction  
16 trades and consumer representatives concerning issues with  
17 the Uniform Construction Code raised by council members or  
18 changes proposed by members of the General Assembly.

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

21 (i) The Governor.

22 (ii) The Secretary of Labor and Industry.

23 (iii) The members of any legislative committee  
24 considering amendments to this act.

25 (iv) The President pro tempore of the Senate.

26 (v) The Speaker of the House of Representatives.

27 (vi) The [Code Development Councils of the]  
28 International Code Council.

29 (3) With the exception of the accessibility provisions  
30 of [Chapter 11 and Appendix E of the International Building

1 Code of 2009, or its successor] the most recently published  
2 editions of ICC codes, or any other accessibility  
3 requirements specified in regulation, contained in or  
4 referenced by the Uniform Construction Code relating to  
5 persons with physical disabilities, review the [latest  
6 triennial code revisions issued by the International Code  
7 Council, beginning with the 2012 codes] updated sections, as  
8 provided under [subsection (b.1)] section 108, or other  
9 sections of the collective codes, as provided under section  
10 108(a)(1)(iii).

11 [(b.1) Code review process.--

12 (1) Beginning with the 2012 ICC codes, the council shall  
13 review the latest triennial code revisions upon official  
14 publication of the codes.

15 (2) During the review process, the council shall hold at  
16 least three public hearings. One of the public hearings shall  
17 be held in Harrisburg, one shall be held in the eastern  
18 region of this Commonwealth and one shall be held in the  
19 western region of this Commonwealth.

20 (3) The council shall submit a report to the secretary  
21 within the 12-month period following official publication of  
22 the latest triennial code revisions under paragraph (1) with  
23 provisions of the codes that are specified for adoption. The  
24 provisions of the codes that are specified for adoption shall  
25 be separately designated in the report.

26 (4) The council shall examine triennial code revisions  
27 applying all of the following criteria:

28 (i) The impact that the provision may have upon the  
29 health, safety and welfare of the public.

30 (ii) The economic and financial impact of the

1 provision.

2 (iii) The technical feasibility of the provision.

3 (5) Only triennial code revisions that are adopted by a  
4 two-thirds vote of council membership shall be included in  
5 the report required under paragraph (3).]

6 (c) Composition.--The council shall [consist of the  
7 following members appointed by the Governor:

8 (1) A general contractor from an association  
9 representing the residential construction industry who has  
10 recognized ability and experience in the construction of new  
11 residential buildings.

12 (2) A general contractor from an association  
13 representing the nonresidential construction industry who has  
14 recognized ability and experience in the construction of  
15 nonresidential buildings.

16 (3) A Uniform Construction Code-certified residential  
17 building inspector who possesses all five residential  
18 certifications from an association representing building code  
19 officials who has experience administering and enforcing  
20 residential codes.

21 (4) A Uniform Construction Code-certified building  
22 inspector who possesses all nonresidential inspection  
23 certifications, but need not possess a fire inspector  
24 certification, or a certified plans examiner who also holds  
25 an accessibility certification from an association  
26 representing building code officials who has experience  
27 administering and enforcing nonresidential codes.

28 (5) A Uniform Construction Code-certified fire inspector  
29 from an association representing building code officials.

30 (6) A Uniform Construction Code-certified building code

1 official from an association representing building code  
2 officials with building code official certification.

3 (7) A residential contractor from an association  
4 representing contractors engaged in remodeling residential  
5 buildings who has recognized ability and experience in  
6 remodeling residential and nonresidential buildings.

7 (8) A licensed architect from an association  
8 representing architects who has recognized ability and  
9 experience in the design and construction of nonresidential  
10 buildings.

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

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

19 (11) A licensed mechanical engineer specializing in HVAC  
20 systems from an association representing professional  
21 engineers who has recognized ability and experience in the  
22 design and construction of buildings.

23 (12) A licensed mechanical engineer specializing in  
24 plumbing and fire protection from an association representing  
25 professional engineers who has recognized ability and  
26 experience in the design and construction of buildings.

27 (13) A licensed electrical engineer from an association  
28 representing professional engineers who has recognized  
29 ability and experience in the design and construction of  
30 buildings.

1 (14) An elected official of a township of the second  
2 class who has recognized ability and experience in  
3 construction of buildings.

4 (15) An elected borough official who has recognized  
5 ability and experience in construction of buildings.

6 (16) An elected official of a third class city who has  
7 recognized ability and experience in the construction of  
8 buildings.

9 (17) An individual from an association representing  
10 manufactured housing who shall be knowledgeable, licensed or  
11 certified to sell and install manufactured housing.

12 (18) An official of a city of the first class who has  
13 recognized ability and experience in the administration and  
14 enforcement of this act.

15 (19) An individual from an association representing only  
16 modular housing manufacturers who is knowledgeable, licensed  
17 or certified under the act of May 11, 1972 (P.L.286, No.70),  
18 known as the Industrialized Housing Act, to manufacture and  
19 sell modular homes in Pennsylvania.] be comprised of members  
20 WHO ARE LEGAL RESIDENTS OF THIS COMMONWEALTH AND ARE selected <--  
21 as follows:

22 (1) One member, appointed by the President pro tempore  
23 of the Senate, who must be a general contractor from an  
24 association representing the residential construction  
25 industry and have a recognized ability and experience in the  
26 construction of new residential dwellings.

27 (2) One member, appointed by the Minority Leader of the  
28 Senate, who must be a second or third class city official and  
29 have recognized ability and experience in the construction of  
30 buildings.

1       (3) One member, appointed by the Speaker of the House of  
2 Representatives, who must be a general contractor from an  
3 association representing the nonresidential construction  
4 industry and have recognized ability and experience in the  
5 construction of nonresidential buildings.

6       (4) One member, appointed by the Minority Leader of the  
7 House of Representatives, who must have recognized ability  
8 and experience in construction trades so as to represent  
9 employees in the industry.

10       (5) Seventeen members appointed by the Governor to  
11 include the following:

12           (i) One member who must be a Uniform Construction  
13 Code-certified residential building inspector, possess  
14 all five residential certifications from an association  
15 representing building code ~~official~~ OFFICIALS and have <--  
16 experience administering and enforcing residential codes.

17           (ii) One member who must be a Uniform Construction  
18 Code-certified building inspector, ~~possess~~ WHO POSSESSES <--  
19 all nonresidential inspection certifications BUT DOES NOT <--  
20 NEED TO POSSESS A FIRE INSPECTOR CERTIFICATION, or a  
21 certified plans examiner, ~~hold~~ WHO HOLDS an accessibility <--  
22 certification from an association representing building  
23 code officials and ~~have~~ HAS experience administering and <--  
24 enforcing nonresidential codes. ~~The code certified~~ <--  
25 building inspector need not possess a fire inspector  
26 certification.

27           (iii) One member who must be a Uniform Construction  
28 Code-certified fire inspector from an association  
29 representing fire code officials.

30           (iv) One member who must be a Uniform Construction



1 Code-certified building code official from an association  
2 representing building code officials with building code  
3 official certification.

4 (v) One member who must be A residential contractor <--  
5 from an association representing contractors engaged in  
6 remodeling residential buildings and have recognized  
7 ability and experience in remodeling residential and  
8 nonresidential buildings.

9 (vi) One member who must be a licensed architect  
10 from an association representing architects and have  
11 recognized ability and experience in the design and  
12 construction of nonresidential buildings.

13 (vii) One member who must be a licensed architect  
14 from an association representing architects and have  
15 recognized ability and experience in the design and  
16 construction of residential buildings.

17 (viii) One member who must be a licensed structural  
18 engineer from an association representing professional  
19 engineers and have recognized ability and experience in  
20 the design and construction of buildings.

21 (ix) One member who must be a licensed mechanical  
22 engineer specializing in HVAC systems from an association  
23 representing professional engineers and have recognized  
24 ability and experience in the design and construction of  
25 buildings.

26 (x) One member who must be a licensed mechanical  
27 engineer specializing in plumbing and fire protection  
28 from an association representing professional engineers  
29 and have recognized ability and experience in the design  
30 and construction of buildings.

1 (xi) One member who must be a licensed electrical  
2 engineer from an association representing professional  
3 engineers and have recognized ability and experience in  
4 the design and construction of buildings.

5 (xii) One member who must be a public official of a  
6 borough and have recognized ability and experience in the  
7 construction of buildings.

8 (xiii) One member from an association representing  
9 manufactured housing who must be knowledgeable, licensed  
10 or certified to sell and install manufactured housing.

11 (xiv) One member who must be a first class city  
12 official and have recognized ability and experience in  
13 the administration and enforcement of this act.

14 (xv) One member from an association representing  
15 only modular housing manufacturers who must be <--  
16 knowledgeable, licensed or certified under the act of May  
17 11, 1972 (P.L.286, No.70), known as the Industrialized  
18 Housing Act, to manufacture and sell modular homes in  
19 this Commonwealth.

20 (xvi) One member who is a public official of a  
21 township of the second class and has recognized ability  
22 and experience in the construction of buildings.

23 (xvii) One member from an association representing  
24 commercial building owners who has recognized ability and  
25 experience in the construction and renovation of  
26 nonresidential buildings.

27 At least one of the inspectors appointed to the council shall be  
28 a municipal employee, and at least one inspector shall be a  
29 third-party private sector inspector. A MEMBER SHALL PRESENT <--  
30 DOCUMENTATION TO THE SECRETARY THAT THE MEMBER MEETS THE

1 QUALIFICATIONS OF THE MEMBER'S APPOINTMENT, AND THE SECRETARY  
2 SHALL MAINTAIN THE DOCUMENTATION FOR PUBLIC INSPECTION.

3 (d) Vacancies.--Vacancies on the council shall be filled in  
4 the [same] manner [in which they were originally designated]  
5 provided under subsection (c) within 30 business days of the  
6 vacancy†. [If the Governor fails to act within 30 business days, <--  
7 the council chairperson shall appoint an individual to fill the  
8 vacancy.] ~~and any new council member appointed shall serve the~~ <--  
9 ~~remainder of the term of his or her predecessor.~~ IF THE <--  
10 APPOINTING AUTHORITY FAILS TO ACT WITHIN 30 BUSINESS DAYS, THE  
11 COUNCIL CHAIRPERSON SHALL APPOINT AN INDIVIDUAL TO FILL THE  
12 VACANCY.

13 (e) Removal.--Council members who miss three or more  
14 consecutive meetings or who miss three or more meetings of a  
15 technical advisory committee to which they have been appointed,  
16 may be removed from the council and any technical advisory  
17 committees to which they have been appointed and a new council  
18 member shall be appointed in accordance with this section.  
19 Notwithstanding any other provision to the contrary, the council  
20 chair shall appoint a council member to serve on a technical  
21 advisory committee and replace a council member removed from  
22 that technical advisory committee pursuant to this subsection. A  
23 council member may also be removed for just cause by the  
24 Governor. A COUNCIL MEMBER WHO DOES NOT MEET THE QUALIFICATIONS <--  
25 OF HIS APPOINTMENT SHALL BE REMOVED.

26 (f) Terms.--

27 (1) [A] EXCEPT AS OTHERWISE PROVIDED UNDER THIS <--  
28 SUBSECTION, A member of the council shall serve terms of  
29 [two] three years and until his successor is appointed.  
30 [beginning July 1, 2008, except the initial term of members

1 appointed under subsection (c) (1), (3), (4), (5), (8), (11),  
2 (13) and (14) shall be for three years and until their  
3 successor is appointed.]

4 ~~(2) The current term of a council member serving on the <--  
5 effective date of this paragraph shall be extended by one  
6 additional year or to June 30, 2017, whichever is later.~~

7 (2) THE TERM OF A MEMBER APPOINTED UNDER SUBSECTION (C) <--  
8 (1), (2), (3), (4) OR (5) (XVII) SHALL COMMENCE IMMEDIATELY  
9 UPON APPOINTMENT AND SHALL EXPIRE JUNE 30, 2020, AND UNTIL A  
10 SUCCESSOR IS APPOINTED.

11 (3) A MEMBER APPOINTED TO THE COUNCIL BEFORE THE  
12 EFFECTIVE DATE OF THIS SECTION SHALL SERVE ON THE COUNCIL  
13 ACCORDING TO THE FOLLOWING:

14 (I) IF THE MEMBER MEETS THE QUALIFICATIONS AS  
15 SPECIFIED UNDER SUBSECTION (C) (5) (X) OR (XIV), THE MEMBER  
16 SHALL FILL THE APPOINTMENT UNDER SUBSECTION (C) (5) (X) OR  
17 (XIV) UNTIL JUNE 30, 2017, AND UNTIL A SUCCESSOR IS  
18 APPOINTED.

19 (II) IF THE MEMBER MEETS THE QUALIFICATIONS AS  
20 SPECIFIED UNDER SUBSECTION (C) (5) (I), (II), (IV), (VI),  
21 (VIII), (IX) OR (XV), THE MEMBER SHALL FILL THE  
22 APPOINTMENT UNDER SUBSECTION (C) (5) (I), (II), (IV), (VI),  
23 (VIII), (IX) OR (XV) UNTIL JUNE 30, 2018, AND UNTIL A  
24 SUCCESSOR IS APPOINTED.

25 (III) IF THE MEMBER MEETS THE QUALIFICATIONS AS  
26 SPECIFIED UNDER SUBSECTION (C) (5) (III), (V), (VII), (XI),  
27 (XII), (XIII) OR (XVI), THE MEMBER SHALL FILL THE  
28 APPOINTMENT UNDER SUBSECTION (C) (5) (III), (V), (VII),  
29 (XI), (XII), (XIII) OR (XVI) UNTIL JUNE 30, 2019, AND  
30 UNTIL A SUCCESSOR IS APPOINTED.

1           (4) IF A MEMBER SERVING THE COUNCIL UNDER PARAGRAPH (3)  
2           (I), (II) OR (III) RESIGNS OR IS REMOVED IN ACCORDANCE WITH  
3           SUBSECTION (E), THE MEMBER'S SUCCESSOR SHALL SERVE FOR THE  
4           REMAINDER OF THE MEMBER'S TERM AND UNTIL A SUCCESSOR IS  
5           APPOINTED.

6           (g) Chairperson and vice chairperson.--The members shall  
7 elect, by a majority vote, a chairperson and vice chairperson of  
8 the council.

9           (h) Quorum.--[Ten] Eleven members shall constitute a quorum.

10          (i) Meetings.--Meetings shall be conducted as required under  
11 65 Pa.C.S. Ch. 7 (relating to open meetings) as follows:

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

16           (2) All meetings of the council shall be publicly  
17 advertised and shall be open to the public. Members of the  
18 general public shall be given reasonable opportunity to  
19 address the council.

20           (3) The council shall publish a schedule of its meetings  
21 in the Pennsylvania Bulletin and in at least one newspaper of  
22 general circulation. The notice shall be published at least  
23 five business days in advance of each meeting. The notice  
24 shall specify the date, time and place of the meeting and  
25 shall state that the meetings of the council are open to the  
26 general public.

27           (4) Council members may participate in council meetings  
28           in person, via telephone conference, or via video conference.  
29           Council members may submit votes in person, telephonically or  
30           by e-mail to the chair of the council. The department may

1 approve similar methods of communication for participation  
2 and voting by council members.

3 (j) Administrative support.--The department shall provide a  
4 facility for council meetings under this act, stenographic  
5 services, secretarial services, legal representation and  
6 required notice of the council's meetings. The department [may]  
7 shall provide staff support in drafting any reports required  
8 under this act.

9 (k) Technical support.--The council may solicit and retain,  
10 with or without compensation, individuals who are qualified by  
11 training or experience to provide expert input to the council  
12 [and, at]. At the discretion of the council:

13 (1) Except as set forth in paragraph (2), such  
14 individuals may be compensated for their services or  
15 reimbursed for reasonable travel expenses at a reasonable  
16 rate established by the secretary, or both.

17 (2) Paragraph (1) does not apply to a member of a  
18 technical advisory committee appointed under subsection (m)  
19 (1)(v).

20 (l) Compensation and expenses.--Members of the council shall  
21 not receive a salary or per diem allowance for their service[.]  
22 but shall be reimbursed in amounts and as determined by the  
23 department for reasonable travel, lodging and other necessary  
24 expenses incurred in performing their duties.

25 (m) Technical advisory committees.--

26 (1) The council shall establish a process by which  
27 technical advisory committees will assist the council in the  
28 review of the updated sections. The technical advisory  
29 committee process shall comply with the following  
30 requirements:

1           (i) There shall be a technical advisory committee  
2 for each of the codes included in the Uniform  
3 Construction Code and specified in 34 Pa. Code § 403.21  
4 (relating to Uniform Construction Code), and such other  
5 technical advisory committees as the council deems  
6 necessary to facilitate its review. Members of industry  
7 and interest groups associated with code development and  
8 enforcement shall be permitted to participate in the  
9 technical advisory committee.

10           (ii) Each technical advisory committee shall be  
11 limited to a maximum of 12 members. The chair of the  
12 council shall appoint a council member to chair each  
13 technical advisory committee. Any other council member  
14 may seek appointment to a technical advisory committee  
15 and, if no more than four additional council members seek  
16 appointment to a specified technical advisory committee,  
17 those council members shall also be appointed to the  
18 technical advisory committee. If more than four council  
19 members seek appointment to a technical advisory  
20 committee, the chair of the council shall appoint four of  
21 the council members seeking appointment to serve and the  
22 remaining council members seeking appointment shall serve  
23 only if additional positions on the technical advisory  
24 committee remain after selection of the technical  
25 advisory committee members pursuant to subparagraph (v).

26           (iii) The department shall publish a notice seeking  
27 participation in the technical advisory committees in the  
28 Pennsylvania Bulletin and on the department's publicly  
29 accessible Internet website or, in the absence of an  
30 Internet website, in such other manner as the secretary

1 determines will provide substantially similar public  
2 notice.

3 (iv) Interested persons shall submit to the chair of  
4 the council the following information within 30 days  
5 following the publication of the notice:

6 (A) name;

7 (B) the name or subject matter area of the  
8 technical advisory committee to which the individual  
9 seeks to be appointed;

10 (C) contact information;

11 (D) industry sector, interest group or area of  
12 construction industry expertise, if applicable; and

13 (E) summary of experience and expertise.

14 (v) The chair of the council shall seek to ensure  
15 diversity of interests on each technical advisory  
16 committee. Technical advisory committee members shall be  
17 selected by the chair of the council from among the  
18 interested persons identified in subparagraph (iv) ~~so as~~ <--  
19 ~~to ensure that technical advisory committees add relevant~~  
20 ~~expertise as well as differing viewpoints, industries,~~  
21 ~~professions and other interests.~~ TO ENSURE THAT THE <--  
22 TECHNICAL ADVISORY COMMITTEE AS A WHOLE HAS, AT MINIMUM,  
23 REPRESENTATION FROM AFFECTED CONTRACTOR ASSOCIATIONS,  
24 AFFECTED BUILDING TRADE ORGANIZATIONS, THE CODE  
25 ENFORCEMENT COMMUNITY, THE DESIGN PROFESSIONAL COMMUNITY  
26 AND OTHER RELEVANT INDUSTRIES.

27 (vi) Meetings of the technical advisory committees  
28 may be in person, via telephone conference or via video  
29 conference. The department may approve similar methods of  
30 communication for participation and voting by technical



1 advisory committee members.

2 (vii) Technical advisory committee members may  
3 submit votes in person, telephonically or by electronic  
4 mail to the chair of the technical advisory committee.

5 Decisions RECOMMENDATIONS of a technical advisory <--  
6 committee shall be by majority of the votes received AND <--  
7 SHALL BE NON-BINDING.

8 Section 3. The act is amended by adding a section to read:

9 Section 108. Review of updated sections and adoption of updated  
10 sections into Uniform Construction Code.

11 (a) Code review process.--

12 (1) (i) Except as specifically provided in this act  
13 with respect:

14 (A) to the 2015 changes to the Uniform  
15 Construction Code adopted by the council; and

16 (B) to the procedure outlined in subparagraph  
17 (iii),

18 the council shall commence its review of the updated  
19 sections 21 months following the publication of a new  
20 edition of the ICC codes in accordance with paragraph  
21 (3). Notwithstanding any other provision of this act to  
22 the contrary, the council shall initiate a new review of  
23 the updated sections contained in the 2015 edition of the  
24 ICC codes within 30 days of the effective date of this  
25 section, and this review shall be referred to as the 2015  
26 Code Review. The decisions by the council with respect to  
27 the 2015 edition of the ICC codes previously provided to  
28 the department on May 29, 2015, and the regulations  
29 promulgated by the department as a result, shall remain  
30 in full force and effect until ~~December 31~~ SEPTEMBER 30, <--

1 2018. As of ~~December 31~~ OCTOBER 1, 2018, the decisions of <--  
2 the council as a result of the 2015 Code Review and the  
3 regulations promulgated by the department as a result,  
4 shall supersede any previous inconsistent council  
5 decisions or departmental regulations.

6 (ii) The 2015 Code Review shall be conducted in  
7 accordance with provisions of this act, except that <--  
8 ACCORDANCE WITH PROVISIONS OF THIS ACT, EXCEPT THAT: <--

9 (A) THE public comment period under paragraph  
10 (3)(i) shall be 30 days, and except that; <--

11 (B) NOTWITHSTANDING THE REQUIREMENTS UNDER  
12 PARAGRAPH (3)(VIII), the council shall only be  
13 required to hold one public hearing, which SHALL BE <--  
14 HELD WITHIN 30 DAYS AFTER THE END OF THE PUBLIC  
15 COMMENT PERIOD AND shall be in Harrisburg, <--  
16 notwithstanding the requirements of paragraph (3)  
17 (viii).; <--

18 (C) THE COUNCIL SHALL NOT BE REQUIRED TO  
19 ESTABLISH A TECHNICAL ADVISORY COMMITTEE AS REQUIRED  
20 UNDER SECTION 107(M) AND MAY ESTABLISH A COMMITTEE  
21 BASED ON PAST PRACTICES OF THE COUNCIL PROVIDED THAT  
22 THE COMMITTEE SHALL FOLLOW THE PROCESS AS SPECIFIED  
23 UNDER THIS ACT TO THE FURTHEST EXTENT PRACTICABLE;  
24 AND

25 (D) THE COUNCIL MAY RELY ON TECHNICAL ANALYSIS  
26 OF THE 2015 EDITION OF THE TRIENNIAL CODES PERFORMED  
27 BY THE COUNCIL DURING THE COUNCIL'S PREVIOUS REVIEW.

28 (iii) The council shall also review, in accordance  
29 with the procedures outlined in this act, any section of  
30 the collective codes that do not otherwise constitute

1 updated sections but only if two-thirds of the council  
2 membership so determine. The sections selected for review  
3 shall be referred to as "additional sections." The  
4 additional sections shall be treated for purposes of  
5 review and approval or disapproval by the council as  
6 updated sections. The selection of additional sections  
7 shall occur during two meetings of the council, the first <--  
8 to occur between 14 and 16 months following publication  
9 of a new edition of the ICC codes and the last to occur  
10 no later than 18 to 21 months following publication of a  
11 new edition of the ICC codes.

12 ~~(iv) Notwithstanding any other provision of this~~  
13 ~~paragraph, the selection of additional sections with~~  
14 ~~respect to the 2015 Code Review shall be made in a~~  
15 ~~meeting or meetings, the number of meetings to be~~  
16 ~~determined by the chair of the council, to be held 30 to~~  
17 ~~90 days after the effective date of this section. PRIOR~~ <--  
18 ~~TO COMMENCEMENT OF THE REVIEW PROCESS.~~

19 (2) Each updated section subject to review under  
20 paragraph (3) (v) shall be examined applying all of the  
21 following criteria:

22 (i) The impact that the section may have upon the  
23 health, safety and welfare of the public.

24 (ii) The economic and financial impact of the  
25 section, including impact on the end consumer.

26 (iii) The technical feasibility of the section.

27 (3) The council shall review the updated sections as  
28 follows:

29 (i) A 120-day period to receive comments from  
30 council members and the general public regarding the

1 updated sections shall commence 30 days following the  
2 start of the council's review under paragraph (1). The  
3 public comment period shall be announced in the  
4 Pennsylvania Bulletin and on the department's publicly  
5 accessible Internet website or, in the absence of an  
6 Internet website, in such other manner as the secretary  
7 determines will provide substantially similar public  
8 notice.

9 (ii) All public comments shall be submitted on a  
10 form created by the council. Each comment shall relate to  
11 a single updated section. The comment shall, at a  
12 minimum, specify the updated section to which the comment  
13 relates, state whether the updated section should be  
14 adopted, rejected or modified, and specify the rationale  
15 for the recommended action based on the criteria set  
16 forth in paragraph (2). ~~Any modification must further the~~<--  
17 ~~purpose and effect of the standards under review. A~~<--  
18 PROPOSED MODIFICATION SHALL MEET OR EXCEED THE STANDARDS  
19 OF THE SECTION IN EFFECT OR BEING REVIEWED AND THE  
20 PROPOSED MODIFICATION SHALL BE WITHIN THE STANDARDS UNDER  
21 REVIEW.

22 (iii) All public comments submitted in accordance  
23 with subparagraph (ii) shall be provided to all council  
24 members, posted on the department's publicly accessible  
25 Internet website or, in the absence of an Internet  
26 website, in such other manner as the secretary determines  
27 will provide substantially similar public notice. All  
28 public comments submitted in accordance with subparagraph  
29 (ii) shall be reviewed individually by a technical  
30 advisory committee.

1           (iv) After the expiration of the public comment  
2 period, the chair shall assign each updated section,  
3 regardless of whether a public comment has been received,  
4 to the technical advisory committee for the code that  
5 contains the updated section.

6           (v) The technical advisory committee shall review  
7 all of the updated sections it has been assigned as  
8 provided in this section. The technical advisory  
9 committee may also review any related updated section,  
10 any existing section or any related collective code  
11 section as needed to ensure consistency and effectiveness  
12 of the Uniform Construction Code. Even if an updated  
13 section has not received a public comment in accordance  
14 with subparagraph (ii), a technical advisory committee  
15 member may select one or more of the updated sections  
16 assigned to the technical advisory committee for  
17 individual consideration by the council under  
18 subparagraph (ix) (B).

19           (vi) For each updated section that:

20                   (A) receives a comment recommending modification  
21 or rejection in accordance with subparagraph (ii); or

22                   (B) a member of the technical advisory committee  
23 to which it has been assigned has separately selected  
24 for individual review by the council;

25 the technical advisory committee shall submit to the  
26 chair of the council a recommendation that the section  
27 and any related section identified in subparagraph (v) be  
28 adopted, rejected or modified. The technical advisory  
29 committee shall submit the rationale for its  
30 recommendations. Notwithstanding any other provision of

1 this subparagraph, updated sections that do not receive a  
2 comment recommending modification or rejection in  
3 accordance with subparagraph (ii) and that a member of  
4 the technical advisory committee has not separately  
5 selected for individual review by the council shall be  
6 noted in the report as unopposed.

7 (vii) The technical advisory committee's  
8 recommendations shall be posted on the department's  
9 publicly accessible Internet website or, in the absence  
10 of an Internet website, in such other manner as the  
11 secretary determines will provide substantially similar  
12 public notice. The technical advisory committee's  
13 recommendations shall be posted at least 10 business days  
14 prior to holding the first hearing pursuant to this  
15 section.

16 (viii) After submission of all recommendations of  
17 the technical advisory committees, the council shall hold  
18 at least three public hearings. One of the public  
19 hearings shall be held in Harrisburg, one shall be held  
20 in the eastern region of this Commonwealth and one shall  
21 be held in the western region of this Commonwealth.

22 (ix) Upon completion of the hearings, the council  
23 shall hold one or more official meetings of the council  
24 to decide whether to adopt, reject or modify the updated  
25 sections and any related section identified in  
26 subparagraph (v). The following shall apply:

27 (A) The council shall consider and vote on the  
28 unopposed sections as a group. Prior to a vote on the  
29 unopposed sections as a group, the council shall  
30 first consider any motion made by a council member to

1 exclude a section from the unopposed group. A MOTION <--  
2 TO EXCLUDE SHALL ONLY BE IN ORDER IF IT IS SUPPORTED  
3 BY WRITTEN EXPLANATION, MADE AVAILABLE TO THE  
4 COUNCIL, DESCRIBING NEW INFORMATION NOT CONSIDERED BY  
5 THE TECHNICAL ADVISORY COMMITTEES AND THE UNDERLYING  
6 RATIONALE FOR THE MOTION. If the motion is supported  
7 by a two-thirds majority of the council membership,  
8 that section shall be removed from the unopposed  
9 group. ~~There shall be no limit to the number of~~ <--  
10 ~~motions that the council shall consider before~~  
11 ~~consideration of the unopposed sections as a group.~~  
12 Unopposed sections that remain as part of the group,  
13 after consideration of motions to exclude sections,  
14 shall be ~~deemed~~ adopted unless rejected by a two <--  
15 ~~thirds~~ majority vote of the council. MEMBERS. IF <--  
16 UNOPPOSED SECTIONS FAIL TO BE ADOPTED BY A MAJORITY  
17 VOTE, THE COUNCIL SHALL CONDUCT A SUBSEQUENT VOTE TO  
18 REJECT UNOPPOSED SECTIONS BY A TWO-THIRDS MAJORITY  
19 VOTE OF THE COUNCIL MEMBERS. IF THE COUNCIL FAILS TO  
20 REJECT UNOPPOSED SECTIONS BY A TWO-THIRDS MAJORITY  
21 VOTE, THE UNOPPOSED SECTIONS SHALL BE ADOPTED. All  
22 unopposed sections that are rejected as a group or  
23 successfully excluded from the group shall be subject  
24 to the procedure specified in clause (B). ~~For each~~ <--  
25 ~~unopposed section that the council subjects to the~~  
26 ~~procedure specified in clause (B), the council shall~~  
27 ~~provide, in writing, the specific rationale for its~~  
28 ~~decision.~~

29 (B) Except for the unopposed sections, a two-  
30 thirds majority of the council members is required

1 for adoption or modification of the updated sections.  
2 The council may vote on the updated sections  
3 individually or in groups. If the council's decision <--  
4 on an updated section differs from the recommendation  
5 of the technical advisory committee, the council  
6 shall provide, in writing, the specific rationale for  
7 its decision. A MODIFICATION SHALL MEET OR EXCEED THE <--  
8 STANDARDS OF THE SECTION IN EFFECT OR BEING REVIEWED,  
9 AND THE MODIFICATION SHALL BE WITHIN THE STANDARDS  
10 UNDER REVIEW.

11 (b) Submission of report.--With the exception of the  
12 council's review of the 2015 ICC codes, the council shall submit  
13 a report to the secretary within the 24-month period following  
14 the commencement of the review process by the council with  
15 sections of the updated codes and additional codes that are  
16 specified for adoption or modification. The sections of the  
17 codes that are specified for adoption or modification shall be  
18 separately designated in the report. For the council's review of  
19 the 2015 ICC codes only, the council shall submit a report to  
20 the secretary on or before ~~June~~ MAY 1, 2018. <--

21 Section 4. Sections 304, 501(c), 703 and 902(c) of the act  
22 are amended to read:

23 Section 304. Revised or successor codes.

24 (a) Duties of department.--

25 (1) (i) Subject to sections 105(c) and (d), 301(a)(3),  
26 (4), (5), (6) and (7), (c) and (d) and 302, within  
27 [three] nine months of the receipt of the report under  
28 section [107(b.1)] 108(b), the department shall  
29 promulgate final-omitted regulations under the act of  
30 June 25, 1982 (P.L.633, No.181), known as the Regulatory



1 Review Act, to adopt the [triennial code revisions made]  
2 council's decisions contained in the report without  
3 change.

4 (ii) Except as provided in subparagraph (iii),  
5 regulations adopted under this act shall become effective  
6 33 months after the commencement of council review as  
7 provided for in section 108(a)(1)(i).

8 (iii) Regulations promulgated by the department as a  
9 result of the 2015 Code Review shall be effective  
10 ~~December 31~~ OCTOBER 1, 2018. <--

11 (2) Regulations promulgated under this subsection are  
12 exempt from:

13 (i) section 205 of the act of July 31, 1968  
14 (P.L.769, No.240), referred to as the Commonwealth  
15 Documents Law; and

16 (ii) sections 204(b) and 301(10) of the act of  
17 October 15, 1980 (P.L.950, No.164), known as the  
18 Commonwealth Attorneys Act.

19 (3) [Notwithstanding paragraphs (1) and (2), the] The  
20 department shall promulgate regulations updating  
21 accessibility standards under Chapter 3 by adopting [Chapter  
22 11 and Appendix E of the International Building Code of 2012,  
23 or its successor,] by December 31 of the year of issuance of  
24 [the new code.] the accessibility provisions of the most  
25 recently published edition of the ICC codes and any other  
26 accessibility requirements which shall be specified in the  
27 regulations, or contained in or referenced by the Uniform  
28 Construction Code relating to persons with disabilities.

29 (4) The department may contract with the ICC to  
30 establish and publish code manuals that contain the standards

1 of the Uniform Construction Code. The department shall  
2 require in any contract under this paragraph that the  
3 documentation be made available on the department's publicly  
4 accessible Internet website.

5 (a.1) Continuity.--If [a triennial revision] an updated  
6 section is not adopted or modified under section [107(b.1) (5)]  
7 108, the relevant provisions of the [prior version of the codes]  
8 existing sections shall remain in effect.

9 (c) Prior permits and construction.--

10 (1) A construction permit issued under valid  
11 construction regulations prior to the effective date of  
12 regulations for a subsequent Uniform Construction Code or  
13 International Fuel Gas Code issued under this act shall  
14 remain valid, and the construction of any building or  
15 structure may be completed pursuant to and in accordance with  
16 the permit.

17 (2) If the permit has not been actively prosecuted  
18 within two years of the effective date of the regulation or  
19 the period specified by a municipal ordinance, whichever is  
20 less, the former permitholder shall be required to acquire a  
21 new permit.

22 (3) Where construction of a building or structure  
23 commenced before the effective date of the regulations for a  
24 subsequent Uniform Construction Code or International Fuel  
25 Gas Code issued under this act and a permit was not required  
26 at that time, construction may be completed without a permit.

27 Section 501. Administration and enforcement.

28 \* \* \*

29 (c) Board of appeals.--

30 (1) A municipality which has adopted an ordinance for

1 the administration and enforcement of this act or  
2 municipalities which are parties to an agreement for the  
3 joint administration and enforcement of this act shall  
4 establish or designate a board of appeals as provided by  
5 [Chapter 1 of the 1999 BOCA National Building Code,  
6 Fourteenth Edition,] the regulation of the department to hear  
7 appeals from decisions of the code administrator. Members of  
8 the municipality's governing body may not serve as members of  
9 the board of appeals. A municipality may establish a board of  
10 appeals or may establish or designate a joint board of  
11 appeals in accordance with 53 Pa.C.S. Ch. 23 Subch. A  
12 (relating to intergovernmental cooperation).

13 (2) An application for appeal shall be based on a claim  
14 that the true intent of this act or regulations legally  
15 adopted under this act have been incorrectly interpreted, the  
16 provisions of this act do not fully apply or an equivalent  
17 form of construction is to be used.

18 (3) When a municipality cannot find persons to serve on  
19 a board of appeals who meet the minimum qualifications [of  
20 Chapter 1 of the BOCA National Building Code] established by  
21 the department, the municipality may fill a position on the  
22 board with a qualified person who resides outside of the  
23 municipality.

24 (4) The fee for an appeal to the Board of Appeals for a  
25 municipality that is administering and enforcing this act  
26 shall not exceed actual costs of the public notice of the  
27 hearing, appearance fee for the court reporter and  
28 administrative fees as necessary.

29 (5) In the case of an appeal or request for variance or  
30 extension of time involving the construction of a one-family

1 or two-family residential building, the board of appeals  
2 shall convene a hearing within 30 days of the appeal. The  
3 Board of Appeals shall render a written decision to the  
4 parties within five business days, or within ten business  
5 days in cities of the first class, of the last hearing. If  
6 the board of appeals fails to act within the time period  
7 under this paragraph, the appeal shall be deemed granted.

8 \* \* \*

9 Section 703. Education and training programs.

10 (a) Fee.--Municipalities administering and enforcing this  
11 act under section 501(a) and third-party agencies providing  
12 services under section 501(e) shall assess a fee of [\$4] ~~\$5~~ <--  
13 \$4.50 on each construction or building permit issued under the <--  
14 authority of this act. The fee shall be in addition to any other  
15 fee imposed for the permit.

16 (b) [Training accounts] Accounts.--There [is] are hereby  
17 established within the State Treasury [two] three restricted  
18 accounts which shall be known as the Municipal Code Official  
19 Training Account, the Review and Advisory Council Administration  
20 Account and the Construction Contractor Training Account. THE <--  
21 DEPARTMENT SHALL SEPARATELY ACCOUNT FOR REVENUE AND SPENDING FOR  
22 EACH ACCOUNT.

23 (c) Deposit.--[Moneys]

24 (1) The fee collected as authorized under subsection (a)  
25 shall be transmitted quarterly to the State Treasury and  
26 shall be equally divided and deposited in the accounts  
27 established in subsection (b) [.] as follows:

28 ~~(i) Forty percent of the fee shall be deposited in~~ <--  
29 ~~the Municipal Code Official Training Account.~~

30 ~~(ii) Forty percent of the fee shall be deposited in~~

1 the Construction Contractor Training Account.

2 (iii) Twenty percent of the fee shall be deposited  
3 in the Review and Advisory Council Administration  
4 Account.

5 (I) FORTY-TWO AND ONE-HALF PERCENT OF THE FEE SHALL <--  
6 BE DEPOSITED IN THE MUNICIPAL CODE OFFICIAL TRAINING  
7 ACCOUNT FOR THE PURPOSE OF EDUCATION AND TRAINING  
8 PROGRAMS FOR MUNICIPAL CODE OFFICIALS AND INDIVIDUALS  
9 EMPLOYED BY THIRD-PARTY AGENCIES UNDER CONTRACT TO A  
10 MUNICIPALITY.

11 (II) FIFTEEN PERCENT OF THE FEE SHALL BE DEPOSITED  
12 IN THE REVIEW AND ADVISORY COUNCIL ADMINISTRATION ACCOUNT  
13 FOR THE FOLLOWING PURPOSES:

14 (A) EXPENSES OF THE COUNCIL AS AUTHORIZED UNDER  
15 SECTION 107(L);

16 (B) TECHNICAL ASSISTANCE AS PROVIDED UNDER  
17 SECTION 107(K);

18 (C) ADMINISTRATIVE ASSISTANCE AS PROVIDED UNDER  
19 SECTION 107(J);

20 (D) FEES ASSOCIATED WITH CONTRACTING WITH THE  
21 ICC TO ESTABLISH AND PUBLISH CODE MANUALS THAT  
22 CONTAIN THE STANDARDS OF THE UNIFORM CONSTRUCTION  
23 CODE AS PROVIDED UNDER SECTION 304(A)(4); AND

24 (E) AS OTHERWISE DETERMINED NECESSARY BY THE  
25 DEPARTMENT AS MONEY IS AVAILABLE.

26 (III) FORTY-TWO AND ONE-HALF PERCENT OF THE FEE  
27 SHALL BE DEPOSITED IN THE CONSTRUCTION CONTRACTOR  
28 TRAINING ACCOUNT FOR A PENNSYLVANIA-BASED HOUSING  
29 RESEARCH CENTER LOCATED AT A LAND GRANT UNIVERSITY FOR  
30 THE CONSTRUCTION INDUSTRY. TO ASSURE THE PROGRAMS MEET

1           THE NEEDS OF THE CONSTRUCTION INDUSTRY, THE EDUCATION,  
2           TRAINING AND OTHER ACTIVITIES PROVIDED BY SUCH A HOUSING  
3           RESEARCH CENTER SHALL BE APPROVED BY ITS INDUSTRY  
4           ADVISORY COMMITTEE.

5           (2) [Moneys so] Money deposited [are] under paragraph  
6           (1)(i) and (ii) is hereby [equally] appropriated on approval <--  
7           of the Governor to the [Department of Community and Economic <--  
8           Development for the purpose of education and training  
9           programs {provided by the Pennsylvania Construction Codes <--  
10          Academy} for municipal code officials and individuals <--  
11          employed by third-party agencies under contract to a  
12          municipality and to a Pennsylvania-based housing research  
13          center located at a land grant university for the  
14          construction industry. To assure the programs meet the needs  
15          of the construction industry, the education, training and  
16          other activities provided by such a housing research center  
17          shall be approved by its industry advisory committee.] <--  
18          DEPARTMENT AS PROVIDED UNDER PARAGRAPH (1).

19          ~~(3) All money deposited under paragraph (1)(iii) shall~~ <--  
20          ~~be transmitted quarterly to the Department of Labor and~~  
21          ~~Industry for expenses of the council as authorized in section~~  
22          ~~107(l), for technical assistance as provided for in section~~  
23          ~~107(k), for administrative assistance as provided for in~~  
24          ~~section 107(j), for fees associated with contracting with the~~  
25          ~~ICC to establish and publish code manuals which contain the~~  
26          ~~standards of the Uniform Construction Code as provided for in~~  
27          ~~section 304(a)(4) and as otherwise determined necessary by~~  
28          ~~the council as money is available.~~

29          (3) ANY REMAINING UNENCUMBERED BALANCE IN THE MUNICIPAL <--  
30          TRAINING ACCOUNT AS OF JUNE 30, 2017, THAT WAS PREVIOUSLY

1 AUTHORIZED TO BE EXPENDED BY THE DEPARTMENT OF COMMUNITY AND  
2 ECONOMIC DEVELOPMENT SHALL BE TRANSFERRED TO THE DEPARTMENT  
3 TO BE DEPOSITED IN THE ACCOUNTS ESTABLISHED UNDER SUBSECTION  
4 (B).

5 (4) THE DEPARTMENT SHALL NOT RECEIVE ANY MONEY  
6 APPROPRIATED TO THE MUNICIPAL CODE OFFICIAL TRAINING ACCOUNT  
7 AND CONSTRUCTION CONTRACTOR ACCOUNT FOR DEPARTMENT  
8 ADMINISTRATIVE OR PROGRAM EXPENSES. THE DEPARTMENT SHALL  
9 UTILIZE REVIEW AND ADVISORY COUNCIL ADMINISTRATION ACCOUNT  
10 FUNDS TO ADMINISTER ALL ACCOUNTS ESTABLISHED IN THIS SECTION.

11 (5) THE DEPARTMENT SHALL NOT BE REQUIRED TO UTILIZE  
12 OTHER SOURCES OF FUNDING TO CARRY OUT ACTIVITIES PROVIDED FOR  
13 IN THIS ACT IF FUNDS PROVIDED UNDER THIS SECTION ARE  
14 INSUFFICIENT.

15 (D) REPORT.

16 (1) NO LATER THAN NOVEMBER 1 OF EACH CALENDAR YEAR, THE  
17 DEPARTMENT SHALL PROVIDE A REPORT TO THE CHAIR AND MINORITY  
18 CHAIR OF THE LABOR AND INDUSTRY COMMITTEE OF THE SENATE AND  
19 THE CHAIR AND MINORITY CHAIR OF THE LABOR AND INDUSTRY  
20 COMMITTEE OF THE HOUSE OF REPRESENTATIVES. THE REPORT SHALL  
21 DETAIL EXPENDITURES FOR THE MOST RECENTLY COMPLETED FISCAL  
22 YEAR. THE REPORT SHALL INCLUDE:

23 (I) THE NUMBER OF CONSTRUCTION AND BUILDING PERMITS  
24 ISSUED AND TOTAL FEES COLLECTED.

25 (II) A SEPARATE ACCOUNTING OF REVENUE AND  
26 EXPENDITURES FOR EACH ACCOUNT. THE REVIEW AND ADVISORY  
27 COUNCIL ADMINISTRATION ACCOUNTING SHALL INCLUDE:

28 (A) THE AMOUNT UTILIZED BY THE REVIEW AND  
29 ADVISORY COUNCIL FOR REIMBURSEMENT OF TRAVEL  
30 EXPENSES.

1                   (B) THE AMOUNT UTILIZED BY THE REVIEW AND  
2                   ADVISORY COUNCIL FOR OTHER PURPOSES AND A DESCRIPTION  
3                   OF THOSE EXPENDITURES.

4                   (C) THE AMOUNT UTILIZED BY THE DEPARTMENT FOR  
5                   PERSONNEL, INCLUDING THE POSITION TITLE, HOURS  
6                   CHARGED, AMOUNT PAID AND DESCRIPTION OF THE DUTIES  
7                   AND RESPONSIBILITIES OF EACH INDIVIDUAL PAID IN WHOLE  
8                   OR IN PART BY THE ACCOUNT.

9                   (D) THE AMOUNT UTILIZED BY THE DEPARTMENT FOR  
10                   OPERATIONAL COSTS AND A DESCRIPTION OF THOSE  
11                   EXPENDITURES.

12                   (E) THE AMOUNT UTILIZED BY THE DEPARTMENT FOR  
13                   OTHER PROGRAM PURPOSES AND A DESCRIPTION OF THOSE  
14                   EXPENDITURES.

15 Section 902. Applicability to certain buildings.

16 \* \* \*

17 (c) Uncertified buildings over which the department does not  
18 have jurisdiction.--

19 (1) A construction code official shall issue a  
20 certificate of occupancy to an uncertified building if it  
21 meets the requirements of subsection (b)~~7~~ OR the latest <--  
22 adopted version of the International Existing Building Code  
23 [or Chapter 34 of the International Building Code~~7~~,~~7~~ and <--  
24 the]. THE construction code official shall utilize the code <--  
25 [for the municipality which] that, in his professional  
26 judgment, he deems to best apply.

27 (2) A construction code official may deny the issuance  
28 of a certificate of occupancy if the official deems that a  
29 building is unsafe because of inadequate means of egress,  
30 inadequate lighting and ventilation, fire hazards or other



1 dangers to human life or to public welfare.

2 [(3) A municipality subject to this subsection may  
3 utilize the standards of subsection (b) for the issuance of  
4 certificates of occupancy to uncertified buildings by  
5 adopting an ordinance adopting the standards of issuance  
6 pursuant to the procedures delineated in section 503.]

7 \* \* \*

8 Section 5. This act shall take effect as follows:

9 (1) THE AMENDMENT OF SECTION 703 OF THE ACT SHALL TAKE <--  
10 EFFECT JULY 1, 2017, OR IMMEDIATELY, WHICHEVER IS LATER.

11 ~~(1)~~ (2) The amendment of section 902(c) of the act shall <--  
12 take effect in 60 days.

13 ~~(2)~~ (3) The remainder of this act shall take effect <--  
14 immediately.