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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 453 Session of  
2019

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INTRODUCED BY J. WARD, YAW, PHILLIPS-HILL, FOLMER, VOGEL,  
MARTIN, STEFANO, AUMENT AND BAKER, MARCH 19, 2019

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REFERRED TO LABOR AND INDUSTRY, MARCH 19, 2019

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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 "Historical agricultural building." A building initially  
18 constructed before January 1, 1999, as an agricultural building  
19 and that is used for occupancy by the general public for  
20 weddings, receptions and similar social events throughout the

1 year.

2 \* \* \*

3 Section 2. Section 104(b) of the act is amended by adding a  
4 paragraph to read:

5 Section 104. Application.

6 \* \* \*

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

9 \* \* \*

10 (4.1) An historical agricultural building, provided that  
11 the owner of the building annually files an affidavit with  
12 the municipality stating that the following conditions are  
13 satisfied or, if the owner fails to do so, the municipality  
14 inspects the building and determines that the following  
15 conditions are satisfied:

16 (i) An inspection report by a construction code  
17 official states that the building complies with the fire  
18 safety provisions for historic buildings of the  
19 International Code Council's International Existing  
20 Building Code that was part of the Uniform Construction  
21 Code at the time of inspection, provided that the  
22 building is not required to install an automatic fire  
23 sprinkler system.

24 (ii) The building has functioning smoke detectors.

25 (iii) Portable fire extinguishers are placed in the  
26 building consistent with the Uniform Construction Code.

27 (iv) If electrical wiring has been installed in the  
28 interior of the building, an inspection report by a  
29 construction code official states that the wiring  
30 complies with the electrical provisions of the Uniform

1 Construction Code that existed at the time of inspection.

2 (v) Smoking is prohibited in the building.

3 (vi) All open flames are prohibited in the building,  
4 except for flames used for the purposes of reheating or  
5 maintaining food temperatures and for which the heating  
6 source requires no installation as part of the building  
7 construction.

8 (vii) The owner maintains for the building liability  
9 insurance that is written and issued by an insurer  
10 authorized to do business in this Commonwealth.

11 (viii) Signs are posted at the external entrances to  
12 all areas of the building used for weddings, receptions  
13 and similar social events that state: "This facility is  
14 subject to alternative commercial building and public  
15 safety requirements as provided under the Pennsylvania  
16 Construction Code Act."

17 \* \* \*

18 Section 3. This act shall take effect immediately.