

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 453 Session of 2019

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

AS AMENDED ON THIRD CONSIDERATION, MAY 6, 2019

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 AT THE OWNER'S EXPENSE and determines <--
15 that the following conditions are satisfied:

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

24 ~~(ii) The building has functioning smoke detectors.~~ <--

25 (II) THE BUILDING HAS FUNCTIONING: <--

26 (A) HARD-WIRED SMOKE DETECTORS IF ELECTRICAL
27 WIRING HAS BEEN INSTALLED IN THE INTERIOR OF THE
28 BUILDING; OR

29 (B) BATTERY-POWERED DETECTORS IF ELECTRICAL
30 WIRING HAS NOT BEEN INSTALLED IN THE INTERIOR OF THE

1 BUILDING.

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

4 (iv) If electrical wiring has been installed in the
5 interior of the building, an inspection report by a
6 ~~construction code official~~ CODE ADMINISTRATOR states that <--
7 the wiring complies with the electrical provisions of the
8 Uniform Construction Code that existed at the time of
9 inspection.

10 (v) Smoking is prohibited in the building.

11 (vi) All open flames are prohibited in the building,
12 except for flames used for the purposes of reheating or
13 maintaining food temperatures and for which the heating
14 source requires no installation as part of the building
15 construction.

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

19 (viii) Signs are posted at the external entrances to
20 all areas of the building used for weddings, receptions
21 and similar social events that state: "This facility is <--
22 AND SIMILAR SOCIAL EVENTS THAT STATE: <--

23 (A) THE MAXIMUM OCCUPANCY OF THE BUILDING PER
24 THE REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE
25 THAT WAS PART OF THE UNIFORM CONSTRUCTION CODE AT THE
26 TIME OF THE INSPECTION.

27 (B) "THIS FACILITY IS subject to alternative
28 commercial building and public safety requirements as
29 provided under the Pennsylvania Construction Code
30 Act."

1 (IX) UNLESS PERMITTED TOILET FACILITIES ARE PROVIDED <--
2 ON THE GROUNDS OF THE BUILDING, PORTABLE TOILET
3 FACILITIES ARE PROVIDED IN ACCORDANCE WITH THE MINIMUM
4 NUMBER OF REQUIRED TOILETS FOR A RESTAURANT OR BANQUET
5 HALL IN THE INTERNATIONAL BUILDING CODE THAT WAS PART OF
6 THE UNIFORM CONSTRUCTION CODE AT THE TIME OF INSPECTION.

7 (X) AN INSPECTION REPORT BY A CODE ADMINISTRATOR
8 STATES THAT THE BUILDING COMPLIES WITH THE ACCESSIBILITY
9 PROVISIONS FOR HISTORIC BUILDINGS IN THE INTERNATIONAL
10 CODE COUNCIL'S INTERNATIONAL EXISTING BUILDING CODE
11 DETERMINED BY THE ACCESSIBILITY ADVISORY BOARD.

12 (XI) AN INSPECTION REPORT BY A CODE ADMINISTRATOR
13 STATES THAT THE BUILDING COMPLIES WITH THE CHANGE OF USE
14 PROVISIONS FOR HISTORIC BUILDINGS IN THE INTERNATIONAL
15 CODE COUNCIL'S INTERNATIONAL EXISTING BUILDING CODE THAT
16 WAS PART OF THE UNIFORM CONSTRUCTION CODE AT THE TIME OF
17 INSPECTION.

18 (XII) THE PRIMARY FUNCTION REMAINS ON THE LEVEL OF
19 EXIT DISCHARGE. THE OCCUPANCY LEVEL OF THE STORIES IN A
20 MULTILEVEL BUILDING MUST BE DETERMINED BY THE CODE
21 ADMINISTRATOR AND MAY NOT TO EXCEED LEVELS AS DETERMINED
22 BY THE INTERNATIONAL BUILDING CODE THAT WAS PART OF THE
23 UNIFORM CONSTRUCTION CODE AT THE TIME OF INSPECTION.

24 * * *

25 Section 3. This act shall take effect immediately.