

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 191 Session of 2021

INTRODUCED BY J. WARD, REGAN, PHILLIPS-HILL, LANGERHOLC, STEFANO, DiSANTO, AUMENT, MASTRIANO, BAKER, HUTCHINSON AND PITTMAN, FEBRUARY 10, 2021

AS AMENDED ON SECOND CONSIDERATION, MARCH 16, 2021

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

1 weddings, receptions and similar social events throughout the  
2 year.

3 \* \* \*

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

6 Section 104. Application.

7 \* \* \*

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

10 \* \* \*

11 (4.1) A historical agricultural building, provided that  
12 the owner of the building annually files an affidavit with  
13 the municipality CODE ADMINISTRATOR stating that the <--  
14 following conditions are satisfied or, if the owner fails to  
15 do so, the municipality CODE ADMINISTRATOR inspects the <--  
16 building at the owner's expense and determines that the  
17 following conditions are satisfied:

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

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 code  
6 administrator states that the wiring complies with the  
7 electrical provisions of the Uniform Construction Code  
8 that existed at the time of inspection.

9 (v) Smoking is prohibited in the building.

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

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

18 (viii) Signs are posted at the external entrances to  
19 all areas of the building used for weddings, receptions  
20 and similar social events that state:

21 (A) The maximum occupancy of the building per  
22 the requirements of the International Building Code  
23 that was part of the Uniform Construction Code at the  
24 time of the inspection.

25 (B) "This facility is subject to alternative  
26 commercial building and public safety requirements as  
27 provided under the Pennsylvania Construction Code  
28 Act."

29 (ix) Unless permitted toilet facilities are provided  
30 on the grounds of the building, portable toilet

1 facilities are provided in accordance with the minimum  
2 number of required toilets for a restaurant or banquet  
3 hall in the International Building Code that was part of  
4 the Uniform Construction Code at the time of inspection.

5 (x) An inspection report by a code administrator  
6 states that the building complies with the accessibility  
7 provisions for historic buildings in the International  
8 Code Council's International Existing Building Code  
9 determined by the Accessibility Advisory Board.

10 (xi) An inspection report by a code administrator  
11 states that the building complies with the change of use  
12 provisions for historic buildings in the International  
13 Code Council's International Existing Building Code that  
14 was part of the Uniform Construction Code at the time of  
15 inspection.

16 (xii) The primary function remains on the level of  
17 exit discharge. The occupancy level of the stories in a  
18 multilevel building must be determined by the code  
19 administrator and may not exceed levels as determined by  
20 the International Building Code that was part of the  
21 Uniform Construction Code at the time of inspection.

22 \* \* \*

23 Section 3. This act shall take effect immediately.