
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 116 Session of
2023

INTRODUCED BY J. WARD, PHILLIPS-HILL, LANGERHOLC, STEFANO,
MASTRIANO, MARTIN, BAKER, HUTCHINSON, DISANTO AND AUMENT,
JANUARY 12, 2023

REFERRED TO LABOR AND INDUSTRY, JANUARY 12, 2023

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 code administrator stating that the following conditions
14 are satisfied or, if the owner fails to do so, the code
15 administrator inspects the building at the owner's expense
16 and determines that the following conditions are satisfied:

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

24 (ii) The building has functioning:

25 (A) hard-wired smoke detectors if electrical
26 wiring has been installed in the interior of the
27 building; or

28 (B) battery-powered detectors if electrical
29 wiring has not been installed in the interior of the
30 building.

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

3 (iv) If electrical wiring has been installed in the
4 interior of the building, an inspection report by a code
5 administrator states that the wiring complies with the
6 electrical provisions of the Uniform Construction Code
7 that existed at the time of inspection.

8 (v) Smoking is prohibited in the building.

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

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

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

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

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

28 (ix) Unless permitted toilet facilities are provided
29 on the grounds of the building, portable toilet
30 facilities are provided in accordance with the minimum

1 number of required toilets for a restaurant or banquet
2 hall in the International Building Code that was part of
3 the Uniform Construction Code at the time of inspection.

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

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

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

21 * * *

22 Section 3. This act shall take effect immediately.