
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 436 Session of
2015

INTRODUCED BY BROOKS, SCARNATI, FOLMER, VOGEL, WAGNER AND WHITE,
FEBRUARY 12, 2015

REFERRED TO LABOR AND INDUSTRY, FEBRUARY 12, 2015

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," further providing for
6 application of act.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 104(b) of the act of November 10, 1999
10 (P.L.491, No.45), known as the Pennsylvania Construction Code
11 Act, amended or added July 15, 2004 (P.L.748, No.92), July 7,
12 2006 (P.L.1052, No.108) and July 17, 2007 (P.L.132, No.39), is
13 amended to read:

14 Section 104. Application.

15 * * *

16 (b) Exclusions.--This act shall not apply to:

17 (1) new buildings or renovations to existing buildings
18 for which an application for a building permit has been made
19 to the municipality prior to the effective date of the
20 regulations promulgated under this act;

1 (2) new buildings or renovations to existing buildings
2 on which a contract for design or construction has been
3 signed prior to the effective date of the regulations
4 promulgated under this act on projects requiring department
5 approval;

6 (3) utility and miscellaneous use structures that are
7 accessory to detached one-family dwellings;

8 (4) any agricultural building;

9 (5) alterations to residential buildings which do not
10 make structural changes or changes to means of egress, except
11 as might be required by ordinances in effect pursuant to
12 section 303(b)(1) or adopted pursuant to section 503. For
13 purposes of this paragraph, a structural change does not
14 include a minor framing change needed to replace existing
15 windows or doors;

16 (6) repairs to residential buildings, except as might be
17 required by ordinances in effect pursuant to section 303(b)
18 (1) or adopted pursuant to section 503;

19 (6.1) the installation of aluminum siding or vinyl
20 siding onto an existing residential or an existing commercial
21 building, except as might be required by ordinances in effect
22 pursuant to section 301 or adopted pursuant to section 503;

23 (7) any recreational cabin if:

24 (i) the cabin is equipped with at least one smoke
25 detector, one fire extinguisher and one carbon monoxide
26 detector in both the kitchen and sleeping quarters;

27 (ii) the owner of the cabin files with the
28 municipality either:

29 (A) an affidavit on a form prescribed by the
30 department attesting to the fact that the cabin meets

1 the definition of a "recreational cabin" in section
2 103; or

3 (B) a valid proof of insurance for the
4 recreational cabin, written and issued by an insurer
5 authorized to do business in this Commonwealth,
6 stating that the structure meets the definition of a
7 "recreational cabin" as defined in section 103; [and]

8 (8) temporary structures which are:

9 (i) [~~Erected~~] erected for the purpose of
10 participation in a fair, flea market, arts and crafts
11 festival or other public celebration[.];

12 (ii) [~~Less~~] less than 1,600 square feet in size[.];

13 (iii) [~~Erected~~] erected for a period of less than 30
14 days[.];

15 (iv) [~~Not~~] not a swimming pool, spa or hot tub[.];

16 and

17 (v) [~~Subject~~] subject to section 503(a)(2)[.];

18 (9) decks that are:

19 (i) no more than 30 inches above grade at any point;

20 and

21 (ii) attached or accessory to a residential
22 building;

23 (10) accessory structures that are:

24 (i) attached to a residential building that cover an
25 entranceway; and

26 (ii) no more than one story high and not more than
27 200 square feet; and

28 (11) patio covers as defined in Appendix H of the 2009

29 International Residential Code for One- and Two-Family

30 Dwellings or its successor requirement.

1 * * *

2 Section 2. This act shall take effect in 60 days.