
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1179 Session of
2006

INTRODUCED BY RHOADES, D. WHITE, O'PAKE, MUSTO, WONDERLING,
LEMMOND, REGOLA AND WOZNIAK, APRIL 3, 2006

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 1, 2006

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 applicability, FOR TRAINING OF INSPECTORS AND FOR EXEMPTIONS. <—

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, is amended by adding a paragraph to read:

12 Section 104. Application.

13 * * *

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

15 * * *

16 ~~(6.1) the installation or repair of a coal fired boiler <—~~
17 ~~in a residential building;~~

18 (6.1) THE INSTALLATION OF ALUMINUM SIDING OR VINYL <—

1 SIDING ONTO A RESIDENTIAL OR AN EXISTING RESIDENTIAL OR AN <—
2 EXISTING COMMERCIAL BUILDING, EXCEPT AS MIGHT BE REQUIRED BY
3 ORDINANCES IN EFFECT PURSUANT TO SECTION 301 OR ADOPTED
4 PURSUANT TO SECTION 503;

5 * * *

6 ~~SECTION 2. SECTION 901 OF THE ACT, AMENDED JULY 15, 2004~~ <—
7 ~~(P.L.748, NO.92), IS AMENDED TO READ:~~

8 SECTION 2. SECTIONS 701(B) AND 901 OF THE ACT, AMENDED JULY <—
9 15, 2004 (P.L.748, NO.92), ARE AMENDED TO READ:

10 SECTION 701. TRAINING OF INSPECTORS.

11 * * *

12 (B) CATEGORIES OF INSPECTORS.--

13 (1) THE DEPARTMENT, IN CONSULTATION WITH BOCA AND OTHER
14 INTERESTED PARTIES, SHALL ESTABLISH APPROPRIATE CATEGORIES OF
15 CODE ADMINISTRATORS.

16 (2) A CODE ADMINISTRATOR MAY ACT IN PLACE OF A LUMBER
17 GRADING OR INSPECTION AGENCY TO SATISFY THE REQUIREMENT SET
18 FORTH UNDER SECTION 2303.1.1 OF THE 2003 INTERNATIONAL
19 BUILDING CODE OR ITS SUCCESSOR CODE OR SECTION R404.2.1,
20 R502.1, R602.1 OR R802.1 OF THE 2003 INTERNATIONAL
21 RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS OR ITS
22 SUCCESSOR CODE.

23 * * *

24 SECTION 901. EXEMPTIONS.

25 (A) MANUFACTURED HOUSING.--THIS ACT SHALL NOT APPLY TO
26 MANUFACTURED HOUSING WHICH BEARS A LABEL, AS REQUIRED BY AND
27 REFERRED TO IN THE ACT OF NOVEMBER 17, 1982 (P.L.676, NO.192),
28 KNOWN AS THE MANUFACTURED HOUSING CONSTRUCTION AND SAFETY
29 STANDARDS AUTHORIZATION ACT, WHICH CERTIFIES THAT IT CONFORMS TO
30 FEDERAL CONSTRUCTION AND SAFETY STANDARDS ADOPTED UNDER THE

1 HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (PUBLIC LAW 93-
2 383, 88 STAT. 633), NOR SHALL IT APPLY TO INDUSTRIALIZED
3 HOUSING, AS DEFINED IN THE ACT OF MAY 11, 1972 (P.L.286, NO.70),
4 KNOWN AS THE INDUSTRIALIZED HOUSING ACT.

5 ~~(B) RELIGIOUS BELIEFS. —~~ <—

6 ~~(1) AN APPLICANT FOR A CONSTRUCTION PERMIT FOR A~~
7 ~~DWELLING UNIT OR ONE ROOM SCHOOLHOUSE UTILIZED BY A MEMBER OR~~
8 ~~MEMBERS OF A RECOGNIZED RELIGIOUS SECT MAY FILE AN~~
9 ~~APPLICATION WITH A CODE ADMINISTRATOR TO BE EXEMPTED FROM AN~~
10 ~~ELECTRICAL PROVISION OF THE UNIFORM CONSTRUCTION CODE WHICH~~
11 ~~CONFLICTS WITH THE APPLICANT'S RELIGIOUS BELIEFS. THE~~
12 ~~APPLICATION SHALL STATE THE MANNER IN WHICH THE PROVISION~~
13 ~~CONFLICTS WITH THE APPLICANT'S RELIGIOUS BELIEFS AND SHALL~~
14 ~~INCLUDE AN AFFIDAVIT BY THE APPLICANT STATING THAT:~~

15 ~~(I) THE APPLICANT IS A MEMBER OF A RECOGNIZED~~
16 ~~RELIGIOUS SECT;~~

17 ~~(II) THE RELIGIOUS SECT HAS ESTABLISHED TENETS OR~~
18 ~~TEACHINGS WHICH CONFLICT WITH AN ELECTRICAL PROVISION OF~~
19 ~~THE UNIFORM CONSTRUCTION CODE;~~

20 ~~(III) THE APPLICANT ADHERES TO THE ESTABLISHED~~
21 ~~TENETS OR TEACHINGS OF THE SECT;~~

22 ~~(IV) IN THE CASE OF A DWELLING UNIT, THE DWELLING~~
23 ~~UNIT WILL BE USED SOLELY AS A RESIDENCE FOR THE APPLICANT~~
24 ~~AND THE APPLICANT'S HOUSEHOLD; AND~~

25 ~~(V) IN THE CASE OF A ONE ROOM SCHOOLHOUSE, THE ONE-~~
26 ~~ROOM SCHOOLHOUSE WILL BE USED SOLELY BY MEMBERS OF THE~~
27 ~~RELIGIOUS SECT.~~

28 ~~(2) A CODE ADMINISTRATOR SHALL GRANT AN APPLICATION FOR~~
29 ~~AN EXEMPTION IF MADE IN ACCORDANCE WITH PARAGRAPH (1).~~

30 ~~(3) IF AN APPLICANT RECEIVES AN EXEMPTION FOR ANY~~

1 ~~BUILDING UNDER THIS SUBSECTION AND THE APPLICANT SUBSEQUENTLY~~
2 ~~SELLS OR LEASES THE BUILDING, THE APPLICANT SHALL BRING THE~~
3 ~~BUILDING INTO COMPLIANCE WITH THE PROVISION OF THE UNIFORM~~
4 ~~CONSTRUCTION CODE FROM WHICH IT WAS EXEMPTED UNDER THIS~~
5 ~~SUBSECTION PRIOR TO THE SALE OR LEASE OF THE BUILDING UNLESS~~
6 ~~THE PROSPECTIVE SUBSEQUENT OWNER OR LESSEE FILES AN AFFIDAVIT~~
7 ~~IN COMPLIANCE WITH PARAGRAPH (1)(I) THROUGH (IV).~~

8 (B) RELIGIOUS BELIEFS.--

<—

9 (1) AN APPLICANT FOR A CONSTRUCTION PERMIT FOR A
10 DWELLING UNIT OR ONE-ROOM SCHOOLHOUSE UTILIZED BY A MEMBER OR
11 MEMBERS OF A RECOGNIZED RELIGIOUS SECT MAY FILE AN
12 APPLICATION WITH A CODE ADMINISTRATOR TO BE EXEMPTED FROM [AN
13 ELECTRICAL PROVISION OF] THE UNIFORM CONSTRUCTION CODE, AS
14 PROVIDED IN THIS SUBSECTION, WHICH CONFLICTS WITH THE
15 APPLICANT'S RELIGIOUS BELIEFS. THE APPLICATION SHALL STATE
16 THE MANNER IN WHICH THE PROVISION CONFLICTS WITH THE
17 APPLICANT'S RELIGIOUS BELIEFS AND SHALL INCLUDE AN AFFIDAVIT
18 BY THE APPLICANT STATING THAT:

19 (I) THE APPLICANT IS A MEMBER OF A RECOGNIZED
20 RELIGIOUS SECT;

21 (II) THE RELIGIOUS SECT HAS ESTABLISHED TENETS OR
22 TEACHINGS WHICH CONFLICT WITH:

23 (A) AN ELECTRICAL PROVISION OF THE UNIFORM
24 CONSTRUCTION CODE;

25 (B) A LUMBER OR WOOD PROVISION, NOT RELATING TO
26 PRESSURE TREATMENT, OF THE UNIFORM CONSTRUCTION CODE.

27 (III) THE APPLICANT ADHERES TO THE ESTABLISHED
28 TENETS OR TEACHINGS OF THE SECT;

29 (IV) IN THE CASE OF A DWELLING UNIT, THE DWELLING
30 UNIT WILL BE USED SOLELY AS A RESIDENCE FOR THE APPLICANT

1 AND THE APPLICANT'S HOUSEHOLD; AND

2 (V) IN THE CASE OF A ONE-ROOM SCHOOLHOUSE, THE ONE-
3 ROOM SCHOOLHOUSE WILL BE USED SOLELY BY MEMBERS OF THE
4 RELIGIOUS SECT.

5 (2) A CODE ADMINISTRATOR SHALL GRANT AN APPLICATION FOR
6 AN EXEMPTION IF MADE IN ACCORDANCE WITH PARAGRAPH (1).

7 (3) IF AN APPLICANT RECEIVES AN EXEMPTION FOR ANY
8 BUILDING UNDER THIS SUBSECTION AND THE APPLICANT SUBSEQUENTLY
9 SELLS OR LEASES THE BUILDING, THE APPLICANT SHALL BRING THE
10 BUILDING INTO COMPLIANCE WITH THE PROVISION OF THE UNIFORM
11 CONSTRUCTION CODE FROM WHICH IT WAS EXEMPTED UNDER THIS
12 SUBSECTION PRIOR TO THE SALE OR LEASE OF THE BUILDING UNLESS
13 THE PROSPECTIVE SUBSEQUENT OWNER OR LESSEE FILES AN AFFIDAVIT
14 IN COMPLIANCE WITH PARAGRAPH (1)(I) THROUGH (IV).

15 (C) NATURAL CUT TREES.--SECTION 804.1.1 (RELATING TO NATURAL
16 CUT TREES) OF THE INTERNATIONAL FIRE CODE (2003) AND ANY
17 SUCCESSOR PROVISION IS EXCLUDED FROM THIS ACT. A MUNICIPALITY
18 THAT ELECTS TO ADOPT AN ORDINANCE FOR THE ADMINISTRATION AND
19 ENFORCEMENT OF THIS ACT MAY, BY ORDINANCE, RESTRICT THE
20 PLACEMENT OF NATURAL CUT TREES IN AN OCCUPANCY GROUP. THE
21 ORDINANCE RESTRICTING THE PLACEMENT SHALL NOT BE SUBJECT TO
22 SECTION 503(B) THROUGH (K).

23 (D) COAL-FIRED BOILERS IN RESIDENTIAL BUILDINGS.--COAL-FIRED
24 BOILERS INSTALLED IN RESIDENTIAL BUILDINGS SHALL BE DESIGNED,
25 CONSTRUCTED AND TESTED IN ACCORDANCE WITH THE REQUIREMENTS OF
26 CHAPTER 20, SECTION M2001.1.1 OF THE INTERNATIONAL RESIDENTIAL
27 CODE OF 2003, OR ITS SUCCESSOR PROVISIONS, EXCEPT THAT THESE
28 BOILERS SHALL NOT BE SUBJECT TO THE STAMPING REQUIREMENTS OF
29 SECTION M2001.1.1.

30 SECTION 3. THE AMENDMENT OF SECTION 901(B) OF THE ACT SHALL

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1 APPLY TO PERMITS APPLIED FOR ON OR AFTER THE EFFECTIVE DATE OF
2 THIS ACT.

3 Section ~~2-3~~ 4. This act shall take effect in 60 days. ←