

No. 2006-108

## AN ACT

SB 1179

Amending the act of November 10, 1999 (P.L.491, No.45), entitled "An act establishing a uniform construction code; imposing powers and duties on municipalities and the Department of Labor and Industry; providing for enforcement; imposing penalties; and making repeals," further providing for applicability, for training of inspectors and for exemptions.

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

Section 1. Section 104(b) of the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, is amended by adding a paragraph to read:

Section 104. Application.

\* \* \*

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

\* \* \*

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

\* \* \*

Section 2. Sections 701(b) and 901 of the act, amended July 15, 2004 (P.L.748, No.92), are amended to read:

Section 701. Training of inspectors.

\* \* \*

(b) Categories of inspectors.—

(1) The department, in consultation with BOCA and other interested parties, shall establish appropriate categories of code administrators.

(2) A code administrator may act in place of a lumber grading or inspection agency to satisfy the requirement set forth under section 2303.1.1 of the 2003 International Building Code or its successor code *or section R404.2.1, R502.1, R602.1 or R802.1 of the 2003 International Residential Code for One- and Two-Family Dwellings or its successor code.*

\* \* \*

Section 901. Exemptions.

(a) Manufactured housing.—This act shall not apply to manufactured housing which bears a label, as required by and referred to in the act of November 17, 1982 (P.L.676, No.192), known as the Manufactured Housing Construction and Safety Standards Authorization Act, which certifies that it conforms to Federal construction and safety standards adopted under the

Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 633), nor shall it apply to industrialized housing, as defined in the act of May 11, 1972 (P.L.286, No.70), known as the Industrialized Housing Act.

(b) Religious beliefs.—

(1) An applicant for a construction permit for a dwelling unit or one-room schoolhouse utilized by a member or members of a recognized religious sect may file an application with a code administrator to be exempted from **[an electrical provision of]** the Uniform Construction Code, *as provided in this subsection*, which conflicts with the applicant's religious beliefs. The application shall state the manner in which the provision conflicts with the applicant's religious beliefs and shall include an affidavit by the applicant stating that:

(i) the applicant is a member of a recognized religious sect;

(ii) the religious sect has established tenets or teachings which conflict with:

(A) an electrical provision of the Uniform Construction Code;

(B) *a lumber or wood provision, not relating to pressure treatment, of the Uniform Construction Code.*

(iii) the applicant adheres to the established tenets or teachings of the sect;

(iv) in the case of a dwelling unit, the dwelling unit will be used solely as a residence for the applicant and the applicant's household; and

(v) in the case of a one-room schoolhouse, the one-room schoolhouse will be used solely by members of the religious sect.

(2) A code administrator shall grant an application for an exemption if made in accordance with paragraph (1).

(3) If an applicant receives an exemption for any building under this subsection and the applicant subsequently sells or leases the building, the applicant shall bring the building into compliance with the provision of the Uniform Construction Code from which it was exempted under this subsection prior to the sale or lease of the building unless the prospective subsequent owner or lessee files an affidavit in compliance with paragraph (1)(i) through (iv).

(c) Natural cut trees.—Section 804.1.1 (relating to natural cut trees) of the International Fire Code (2003) and any successor provision is excluded from this act. A municipality that elects to adopt an ordinance for the administration and enforcement of this act may, by ordinance, restrict the placement of natural cut trees in an occupancy group. The ordinance restricting the placement shall not be subject to section 503(b) through (k).

(d) *Coal-fired boilers in residential buildings.—Coal-fired boilers installed in residential buildings shall be designed, constructed and tested in accordance with the requirements of Chapter 20, Section M2001.1.1 of the International Residential Code of 2003, or its successor provisions,*

*except that these boilers shall not be subject to the stamping requirements of Section M2001.1.1.*

Section 3. The amendment of section 901(b) of the act shall apply to permits applied for on or after the effective date of this act.

Section 4. This act shall take effect in 60 days.

APPROVED—The 7th day of July, A.D. 2006.

EDWARD G. RENDELL