

Summary of SB 1139 (Act 92 Of 2004)

Senate Bill 1139, which became law on July 16, 2004, enacts a number of changes to the Pennsylvania Uniform Construction Code. The law took effect immediately.

Here is a summary of these changes:

- Amends the definition of agricultural building in section 103 to include a milk house and carriage house owned and used by members of a recognized religious sect. These and other agricultural buildings are excluded under section 104.
- Allows exclusions for recreational cabins used for noncommercial purposes, and mandates that these structures be equipped with smoke detectors and carbon monoxide detectors.
- Amends the definition of utility and miscellaneous use structures (garages, carports, greenhouses and sheds accessory to a detached single-family home) to allow these buildings to be excluded from UCC coverage, if they are less than 1,000 square feet. The previous exclusion was 500 square feet. However, now a municipality may enact an ordinance requiring permits for this work by meeting the requirements of section 503 (b) through (k) of Act 45.
- The most prominent change: Excludes all residential alterations under section 104 if there are no structural or egress changes. However, a municipality may enact an ordinance requiring permits for this work by meeting the requirements of section 503 (b) through (k) of Act 45, or, if it had required permits for this work in a municipal building code ordinance in effect as of July 1, 1999, the requirement would remain in effect.
- Battery-operated smoke detectors only will be required when alterations, repairs or additions to residential dwellings are made.
- Section 501 is amended to allow the Allegheny County Department of Health to enforce its plumbing code. Changes to this code will have to meet the UCC's minimum requirements.
- The Governor's Center for Local Government Services (at DCED) is designated as the principal agency for assisting municipalities on UCC-related issues under section 501(g).
- Section 701(b) is amended to allow a code administrator to act in place of a lumber grading or inspection agency.
- Section 701(d) is amended to allow (it does not require) L&I to consider past work experience when deciding waiver requests for certification as a code administrator.
- Section 901(b) is amended to allow an exemption for one-room schoolhouses from the UCC's electrical requirements, if the structure is utilized solely by members of a recognized religious sect.
- Section 901 is amended to exclude the International Fire Code restrictions for natural cut trees (Christmas trees) in certain occupancy groups. However, a municipality may enact an ordinance restricting the placement of natural cut trees in any occupancy group without meeting the requirements of section 503 (b) through (k).

