
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 80 Session of
2023

INTRODUCED BY BROOKS, PHILLIPS-HILL, DUSH, STEFANO, J. WARD AND
MASTRIANO, 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 application.

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 to read:

12 Section 104. Application.

13 * * *

14 (b) Exclusions.--This act shall not apply to any of the
15 following:

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

20 (2) New buildings or renovations to existing buildings

1 on which a contract for design or construction has been
2 signed prior to the effective date of the regulations
3 promulgated under this act on projects requiring department
4 approval.

5 (3) Utility and miscellaneous use structures that are
6 accessory to detached one-family dwellings.

7 (4) Any agricultural building.

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

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

18 (6.1) The installation of aluminum siding or vinyl
19 siding onto an existing residential or an existing commercial
20 building, except as might be required by ordinances in effect
21 pursuant to section 301 or adopted pursuant to section 503.

22 (7) Any recreational cabin if:

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

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

28 (A) an affidavit on a form prescribed by the
29 department attesting to the fact that the cabin meets
30 the definition of a "recreational cabin" in section

1 103; or

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

7 (8) Temporary structures which are:

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

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

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

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

16 (v) [Subject] subject to section 503(a)(2).

17 (9) No more than one structure per parcel of land which
18 meets all of the following requirements:

19 (i) The structure is used for the direct, seasonal
20 sale of agricultural commodities.

21 (ii) The structure is open on at least 25% of the
22 perimeter of the structure when in operation.

23 (iii) The structure is operated by a producer whose
24 products make up not less than 50% of the agricultural
25 commodities being sold.

26 (iv) If not located on the producer's property, the
27 structure is erected for less than 180 days of a calendar
28 year.

29 (v) The structure has an area of not more than 1,000
30 square feet.

1 (10) Structures used to load, unload or sort livestock
2 at livestock auction facilities.

3 (11) Decks that are:

4 (i) No more than 30 inches above grade at any point.

5 (ii) Attached or accessory to a residential
6 building.

7 (12) Accessory structures that are:

8 (i) attached to a residential building that cover an
9 entranceway; and

10 (ii) no more than one story high and not more than
11 200 square feet.

12 (13) Patio covers as defined in Appendix I of the 2009
13 International Residential Code for One- and Two-Family
14 Dwellings or its successor requirement.

15 * * *

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