


The Quick Guide to UCC Amendments

An Overview of the PHRC Quick Guide to the Residential Provisions of the Pennsylvania UCC and Local Amendments

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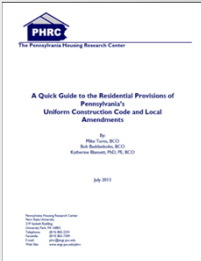
Pennsylvania Housing Research Center
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Agenda

- ❖ Background & General Overview
- ❖ UCC Amendments
- ❖ Opt-in versus opt-out
- ❖ Projects that do or don't require permits
- ❖ Additional info relating to residential permits
- ❖ How to use Maps in the Guide
- ❖ Summary



Background & General Overview



Quick Guide to the Residential Provisions of Pennsylvania's Uniform Construction Code

- ❖ Available for download on the PHRC Website under the "Publications" tab & select "Research Reports"
- ❖ Assist Builders in understanding and complying with UCC standards for residential construction
- ❖ **Description:** Consists of information on how the Uniform Construction Code (UCC) applies/does not apply to:
 - New construction,
 - Renovations & repairs
 - Alterations to existing residential structures

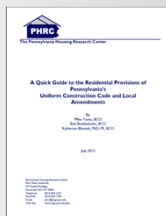


Quick Guide to the Residential Provisions of Pennsylvania's Uniform Construction Code

- ❖ Focuses on **residential** provisions of the UCC
 - Defined as one and two family dwellings and townhomes
 - Three stories or less in height above grade
 - Includes accessory structures to these types of buildings
- ❖ The Quick Guide is broken into two main parts:
 - **Part 1:** Summary of the UCC w/ explanations of amendments
 - **Part 2:** County maps indicating which PA municipalities have amendments to the UCC, accompanied by tables clarifying aspects of construction regulated by the amendments



Overview of the Residential Provisions of the UCC



Variations in Uniformity

- ❖ Policymakers cited several reasons for adopting a statewide code (Act 45 of 1999):
 - Encourage standardization and economy in construction
 - Provides requirements for construction and materials consistent with national standards
- ❖ Many townships/boroughs/cities in Pennsylvania have amendments to the UCC
 - Impose additional requirements to the adopted codes/laws



Opt-in Versus Opt-out

- ❖ In 1999, legislature gave municipalities statewide the choice to **opt-in** or **opt-out** of administering or enforcing the UCC
 - Approximately 92% chose to **opt-in**
 - Responsible for enforcing UCC building code through municipal building officials or certified third-party agencies
 - **Opt-in** municipality must have a designated **BCO**
 - Person responsible for building code enforcement in the municipality



Opt-in Versus Opt-out

- ❖ Contractors performing construction in **opt-out** municipalities must hire a *certified third-party agency* approved by the PA Dept. of Labor and Industry (L&I)
 - A list of certified third-party agencies may be found at L&I's Uniform Construction Code website
 - Under the "Certified Third-Party Agencies (Buildings)" tab
 - By contacting Labor and Industry at 717-772-3396.



Opt-in Versus Opt-out

❖ Third-party agencies operating in **opt-out** municipalities perform all of **the same functions** as municipal code offices or third-party agencies in **opt-in** municipalities

- Reviewing plans
- Conducting required inspections
- Issuing certificates of occupancy
- Issuing building permits



Types of Amendments

❖ **Legal amendments fall into two categories:**

1. Local ordinances adopted before the passage of the Pennsylvania Construction Codes Act
 - Noted as pre-July 1, 1999 amendments
2. Ordinances opted after implementation of the Pennsylvania Construction Codes Act began
 - Noted as post April 9, 2004 amendments



Amendments

Pre 1999

❖ Ordinances in effect **on or before** adoption of the Pennsylvania Construction Codes Act

- Applies to municipalities that had building code ordinances in effect on/before July 1, 1999
- Ordinance's requirements are more restrictive than those contained in UCC-adopted building codes, including the International Residential Code (IRC)



Amendments

Post 2004

- ❖ Ordinances adopted **after** implementation of the Pennsylvania Construction Codes Act began
 - Applies to any municipality that passed a building code ordinance after April 9, 2004
 - Requirements of the ordinance must be more stringent than UCC code provisions
 - UCC Section 503
 - Requires approval by L&I



Amendments

- ❖ L&I declared all UCC amendments adopted between July 1, 1999 and April 9, 2004 to be null and void
- ❖ Act 45 **did not** require municipalities to file information about pre-July 1, 1999 ordinances with L&I
 - Required to indicate whether or not they had a previously existing ordinance
 - No official source that builders, remodelers, or policymakers may use to determine what amendments exist in which municipalities



Applicability of the UCC to Various Project Types

- ❖ When **permits are required** for residential buildings & accessory structures under the UCC:
 - A contractor **must apply** for, and be issued, a building permit prior to initiating any aspect of construction.
 - Work **must comply** with UCC-adopted building codes
- ❖ The relevant code for projects covered under the scope of the PA UCC is the *IRC*
 - Contractors required to use the edition that is currently adopted under L&I regulations



Residential Construction Projects Requiring Permits

- ❖ In addition to new construction, many types of projects require a building permit, inspections and certificate of occupancy
- The following slides contain a summary of residential-related project types for which construction **must be** completed in accordance with UCC-adopted building codes
- Each project listed is **required** to obtain building permits, inspections, and certificates of occupancy under the UCC without exception (Section 403.62(a))



Projects Requiring Permits (1 of 3)

- All new residential construction
- All additions to existing residential construction, including:
 - Construction adding one or more stories on top of an existing dwelling
 - Construction increasing the perimeter of an existing dwelling
- Installing a new industrialized (modular) home – Only items installed on-site
- Installing a new manufactured (HUD-Code) home – Only items installed on-site
- All attached garages
- Detached garages, carports, sheds, or greenhouses *1,000 square feet or larger that are accessory to a single-family dwelling*
- Detached garages, carports, sheds, or greenhouses *120 square feet or larger that are accessory to a two-family dwelling or townhouse*




Projects Requiring Permits (2 of 3)

- Enclosing an existing porch or patio
- Installing or building a sunroom or “three-seasons” room
- *New decks greater than 30 inches above ground level at any point around the perimeter of the deck*
- New decks with roofs or coverings (any height above ground level)
- *Installing hot tubs and spas (indoors or outdoors)*
- Constructing an in-ground swimming pool (inside or outside)
- Installing any swimming pool (including inflatable) with a water depth of 24 inches or more
- *New fences higher than 6 feet*



Projects Requiring Permits (3 of 3)

- New retaining walls higher than 4 feet
- Structural alterations to existing dwellings (“Structural alteration” is not defined, but does not include minor framing changes needed to replace existing windows or doors.)
- Changes to an existing means of egress, including: exit doors, stairs, handrails, guards, and ramps
- Any portion of a dwelling or residential accessory structure that will be used for *commercial* purposes (open to employees or the public). Examples include: professional or business offices, notaries, beauty shops, nail salons, barber shops, car or equipment repair
- Emergency repair if a permit application is submitted to the BCO within 3 days




Residential Exclusions from the UCC

❖ The following slides list types of projects that are **excluded** from the requirements of UCC-adopted building codes

- Building permits, inspections, and certificates of occupancy are **not required** under the UCC


❖ **Local Amendments May Exist**

- Permits for these items **may be required** in municipalities with legally adopted amendments to the UCC




Projects Excluded From Permit (1 of 2)
Local Amendments May Exist

- Detached garages, carports, sheds, or greenhouses *less than 1,000 square feet* that are accessory to a *single-family* dwelling
- All residential repairs – ordinary, emergency, or otherwise, unless the repair includes a structural change or affects means of egress
- Replacement of residential equipment
- Residential alterations (remodeling, renovations, maintenance, etc.) that are not structural in nature
- Installation of solar panels, geothermal systems, windmills and other alternative energy source equipment and structures
 - Some municipalities consider the installation of solar equipment on existing roofs to be structure alterations requiring permits without having a local amendment




Projects Excluded From Permit (2 of 2)
Local Amendments May Exist

- Finish work, including:
 - Painting & papering
 - Carpeting
 - Tile work
 - Cabinetry & Countertops
- Sidewalks, driveways, and other flatwork
- Swimming pools with a water depth of less than 24 inches
- Window replacements
- Installation of residential elevators and lifts for use in a single dwelling unit
 - There are Dept. of L&I regulations separate from the UCC for elevators and lifts




Residential Exemptions from the UCC

- ❖ The following slide lists project types that are **exempt** from the requirements of UCC-adopted building codes
 - Building permits, inspections, and certificates of occupancy are **not required** under the UCC
- ❖ Local amendments are **not allowed** for these items



Projects Exempt From Permit
Local Amendments Not Allowed

- Recreational cabins meeting certain qualifications
 - Affidavit must be filed with the BCO
- Plumbing, electrical, and graded lumber requirements in single-family dwellings of recognized religious sects
 - Affidavit must be filed with the BCO
- Tubing, piping, fixtures, appliances and equipment connected to a source of liquefied petroleum (propane) gas
- Manufactured housing



Contacting the Building Code Official

- ❖ All contractors should contact an **opt-in** municipality's Building Code Official (BCO) to determine whether a permit is required for:
 - Projects that do not fall under the UCC
 - Inquires concerning any additional local requirements for a project
- ❖ The BCO can also provide you with the following information:
 - A list of the types of activities where permits are required
 - Requirements for construction documents
 - Permit applications & fee schedules
 - Inspection requirements & fees
 - Occupancy permit applications & requirements



Contacting the Building Code Official

- ❖ To contact the Building Code Official
 - Call the township, borough or city government office
- ❖ BCO contact information is available at the L&I's UCC webpage
 - Under the "**Local Enforcement**" tab
 - Select the "**Municipal Elections and Contact Information**" link



Timeframes for Decisions

- ❖ Designates review time limits for residential permits:
 - **15 business days** to review, approve or deny,
 - Incomplete plans **may be returned** to applicant
 - Upon resubmittal, **additional 15 business days** to review
- ❖ If prepared /sealed by a registered PA design professional:
 - **5 business days** to take action on a completed application
- ❖ If the permit application is not acted upon within the designated time limit:
 - The plans are deemed **approved**



Fines and Penalties for Unpermitted Construction

- ❖ Construction regulated by the UCC or local amendments performed without a permit may result in penalties imposed by the municipality
 - Subject to fines/penalties of up to \$1,000 per day for each violation
- ❖ If a structure is occupied without a certificate of occupancy issued by the BCO, the municipality may also take additional corrective actions



Building Permit and Inspection Fees

- ❖ The UCC does not contain a standard fee schedule for building permits and inspections
 - Elected officials in each **opt-in** municipality must adopt, by resolution, their own fee schedule
 - Must be made publicly available and should be available upon request by contacting the BCO, or municipal secretary/manager.



Scheduling Inspections

- ❖ Permit-holders are generally not allowed to choose their own inspectors
 - Opt-in municipality determines who will perform inspections within its jurisdiction
- ❖ A municipality may perform inspections with municipal staff or may have contracts with one or more third-party inspection agencies
 - All inspectors must be certified by the Dept. of L & I
- ❖ When a permit is issued, code office should inform permit-holder procedures for requesting required inspections



Filing Appeals to Code Decisions

- ❖ UCC requires every opt-in municipality to have a **UCC Board of Appeals**
 - Addresses challenges to code decisions
- ❖ Contractors in an opt-in municipality may appeal to the municipal UCC Board of Appeals if they feel a BCO or a Code Inspector has made an improper decision regarding:
 - Permit application
 - Inspection
 - Certificate of Occupancy

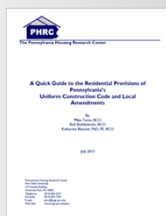


Zoning & Land Use Approvals

- ❖ Local zoning & land use ordinances **may restrict or prohibit** structures allowed by the UCC
- ❖ The BCO will determine if proposed work requires zoning or other municipal approvals
- ❖ Approvals shall be obtained and presented to the BCO previous to building permit being issued for UCC-regulated construction



Maps & Tables of the Quick Guide



Maps and Tables

State and County Maps with Descriptions of Amendments

This information is believed to be accurate, but permit applicants should always check with the designated Building Code Official in the municipality of the project location

Maps and Tables

Lancaster County

Maps and Tables

East Cocalico Township

- Requires a building permit for all residential utility and miscellaneous use structures with a building area of 400 sq. ft. or more.
- Requires a building permit for all residential utility and miscellaneous use structures with a building area of less than 400 sq. ft., if they have a utility connection.
- Requires a building permit for all residential alterations and repairs and establishes 9 exceptions.

East Hempfield Township

- Radon mitigation
- All alterations, renovations, remodeling, and repairs to existing residential structures
- Electrical wiring or service upgrades in existing residential structures
- New or replacement mechanical equipment in existing residential structures
- New piping and/or new plumbing fixtures in existing residential structures
- Residential utility and miscellaneous use structures under 1,000 sq ft
- Requires a building permit for all residential utility and miscellaneous use structures with a building area of 400 sq. ft. or more and for those with a lesser building area that are served by a utility.
- Requires a building permit for all residential alterations and repairs and establishes 9 exceptions.
- Adopts Appendix F (Radon Control Methods) of the International Residential Code 2006.

Maps and Tables

Lancaster County

Amendments Table

Amendment	Effective Date	Enacted
1. Decking on a home located in Baldwin Township, Allegheny County, Pennsylvania. The deck is 10' x 10' and only 24" above grade. Is a permit required?		

East Drumore Township

- Not Reported

** "Not Reported" indicates that the Municipality **does** have enforceable amendments, but the details were not reported for this document **

Make sure to check with local BCO

Maps and Tables

Using the Quick Guide

Example – Building a deck on a home located in Baldwin Township, Allegheny County, Pennsylvania. The deck is 10' x 10' and only 24" above grade. Is a permit required?

1. Start by going to Part 2 of The Quick Guide to UCC Amendments
2. Locate Allegheny County map and pinpoint Baldwin Township
3. Use the legend to determine if amendments to the UCC exist
4. Use accompanying tables to clarifying aspects of construction regulated by the amendments

Maps and Tables

Using the Quick Guide

Allegheny County

Legend
UCC Amendments*

None on record

Enacted pre July 1999

Enacted post April 2004

Both

*As of October 2012

Maps and Tables

Using the Quick Guide

Allegheny County
June 2019

Amendment Type

Amendment Type	Amendment Description
Residential Utility	Requires a building permit for all residential utility and miscellaneous use structures with a building area of 200 sq. ft. or more and for those with a lesser building area that are served by a utility.
Decks, Porches and Stoops	Requires a building permit for the construction, erection or placement of all decks, porches and stoops.
Residential Alterations and Repairs	Requires a building permit for all residential alterations and repairs and establishes 9 exceptions.

Baldwin Township

- Requires a building permit for all residential utility and miscellaneous use structures with a building area of 200 sq. ft. or more and for those with a lesser building area that are served by a utility.
- Requires a building permit for the construction, erection or placement of all decks, porches and stoops.
- Requires a building permit for all residential alterations and repairs and establishes 9 exceptions.

**** Make sure to check with local BCO For additional enforceable amendments ****

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Summary

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PA's Pennsylvania Housing Research Center

A Quick Guide to the Residential Provisions of Pennsylvania's Uniform Construction Code and Local Amendments

By: Ron M. BCO, Ed M. BCO, Kathleen M. BCO

June 2019

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Summary

- ❖ **The intent of the Guide is:**
 - To assist builders, remodelers, contractors, and code officials in Pennsylvania understand and comply with UCC standards for residential construction
- ❖ **The Quick Guide focuses on:**
 - Residential provisions of the UCC
- ❖ **The Quick Guide is broken into two main parts:**
 - **Part 1:** Summary of the UCC w/ explanations of amendments
 - **Part 2:** County maps of PA municipalities have amendments to the UCC and tables clarifying aspects of construction regulated by the amendments

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Summary

- ❖ Every building, or portion thereof, that falls under the scope of the UCC:
 - Must meet the same minimum code requirements
- ❖ 92% of Pennsylvania municipalities are “**Opt-In**”
 - May have pre-July 1, 1999 ordinances with provisions more restrictive than the UCC.
 - May also have ordinances amending the UCC after April 9, 2004
 - Required to have a single designated Building Code Official (**BCO**)
- ❖ Work performed in “**opt-out**” municipalities that falls under scope of the UCC **must be** permitted and inspected



Summary

- ❖ The Building Code Official (BCO) has **15 business days** to take action on a building permit application
 - **Five business days** if the construction documents are sealed by a registered Pennsylvania design professional
- ❖ There are stiff penalties for performing work without a permit when a permit is required
- ❖ Disagreements over code decisions may be heard in a municipality’s **UCC Board of Appeals**



Summary

- ❖ “**Not Reported**” indicates that the Municipality **does have** enforceable amendments
 - Not available for this report
- ❖ Always make sure to check with local BCO for additional enforceable amendments
- ❖ Document available for download on the PHRC Website under the “**Publications**” tab & select “**Research Reports**”
 - <http://www.engr.psu.edu/phrc/>



Resources

❖ The Department of Labor and Industry's Uniform Construction Code website:
http://www.portal.state.pa.us/portal/server.pt/community/uniform_construction_code/10524

❖ Kasal, B., Turns, M., *Impact of the Uniform Construction Code in Rural Pennsylvania*, the Center for Rural Pennsylvania: A Legislative Agency of the Pennsylvania General Assembly, September 2010
<http://www.engr.psu.edu/phrc/Impact%20of%20the%20UCC%20Rural%20PA%20Report.pdf>