



## PENNSYLVANIA ASSOCIATION OF BUILDING CODE OFFICIALS

*"Helping to Build a Safer Pennsylvania"*

[www.paofficials.com](http://www.paofficials.com)

5329 Route 219  
Brockport, PA 15823  
(814) 330-6444

[rbuddenbohn@nfis.com](mailto:rbuddenbohn@nfis.com)

### Senate Labor & Industry Committee

#### Public Hearing – SB 1001

October 6, 2009

Honorable Senator John Gordner  
Honorable Senator Christine Tartaglione  
Members of the Senate Labor and Industry Committee

I am Bob Buddenbohn, Executive Officer of PABCO, and on behalf of PABCO, I thank you for the opportunity to speak with you this morning.

Today, I am speaking on behalf of the chapters of the International Code Council in Pennsylvania, which include:

- Pennsylvania Association of Building Code Officials – the Pennsylvania Professional Chapter
- PennBOC – the Pennsylvania Governmental Chapter
- PennBOC Region I
- PennBOC Region II
- PennBOC Region V
- Pennsylvania Association of Fire Code Officials – the Pennsylvania Fire Code Chapter
- Pennsylvania Association of Code Officials
- Lancaster County Code Association
- Berks County Building and Code Association
- Liberty Chapter of Philadelphia
- Professional Chapter of Western Pennsylvania

I have been asked to summarize some of the issues involved with implementing the International Code Council's published codes in Pennsylvania, as regulated under the Uniform Construction Code, established by the Pennsylvania Construction Code Act, Act 45 of 1999, as amended.

As the Chapters of the International Code Council in Pennsylvania, we support the ICC Code Development Process as described by Roland Hall. While we and our members may not always personally agree with every provision in the ICC Model Codes, we support the consensus process that is used to develop the codes and we voluntarily agree to professionally administer and enforce the minimum codes that are established through the consensus process during each three year code development cycle.

Every member of the ICC in Pennsylvania (currently 2348) has the opportunity to participate in the code development process, if they so choose. Roland has already presented you with information on who may participate in the code development process.

If each governmental member in Pennsylvania chose to become active in the code development process, Pennsylvania could become the predominant force nationally in the process which results in revised codes every three years.

On December 31<sup>st</sup> of this year, the 2009 edition of the ICC Codes must be adopted by the Department of Labor and Industry, for immediate implementation and enforcement. This is required of the Department by the Pennsylvania Construction Code Act. By statute, the Department must adopt whatever is published by the ICC minus any revisions or new provisions that may be rejected by the UCC Review and Advisory Council.

As you have already heard, the UCC RAC did not reject any changes or additions that are part of the 2009 family of I-Codes.

PABCO and other Pennsylvania ICC Chapters vigorously supported the formation of the Review and Advisory Council including the function of its reviewing all revisions and additions to the I-Codes and directing Labor and Industry to reject any such provisions which it considered to be technically infeasible or otherwise inappropriate for adoption in Pennsylvania.

Effective January 1<sup>st</sup>, all new permits applied for must comply with the 2009 codes unless the applicant produces a contract for design or construction signed prior to January 1<sup>st</sup>, in which case, the permit can be issued under the codes in effect when the contract was signed. This is a provision of the Pennsylvania Construction Code Act.

Also keep in mind that the UCC is a set of minimum standards and code requirements and as such, the legislature provided in the Pennsylvania Construction Code Act that opt-in municipalities could amend the UCC to require more restrictive provisions than those contained in the UCC regulations or in the adopted codes, providing that the process outlined in Section 503 of the Act is adhered to.

Municipalities which had adopted more restrictive building-related ordinances prior to July 1, 1999 were allowed to grandfather those more restrictive ordinances.

So, while we adopt model codes and standards, there are a significant number of municipalities which enforce more restrictive requirements – sometimes lawfully and sometimes not.

Extensive training on the most significant changes between one code cycle and the next is offered to code officials, inspectors, builders, subcontractors and design professionals. Most of this training is currently provided by the Pennsylvania Construction Codes Academy and the Pennsylvania Housing Research Center, utilizing training funds established by the legislature through the imposition of a \$4.00 training fee for each permit issued.

This fall, some programs have already been offered in anticipation of the December 31<sup>st</sup> adoption and dozens of additional programs are scheduled for the balance of this year and into the first and second quarters of 2010.

The 2009 ICC Codes are already available and purchase of those codes is well underway throughout Pennsylvania. They are available to those who must comply with the codes as well as to those who must enforce them. They can be purchased in print, CD or electronic download formats.

ICC Chapter members also learn about additions and revisions through monthly and quarterly training sessions, conferences and informally through networking at local meetings, all of which are sponsored by the various chapters.

The Pennsylvania Construction Codes Academy, PABCO and ICC host discussion boards and chat room type opportunities for members that allow them to ask questions of each other and participate in discussions of code interpretation issues.

For persons who are working towards becoming a code official or inspector, the UCC required certification exams they take are based on the most current codes published by the ICC. This assures that these persons are being exposed to the most current code information. On January 1<sup>st</sup>, all certification exams will be based on the 2009 published codes.

Thank you, Mr. Chairman and members of the committee. I will be happy to entertain any questions you may have.

Sincerely,

Robert W. "Bob" Buddenbohn, Jr.  
Executive Officer  
Pennsylvania Association of Building Code Officials