

# PA DEPARTMENT OF LABOR AND INDUSTRY

## REGULATIONS – TITLE 34 – Chapter 403 Excerpt

### PA Uniform Construction Code (UCC) – Adopted Codes

Note: Below is an excerpt from Chapter 403 of Labor and Industry’s (L&I) regulations identifying the codes adopted under the UCC. The title and year of each adopted code has been highlighted; otherwise this excerpt appears as published. Please refer to L&I’s website for most current and update to list.

#### § 403.21. Uniform Construction Code.

(a) The Department adopts and incorporates by reference the following codes as the Uniform Construction Code:

(1) The provisions of Chapters 2—10, 12—29 and 31—35 and Section 3006 (relating to elevator lobbies and hoistway opening protection) of the “International Building Code of 2015,” except:

(i) In occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2 the maximum riser height shall be 8 1/4 inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A 1-inch (25 mm) nosing shall be provided on stairways with solid risers.

(ii) That Section 913.2.2 (relating to circuits supplying fire pumps) is excluded.

(iii) That in Section 2609.4 (relating to area limitations and greenhouses), exception three is modified to include “or maintaining plants.”

(2) Chapter 11 of the “International Building Code of 2018.”

(3) The “International Mechanical Code of 2015.”

(4) The “International Fuel Gas Code of 2015” except that Section 310.3 of the “International Fuel Gas Code of 2018” (relating to arc-resistant CSST) is also adopted.

(5) The “International Performance Code of 2009.”

(6) The “International Plumbing Code of 2015” except:

(i) A municipality within a county of the second class may not administer and enforce the “International Plumbing Code” adopted under this chapter.

(ii) A municipality within a county of the second class that has adopted a plumbing code and accompanying rules and regulations under the Local Health Administration Law (16 P.S. § § 12001—12028), shall retain the authority to promulgate and enforce this plumbing code and to make any changes it deems necessary if the changes meet the Uniform Construction Code’s minimum requirements.

(iii) The accessibility provisions contained in the following sections of the “International Plumbing Code of 2018” are adopted:

(A) Section 403.4 (relating to signage).

- (B) Section 403.5 (relating to drinking fountain location).
- (C) Section 404 (relating to accessible plumbing facilities).
- (D) Section 405.3.1 (relating to water closets, urinals, lavatories and bidets).

(7) The “International Residential Code of 2015,” except that:

(i) The provisions of R314.4 requiring interconnected smoke alarms do not apply to one-family and two-family dwellings undergoing alterations, repairs or additions. Noninterconnected battery operated smoke alarms shall be installed in these dwellings.

(ii) The following specifications apply to residential stairway treads and risers.

(A) The maximum riser height is 8 1/4 inches. There may be no more than a 3/8 inch variation in riser height within a flight of stairs. The riser height is to be measured vertically between leading edges of the adjacent treads.

(B) The minimum tread depth is 9 inches measured from tread nosing to tread nosing.

(C) The greatest tread depth within any flight of stairs may not exceed the smallest by more than 3/8 inch.

(D) Treads may have a uniform projection of not more than 1 1/2 inches when solid risers are used.

(E) Stairways may not be less than 3 feet in clear width and clear headroom of 6 feet 8 inches shall be maintained for the entire run of the stair.

(F) Handrails may project from each side of a stairway a distance of 3 1/2 inches into the required width of the stair.

(iii) The following provisions are excluded:

(A) Section R302.5.1 (relating to opening protection).

(B) Section R322.2.1 (relating to elevation requirements for flood hazard areas).

(C) Section R322.3.2 (relating to elevation requirements for coastal high hazard areas).

(D) Section R325.5 (relating to openness).

(E) Table R507.6 (relating to deck beam span lengths).

(F) Table R602.7.5 (relating to minimum number of full height studs at each end of headers in exterior walls).

(G) Section N1101.4 (relating to above code programs).

(H) Section N1103.3.5 (relating to building cavities).

(I) Section N1103.5.2 (relating to demand recirculation systems).

(J) Table N1106.4 (relating to maximum energy rating index).

(K) Section P2503.5.1 (relating to rough plumbing).

(L) Section E3901.7 (relating to outdoor outlets).

(iv) The following provisions are modified:

(A) Section N1101.6 (relating to defined terms) is amended by adding the definition of “framing factor” as the fraction of the total building component area that is structural framing.

(B) Table 1102.1.2 (relating to insulation and fenestration criteria) is amended by adding “or 18 + 6.5<sup>H</sup>” to climate zone 6 wood frame wall R-value.

(C) Table N1102.1.2 (relating to insulation and fenestration requirements by components) is amended by adding footnote j which permits R-18 insulation to be permitted in place of R-20 requirement provided the wall framing factor is 20% or less or exterior walls with 24" o.c. nominal vertical stud spacing.

(D) Section N1102.4.1.2 (relating to testing) is amended as having an air leakage rate not exceeding five air changes per hour for all climate zones.

(E) Section N1105.2 (relating to mandatory requirements) is amended to require compliance with the mandatory provisions of section N1102.4.1.2.

(F) Section M1601.4.1, exception 3 (relating to joints, seams, and connections) is amended by excluding this exception for snap-lock and button-lock type joints and seams located outside of conditioned spaces.

(G) Section M1602.2 item 2 (relating to return air openings) is amended to add the word perimeter before the first use of the word room.

(H) Section E3901.11 (relating to foyers) is amended by replacing 3 feet (914 mm) with 6 feet (1829 mm) and a minimum of one receptacle.

(v) The following provisions of the **International Residential Code of 2009** are adopted:

(A) Section R302.5.1 (relating to opening protection).

(B) Section R322.2.1 (relating to elevation requirements for flood hazard areas).

(C) Section R322.3.2 (relating to elevation requirements for coastal high hazard areas).

(D) Section N1101.8 (relating to above code programs).

(E) Section N1103.2.3 (relating to building cavities).

(F) Section P2503.5.1 (relating to rough plumbing).

(G) Section E3901.7 (relating to outdoor outlets).

(vi) The following provisions of the **“International Residential Code of 2018”** are adopted:

(A) Section R325.5 (relating to openness) is adopted except for exception 2.

(B) Table R507.5 (relating to deck beam span lengths).

(C) Section R602.3.1 (relating to stud size, height, and spacing) exception 3.

(D) Table R602.3(6) (relating to alternate wood bearing wall stud size, height, and spacing).

(E) Table R602.7.5 (relating to minimum number of full height studs at each end of headers in exterior walls).

(F) Section N1103.3.6 (relating to ducts buried within ceiling insulation).

(G) Section N1103.3.7 (relating to ducts located in conditioned space).

(H) Table N1106.4 including footnote “a” (relating to maximum energy rating index).

(8) The “International Fire Code of 2015” except that Section 806.1.1 (relating to natural cut trees) is not adopted under this chapter. A municipality that elects to adopt an ordinance for the administration and enforcement of the Uniform Construction Code may, by ordinance, restrict the placement of natural cut trees in an occupancy group. The ordinance restricting the placement of natural cut trees is not subject to section 503(b)—(k) of the act (35 P.S. § 7210.503(b)—(k)) and § 403.102(i)—(k) (relating to municipalities electing to enforce the Uniform Construction Code).

(9) The “International Energy Conservation Code of 2015” except that:

(i) The following provisions are excluded:

(A) Section R102.1.1 (relating to above code programs).

(B) Section C104.2.6 (relating to final inspection).

(C) Section R403.3.5 (relating to building cavities (mandatory)).

(D) Section R403.5.2 (relating to demand recirculation systems).

(E) Table R406.4 (relating to maximum energy rating index).

(F) Section C408.2.4 (relating to preliminary commissioning report).

(ii) The following provisions are modified:

(A) Chapter RE 2 is amended by adding the definition of “framing factor” as the fraction of the total building component area that is structural framing.

(B) Table R402.1.2 (relating to insulation and fenestration requirements by component) is amended by adding “or 18 + 6.5<sup>H</sup>” to climate zone 6 wood frame wall R-value.

(C) Table R402.1.2 (relating to insulation and fenestration requirements by components) is amended by adding footnote j which permits R-18 insulation to be permitted in place of R-20 requirement provided the wall framing factor is 20% or less or exterior walls with 24" o.c. nominal vertical stud spacing.

(D) Section R402.4.1.2 (relating to testing) is amended as having an air leakage rate not exceeding five air changes per hour for all climate zones.

(E) Section R405.2 (relating to mandatory requirements) is amended to require compliance with the mandatory provisions of section R402.4.1.2.

(iii) The following provisions of the International Energy Conservation Code of 2009 are adopted:

(A) Section 102.1.1 (relating to above code programs).

- (B) Section 104.3 (relating to final inspection).
- (C) Section 403.2.3 (relating to building cavities).

(iv) The following provisions of the International Energy Conservation Code of 2018 are adopted:

- (A) Section R403.3.6 (relating to ducts buried within ceiling insulation).
- (B) Section R403.3.7 (relating to ducts located in conditioned space).
- (C) Table R406.4 including footnote “a” (relating to maximum energy rating index).

(10) The “International Existing Building Code of 2015” except that Section 101.2 (relating to scope) is modified to add an exception for detached residential buildings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures to comply with either the International Existing Building Code of 2015 or the International Residential Code of 2015.

(i) The accessibility provisions contained in the following sections of the “International Existing Building Code of 2018” are adopted:

- (A) Section 301.5 (relating to compliance with accessibility).
- (B) Section 305 (relating to accessibility for existing buildings).
- (C) Section 1101.2 (relating to creation or extension of nonconformity).
- (D) Section 1508 (relating to construction sites).

(E) Appendix “B” (relating to supplementary accessibility requirements for existing buildings and facilities).

(11) The “International Wildland-Urban Interface Code of 2015.”

(12) Appendix E of the “International Building Code of 2018.”

(13) Appendix H of the “International Building Code of 2009.”

(b) The code adopted under subsection (a)(8) is part of the Uniform Construction Code to the extent that it is referenced in Chapter 35 of the “International Building Code of 2015” under section 302(a)(1) of the act (35 P.S. § 7210.302(a)(1)). The provisions of the Uniform Construction Code apply if there is a difference between the Uniform Construction Code and the codes or standards adopted in subsection (a). This chapter’s administrative provisions govern under § 403.27(e) (relating to applicability and use of standards) if there is a conflict with the provisions of the codes relating to administration incorporated under subsection (a).

(c) Appendices to a code or standard listed in subsection (a) are not adopted in the Uniform Construction Code except for the appendices and resource information found in the “International Existing Building Code of 2015” and the appendices found in subsection (a)(12)-(13).

(d) A permit applicant may utilize one of the following prescriptive methods to demonstrate compliance with the energy conservation requirements of the Uniform Construction Code. The

standards are those listed for the climatic zone of this Commonwealth where the building or structure is located:

(1) The prescriptive methods for detached residential buildings contained in the “International Energy Conservation Code of 2015” compliance guide containing State maps, prescriptive energy packages and related software published by the United States Department of Energy, Building Standards and Guidelines Program (REScheck™) or “Pennsylvania’s Alternative Residential Energy Provisions.”

(2) The prescriptive methods for all other buildings or structures contained in the “International Energy Conservation Code of 2015” compliance guide containing State maps, prescriptive packages and related software published by the United States Department of Energy, Building Standards and Guidelines Program (COMcheck™).

(e) Construction of individual sewage disposal systems is governed under 25 Pa. Code Chapter 73 (relating to standards for onlot sewage treatment facilities).

(f) The repair, alteration, change of occupancy, addition and relocation of existing buildings must comply with Chapter 34 of the “International Building Code of 2015” or with the “International Existing Building Code of 2015.”

#### **Authority**

The provisions of this § 403.21 amended under sections 302 and 304(a)(1)—(3) of the Pennsylvania Construction Code Act (35 P.S. § § 7210.302 and 7210.304(a)(1)—(3)).

#### **Source**

The provisions of this § 403.21 amended December 15, 2006, effective December 31, 2006, 36 Pa.B. 7548; amended December 24, 2009, effective December 31, 2009, 39 Pa.B. 7196; amended December 21, 2012, effective December 31, 2012, 42 Pa.B. 7646; amended November 25, 2015, effective December 31, 2015, 45 Pa.B. 6813; amended May 6, 2016, effective May 7, 2016, 46 Pa.B. 2315; amended September 29, 2018, effective October 1, 2018, 48 Pa.B. 6261; amended November 2, 2018, effective November 3, 2018, 48 Pa.B. 6987; amended June 14, 2019, effective June 15, 2019, 49 Pa.B. 3077. Immediately preceding text appears at serial pages (394252) to (394254), (393775) to (393776) and (394255) to (394256).

#### **Notes of Decisions**

The Department of Labor and Industry had the authority to adopt model codes to serve as basis for the Uniform Construction Code; this authority included the implied authority to incorporate an appendix of the International Residential Code setting standards for manufactured homes which the Department deemed relevant. *DRB v. Department of Labor*, 853 A.2d 8, 18, 19 (Pa. Cmwlth. 2004) *aff’d* 887 A.2d 1216 (Pa. 2005).

#### **Cross References**

This section cited in 34 Pa. Code § 403.2 (relating to other statutes or ordinances); 34 Pa. Code § 403.27 (relating to applicability and use of standards); 34 Pa. Code § 403.44 (relating to alternative construction materials and methods); and 34 Pa. Code § 403.102 (relating to municipalities electing to enforce the Uniform Construction Code).