

William Peduto

Mayor



Sarah Kinter

Acting Director

PLI's External Guidelines for Construction Activity During the Governor's Amended COVID Emergency Order

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Effective: May 1, 2020

PURPOSE: The following document outlines PLI's temporary policies in effect during Pennsylvania Governor Wolf's emergency order to cease non-life sustaining businesses and operations, as amended to allow for limited construction activities. **This policy is intended to provide guidance for property owners, applicants, contractors and trade license holders and is effective May 1, 2020, unless otherwise noted in the policy.**

PLI Temporary Policy Guidelines – Construction Activities:

1. **Original Emergency Order:** Governor Wolf issued an [emergency order](#) on March 19, 2020 directing all non-life-sustaining businesses and operations, including construction, to cease operations. The Governor identified two exceptions to this order for construction:
 - a. Commercial Health Care Facilities.
 - b. Commercial and/or residential structure emergency repairs. NOTE: a valid permit is required to perform emergency repairs.
2. **Amended Emergency Order:** Pennsylvania Governor Wolf issued an [amended emergency order](#) on April 20, 2020 to allow for limited construction activity to commence starting May 1, 2020 based on the construction activity and/or operations complying with the following:
 - a. Governor's ["Guidance For Businesses In The Construction Industry"](#) issued April 23, 2020 which includes, but is not limited to:
 - i. Employing jobsite screening based on CDC guidance to determine if employees should work. Prohibiting any employees with any symptoms of COVID-19 from working.
 - ii. Restricting the number of job-site construction personnel, for all trades, as follows:
 1. Single-family and/or two-family dwellings (Residential): maximum of 4 per dwelling unit.
 2. All other job-sites (Commercial), for enclosed portion:

Department of Permits, Licenses, and Inspections

City of Pittsburgh | 200 Ross Street, Room 320 | Pittsburgh, PA 15219

Main number: 412-255-2175 | Fax: 412-255-2974 | www.pittsburghpa.gov/pli

- a. Up to 2,000 SF maximum of 4.
 - b. Over 2,000 SF, one (1) additional worker for each additional 500 SF.
 - iii. Requiring a “pandemic safety officer” for each job-site to be identified.
 - iv. Limiting tool sharing and sanitizing shared tools.
 - v. Allowing local authorities to impose requirements that are more stringent and requiring businesses to comply with the local requirements.
 - 1. Please see item 6 below for PLI modification of these requirements.
 - b. Follow the [Center for Disease Control and Prevention \(CDC\)](#) social distancing and mitigation guidelines for COVID-19.
 - c. Follow the order of the Secretary of the PA Department of Health (DOH) [“Building Safety Measures”](#) dated April 6, 2020, which include, but are not limited to, routine cleaning and disinfecting of high-touch areas; and security and/or protocols to control access to the building and to maintain social distancing within buildings.
 - d. Follow the order of the Secretary of the PA DOH [“Measures for Businesses Permitted to Maintain In-person Operations”](#) dated April 15, 2020, which include, but are not limited to:
 - i. Provide masks to employees and require masks to be worn while on the work-site except for eating and drinking;
 - ii. Manage operations, include breaks and access to common spaces, to ensure 6 feet social distancing is maintained;
 - iii. Provide employees access to regular handwashing or other effective means of sanitizing; and ensuring that common areas are cleaned on a regular basis, including between shifts.
 - iv. Establish protocols to follow if the business (job-site) has been exposed to a person with probable or confirmed case of COVID-19.
3. **PA Uniform Construction Code (UCC):** The PA UCC remains in effect under the Governor’s Emergency Order. PA UCC requirements include, but are not limited to, requiring a valid issued permit in order to perform work; requiring a passed inspections prior to concealing any work; and requiring a Certificate of Occupancy issued by the Building Code Official prior to occupying a structure and/or space.
4. **PLI Offices:** PLI’s offices are closed until further notice; PLI’s staff is teleworking.

5. **Permit Issuance:** PLI will issue permits in that are in the “Ready to Issue” status based on the date the permit entered this status, in order from the oldest to the newest. PLI will issue permits based on staff capacity, issuing a limited a number per day to accommodate subsequent inspection requests. **Note that given the current backlog of permits in this status this may take several business days.** PLI will expedite issuance of permits for health care facilities and emergency work to the extent possible based on staff capacity.

Regarding construction work:

- a. No work may start until a valid permit is issued.
 - b. Issuance of a building permit does not allow any other work to proceed; an issued permit appropriate for each permit/system type is required.
6. **Permit Holder Job-site Responsibilities:** In addition to the procedures outlined in item 2 above, the permit holder shall be responsible for complying with the requirements of this section in order to maintain the safety of PLI Inspectors.
 - a. Permitted Work: Work associated with existing permits may commence May 1, 2020 per the Governor’s amended Order. Work may not proceed beyond the point indicated in each successive inspection and may not be concealed prior to an inspection.
 - b. COVID Notification: Email pliconstrutionsupervisors@pittsburghpa.gov to notify of all instances of jobsite exposure to a person(s) with probable or confirmed case of COVID-19.
 - c. Job-site Access/Number of Personnel:
 - i. For all job-sites, the permit holder shall restrict building occupants from accessing the job-site during construction activities and inspections, except for temporary access necessary for delivery and/or oversight.
 - ii. **Starting May 8, 2020**, for Commercial job-sites with 20, or more, construction personnel, including all trades:
 1. The “pandemic safety officer(s)” shall have one of the following certifications:
 - a. OSHA [“Preparing the Workplaces for COVID-19”](#),
 - b. OSHA [“COVID-19 Awareness”](#),
 - c. An equivalent certification as approved by the PLI Director, or Assistant Director.
 2. The permit holder(s), as advised by the “pandemic safety officer” shall establish a job-site a “COVID-19 Safety Plan” that outlines safety protocols and procedures for maintaining compliance with the requirements of the documents referenced in item 2 above and this policy and include copies of the “pandemic safety officer(s)” certifications.

3. The “pandemic safety officer(s)” shall be responsible for enforcing the “COVID-19 Safety Plan” and be present during construction activities and available to answer questions during inspections.
 4. The “COVID-19 Safety Plan” shall be posted on the job-site, at the same location as posted issued permits.
- d. Interior Job-sites: The following requirements shall apply to all interior inspections:
- i. Pre-Inspection Vacancy: The permit holder is responsible to ensure that the area(s) of job-site to be inspected, and adjacent spaces physically open to these, are vacant for a minimum of 48 hours prior to the inspection. The PLI Director and/or Assistant Director, or their designee, shall evaluate the following alternative on a case-by-case basis:
 1. Use of remote inspections using video software as identified as identified by PLI, to allow the Inspector to perform on-site inspections from the exterior of the structure.
 - ii. Job-Site Access: The permit holder shall provide the Inspector access to and from the job-site, including vertical access (stair/elevator), without requiring direct contact with on-site personnel or other building occupants.
 - iii. During Inspection: The permit holder shall ensure that the job-site is vacant of all personnel during inspection and that:
 1. At least one representative is available to communicate remotely with the Inspector to provide information and/or answers related to the inspection(s).
 2. On a case-by-case basis, where instructed by the Inspector one representative will be on-site to use video enabled software to assist the Inspector in performing remote inspections from the exterior of the structure. This shall include, but not be limited to, emergency repair and/or replacement of interior electrical, ventilation and/or heating equipment.
 - iv. Alternate Inspections: Inspection reports from UCC certified inspectors as required and authorized by PLI’s Building Code Official.
- b. Health Care Facilities Interior Job-sites: Permit holders for permits for health care facilities are responsible, to the best of their ability, to provide PPE for the Inspector(s).
- c. Exterior Inspections: Permit holder shall minimize personnel on-site during inspections. All on-site personnel shall maintain a minimum of 10 feet from Inspector. The Inspector may request:
- i. The job-site to be vacant but with a representative be available via phone to answer questions and/or provide information. If the job-site is vacant, the Inspector shall notify the permit holder of any failed inspection items.

- ii. That a representative be on-site to use video enabled software to assist the Inspector in performing remote inspections for areas that are difficult to observe due to site access provided. Note this may apply for inspections that generally are exterior in nature, such as windows, in order to perform the interior inspection.

- 7. **Inspection Requests:** For all issued permits, **starting April 27, 2020**, PLI will schedule inspection requests submitted for **May 4, 2020**, or later, based on Inspector availability. PLI will cancel any inspections requests submitted prior to April 27, 2020. Note that requesting an inspection DOES NOT guarantee an inspection; a PLI Inspector must confirm the inspection date.
 - a. Request Format: PLI will only accept requests submitted via the OneStopPGH portal. This ensures request response and allows PLI to manage overall inspection volume.
 - b. Off-hour Inspections: PLI is not accepting off-hour inspection requests under these procedures.
 - c. Inspection Lead-time: PLI anticipates an unusual volume of inspection requests as the construction industry ramps back up after the Governor’s original emergency order. Given this, **please be aware that inspection requests may require longer lead-times than normal.**
 - d. Performed Inspections: PLI will only perform inspections for the requested permits and associated inspections. PLI will not perform inspections for non-requested inspections, including for non-requested associated permits, or and/or non-requested inspection types.

- 8. **PLI Inspection/Enforcement:** In addition to standard PLI Inspection policies and procedures, and UCC requirements, PLI will enforce the Governor’s Emergency Order and these guidelines as follows:
 - a. Failed Inspections: PLI will fail inspections associated with any job-sites and/or work that fails to comply with CDC, PA DOH and/or PLI temporary guidelines, including job-site responsibilities, and or PLI cannot safely inspect due to COVID-19 exposure risk.
 - b. Issuance of Stop Work Order: PLI may issue a stop work order for any/all of the following:
 - i. Work is performed without a valid permit and/or in a fashion that violates the UCC or city ordinances;
 - ii. Work does not comply with CDC, PA DOH and/or PLI temporary guidelines, including job-site responsibilities and continuation of work poses a hazard to workers and/or building occupants;

- iii. Work is performed in a dangerous and/or unsafe manner.
- c. **Permit Revocation:** PLI may revoke a permit for any/all of the following:
 - i. Work does not comply with CDC, PA DOH and/or PLI temporary guidelines, including job-site responsibilities and continuation of work poses a hazard to workers and/or building occupants;
 - ii. Work is performed in a dangerous and/or unsafe manner.
 - iii. Existing issued permits for which construction activities were suspended, or failed to start, for a period of more than 180 days prior to the adoption of PLI's temporary COVID-19 policies, shall be eligible for revocation.
- d. **Calculation of Permit Inactivity for Revocation:** PLI shall not determine eligibility for revocation based on the suspension of construction activities due to the Governor's emergency order.

9. **Service Level Agreements:** Under the Governor's Emergency Order, PLI has elected to continue to accept permit applications and provide plan review services remotely. Applicants who submit while this policy is effective accept that PLI's standard Service Level Agreements (SLAs) are suspended; including the PA Uniform Construction Code time frames for PLI to grant and/or deny applications. During these procedures, no application shall be deemed approved until PLI provides written notification of approval.

These modifications allow PLI to accommodate fluctuations in staffing under these temporary procedures and still provide basic services. Given these temporary procedures, it may take longer than usual for PLI to process and review applications.

10. **Application Submissions:** Permit applications will continue to be accepted through the OneStopPGH online portal, if you encounter problems with the process, please contact pliapptech@pittsburghpa.gov.
- a. **Hard Copy Submissions:** As PLI's physical offices are currently closed, PLI will not accept hard copy submissions, including revisions, until the OneStopPGH counter re-opens.
 - i. All hard-copy applications previously submitted cannot be reviewed for the duration of these temporary procedures. Applicants can create an account on OneStopPGH and connect to the application online to upload digital drawings.
 - b. **Change From Hard Copy To Electronic Submission:** If you elect to modify your application to an electronic submission, follow these steps:
 - i. The electronic submission shall be complete. Please upload and include all drawings and documents previously submitted.

- ii. If you do not have a OneStopPGH account:
 - 1. Contact pliapptech@pittsburghpa.gov to obtain pin number;
 - 2. Create a OneStopPGH portal account using this pin number;
 - 3. If the application status is “In Review”, you can submit your construction documents as “supplemental documents”;
 - 4. If the application status is “Applicant Revisions”, you can upload your construction documents and submit as revision.
- iii. If you do have a OneStopPGH portal account:
 - 1. If the application status is “In Review”, you can submit your construction documents as “supplemental documents”;
 - 2. If the application status is “Applicant Revisions”, you can upload your construction documents and submit as revision.
- c. Abandonment of Permits: Please note that PLI will suspend calculation of inactivity for abandoned applications for the duration of these temporary measures.

11. PLI Plan Review: PLI will continue to review electronically submitted applications.

However please be aware that PLI’s physical offices are closed and staff is teleworking with limited access, see item 4.

- a. Hard Copy Submission Review: As PLI’s staff does not have access to documents submitted in hard copy format, PLI will not review hard copy submissions until the OneStopPGH counter re-opens. This applies both existing and new application submissions.
- b. Change From Hard Copy To Electronic Submission: If you wish to modify your hard copy application to an electronic submission, see item 6.b above.

12. Duration of Temporary Measures: These policy guidelines shall remain in effect until the Governor and/or Secretary of DOH alters and/or removes restrictions and/or discontinues guidelines for operations of businesses during COVID-19 and/or until PLI determines they are no longer necessary.

PLI Temporary Policy Guidelines – License holders:

1. Trade License Holder COVID-19 Temporary Accommodations:

- a. Grace Period Extension: Given the cancellation of classes required for license renewals, all trade license grace periods will be extended until **June 15, 2020**. At that time, Grace Period will revert back to the allotted time period per the standard [PLI Licensing Rules and Regulations](#). Trade license holders are

encouraged to complete courses still offered online or through other remote learning services. Courses must still meet the basic content requirements of the Licensing Rules and Regulations.

- b. Late Fee Waiver: All trade license late fees will be waived until **June 15, 2020**.

2. All Licenses:

- a. Tax Compliance: The City of Pittsburgh Department of Finance has extended some tax deadlines until July 15, 2020 and is working in a limited capacity during the emergency period. Likewise, all PLI tax compliance letter requirements for PLI licenses will be waived until **August 15, 2020**. All missing tax compliance letters must be submitted to PLI per the standard Licensing Rules and Regulations by **August 15, 2020**.
- b. Notarized Worker's Compensation Affidavit: The Pennsylvania Department of State has allowed for remote/ electronic notarization beginning on April 20, 2020 and continuing for 60 days per the Governor's Order and guidance on [Temporary Remote Notarization](#). PLI will accept e-notarized documentation, and all notarized documents required per the PLI Licensing Rules and Regulations will be required again effective May 1, 2020.