



CITY OF PITTSBURGH
DEPARTMENT OF PERMITS, LICENSES & INSPECTIONS
JOHN P. ROBIN CIVIC BUILDING

P-2021-04 - Policy for the Deadline for 2015
Base Codes and Adoption of **2018 Base
Codes**

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PURPOSE: The following document outlines the *Pennsylvania Construction Code Act - Act No. 45 of 1999 (PCCA)* and the *Pennsylvania Uniform Construction Code regulations (UCC)* adoption of the 2018 International Code Council (ICC) base codes, **reversion to the 2018 accessibility codes, and** PLI's application of the *PCCA/UCC* deadline to utilize the 2015 ICC base codes.

GUIDELINES FOR THE DEADLINE FOR 2015 BASE & 2018 ACCESSIBILITY CODES

1. **Applicability.** This policy shall be applicable to all PLI permit applications accepted for PLI review after the effective dates for the 2018 ICC Base Codes as identified in this policy.
2. **Effective Date of Codes.** Per the *PCCA/UCC* the effective dates of updated codes are as follows:
 - a) **2018 ICC Accessibility Codes.** **Per a Pennsylvania Commonwealth Court decision issued October 26, 2022, the PCCA adoption of the 2021 ICC Accessibility Codes is unconstitutional and enforcement of these standards is prohibited.¹ The 2018 ICC Base Codes remain unaffected by this decision. The 2018 ICC Accessibility Codes adopted under the PCCA on June 15, 2019, remain in effect.² PLI shall administer this change in accessibility codes as follows:**
 - i) **Permits currently under review. PLI shall review applications based on the 2018 Accessibility Codes. If the submitted drawings demonstrate compliance with the 2021 Accessibility Codes, the applicant may elect to submit revised drawings or proceed as submitted. PLI shall enforce (review and inspect) these permits based on the 2018 Accessibility Code requirements.**

¹ In [PA Builders Association v. Department of Labor & Industry - No. 479 M.D. 2021](#), the Commonwealth Court determined that *PCCA* Section 304(a)(3) was unconstitutional. The adoption of the 2018 ICC base codes per *PCCA* Section 304(a)(1) were unaffected by this ruling. Please also refer to prior Commonwealth Court decision for [No. 27 M.D. 2010](#) issued August 25, 2010 regarding constitutionality of base code adoption.

² [PA Independent Regulatory Review Commission \(IRRC\) Regulation 12-108, IRCC #3232](#) published on 6/15/2019.

ii) **Permits approved but not issued.** If the submitted drawings demonstrate compliance with the 2021 Accessibility Codes, the applicant may elect to submit revised drawings or proceed with a permit based on previously approved drawings. Please contact pliapptech@pittsburghpa.gov to initiate a revised submission. PLI shall enforce (review and inspect) these permits based on the 2018 Accessibility Code requirements.

iii) **Permits that are issued but not completed.** In accordance with UCC regulations, the permit holder shall install work in accordance with approved construction documents and PLI shall inspect for conformance with permit approval.³ Permit holders may elect to amend permits to provide revised documents to demonstrate compliance with the 2018 Accessibility Codes. Please contact pliapptech@pittsburghpa.gov so that PLI can initiate a no-fee amendment and review the revised drawings as required.³

b) **2018 ICC Base Codes.** The 2018 ICC base codes shall be effective on February 14, 2022.⁴

3. **Deadlines to Use Previous Codes.** Per the PCCA/UCC the deadlines to use previous codes based on the date of the design contract are as follows:

a) **2015 ICC Accessibility Codes.** If a design contract was signed prior to the effective date of the 2018 Base Codes, the deadline to use the 2015 ICC base codes for permits regulated by PLI is **June 30, 2019.**

b) **2015 ICC Base Codes.** If a design contract was signed prior to the effective date of the 2018 Base Codes, the deadline to use the 2015 ICC base codes for permits regulated by PLI is August 14, 2022.³

4. **Adoption and Enforcement.** The Pennsylvania Department of Labor & Industry's (L&I's) role in the code adoption, and PLI's adoption and enforcement are as follows:

a) **Adoption Process.** The Review and Advisory Council (RAC) is responsible for reviewing new ICC codes (excluding accessibility provisions) for adoption under the PCCA/UCC, holding public meetings, recording public comments, and providing the L&I Secretary with a report specifying sections for adoption, exclusion, or modification.⁵ Please note that existing sections of the UCC remain in effect unless an updated section is adopted or modified under the 2018 RAC review process.⁶

b) **L&I Role.** Per the PCCA, L&I shall promulgate the provisions of the **ICC** codes that are adopted, **excluded, and/or modified** under the UCC.⁷

i) **2018 ICC Accessibility Codes.** **L&I has identified** the following **ICC codes and provisions as adopted**⁸:

(1) **2018 International Building Code (IBC)** Chapter 11 and Appendix E.

³ **UCC Sections 403.43(l) & 403.63(j).**

⁴ **IRRC #3326 and Regulation #12-116.**

⁵ **PCCA Section 108.**

⁶ **Please refer to the Review and Advisory Council's 2018 report to L&I's Secretary for adopted and modified sections of the 2018 Base Codes.**

⁷ **PCCA Sections 304(a)(1) (accessibility) and 304(a)(3) (base codes).**

⁸ **IRRC Regulation 12-108, IRCC #3232 published on 6/15/2019.**

- (2) **2018 International Existing Building Code (IEBC)** Sections Section 301.5 (relating to compliance with accessibility), 305 (relating to accessibility for existing buildings), 1101.2 (relating to creation or extension of nonconformity), 1508 (relating to construction sites), and Appendix B (**relating to supplementary accessibility requirements for existing buildings and facilities**).
- (3) **2009 ICC-A117.1 Accessible and Usable Buildings and Facilities**.⁹
- (4) **2018 International Plumbing Code (IPC)** Sections 403.4 (relating to signage), 403.5 (relating to drinking fountain location), 404 (relating to accessible plumbing facilities), and 405.3.1 (relating to water closets, urinals, lavatories and bidets).
- (5) **2018 International Swimming Pool and Spa Code** Section 307.1.4.

ii) 2018 ICC Base Codes. L&I has identified the following ICC codes and provisions as adopted:¹⁰

- (1) *2018 IBC* Chapters 2-10, 12-29, 31-35, select sections of Chapter 30, exclude select sections of 704, and modify 803.3.
- (2) *2015 IBC* select sections of 704.
- (3) *2009 IBC* Appendix H remains applicable.
- (4) *2018 International Mechanical Code, 2018 Fuel Gas Code, 2018 International Performance Code, 2018 International Plumbing Code, 2018 International Wildland-Urban Interface Code, and 2018 International Swimming Pool and Spa Code* in their entirety.
- (5) *2018 International Residential Code (IRC)* with various exclusions and modifications.
- (6) *2015 IRC* select sections.
- (7) *2021 IRC* select sections.
- (8) *2018 International Fire Code* to the extent referenced in the IBC.
- (9) *2018 International Energy Conservation Code (IECC)* with various exclusions and modifications.
- (10) *2015 IECC* select sections.
- (11) *2018 International Existing Building Code*, Section 1106 (relating to storm shelters) is excluded, and Section 106.2.5 is modified.

c) PLI Adoption and Enforcement. PLI **enforces** the UCC as follows:

- i) Amendments. PLI's local amendments remain applicable as the UCC is updated by L&I.¹¹ While the City Ordinances reference specific 2003 **ICC** code sections, PLI enforces these amendments based on the code provision and/or topic.
- ii) Plumbing Code. Please note that the Allegheny County Health Department Plumbing Division has sole authority to enforce the plumbing code requirements of the UCC.¹² Note PLI regulates the accessibility of the plumbing fixtures and components.

⁹ *2018 IBC* Section 1102.1 and Chapter 35

¹⁰ **UCC Section 403.21, IRRR Number 3326 and Regulation #12-116,**

¹¹ **Pittsburgh City Code (PCC) Sections 1002 and 1001.8**

¹² **PCCA Section 501(a.1), see ACHD for additional information.**

5. **Regulation of Deadlines.** PLI shall regulate the deadlines identified in this policy as follows:
- a) Date Application Enters PLI Queue. The deadline is based on the date a complete PLI construction or occupancy-only permit is accepted for PLI review, as documented by an “In Review” permit status. Application submission shall adhere to current PLI policies and procedures:
 - i) Please refer to PLI’s Temporary Operations Policy.¹³
 - ii) Please refer to PLI’s Standard Application Submission Requirements Policy.¹³
 - iii) Please refer to PLI Service Level **Agreements** for submitted applications to ensure your submission meets the deadlines associated with this policy.
 - iv) Submission of other agency applications, building appeals, and/or accessibility variances will not be **accepted** as meeting the deadlines associated with this policy.
 - b) Deadline Applied Independently. The deadline will be applied independently for each permit and permit type, e.g. building, mechanical, electrical, fire alarm, and suppression system except as follows:
 - i) Phased Permits. The deadline for permits with phased construction work scopes is based on the acceptance date of the first phased permit for PLI review. This exception remains valid for subsequent phased permits if accepted for review by:
 - (1) **[Reserved]**
 - (2) February 12, 2024, for 2015 Base Codes.
 - ii) Sub Permits. The deadline for sub-permits is based on the acceptance date of the building or primary permit for PLI review. This exception remains valid for subsequent sub-permits if accepted for review by:
 - (1) **[Reserved]**
 - (2) August 12, 2023, for 2015 Base Codes.
6. **Application Requirements.** In addition to standard application submission requirements, the following shall be required after the applicability date for the 2018 Base Codes if the 2015 Base Codes are to be used:
- a) Design Contract. A copy of the design contract created, signed, and executed prior to the deadlines associated with this policy **is** required as follows:
 - i) **[Reserved]**
 - ii) Submissions made on or after April 15, 2022, to use the 2015 Base Codes.
 - b) Phased Permits. Subsequent phased permit submissions shall identify the first phased permit number through the OneStopPGH portal or on the applicable PLI permit form.
 - c) Sub Permits. Sub permit submissions shall identify the building or primary permit number through the OneStopPGH portal or on the applicable PLI permit form.

¹³ **PLI Bulletins**