

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 130710)

RESOLUTION

Urging the Commonwealth Review and Advisory Committee (RAC), the State Legislature and the Governor to support, review and alter the codes adoption process to ensure the well-being, health and safety of all Pennsylvania residents.

WHEREAS, The Uniform Construction Code (UCC) is the state building code that set standards for fire, plumbing, electrical, construction, demolition, energy efficiency and provisions related to public safety; and

WHEREAS, The International Code Council (ICC) is a Council made up of renowned code and business professionals whose responsibility it is to develop model codes. The ICC releases new model codes every three years to incorporate latest building techniques, technology, energy management and lessons learned from natural and other disasters; and

WHEREAS, The Pennsylvania Review and Advisory Committee (RAC) is the state committee responsible for reviewing the latest model codes issued by the ICC as they are released to determine what changes should be proposed to the UCC; and

WHEREAS, Act 1 of 2011 refers to legislation signed by Governor Corbett. It modified the voting requirements of the RAC to require a two-thirds majority vote in order to adopt new code provisions whereas the original process merely required a majority to “opt out” of the latest ICC Codes; and

WHEREAS, The City of Philadelphia is required to enforce the provisions of the UCC as they are adopted by the Legislature, a procedure mandated by RAC guidelines. Since 2011, the process for incorporating updates into the UCC has undergone a number of procedural changes, including the enactment of Act 1; and

WHEREAS, Additional changes were proposed by the RAC at a meeting in January 2012, where the RAC voted to recommend that the Pennsylvania Legislature adopt a six-year code adoption cycle under the UCC; and

City of Philadelphia

RESOLUTION NO. 130710 continued

WHEREAS, RAC also voted at the same meeting to reject the adoption of the 2012 ICC Codes, with the exception of the federally accessibility portion of the model code. In conjunction with the RAC's responsibilities under the UCC, the Council had to submit a report to the Secretary of Labor and Industry by July 1, 2012, detailing the portions of the 2012 Code that should be adopted into the UCC. In the case of any sections not adopted by the RAC, which is almost all of ICC 2012 model codes, the relevant sections of the ICC 2009 Codes will remain in effect; and

WHEREAS, If the RAC's recommendations are adopted, the 2009 ICC Code, which is currently in effect in Pennsylvania, will remain the operative construction code of the Commonwealth until at least 2018. In addition to the voting changes that Act 1 has made to the RAC, the bill has modified the UCC in other ways; most notably by repealing a requirement of automatic sprinklers in new homes; and

WHEREAS, The laws governing the RAC's process effectively guaranteeS that the newest building codes recommended by the ICC will not be approved by the RAC, causing a disparity that could lead to unintended severe consequences and also a threat to public safety; and

WHEREAS, There is currently legislation proposed by Pennsylvania State Senator Chuck McIlhinney (R-10), which will make many necessary changes to improve the codes adoption process; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby urge the Commonwealth's Review and Advisory Committee (RAC), the State Legislature and the Governor to support, review and alter the codes adoption process to ensure the well-being, health and safety of all Pennsylvania residents.

RESOLVED FURTHER, That City Council affirms its belief that it is in the best interest of the residents of the City of Philadelphia that buildings will be healthier, safer and more energy efficient if these codes are regularly modified to be consistent with the recommendations of the International Code Council. City Council also urges Councilman Bobby Henon, appointed by Governor Corbett as a member of the RAC, to advocate for changes to these policies and to support Senator McIlhinney's efforts to reform the code adoption process. An Engrossed copy of this resolution shall be forwarded to Governor Corbett, further evidencing Council's opposition to the RAC's proposed legislative recommendations and its' support for Senator McIlhinney's legislation.

City of Philadelphia

RESOLUTION NO. 130710 continued

City of Philadelphia

RESOLUTION NO. 130710 continued

CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the fifth day of December, 2013.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Jones, Quiñones Sánchez, Kenney,
Blackwell and Henon

Sponsored by: Councilmembers Jones, Quiñones Sánchez, Kenney,
Blackwell and Henon