



## Text File

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**Committee:** Committee on Land Use and  
Economic Development

**Status:** Died due to expiration of legislative  
council session

Ordinance amending and supplementing the Pittsburgh Code of Ordinances, Title X: Building, Chapter 1001: Scope, Intent and Application, §1001.01 Enactment and General Scope and §1001.04 Purpose and Intent by adding additional language requiring accessible public entrances.

*(Public Hearing held 8/28/18)*

**WHEREAS**, When the Americans with Disabilities Act (ADA) was passed in 1990, most facilities in the public realm were inaccessible. Congress required that new buildings must be constructed to accessible standards, and existing facilities were required to make accessibility improvements when certain triggering events occurred. Time of construction and renovation are two of these triggers.

**WHEREAS**, The City of Pittsburgh, through its Department of Permits, Licensing and Inspection (PLI), operates a programs of granting building permits, businesses licenses and inspections.

**WHEREAS**, PLI currently overseas a facility's compliance with the state building code, which requires that a minimum of 20% of the renovation costs be allocated to accessibility modifications on the path of travel to the renovated space. However, none of these funds are required by the building code to be allocated to accessibility modifications for the facility's entrance.

**WHEREAS**, City governments are required to make reasonable modifications to policies practices, or procedures to prevent discrimination on the basis of disability. Reasonable modifications can include modifications to local laws, ordinances, and regulations that adversely impact people with disabilities.

**WHEREAS**, a municipality may enact an ordinance containing standards that equal or exceed the Uniform Construction Code as adopted by §403.21 (relating to the Uniform Construction Code) under section 503 of the Act (35 P.S. §7210.503) after Department Review and approval.

**The Council of the City of Pittsburgh hereby enacts as follows:**

**SECTION 1.** The City Code is hereby amended and supplemented at Title X: Building, Chapter 1001: Scope, Intent and Application, §1001.01 Enactment and General Scope and §1001.04 Purpose and Intent, as follows:

### § 1001.01 - ENACTMENT AND GENERAL SCOPE.

The following provisions are governing, regulating, authorizing and directing the Chief of Building Inspection to direct, supervise and control the erection, construction, enlargement, alteration, repair, equipment

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arrangement, maintenance, inspection, lighting, heating, ventilation, use, occupancy, removal and demolition of buildings, parts of buildings, structures, premises and appurtenances thereto and appliances, apparatus, facilities, systems, and conditions in, or about them; adopting the Uniform Construction Code, of the State of Pennsylvania, and accepting the tests and analyses of testing laboratories as supplementary regulation hereof, and establishing a Board of Appeals to interpret such regulations and all other regulations herein; conferring upon the Bureau authority to make rules and regulations to carry out such provisions and the powers and duties to administer and enforce this Building Title, the prescribed Rules and Regulations and rulings, findings, and decisions of the Board of Appeals to issue or refuse to issue all building permits, certificates of occupancy and other permits and certificates and to collect the fees thereof, to issue approvals or disapprovals of tests and examinations made to prove the strength, suitability and fire-resistive qualities of building materials, systems, units and forms of construction to approve or disapprove plans, specifications and descriptions of building, structures and appurtenances thereto, to complete the abatement of fire and safety hazards in buildings and structures which are a menace to life, limb and property, and to do all other acts that may be necessary to carry into effect the Acts of Assembly and City Ordinances, now or hereafter enacted into law, relating to the subject matter herein; classifying, regulating and restricting buildings and structures according to use, occupancy, height and type of construction; requiring suitable and proper means of egress, **including not less than one accessible public entrance, as defined herein**; prohibiting the use and occupancy of buildings and structures which are dangerous and unsafe, providing for the condemnation thereof and the method of collecting the cost or repair, removal, razing or otherwise remedying the condition in case the work is done by the City, regulating the design, erection, use, testing, approval and disapproval of building materials, systems, units and forms of construction and regulating, insofar as the use and occupancy of buildings and structures are concerned, the manufacture, storage and sale of explosives; are hereby enacted.

(Ord. 9-2004, eff. 6-8-04) § 1001.04 - PURPOSE AND INTENT.

- (a) This Title is hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes, thereof, which are public safety, health and welfare through structural strength and stability, means of egress, adequate light and ventilation and safety to life, limb and property from fire and other hazards, incident to the design, construction, alteration, repair, removal, demolition, use or occupancy of buildings or structures and their appurtenant equipment.
- (b) The purpose of this Title is additionally to promote health, safety, and welfare within the City watersheds, through provisions designed to:
  - (1) Meet legal water quality requirements under state law, including regulations at 25 Pa. Code Chapter 93, to protect, maintain, reclaim and restore the existing and designated uses.
  - (2) Preserve the natural drainage systems as much as possible.
  - (3) Manage stormwater impacts close to the runoff source.
  - (4) Provide procedures and performance standards for stormwater planning and management.
  - (5) Prevent scour and erosion of stream banks and streambeds.
  - (6) Provide proper operations and maintenance of all permanent SWM BMPs that are implemented

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within the City.

- (7) Provide standards to meet NPDES permit requirements.
- (8) Maintain groundwater recharge, to prevent degradation of surface and groundwater quality and to otherwise protect water resources.
- (9) Encourage innovative BMPs for site plans in post-construction stormwater management in both new development and redevelopment.

**(c) The purpose of this Title is additionally to promote health, safety, and welfare within City commercial buildings or structures, through provisions designed to:**

- (1) **Require a zero-step entrance on an accessible path of travel for all street-level public accommodations ("accessible public entrance");**
- (2) **Require over time the maintenance of all existing accessible features;**
- (3) **Require an incremental approach to accessibility improvements required under this Code;**

(Ord. 19-2007, § 1, eff. 11-19-07) § 1002.02 - CHANGES SPECIFIED.

The Uniform Construction Code adopted by Paragraph 1002.01 is hereby changed by the enactment, repeal or amendment of provisions, which charges are on the following pages, with the location in the Code for that page noted by the heading "Change(s) Page(s)."

**SECTION 2.** The City of Pittsburgh Amendments to the Uniform Construction Code 2003 IBC Amendments is hereby amended and supplemented at §106.1.2: Means of Egress, as follows:

CITY OF PITTSBURGH AMENDMENTS TO

THE UNIFORM CONSTRUCTION CODE:

2003 IBC AMENDMENTS

*Section 101.1:* Amend to read as follows:

*101.1 Title.* These regulations shall be known as the Building Code of The City of Pittsburgh, hereinafter referred to as "this code."

*Section 101.2:* Add a new exception 3, to comply with Title 34 Scope.

*101.2 Scope.* The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

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*Exceptions:*

3. The provisions of this code do not apply to the items stipulated in PA Title 34, 403.1.

*Section 101.2.1:* Delete and Replace with:

*101.2.1 Appendices.* The provisions of Appendices B, E, and H are specifically adopted and are part of this code.

*Section 102.7:* Add a new section:

*102.7 Matters not provided for.* Any requirement that is essential for the safety of an existing or proposed building, structure or land area, or for the safety of the occupants and the public which are not specifically provided for by this code, shall be determined by the code official. This shall include, but not be limited to, matters regarding structural, fire and sanitary safety, as well as the stability of the land under or adjacent to a building or structure.

*Section 103.1:* Amend to read as follows:

*103.1 Creation of enforcement agency.* The Bureau of Building Inspection (also referred to as BBI) is hereby created and the official in charge thereof shall be known as the building official.

*Section 105.1.1:* Delete text and replace with:

*105.1.1 Types of permits required.* The following, is a list of required permits issued by BBI, and the scope of work covered under said permit:

*Building Permit:* For work covered under the scope of "The International Building Code", "The International Energy Conservation Code", "The International Existing Building Code" and "The International Residential Code".

*Electrical Permit:* For work covered under the scope of "The International Electrical Code" and "The International Residential Code" Part VIII.

*Mechanical Permit:* For work covered under the scope of "The International Mechanical Code", "The International Fuel Gas Code" and "The International Residential Code" Part V and Part VI.

*Commercial Cooking Hood Permit:* For work covered under the applicable sections of "The International Mechanical Code" and "The International Fuel Gas Code".

*Sign Permit:* For work covered under the scope of the scope of "The International Building Code" Appendix H.

*Fire Suppression System and Standpipe Permit:* For work covered under the scope of "The International Building Code" Chapter 9, "NFPA 13", and "NFPA 14".

*Fire Alarm Permit:* For work covered under the scope of "The International Building Code" Chapter 9,

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The International Electrical Code", and "NFPA 72".

*Section 105.1.2:* Delete text and replace with:

*105.1.2 Required permits not issued by BBI.* The following is a list of required permits, which are not issued by BBI, and the enforcement entity responsible for issuing them:

*Fire Prevention Permits:* Items, under the scope of "The International Fire Code", which are not addressed by any of the permits listed in section 105.1.1, are issued by The City of Pittsburgh's Bureau of Fire Prevention.

*Plumbing Permits:* For work covered under the scope of "The International Plumbing Code" and "The International Residential Code" Part VII; The Allegheny County Health Department.

*Section 105.2:* Insert new text at section 105.2 subheading "Building" as new item #14:

14. Replacement windows are not exempt from permit requirements, as stated in Title 34, 403.42(c)(xiii). Replacement windows must comply with the requirements of "The International Energy Conservation Code".

*Section 105.2.1:* Add new text beneath this section:

*Note:* this requirement supercedes the provisions of Title 34, 403.42(b).

*Section 105.3:* Delete text and replace with:

*105.3 Application for permit.* All applicants for permits, issued by The Bureau of Building Inspection, shall comply with the applicable licensing provisions contained in Title 7, Article V: Trade Occupations, of The Pittsburgh Code of Ordinances. The applicant shall complete the appropriate permit application in its entirety, and sign said document.

All permit applications for Health Care Facilities, as defined by Title 34, must be accompanied by an approval certificate from The Pennsylvania Department of Health. Applications will not be accepted without this approval.

All permit applications for Child Day Care Facilities, as defined by Title 34, must be accompanied by approved documentation from The Pennsylvania Department of Welfare. Applications will not be accepted without this documentation.

*Section 105.3.1:* Amended to read as follows:

*105.3.1 Action on application.* The building official shall examine or cause to be examined applications for permits and amendments thereto within thirty (30) business days from the date that the application is accepted as complete. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as

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practicable.

*Section 106.1:* Amended to read as follows:

*106.1 Submittal documents.* Construction documents, special inspection and structural observation programs, and other data shall be submitted in one (1) or more sets with each application for a permit. A licensed architect or licensed professional engineer shall prepare the construction documents under the Architects Licensure Law (63 P. S. §§ 34.1-34.22), or the Engineer, Land Surveyor and Geologist Registration Law (63 P. S. §§ 148-158.2). Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

*Section 106.1.2:* Amended to read as follows:

*106.1.2 Means of egress.* The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress, **including an accessible public entrance**, in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, as applicable in Section 101.2, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces. **“Accessible public entrance” shall mean a zero-step entrance on an accessible path of travel for all street-level public accommodations. Buildings without an accessible public entrance shall establish one unless this would be architecturally impossible or an undue financial burden (i.e. the cost to create an accessible public entrance would be more than 20% of the total construction cost).**