

Commercial Exemptions to UCC Requirements

A building permit is required if you intend to construct, enlarge, alter, repair, move, demolish or change the occupancy of a residential building, or erect, install, enlarge, alter, repair, remove, convert or replace any electrical, mechanical (including gas and/or propane), or plumbing system regulated by the Uniform Construction Code.

Below is a list of types of projects that are not required to meet the UCC requirements. If you have a specific question that is not clearly answered below, please call your Light-Heigel local municipal contact person.

The Uniform Construction Code generally excludes the following:

1. New buildings or renovations to existing buildings for which an application for a permit was made to the Department or a municipality before April 9, 2004.
2. New buildings or renovations to existing buildings on which a contract for design or construction was signed before April 9, 2004.
3. The following structures if the structure has a building area less than 1000 square feet and is accessory to a detached one-family dwelling:
 - Carports.
 - Detached private garages.
 - Greenhouses.
 - Sheds.
4. An agricultural building as defined under the act.

Please be aware that your municipality's zoning definition of agricultural uses may be different from the Building Code definition. Therefore, the following are potential scenarios and the determination that "agricultural use" is exempt from building codes or not exempt from building codes.

- A milking parlor. **Exempt.**
- A small office for the owner/farmer within a barn or other agricultural building. **Exempt.**
- A farmer's welding shop for his/her own use in which he also does some "outside" work. **Exempt if for own use, but not exempt if for business use.**
- A barn in which custom pea shelling is done by members of the owner's family and perhaps some hired help. **Not exempt, since they have**

hired help processing the peas, and will probably are selling them out of a farm building.

- Any building in which is carried out a "farm occupation" (i.e. cabinet making, yard accessories construction) by family members only. **Not exempt, as this is a non-agricultural use – as defined in the building code.**
 - A building from which the farm/owner sells feed, grain, or agricultural chemicals. **Not Exempt.**
5. Manufactured or industrialized housing shipped from the factory under section 901(a) of the act (35 P.S. § 7210.901(a)) as provided in § 403.25 (relating to manufactured and industrialized housing).
 6. Installation of tubing, piping, propane gas burning appliances, equipment, or fixtures related to liquefied petroleum gas under the Propane and Liquefied Petroleum Gas Act (35 P.S. §§ 1329.1 – 1329.19).
 7. Construction of individual sewage disposal systems under 25 Pa. Code Chapter 73 (related to on-lot sewage treatment facilities).

Additionally, the following building construction, replacement or repairs shall be exempt from the Uniform Construction Code requirements.

A. Building construction for the following:

- Fences that are not over 6 feet high.
- Oil derricks.
- Retaining walls, which are not over 4 feet in height measured from the lowest level of grade to the top of the wall, unless it is supporting a surcharge or impounding Class I, II or III-A liquids.
- Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
- Sidewalks and driveways not more than 30 inches above grade and that are not located over a basement or story below it and which are not part of an accessible route.
- Painting, papering, tiling, carpeting, cabinets, counter tops and similar finishing work.
- Temporary motion picture, television, and theater stage sets and scenery.
- Prefabricated swimming pools accessory to a Group R-3 occupancy which are less than 24 inches deep, do not exceed

5,000 gallons and are installed entirely aboveground.

- Shade cloth structures constructed for nursery or agricultural purposes that do not include service systems.
- Swings and other playground equipment accessory to one- or two-family dwellings.
- Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of group R-3 as applicable in the "International Building Code," and Group U occupancies.
- Movable cases, counters and partitions that are not over 5 feet 9 inches in height.
- Window replacement without structural change.

B. Electrical work for the following:

- Minor repair and maintenance work that includes the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- Electrical equipment used for radio and television transmissions. The provisions of the Uniform Construction Code apply to equipment and wiring for power supply and the installation of towers and antennas.
- The installation of a temporary system for the testing or servicing of electrical equipment or apparatus.

C. The following gas work:

- A portable heating appliance.
- Replacement of a minor part that does not alter approval of equipment or make the equipment unsafe.

D. The following mechanical work or equipment:

- A portable heating appliance.
- Portable ventilation equipment.
- A portable cooling unit.
- Steam, hot or chilled water piping within any heating or cooling equipment governed under the Uniform Construction Code.

- Replacement of any part that does not alter its approval or make it unsafe.
- A portable evaporative cooler.
- A self-contained refrigeration system containing 10 pounds or less of refrigerant and placed into action by motors that are not more than 1 horsepower.

E. The following plumbing repairs:

- Stopping leaks in a drain and a water, soil, waste or vent pipe. The Uniform Construction Code applies if a concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and is removed and replaced with new material.
- Clearing stoppages or repairing leaks in pipes, valves or fixtures, and the removal and installation of water closets, faucets and lavatories if the valves or pipes are not replaced or rearranged.

**F. An ordinary repair generally does not require a permit.
The following are not ordinary repairs:**

- Cutting away a wall, partition or portion of a wall.
- The removal or cutting of any structural beam or load-bearing support.
- The removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements.
- The addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical.