

## 2006 IBC Amendments

Page 1; 101.1 Insert: The City of Pittsburgh

101.1 Title. These regulations shall be known as the *Building Code* of [~~NAME OF JURISDICTION~~], hereinafter referred to as “this code.”

Page 1; 101.2: Add a new exception, 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.

Exception: Detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.

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

Page 1; 101.2.1 Delete and Replace with: The provisions of Appendices B, E, and H are specifically adopted and are part of this code.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

Page 2; 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.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Property Maintenance Code* or the *International Fire Code*, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

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**Page 2; 103.1 Delete and insert: The Bureau of Building Inspection (also referred to as BBI)**

**103.1 Creation of enforcement agency. ~~The Department of Building Safety~~ is hereby created and the official in charge thereof shall be known as the building official.**

**Page 3; 105.1.1 Delete text and replace with: 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, The International Electrical Code”, and “NFPA 72”.**

**Page 3; 105.1.2 Delete text and replace with: 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.**

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Page 3; 105.2 Insert new text at section 105.2 subheading “**Building**” as new item **14**:

**13. Nonfixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.**

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**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”.**

Page 4; 105.2.1 Add new text beneath this section: **Note: this requirement supercedes the provisions of Title 34, 403.42(b).**

**105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.**

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Page 4; 105.3 Delete text and replace with; **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.**

**~~105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:.....~~**

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Page 4; 105.3.1 Delete the text indicated and insert: 30 business days from the date that the application is accepted as complete.

105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within ~~a reasonable time after filing~~. 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 practicable.

Page 5; 105.6 Insert: the proposed structure has not been completed within a one (1) year period or for which parts of the structure are deteriorating due to the lack of continuous progress on the structure,

105.6 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, the proposed structure has not been completed within a one (1) year period or for which parts of the structure are deteriorating due to the lack of continuous progress on the structure, or in violation of any ordinance or regulation or any of the provisions of this code.

Page 5; 106.1 Delete the text indicated and insert: 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).

106.1 Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. ~~The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.~~ Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Page 5; 106.1.2 Delete the words “and I-1” to comply with Title 34, 403.42a(f)(2).

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 in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, as applicable in Section 101.2, ~~and I-4~~, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

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**Page 5; Add new section 106.1.4: 106.1.4 Health Care Facilities. The construction documents for all Health Care Facilities, as defined by PA Title 34, must bear the original stamp of approval from The Pennsylvania Department of Health.**

**106.1.3 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roofs eaves or parapets, means of drainage, water-resistive membrane and details around openings.**

**The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.**

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**Page 5; 106.2 Add text at the end of the section: The building code official may not waive the submission of site plans that relate to accessibility requirements.**

**106.2 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.→→**

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Page 6; 106.3.4.1 Delete the indicated text and insert: the owner shall

**106.3.4.1 General.** When it is required that documents be prepared by a registered design professional, ~~the building official shall be authorized to require the owner to engage and~~ designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

Page 8; 110.2 Delete the indicated text and insert: Bureau of Building Inspection, the building official shall issue a certificate of occupancy within five business days after receipt of the final inspection report. The certificate of occupancy shall contain the following information: Delete items 1 through 12 and replace with:

**110.2 Certificate issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the ~~department of building safety, the building official shall issue a certificate of occupancy that contains the following:~~

- 1) The permit number and address of the building, structure or facility.
- (2) The permit holder's name and address.
- (3) A description of the portion of the building, structure or facility covered by the occupancy permit.
- (4) The name of the building code official who issued the occupancy permit.
- (5) The applicable construction code edition applicable to the occupancy permit.
- (6) The use and occupancy classification under Chapter 3 (Use and Occupancy Classification) of the "International Building Code," when designated.
- (7) The type of construction defined in Chapter 6 (Types of Construction) of the "International Building Code," when designated.
- (8) Special stipulations and conditions relating to the permit and board of appeals' decisions and variances for accessibility requirements granted by the Secretary.
- (9) The date of the final inspection.
- (10) The design occupant load for all assembly use groups.

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Page 8; 112.1 through 112.3 Delete entirely and replace with: 112.1 Refer to Appendix B, of this code, for the provisions pertaining to The Board of Appeals.

### SECTION 112 BOARD OF APPEALS

Pg. 8, section 113.2 Delete the entire text and replace with: All BBI inspectors shall follow the procedures, outlined below, whenever an inspection reveals a violation of this code; which includes the performance of work prior to obtaining a permit required under section 105.

- (1) Upon completion of the inspection, the inspector shall discuss the inspection results with the permit holder, the owner, or the owner's authorized agent.
- (2) The building official may issue a written notice of violations to the permit holder. The notice is to contain a description of the violations and an order requiring corrections of the violations within a reasonable period determined by the code official. When a violation relates to an unsafe building, structure or equipment, the code official shall act in accordance with section 115.
- (3) After the compliance date contained in the order, the code official shall cause the inspection of the building, structure, or equipment to determine whether the violation was corrected. The code official shall close the order if the violation was corrected.

~~113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.~~

Pg. 8, section 113.4 Delete the indicated text and replace with: Any person who shall violate a provision of this code or shall fail to comply with any requirement thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of permit or certificate issued under the provisions of this code shall be penalized as provided for under section 903 of Act 45 (35 P. S. § 7210.903).

~~113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.~~

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**Pg. 9 section 114.3** Delete the indicated text and replace with: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall be subject to the provisions of section 903 of Act 45 (35 P. S. § 7210.903).

**114.3 Unlawful continuance.** ~~Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.~~

**Pg. 9, Section 115** delete the entire section, and replace with:

### SECTION 115 UNSAFE BUILDINGS, STRUCTURES OR EQUIPMENT

**115.1 Conditions.** The code official may determine that a building, structure or equipment is unsafe because of inadequate means of egress, inadequate light and ventilation, fire hazard, other dangers to human life or the public welfare, illegal or improper occupancy or inadequate maintenance. A vacant building or structure that is not secured against entry is unsafe under this section.

**115.2 Order to vacate.** When the code official determines the existence of an unsafe condition, the code official shall order the vacating of the building or structure.

**115.3 Method of service.** The code official shall serve a written notice on the owner or owner's agent of the building, structure or equipment that is unsafe under this section. The notice shall contain the order to vacate the building, structure or seal the equipment out of service and state the unsafe conditions, required repairs or improvements. The order shall be served by certified mail or personal service to the owner or to the owner's agent's last known address or on the owner, agent or person in control of the building, structure or equipment. The code official shall post the written notice at the entrance of the structure or on the equipment if service cannot be accomplished by certified mail or personal service.

**115.4 Notice.** When a building or structure is ordered vacated under this section, the code official shall post a notice at each entrance stating that the structure is unsafe and its occupancy is prohibited.

**115.5 Abatement.** The code official may not rescind the order to vacate until the owner abates or corrects the unsafe condition.

### ~~SECTION 115~~ ~~UNSAFE STRUCTURES AND EQUIPMENT~~

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Pg. 24, section 305.2 Delete the word “five” and replace with: twelve

**305.2 Day care.** The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than ~~five~~ children older than 2 1/2 years of age, shall be classified as a Group E occupancy.

Pg. 34, section 310.1 Delete the indicated text, and insert the new text at the end of this section where shown: Child day care facilities shall comply with all of the requirements of Title 34, 403.23.

**R-3 Residential occupancies** where the occupants are primarily permanent in nature and not classified as R-1, R-2, R-4 or I and where buildings do not contain more than two dwelling units as applicable in Section 101.2, or adult ~~and child~~ care facilities that provide accommodations for five or fewer persons ~~of any age~~ for less than 24 hours. Adult ~~and child~~ care facilities that are within a single-family home are permitted to comply with the *International Residential Code* in accordance with Section 101.2.→→

Pages 34 and 35, section 310.2 Add new definition for child day care facility: Child Day Care Facility. A dwelling unit where child day care services are provided for less than 24 hours for 4 to 12 children is an R-3 occupancy if the dwelling unit is used primarily as a private residence and the provision of day care services is accessory to the principal use of the dwelling unit as a residence.

**BOARDING HOUSE.** A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

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**CONGREGATE LIVING FACILITIES.** A building or part thereof that contains sleeping units where residents share bathroom and/or kitchen facilities.

Pg. 40, section 403.1. Delete the indicated text, and insert the new text: all buildings having floors used for human occupancy located more than six stories or 75 feet (22860 mm) above the lowest level of fire department vehicle access, below the lowest level of fire department vehicle access, or such combined maximum above and below the lowest level of fire department vehicle access.

(Note: Exceptions are to remain.)

**403.1 Applicability.** The provisions of this section shall apply to ~~buildings having occupied floors located more than 75 foot (22 860 mm) above the lowest level of fire department vehicle access.~~

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Pg. 54, section 412.5 Delete text and replace with: Helistops, only, may be erected on buildings. Heliports and helistops may be erected in other locations. All installations must comply with this section and the requirements of section 1107 of the International Fire Code.

~~412.5.1 General. Heliports and helistops may be erected on buildings or other locations where they are constructed in accordance with this section.~~

Pg. 54, section 412.5.4 Delete the text indicated and replace with: The means of egress shall be enclosed stairways, and shall comply with the remoteness provisions of Chapter 10.

~~412.5.4 Means of egress. The means of egress from heliports and helistops shall comply with the provisions of Chapter 10. Landing areas located on buildings or structures shall have two or more means of egress. For landing areas less than 60 feet (18 288 mm) in length, or less than 2,000 square feet (187 m<sup>2</sup>) in area, the second means of egress may be a fire escape or ladder leading to the floor below.~~

Pg. 178, section 903.5. Add new section 903.6: 903.6 Remote inspector's test connection. A remote inspector's test connection shall be installed on every floor at the end of the most hydraulically remote branch line. The connection shall be made in accordance with the requirements for test connections in NFPA 13 or NFPA 13R, as applicable.

[F] 903.5 Testing and maintenance. Sprinkler systems shall be tested and maintained in accordance with the *International Fire Code*.

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Pg. 179, section 904.9. Add new section 904.9.1: Exhaust. An approved exhaust system shall be installed to serve the area that is protected by the halogenated extinguishing system. The contaminated air from these areas shall be exhausted to the exterior of the building; either directly or by means of dedicated ductwork.

[F] 904.9 Halon systems. Halogenated extinguishing systems shall be installed, maintained, periodically inspected and tested in accordance with NFPA 12A and their listing.

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Pg. 179, section 904.10. Add new section 904.10.1: Exhaust. An approved exhaust system shall be installed to serve the area that is protected by the clean-agent extinguishing system. The contaminated air from these areas shall be exhausted to the exterior of the building; either directly or by means of dedicated ductwork.

[F] 904.10 Clean-agent systems. Clean-agent fire-extinguishing systems shall be installed, maintained, periodically inspected and tested in accordance with NFPA 2001 and their listing.

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Pg. 180, section 905.3.1. Add the following new sentence at the end of the section: Class III standpipe systems shall be installed throughout all buildings with four or more stories above grade, or with a total of five or more stories.

[F] 905.3.1 Building height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144mm) below the highest level of fire department vehicle access.→

Pg. 217, section 1013.3. Add the following new sentence at the end of the section: Guards shall not have an ornamental pattern that would provide a ladder effect. (Note: Exceptions are to remain.)

1013.3 Opening limitations. Open guards shall have balusters or ornamental patterns such that a 4-inch-diameter (102 mm) sphere cannot pass through any opening up to a height of 34 inches (864 mm). From a height of 34 inches (864 mm) to 42 inches (1067 mm) above the adjacent walking surfaces, a sphere 8 inches (203 mm) in diameter shall not pass.→

Pg. 289, section 1608.2. Delete the text indicated and replace with the following: shall be 30 psf (1437 Pa).

1608.2 Ground snow loads. The ground snow loads to be used in determining the design snow loads for roofs are given in Figure 1608.2 for the contiguous United States and Table 1608.2 for Alaska. Site-specific case studies shall be made in areas designated CS in Figure 1608.2. Ground snow loads for sites at elevations above the limits indicated in Figure 1608.2 and for all sites within the CS areas shall be approved. Ground snow load determination for such sites shall be based on an extreme value statistical analysis of data available in the vicinity of the site using a value with a 2-percent annual probability of being exceeded (50-year mean recurrence interval). Snow loads are zero for Hawaii, except in mountainous regions as approved by the building official.

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Pg. 346, section 1805.2.1. Add new text at the end of item 1: which is 36 inches (914 mm) below grade.

1805.2.1 Frost protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of the locality;→

Pg. 532, section 3109.1. Add new sections 3109.1.1 and 3109.1.2:

3109.1 General. Swimming Pools shall comply with the requirements of this section and other applicable sections of this code.

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3109.1.1. A swimming pool that is not accessory to a one- or two-family dwelling shall comply with this chapter, the "American National Standards for Public Pools" issued by ANSI and NSPI (ANSI/NSPI-1 1991) and the Public Bathing Law (35 P. S. §§ 672--680d).

3109.1.2 A hot tub or spa that is not accessory to a one- or two-family dwelling shall comply with this chapter and the "American National Standard for Public Spas" issued by ANSI and NSPI (ANSI/NSPI-2 1999).

Pg. 542, section 3404.1.3 Add new text at the end of the section: New fire escapes shall not serve a building that is more than three stories above grade.

3404.1.3 New fire escapes. New fire escapes for existing buildings shall be permitted only where exterior stairs cannot be utilized due to lot lines limiting stair size or due to the sidewalks, alleys or roads at grade level. New fire escapes shall not incorporate ladders or access by windows.→

Pg. 542, section 3404.2 Add new section 3404.2.1: 3404.2.1 Public Works Approval required. Installation over a public sidewalk requires the approval of the Department of Public Works.

3404.2 Location. Where located on the front of the building and where projecting beyond the building line, the lowest landing shall not be less than 7 feet (2134 mm) or more than 12 feet (3658 mm) above grade, and shall be equipped with a counterbalanced stairway to the street. In alleyways and thoroughfares less than 30 feet (9144 mm) wide, the clearance under the lowest landing shall not be less than 12 feet (3658 mm).

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Pg. 542, section 3404.3 Add new sections 3404.3.1, 3404.3.2 and 3404.3.3:

3404.3.1 Guardrails. On the exposed sides of the fire escape stairs and landings, rigid guards shall be provided not less than 36 inches (914 mm) in height, meeting the requirements of section 1012 of the code.

3404.3.2 Fire Escape Access. Doors leading to a fire escape shall meet the requirements of sections 1008.1.1, 1008.1.8, In existing conditions, windows leading to the fire escape may be approved by the Chief and shall comply with Section 1025.

3404.3.3 Exit Signs And Means Of Egress Illumination. Identification and illumination of fire escapes shall comply with the provisions of sections 1006 and 1011.

**3404.3 Construction.** The fire escape shall be designed to support a live load of 100 pounds per square foot (4788 Pa) and shall be constructed of steel or other approved noncombustible materials. Fire escapes constructed of wood not less than nominal 2 inches (51 mm) thick are permitted on buildings of Type 5 construction. Walkway and railings located over or supported by combustible roofs in buildings of Type 3 and 4 construction are permitted to be of wood not less than nominal 2 inches (51mm) thick.

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Pg. 545, section 3410.2 Insert “November 4, 1947” in the designated space in the first line.

3410.2 Applicability. Structures existing prior to [DATE TO BE INSERTED BY THE JURISDICTION. NOTE: IT IS RECOMMENDED THAT THIS DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION], in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

Page 577, sections B101.1 through B101.4.2, inclusive delete in its entirety and replace with the following:

## APPENDIX B BOARD OF APPEALS

B101.1 General. In order to comply with section 501(c) of Act 45 (35 P. S. § 7210.501(c)), the City of Pittsburgh hereby establishes the Board of Appeals, whose duties shall consist of the following:

- 1.) To hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code.
- 2.) To hear and decide on requests for variances of this code. The board may not hear appeals on matters relating to accessibility.
- 3.) To rule on requests for extensions of time for compliance.
- 4.) To act in an advisory capacity, to the Code Official and City Council, regarding proposed amendments to this code.

B101.1.2 The board of appeals shall be appointed by the Mayor of the City of Pittsburgh and shall hold office at his/her pleasure. Members of the City's governing body may not serve as members of the board of appeals.

B101.1.3 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

B101.2 Membership of board. The board shall consist of five members that are registered design professionals, licensed by the State of Pennsylvania in one of the following disciplines, as follows:

- 1.) Registered Architect.
- 2.) Licensed Structural Engineer with expertise in structural design.
- 3.) Licensed Fire Protection Engineer with expertise in the design of fire protection systems.
- 4.) Licensed Mechanical Engineer with expertise in the design of mechanical systems.
- 5.) Licensed Electrical Engineer with expertise in the design of electrical systems.
- 6.) Licensed Plumbing Engineer with expertise in the design of plumbing systems.

The board make up shall be such that not more than two members are from the same field of expertise, as outlined above.

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B101.2.1 Alternate members. In addition to the five main members of the board, the board may have two, or more, alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

B101.2.3 Rules and procedures. The board is authorized to establish policies and procedures necessary to carry out its duties.

B101.2.4 Chairperson. The board shall select one of its members to serve as chairperson.

B101.2.5 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

B101.2.6 Secretary. The building code official shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the building code official.

B101.2.7 Compensation of members. Compensation of members shall be as determined by law.

B101.2.8 Advisors to the board. The building official, the fire code official and the plumbing code official shall be ex officio members of the board but shall have no vote on any matter before the board. The aforementioned officials may designate a member of their staff to serve in their stead.

B101.3 Application for hearing. An owner or owner's agent may seek a variance or extension of time or appeal a code official's decision by filing a petition with the Bureau of Building Inspection on a form provided by BBI, along with the required fee.

B101.4 Notice of meeting. The board of appeals shall schedule meetings and provide public notice of meetings in accordance with 65 Pa. C.S. §§ 701-716 (relating to Sunshine Act).

B101.4.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

B101.4.2 Quorum. Three members shall constitute a quorum for a hearing.

B101.4.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

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**B101.4.4 An appeal or request for variance or extension of time to a board of appeals will automatically suspend an action to enforce an order to correct until the matter is resolved. An action under section 115 (relating to unsafe building, structure or equipment) may not be stayed.**

**B101.5 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of its members.**

**B101.5.1 Resolution. The decision of the board shall be by motion. Certified copies shall be furnished to the appellant and to the building official.**