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### Accessibility Advisory Board: Accessibility Variances/Appeals/Extensions of Time

Under the UCC, the Secretary of the Department of Labor and Industry has sole authority to grant accessibility variances, extensions of time and to hear appeals of code officials' accessibility decisions. This authority relates to all construction projects in Pennsylvania, regardless of who has authority to administer and enforce the requirements of the UCC.

Applications for variances, requests for extension of time and appeals of code officials' decisions on accessibility issues are reviewed by the Accessibility Advisory Board which then advises the Secretary as to the appropriate response.

#### Filing a Petition with the AAB

To make application, please submit all of the following:

1. A copy of the Department's ACCESSIBILITY ADVISORY BOARD PETITION (UCC-1A)
2. All the additional information requested on this form.
3. A check or money order in the amount of \$100.00 payable to the Commonwealth of Pennsylvania.
4. Two (2) sets of assembled and bound drawings on paper sized at a minimum of 18 in. x 24 in. and drawn to an acceptable architectural scale (preferably 1/4 in. = 1 ft.).

The completed application, other required information, your payment and drawings should be mailed to:

Accessibility Advisory Board  
Department of Labor & Industry  
651 Boas Street, Room 1600  
Harrisburg, PA 17121

When the Board receives a petition, it is logged in, and the applicant is informed of the receipt of this petition. Applicants are also advised as to when the Board should be able to act upon the request. The Board endeavors to act upon complete submissions within 60 days.

If staff review determines that a submission is deficient (i.e., lacks drawings, required fee or other information), a letter will be sent to the applicant requesting the missing items. If these items are not provided within ten (10) business days, the petition will be returned to the petitioner.

The Board's reviewer will review properly completed petitions and determine if the Board can handle the request as a direct action or whether a personal hearing must be scheduled.

Should a personal hearing be necessary, the applicant will be notified in writing of the date, time and location of the hearing. Otherwise, the petition will be presented to the Board for direct action at a regularly scheduled meeting.

After the Board meets, it advises the Secretary of its recommendations. The Secretary or his representative renders a decision on the petition. Letters are sent to the petitioner and, when the Department does not have UCC jurisdiction, to the municipality that has opted to administer and enforce the UCC.

#### AAB Meeting Dates

The AAB generally meets once a month, beginning at 9:00 AM.

The Board is scheduled to meet on the following dates in 2011:

January 27	February 24	March 31	April 19
May 19	June 30	July 21	August 25
September 29	October 20	November 17	December 29

#### UCC Accessibility Requirements

The technical code requirements pertaining to building accessibility that are currently enforced in Pennsylvania are found primarily in: Chapter 11 of the *International Building Code 2006 or 2009* (depending on which version is applicable); Appendix E of the *International Building Code 2006 or 2009* (depending on which version is applicable); and in the *ICC/ANSI A117.1-2003 Accessible and Usable Buildings and Facilities Standard*.

Please note that the Department and all municipalities that have elected to administer and enforce the UCC (and who have code officials certified as Accessibility Inspectors/Plans Examiners) enforce **building code** requirements related to accessibility, not the federal Americans with Disabilities Act (and the American with Disabilities Act Accessibility Guidelines). The latter is a civil rights law that is enforced by the U.S. Department of Justice.

**Further Information**

Questions about **accessibility petitions** should be directed to 717-787-3329. If you have a question regarding **accessibility code requirements**, call 717-787-3806, and select **option 1** and then **option 8**. Ask to speak with one of our Plans Examiners.

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File #:	_____
Date	_____
<b>P1</b>	

Uniform Construction Code (UCC)

**ACCESSIBILITY ADVISORY BOARD PETITION**

This form may be used to file an appeal, seek a variance or an extension of time. When variances are requested, as many variances as may be needed may be sought via this petition. **Once this petition has been submitted, no changes may be made, and any additional variance requests must be filed via a separate (new) petition.**

Please **type** or **print legibly** all requested information.

<b>Construction Site</b> (Required)	Building or Structure Name _____ Tenant Name _____ Street Number & Name _____ City _____ Zip Code _____ Township, Borough or City Name _____ County _____
<b>Applicant or Contact Person</b> (Required)	Contact Person _____ Company Name _____ Street Address _____ City _____ State _____ Zip Code _____ Phone _____ Fax _____ E-mail _____
<b>Filing Requirements</b> (Required)	<ul style="list-style-type: none"> <li>• Completed application and any additional information sheets.</li> <li>• Two (2) sets of assembled and bound drawings on paper sized at a minimum of 18 in. x 24 in. and drawn to an acceptable architectural scale (preferably 1/4 in. = 1 ft.).</li> <li>• If variance concerns accessible route into the structure, a detailed site plan.</li> <li>• Fee of \$100.00 per petition form (may contain multiple variance requests). Make check or money order payable to "Commonwealth of Pennsylvania."</li> </ul> <p><b>Mail to:</b> Department of Labor &amp; Industry, Accessibility Advisory Board, 651 Boas Street, Room 1600, Harrisburg, PA 17121-0750</p> <p><b>Direct questions to:</b> (717) 787-3329    <b>Web site information:</b> <a href="http://www.dli.state.pa.us/codes">www.dli.state.pa.us/codes</a></p>
<b>Code Information</b> (Required)	Triennial Code series: <input type="checkbox"/> 2003 <input type="checkbox"/> 2006 <input type="checkbox"/> 2009 Construction involves : <input type="checkbox"/> New Building <input type="checkbox"/> Existing Building <b>If "Existing Building," check the requirements it will meet:</b> <input type="checkbox"/> Chap. 34 of Int. Building Code <input type="checkbox"/> Int. Existing Building Code
<b>Municipal Code Official Information</b>	BCO Name _____ Phone _____ Does the Municipality have an "Accessibility Inspector / Plans Examiner"? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, Name of Individual _____
<b>FOR L&amp;I USE ONLY</b>	Check Number: _____ Amount: _____ Bates Number: _____

<p><b>Appeal of Building Code Official (BCO) Decision</b> (If applicable)</p>	<p>Please check which of the following form the basis for your appeal:</p> <p><input type="checkbox"/> The true intent of the Pennsylvania Construction Code Act (PCCA) or the UCC was incorrectly interpreted.</p> <p><input type="checkbox"/> The provisions of the PCCA do not apply to this construction.</p> <p><input type="checkbox"/> An equivalent form of construction was proposed for use.</p> <p>Please detail the grounds for appealing this decision, citing provisions of the PCCA or the UCC, or explaining how your proposed construction would be equivalent to that specified in the UCC. If additional space is required, please attach additional 8½" x 11" pages. (Include building name on each page.)</p> <hr/> <hr/> <hr/> <hr/> <hr/>
<p><b>Extension of Time Request</b> (If applicable)</p>	<p>L&amp;I or Municipal Order No. _____</p> <p>Date Requested to Comply with L&amp;I or Municipal Order _____</p> <p>Please attach copy of Order <u>and</u> detail the reasons for the extension. Also indicate whether, if granted, this will subject building occupants to conditions that do not comply with the UCC. If additional space is required, please attach additional 8½" x 11" pages.</p> <hr/> <hr/> <hr/> <hr/>
<p><b>Request For Variance(s)</b> (If applicable)</p>	<p>Please provide <u>all</u> of the following information <u>for each variance requested</u>. A failure to provide sufficient information will result in the return of your variance request(s) and delay the Board's consideration of your request(s).</p> <ul style="list-style-type: none"> <li>• Indicate what prompted the need to seek a variance. (Some examples: The use and occupancy classification is changing from a "U" to an "M"; the occupant load is changing, and the International Plumbing Code mandates an additional restroom; extensive alterations will be made to an area of primary function.)</li> <li>• The <u>specific code</u> and the <u>section(s) of the code</u>, and <u>any referenced standard</u> mentioned in the specified section(s).</li> <li>• Indicate on your plans what portions of the building will be affected by the variance request.</li> <li>• Detail what your alternative approach entails and any measures that will provide an equivalent degree of compliance with the intent of the UCC.</li> </ul> <p>State the reasons for the requested variance, including why the strict letter of the code is impractical and why the modification would not lessen accessibility, health, life and fire safety or structural requirements in the listed code section(s). If additional space is required, please attach additional 8½" x 11" pages.</p> <hr/> <hr/> <hr/> <hr/>

*Auxiliary aids and services are available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program*