



## Requirements for Commercial Structure Permit Approval

The Pennsylvania Uniform Construction Code (UCC) considers all structures other than One and Two Family dwellings and approved Townhouses to be commercial and requires the issuance of commercial permits for the following work:

1. **New Construction:** The construction of any structure other than a One and Two Family dwelling unit, or approved Townhouse.
2. **Additions:** Any extension or increase in floor area or height of a building or structure.
3. **Alterations:** Any construction or renovation to an existing structure other than repair or addition.
4. **Repairs:** Reconstruction or renewal of any part of an existing building for the purpose of its maintenance. **Section 430.42(b)** of the UCC states that “Emergency repairs or replacement of equipment may be made without first applying for a permit if a permit application is submitted to the Building Code Official (BCO) within 3 business days of the repair or replacement.”
5. **Change of Occupancy:** Any change in the approved use of a structure or portion thereof as defined in the International Building Code (IBC) Chapter 3, Use Classifications.

### **General Information:**

The Allentown Zoning Ordinance precedes all aspects of the UCC. You **MUST** initiate your commercial project with the Zoning Bureau (610.437.7630) for approval prior to submission of plans submittal to the BCO.

All proposed work as identified above requires the submission of two (2) sets of plans to be reviewed and approved for permits. All proposed work that exceed alterations Level-1 as described in the International Existing Building Code (IEBC) Chapter 6 **MUST** be prepared and sealed by a Design Professional and Third Party reviewer

prior to submission to the BCO. The plans must detail compliance with the Climatic and Geographic Design Criteria (attached) for Allentown.

Food Service Establishments: Prior to any new construction, additions, alterations, or equipment changes, a plan review application (including drafted plans and applicable fee) **MUST** be submitted to and approved by the Bureau of Health.

Deferred Submittals: The BCO may allow deferred submittals of portions of the design of the building and structure from the time of the application until a specified time set by the BCO. All of the following apply to deferred submittals:

1. The BCO shall provide prior approval of any submitted items.
2. A licensed architect or professional engineer in responsible charge shall list the deferred submittals on the construction documents for review by the BCO.
3. A licensed architect or professional engineer shall place a notation on the deferred documents confirming their review that they documents are in general conformance with the design of the building or structure
4. No work may commence on work items detailed within deferred submittal documents unless or until the BCO has approved them.

### **Specific Requirements:**

For purposes of the requirements listed below, “**primary function**” is defined in the IBC Section 3402.1 as: “a major activity for which the facility is intended... work areas in which the activities of the public accomodation or other private entity using the facility are carried out.” Some examples of areas **NOT** containing primary functions are: mechanical rooms, boiler rooms, supply storage rooms, employee lounges, locker rooms, janitorial closets, entrances, corridors and restrooms.

1. IF ONLY A CHANGE IN OCCUPANCY (THE ONLY CHANGES TO BE MADE ARE ITEMS LIKE RE-CARPETING, PAINTING AND OTHER WORK EXEMPTED BY s 403.42 OF THE UCC REGULATIONS):

A permit application is required to approve a change of occupancy. The six requirements of section 3409.4 of the International Building Code 2006 or section 912.8 of the International Existing Building Code 2006 will have to be met. The other changes, although not subject to a permit requirement, must still comply with any accessibility requirements that may pertain to the work.

2. IF THERE IS A CHANGE IN OCCUPANCY AND ALTERATIONS WILL BE MADE, BUT THE ALTERATIONS ARE LIMITED SOLELY TO WINDOWS, HARDWARE, OPERATING CONTROLS, ELECTRICAL OUTLETS AND SIGNS OR MECHANICAL SYSTEMS, ELECTRICAL SYSTEMS, INSTALLATION OR ALTERATION OF FIRE PROTECTION SYSTEMS AND ABATEMENT OF HAZARDOUS MATERIALS:

A permit application is required to approve a change of occupancy and the listed alterations. The six requirements of section 3409.4 of the International Building Code

2006 or section 912.8 of the International Existing Building Code 2006 will have to be met. The listed alterations must still comply with any requirements that may pertain to the work. (i.e. window hardware, if windows are replaced.)

**3. IF THERE IS A CHANGE IN OCCUPANCY AND ALTERATIONS THAT AFFECT AN AREA CONTAINING A PRIMARY FUNCTION WILL BE MADE:**

A permit application is required to approve a change of occupancy and the listed alterations. The six requirements of section 3409.4 of the International Building Code 2006 or section 912.8 of the International Existing Code will have to be met.

If the Existing building satisfies the six requirements of section 3409.4 of the International Building Code 2006 or Section 912.8 of the International Existing Building Code 2006, either at the time of making application or in the course of approved construction, no further accessibility compliance is required ( other than that which falls within the scope of the work ).

**4. IF ALTERATIONS THAT AFFECT AN AREA OF PRIMARY FUNCTION WILL BE MADE, BUT THE ALTERATIONS ARE LIMITED SOLELY TO WINDOWS, HARDWARE, OPERATING CONTROLS, ELECTRICAL OUTLETS AND SIGNS OR MECHANICAL SYSTEMS, ELECTRICAL SYSTEMS, INSTALLATION OR ALTERATION OF FIRE PROTECTION SYSTEMS AND ABATEMENT OF HAZARDOUS MATERIALS:**

No accessibility requirements will be imposed on the area of primary function. However, the listed alterations must still comply with any accessibility requirements that may pertain to the work. (e.g., window operational hardware, if windows are replaced.)

**5. IF ALTERATIONS THAT AFFECT AN AREA OF PRIMARY FUNCTION WILL BE MADE AND THESE CHANGES AFFECT ACCESSIBILITY TO THE AREA OF PRIMARY FUNCTION, BUT NO CHANGE OF USE OR OCCUPANCY OCCURS:**

20% of the amount spent on any alteration affecting an area containing a primary function must be also be spent on one or more of the accessibility features listed in section 3409.4 of the International Building Code 2006 or section 912.8 of the International Existing Building Code 2006. Note carefully: the required expenditure is an amount in addition to and equaling at least 20% of the total cost of all the other proposed work.

When considering what elements and features to address on the accessible route, priority should be given to the six items listed in section 3409.4 of the International Building Code 2006 and section 912.8 of the International Existing Building Code 2006.

Plans submitted must show any work related to satisfying the 20% expenditure requirement.

\* Existing buildings, or portions thereof, that undergo a change of group or occupancy shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with Section 1110.
4. Accessible parking, where parking is being provided.
5. At least one accessible passenger loading zone, when loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is technically infeasible\*\* to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible. Change of group or occupancy that incorporates any alterations or additions shall comply with this section and Sections 3409.4, 3409.5, 3409.6 and 3409.7.

\*\* Technically Infeasible: as defined in the IBC Section 3402.1 is, “an alteration of a building or facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

### **Third Party Agencies**

The following list represents local, commonly used Third Party Agencies certified by the state of PA. The City of Allentown will accept any state certified Third Party Agency. For a full listing you may visit Pennsylvania’s Department of Labor & Industry website at: [www.dli.state.pa.us](http://www.dli.state.pa.us) and navigate through “building codes” under “quick links” on the Department’s homepage.

Name of Agency: Barry Isett and Associates  
Address: 85 South Route 100 and Kessler Lane  
P. O. Box 147  
Trexlerstown, PA 18987  
  
Telephone: 610.398.0904  
E-mail address: [rfain@barryisett.com](mailto:rfain@barryisett.com)

Name of Agency: CodeMaster Inspection Services, Inc.  
Address: P.O. Box 22831  
Lehigh Valley, PA 18002-2831  
Telephone: 610.866-8808  
E-mail address: [info@codemaster.info](mailto:info@codemaster.info)

Name of Agency: Lehigh Valley Inspection Services  
Address: P. O. Box 423  
Orefield, PA 18069  
Telephone: 610.395.3827  
E-mail address: [lveis@enter.net](mailto:lveis@enter.net)

***ATTENTION:*** Any work performed without permits, regulated under the UCC, will be assessed a fine of \$100 / permit required in addition to the actual fee(s) for the necessary permit(s).

City of Allentown  
Bureau of Building Standards & Safety  
435 W. Hamilton Street, 4<sup>th</sup> Floor  
Allentown, PA 18101  
610.437.7534  
[PermitsAndInspections@allentowncity.org](mailto:PermitsAndInspections@allentowncity.org)  
[www.allentownpa.gov](http://www.allentownpa.gov)