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RE: Public Notification

Governor Wolf has recently approved the resumption of Construction with limitations within the State of Pennsylvania effective Friday, May 1, 2020. The Bureau of Building Standards & Safety is prepared to comply with this directive and resume inspections of Commercial and Residential construction projects, in accordance with the attached requirements from the Governor's Office and the Pennsylvania Department of Health.

In addition to these guidelines, The Bureau of Building Standards & Safety will implement the following additional requirements in the interest of the safety of both our Residents and Inspectors, who travel to multiple construction job sites on a daily basis:

No more than ONE Contractor and ONE Inspector shall conduct an inspection of a residential property construction site at the same time. The job site shall be vacated by any occupants during the time of the inspection. The work to be inspected shall be ready for inspection, all tests and devises, (including, but not limited to plumbing pressure tests, electrical panel cabinets) shall be accessible and ready to be inspected.

Should any of the above requirements not be adhered to on any job site, the inspection shall be cancelled and re-scheduled at a time when all safety requirements listed above have been met.

For inspections, please contact the Building Inspector listed on your permit. Additional information can be obtained by contacting Bill Harvey, Director of Building Standards & Safety, at 610-437-7690, Extension 2680, or William.Harvey@allentownpa.gov.

We appreciate your compliance and patience during this transitional period to ensure we are keeping all involved safe.

A handwritten signature in black ink that reads "Bill Harvey".

Bill Harvey, Director
Building Standards and Safety

BH:mjw

GUIDANCE FOR BUSINESSES IN THE CONSTRUCTION INDUSTRY PERMITTED TO OPERATE DURING THE COVID-19 DISASTER EMERGENCY

INTENT

The virus that causes Coronavirus 2019 Disease (“COVID-19”) is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to safeguard public health and safety. Previously, the Governor and Secretary of Health ordered most construction projects to cease unless they were supporting life-sustaining businesses or activities. Recognizing that the construction industry is vital to Pennsylvania’s economy, construction activities may resume in accordance with this guidance.

Businesses in the Commonwealth that have been permitted to maintain in-person operations during the disaster emergency, other than health care providers, must take several precautions to protect their employees, their employees’ families, and members of their communities. Businesses that are permitted to maintain in-person operations are those authorized under the [Governor’s and Secretary’s Non-Life Sustaining Business Closure Orders](#), an exemption from those orders, or subsequent applicable order from the Governor and Secretary. All businesses (especially those that were originally closed and later permitted to re-open a portion of their operations) must review these guidelines and commit to ensuring the health and safety of their employees and the public, including construction businesses currently conducting in-person operations and those now able to resume activities.

BUSINESSES SUBJECT TO THIS GUIDANCE

Beginning May 1, 2020, all businesses in the construction industry in the Commonwealth, including those in new construction, renovation, and repair, as well as land subdivision and design-related field activities, are [permitted to maintain in-person operations](#) pursuant to the Governor’s and Secretary of Health’s April 20, 2020 amendments to the Business Closure Orders so long as their activities strictly adhere to this guidance. Construction projects previously granted an exemption to continue in-person operations may continue operations but must adhere to this guidance.

Prior to May 1, all businesses in the construction industry should continue to follow existing Administration orders and guidance, and may continue to maintain in-person operations to the extent authorized by any existing exemptions.

POLICY

It is the policy of the Administration to ensure that all businesses in the construction industry subject to this guidance conduct operations in the manner best designed to prevent or mitigate the spread of COVID-19 and ensure the safety of the employers, employees and the public as a whole.

All construction businesses authorized to conduct in-person operations in the Commonwealth must adhere to requirements of this guidance, as well as all applicable business and building safety orders issued by the Secretary of Health.

Local political units may elect to impose more stringent requirements than those contained in this guidance. In such instances, businesses must adhere to the more stringent requirements.

ALL CONSTRUCTION ACTIVITIES

All businesses and employees in the construction industry must do the following:

- Follow all applicable provisions of the Order of the Secretary of Health providing for business safety measures, issued April 15, 2020, including but not limited to provisions requiring that every person present at a work site wear masks/face coverings, and provisions requiring the establishment of protocols for execution upon discovery that the business has been exposed to a person who is a probable or confirmed case of COVID-19.
- Follow all applicable provisions of the Order of the Secretary of Health providing for building safety measures, issued April 5, 2020.
- Follow other applicable Department of Health (DOH) and Centers for Disease Control and Prevention (CDC) guidance.
- Require social distancing (6-feet minimum distance between workers) unless the safety of the public or workers require deviation (e.g. drywalling, team lifting).
- Provide hand wash stations at appropriate locations on the site such as building entrances, break areas, food truck areas, offices, trailers, and job site egress areas.
- Implement cleaning or sanitizing protocols at all construction sites and projects. Identify and regularly clean and disinfect areas that are at high risk for transmission (requirements to clean common areas and regularly trafficked spaces periodically).
- Ensure all gatherings are limited to no more than 10 people, maintaining 6-foot social distancing, when required to meet, even when conducted outside.
- Use virtual meetings, and disseminate information electronically to the extent feasible.
- Stagger shifts, breaks, work areas and/or stacking of trades where feasible to minimize workers on site.
- Limit tool sharing and sanitize tools if they must be shared.
- Employ jobsite screening based on CDC guidance to determine if employees should work. Prohibit from working any employees with any symptoms of COVID-19. Encourage sick employees to stay home.
- Prohibit unnecessary visitors to any project or work site, and limit supplier deliveries.
- Limit access to enclosed spaces to the extent feasible.
- Ensure workers are traveling to and from the job site separately. Wherever possible employees should not share a vehicle.
- Identify a “Pandemic Safety Officer” for each project or work site, or, if a large-scale construction project, then for each contractor at the site. The primary responsibility of the Pandemic Safety Officer will be to convey, implement, and enforce the social distancing and other requirements of this guidance for the protection of employees, suppliers, and other personnel at the site.

RESIDENTIAL CONSTRUCTION

The Uniform Construction Code (34 Pa. Code § 401.1) defines residential buildings as “detached one-family and two-family dwellings and townhouses which are not more than three stories above grade plane in height with a separate means of egress and their accessory structures.”

- All residential construction projects including new construction, renovation, and repair are authorized to conduct in-person operations; however, such projects may not permit more than four persons on the job site at any time inclusive of employees of both prime and sub contractors, but not inclusive of delivery persons, code inspectors, or similar persons who require temporary access to the site and are not directly engaged in the construction activity.

NON-RESIDENTIAL OR COMMERCIAL CONSTRUCTION

The Uniform Construction Code (34 Pa. Code § 401.1) defines “Commercial construction” as “a building, structure or facility that is not a residential building.” This definition includes multi-unit housing and student housing.

- All commercial construction projects including new construction, renovation, and repair are authorized to conduct in-person operations; however, enclosed projects or portions of enclosed projects, may not permit more than four persons on job sites of 2,000 square feet or less, and
- One additional person is allowed for each additional 500 square feet of enclosed area over 2,000 square feet. These numbers are inclusive of employees of both prime and sub contractors, but not inclusive of delivery persons, code inspectors, or similar persons who require temporary access to the site and are not directly engaged in the construction activity. Enclosed square footage shall include all areas under roof that are under active construction at the time.
- Commercial construction firms, including particularly those managing large-scale construction projects, should consider strongly establishing a written Safety Plan for each work location containing site specific details for the implementation of this guidance to be shared with all employees and implemented and enforced by the designated Pandemic Safety Officer.

PUBLIC CONSTRUCTION

Elected political subdivisions (or “local political units” as described in the Governor’s guidance), and other public entities should continue to use best judgment in exercising their authority to conduct critical construction projects. All construction decisions should appropriately balance public health and safety while ensuring the continued safety of critical infrastructure. When possible, local political units and public entities should postpone non-essential projects and only proceed with essential projects when they can implement appropriate social distancing and cleaning/disinfecting protocols, and should adhere to this guidance on all construction projects.

Local political units and public entities should officially communicate to contractors whether their specific project will be resumed. Notwithstanding any general authorization to resume construction activities, contractors should not resume work on public construction projects until directed to do so by the applicable governmental unit.

Certain commonwealth agencies and independent commissions have already issued guidance for critical or essential projects that are continuing. Those specific agency or commission directives should be followed unless there is a direct conflict with these guidelines, in which case these guidelines control. Contractors working on public construction projects must follow construction restart or resumption plans established by that agency or commission.

INSPECTIONS AND APPRAISALS

Beginning May 1, 2020, in-person inspection and appraisals related to construction financing loans, and UCC building code plan review and inspection services may be conducted as necessary for all construction projects authorized under this guidance.

QUESTIONS AND FURTHER GUIDANCE

Businesses that have questions about whether this guidance applies to them may email the Department of Labor and Industry at RA-LIBOIS-BUILDINGS@pa.gov.

Answers to frequently asked questions involving application of the Employee Safety Order is available [here](#).

Businesses in the construction industry may wish to refer to PennDOT's COVID-19 Guidance for Restarting Construction Projects which provided a process for restarting construction projects that were suspended in response to COVID-19 mitigation. The guidance is available [here](#).

Help is available for people who are struggling with their mental or emotional health or feeling anxious or overly stressed contact the Crisis Text Line by texting PA to 741-741.

ENFORCEMENT

Enforcement actions against violators of the Governor's and Secretary of Health's Orders Closing Businesses That Are Not Life Sustaining commenced on March 23, 2020, and is ongoing.

Law enforcement officers should refer to Enforcement Guidance available online [here](#).

ADDITIONAL INFORMATION

For the most up-to-date, reliable information, please continue to refer to the Commonwealth of Pennsylvania's website for Responding to COVID-19 in Pennsylvania: <https://www.pa.gov/guides/responding-to-covid-19/>.



Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operations

The 2019 novel coronavirus (COVID-19) is a contagious disease that is rapidly spreading from person to person in the Commonwealth of Pennsylvania. COVID-19 can be transmitted from people who are infected with the virus even if they are asymptomatic or their symptoms are mild, such as a cough. Additionally, exposure is possible by touching a surface or object that has the virus on it and then touching one's mouth, nose, or eyes.

COVID-19 is a threat to the public's health, for which the Secretary of Health may order general control measures, including, but not limited to, closure, isolation, and quarantine. This authority is granted to the Secretary of Health pursuant to Pennsylvania law. *See* Section 5 of the Disease Prevention and Control Law, 35 P.S. §§ 521.1, 521.5; sections 2102 and 2106 of the Administrative Code of 1929, 71 P.S. §§ 532, 536; and the Department of Health's (Department's) regulations at 28 Pa. Code §§ 27.60-27.68 (relating to disease control measures; isolation; quarantine; movement of persons subject to isolation or quarantine; and release from isolation and quarantine). Particularly, the Secretary has the authority to take any disease control measure appropriate to protect the public from the spread of infectious disease. *See* 35 P.S. § 521.5; 71 P.S. §§ 532(a), 1402(a); 28 Pa. Code § 28.60.

Recognizing that certain life-sustaining businesses in the Commonwealth must remain open despite the need for strong mitigation to slow the spread of the virus, I am ordering certain actions to be taken by employers and their employees to protect their health and lives, the health and lives of their families, and the health and lives of the residents of the Commonwealth who depend upon their services. Special consideration is required to protect not only customers, but the workers needed to run and operate these establishments.

As cleaning, disinfecting, and other maintenance and security services performed by building service employees are critical to protecting the public health by reducing COVID-19 infection in the Commonwealth, I previously directed building safety measures in an Order that went into effect at 12:01 a.m. on April 6, 2020. Similarly, based upon the manner of COVID-19's continued and extensive spread in the Commonwealth and in the world, and its danger to Pennsylvanians, I have determined that an additional appropriate disease control measure is the further direction of safety measures for all employees and visitors at life-sustaining businesses that have remained open during the COVID-19 disaster emergency.

Accordingly, on this date, April 15, 2020, to protect the public from the spread of COVID-19, I hereby order:

- A. A business that is authorized to maintain in-person operations, other than health care providers, pursuant to the Orders that the Governor and I issued on March 19, 2020, as subsequently amended, shall implement, as applicable, the following social distancing, mitigation, and cleaning protocols:
- (1) in addition to maintaining pre-existing cleaning protocols established in the business, as specified in paragraph (2) below, clean and disinfect high-touch areas routinely in accordance with guidelines issued by the Centers for Disease Control and Prevention (CDC), in spaces that are accessible to customers, tenants, or other individuals;
 - (2) maintain pre-existing cleaning protocols established by the business for all other areas of the building;
 - (3) establish protocols for execution upon discovery that the business has been exposed to a person who is a probable or confirmed case of COVID-19, including:
 - a. close off areas visited by the person who is a probable or confirmed case of COVID-19. Open outside doors and windows and use ventilation fans to increase air circulation in the area. Wait a minimum of 24 hours, or as long as practical, before beginning cleaning and disinfection. Cleaning staff should clean and disinfect all areas such as offices, bathrooms, common areas including but not limited to employee break rooms, conference or training rooms and dining facilities, shared electronic equipment like tablets, touch screens, keyboards, remote controls, and ATM machines used by the ill person, focusing especially on frequently touched areas;
 - b. identify employees that were in close contact (within about 6 feet for about 10 minutes) with a person with a probable or confirmed case of COVID-19 from the period 48 hours before symptom onset to the time at which the patient isolated;
 - i. If the employee remains asymptomatic, the person should adhere to the practices set out by the CDC in its April 8, 2020 Interim Guidance for Implementing Safety Practice for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19;
 - ii. If the employee becomes sick during the work day, the person should be sent home immediately. Surfaces in the employee's workspace should be cleaned and disinfected. Information on other employees who had contact with the ill employee during the time the employee had symptoms

and 48 hours prior to symptoms should be compiled. Others at the workplace with close contact within 6 feet of the employee during this time would be considered exposed;

- iii. Promptly notify employees who were close contacts of any known exposure to COVID-19 at the business premises, consistent with applicable confidentiality laws;
 - iv. ensure that the business has a sufficient number of employees to perform the above protocols effectively and timely;
- c. implement temperature screening before an employee enters the business, prior to the start of each shift or, for employees who do not work shifts, before the employee starts work, and send employees home that have an elevated temperature or fever of 100.4 degrees Fahrenheit or higher. Ensure employees practice social distancing while waiting to have temperatures screened;
 - d. employees who have symptoms (*i.e.*, fever, cough, or shortness of breath) should notify their supervisor and stay home;
 - e. sick employees should follow CDC-recommended steps. Employees should not return to work until the CDC criteria to discontinue home isolation are met, in consultation with healthcare providers and state and local health departments. Employers are encouraged to implement liberal paid time off for employees who do not return to work as set forth above.
- (4) stagger work start and stop times for employees when practicable to prevent gatherings of large groups entering or leaving the premises at the same time;
 - (5) provide sufficient amount of space for employees to have breaks and meals while maintaining a social distance of 6 feet, while arranging seating to have employees facing forward and not across from each other in eating and break settings;
 - (6) stagger employee break times to reduce the number of employees on break at any given time so that appropriate social distancing of at least 6 feet may be followed;
 - (7) limit persons in employee common areas (such as locker or break rooms, dining facilities, training or conference rooms) at any one time to the number of employees that can maintain a social distance of 6 feet;

- (8) conduct meetings and trainings virtually (*i.e.*, by phone or through the internet). If a meeting must be held in person, limit the meeting to the fewest number of employees possible, not to exceed 10 employees at one time, and maintain a social distance of 6 feet;
- (9) provide employees access to regular handwashing with soap, hand sanitizer, and disinfectant wipes and ensure that common areas (including but not limited to break rooms, locker rooms, dining facilities, rest rooms, conference or training rooms) are cleaned on a regular basis, including between any shifts;
- (10) provide masks for employees to wear during their time at the business, and make it a mandatory requirement to wear masks while on the work site, except to the extent an employee is using break time to eat or drink, in accordance with the guidance from the Department of Health and the CDC. Employers may approve masks obtained or made by employees in accordance with Department of Health guidance;
- (11) ensure that the facility has a sufficient number of employees to perform all measures listed effectively and in a manner that ensures the safety of the public and employees;
- (12) ensure that the facility has a sufficient number of personnel to control access, maintain order, and enforce social distancing of at least 6 feet;
- (13) prohibit non-essential visitors from entering the premises of the business; and
- (14) ensure that all employees are made aware of these required procedures by communicating them, either orally or in writing, in their native or preferred language, as well as in English or by a methodology that allows them to understand.

B. In addition to the above, the following measures apply to businesses, other than health care providers, that serve the public within a building or a defined area:

- (1) where feasible, businesses should conduct business with the public by appointment only and to the extent that this is not feasible, businesses must limit occupancy to no greater than 50% of the number stated on the applicable certificate of occupancy at any given time, as necessary to reduce crowding in the business, and must maintain a social distance of 6 feet at check-out and counter lines, and must place signage throughout each site to mandate social distancing for both customers and employees;

- (2) based on the building size and number of employees, alter hours of business so that the business has sufficient time to clean or to restock or both;
- (3) install shields or other barriers at registers and check-out areas to physically separate cashiers and customers or take other measures to ensure social distancing of customers from check-out personnel, or close lines to maintain a social distance between of 6 feet between lines;
- (4) encourage use of online ordering by providing delivery or pick-up options;
- (5) designate a specific time for high-risk and elderly persons to use the business at least once every week if there is a continuing in-person customer-facing component;
- (6) require all customers to wear masks while on premises, and deny entry to individuals not wearing masks, unless the business is providing medication, medical supplies, or food, in which case the business must provide alternative methods of pick-up or delivery of such goods; however, individuals who cannot wear a mask due to a medical condition (including children under the age of 2 years per CDC guidance) may enter the premises and are not required to provide documentation of such medical condition;
- (7) in businesses with multiple check-out lines, only use every other register, or fewer. After every hour, rotate customers and employees to the previously closed registers. Clean the previously open registers and the surrounding area, including credit card machines, following each rotation;
- (8) schedule handwashing breaks for employees at least every hour; and
- (9) where carts and handbaskets are available for customers' use, assign an employee to wipe down carts and handbaskets before they become available to each customer entering the premises.

This Order shall take effect immediately and be enforceable as of 8:00 p.m. on April 19, 2020.



Rachel Levine, MD
Secretary of Health