



**CODE ENFORCEMENT AGENCY**  
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## **BUILDING INSPECTION “FAILURE” GUIDELINE**

CEA understands the value of progressively meeting the need to advance any permitted inspections at every stage required throughout your project. Therefore, we have created this guideline to help answer questions and concerns after a Building Inspector or Code Official has failed the requested inspection and asked for additional information before the next visit.

Today, commercial building permits may rely on several different code groups that have been designed and professionally stamped for review and permitting. These ever evolving and sometimes complex codes approved by the International Code Council (ICC) are the quintessential to public safety of the structure for occupancy. The Building Code Official or Building Inspector for your permit is designed to inspect or witness the constructive efforts of labor in the field to attest the proper methods, materials and designs sealed by the Architect or Engineer have been installed or constructed to meet the ICC minimum code standard.

**403.42** Pennsylvania Uniform Construction Code (PA UCC) requires an owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a commercial building, structure and facility or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system regulated by the Uniform Construction Code shall first apply to the building code official and obtain the required permit under § 403.42a (relating to permit application).

### **§ 403.43. Grant, denial and effect of permits. ([www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov))**

A building code official shall grant or deny a permit application, in whole or in part, within 30 business days of the filing date. Reasons for the denial must be in writing, identifying the elements of the application which are not in compliance with the relevant provisions of the Uniform Construction Code and ordinance as appropriate and providing a citation to the relevant provisions of the Uniform Construction Code and ordinance as appropriate, and sent to the applicant. The building code official and the permit applicant may agree in writing to extend the deadline by a specific number of days. A building code official may establish a different deadline to consider applications for a permit in an historic district.

A building code official shall examine the construction documents and shall determine whether the construction indicated and described is in accordance with the Uniform Construction Code and other pertinent laws or ordinances as part of the application process.

A building code official shall stamp or place a notation on each page of the set of reviewed construction documents that the documents were reviewed and approved for Uniform Construction Code compliance before the permit is issued. The building code official shall clearly mark any required non-design changes on the construction documents. The building code official shall return a set of the construction documents with this notation and any required changes to the applicant. The permit holder shall keep a copy of the construction documents at the work site open to inspection by the construction code official or an authorized representative.

Issuance of a permit does not bar prosecution or other legal action for violations of the act, the Uniform Construction Code or a construction ordinance. A building code official may suspend or revoke a permit issued under the Uniform Construction Code when the permit holder does not make the required changes directed by the building code official under subsection (c), when the permit is issued in error, on the basis of inaccurate or incomplete information or in violation of any act, regulation, ordinance or the Uniform Construction Code.

The permit holder shall keep a copy of the permit on the work site until the completion of the construction.

A permit applicant may request extensions of time or variances or appeal a building code official's action on the permit application to a board of appeals under § 403.122 (relating to appeals, variances and extensions of time).

A board of appeals may not rule on requests for extensions of time, variances or appeals relating to this chapter's accessibility requirements. The Secretary has the exclusive power to grant modifications and extensions of time and decide issues of technical infeasibility under § 403.142 (relating to Accessibility Advisory Board)

A building code official 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 building code official. All of the following apply to deferred submittals:

A **licensed architect or professional engineer** in responsible charge shall list the deferred submittals on the construction documents for review by the building code official.

**A licensed architect or professional engineer shall first review submittal documents for deferred submittal items and place a notation on the documents that the architect or engineer reviewed the documents and that the documents are in general conformance with the design of the building or structure.**

Deferred submittal items may not be installed until the building code official approves the design and submittal documents for the deferred submittal items.

Work shall be installed in accordance with the approved construction documents. The permit holder shall submit a revised set of construction documents for approval for changes made during construction that are not in accordance with the approved construction documents.