

GUIDELINE FOR MAKING APPLICATION  
FOR  
RESIDENTIAL BUILDING PERMITS

The Building Permit Application is to be completed along with any applicable Sub Code Form(s) for Electrical, Mechanical (HVAC) and Plumbing when the proposed construction/work involves same. Information required on the SITE PLAN to be submitted is as noted under ITEM #1.  
Information required on the CONSTRUCTION DRAWINGS/PLANS is as noted under ITEM #2.

Also, Act 44, Workers' Compensation Reform Act must be completed and submitted with each building permit application. Copy enclosed.

ITEM #1 - INFORMATION REQUIRED ON THE SITE PLAN (ZONING DEPARTMENT)

For Additions  
& Alterations,  
including Patios,  
Decks, Porches,  
Sheds, Fences,  
Walkways, etc.

- A. A site plan shall be drawn to scale showing the dimensions and location of all existing construction including driveways, walkways, patios, etc. as well as all the proposed construction, including the distances to the property lines. It shall also include the existing and proposed grading contours, direction of water flow, grading, swales, floor elevations, flood plain, trees on lot to be removed and to remain, location and size of all utilities and/or easements, and the \*impervious surface calculations. Applicant must identify all Natural Resources as per Section 200-51 of the LMT Zoning Ordinance.  
\*(Impervious surface chart – last page)

For New Homes

- B. A site plan shall be drawn to scale showing the size and location of all proposed construction including any patios, wood decks, service walkways, etc. and the distances to the side and rear property lines. It shall also include first floor and garage floor elevations, existing and proposed grading contours, swales, direction of water flow, flood plain, trees on the lot to be removed and to remain, location of all utilities and/or easements, driveway slope (to be expressed in percent), the distance from the edge of the driveway to property line, any monuments to be set must be indicated (as per recorded linen) and the \*impervious surface calculations. This plan must bear the imprint seal of a licensed surveyor. Applicant must identify all Natural Resources as per Section 200-51 of the LMT Zoning Ordinance.  
\*(Impervious surface chart – last page).

ITEM #2 - CONSTRUCTION DRAWINGS/PLAN REQUIREMENTS FOR RESIDENTIAL PERMIT APPLICATIONS (BUILDING DEPARTMENT)

NOTE: Residential plans may be drawn by the homeowner, contractor or a licensed design professional.

Two (2) sets of plans, detailing the following information, shall be submitted (in compliance with the 2006 International Residential Code) with the Building Permit Application including the applicable Electrical, Mechanical (HVAC) and Plumbing Sub Code Forms.

BUILDING PLAN REVIEW REQUIREMENTS:

- Front, rear and side elevations.
- Footing/foundation drawing.
- Floor plan.
- Framing plan showing floor, ceiling and roof details.
- Window and door schedule.
- Location of all smoke detectors.
- "R" value of wall and ceiling insulation.

PLUMBING PLAN REVIEW REQUIREMENTS:

- Diagram of water system with pipe sizes.
- Diagram of drainage and venting system with pipe sizes.
- Plumbing fixture types and locations.

MECHANICAL PLAN REVIEW REQUIREMENTS:

- Location and size of equipment.
- Diagram of air distribution and return air system.
- Ventilation and exhaust schedule(s).
- Combustion air requirements for all new appliances.
- BTU ratings of new gas fired appliances.
- Diagram of gas piping including pipe sizes.

ELECTRIC PLAN REVIEW REQUIREMENTS:

- Location of new electrical devices, receptacles, lights, switches, appliances, panels, subpanels and disconnects.
- Wiring diagram indicating size and type of wire.
- Panel and subpanel schedules.

### WOOD/COAL BURNING STOVES/FIREPLACES

- All stoves must have been tested in accordance with UL 1482 or the approval of other stoves shall be based on approved research and testing reports submitted with the permit application, demonstrating the performance of the unit and the installation conditions necessary to insure safe and adequate performance.
- Plans shall describe in sufficient detail the location, size and construction of all chimneys, vents and ducts and their connection to appliances and fireplaces. The thickness and character of all insulation materials, clearance from walls, partitions, ceilings and proximity of heating devices and equipment to wall openings and exits shall be clearly shown and described.

### DECKS/PORCH ENCLOSURES

- Construction Plans – A drawing to scale showing the floor plan and indicating the existing and proposed construction, showing front, side and rear elevation, footing size and location, foundation wall size and location, floor joist/ceiling joist, roof rafter, girder and column size and locations. Included on the drawing shall be a loading schedule indicating the live loads for which the structure is designed.
- Details – A cross section through one typical wall/floor showing construction details from footing to and including roof framing, if applicable. This section shall indicate all construction materials used including roofing, vapor barriers, sheathing type and thickness, insulation type and thickness, windows, interior finish material, floor type and thickness, structure, foundation and footings.

IMPERVIOUS SURFACE

BREAKDOWN

CHART

ADDRESS \_\_\_\_\_

LOT SIZE (SQ. FT.) \_\_\_\_\_

HOUSE (SQ. FT.) \_\_\_\_\_

DRIVEWAY (SQ. FT.) \_\_\_\_\_

WALKWAY(S) (SQ. FT.) \_\_\_\_\_

PATIO, MISC. (SQ. FT.) \_\_\_\_\_

TOTAL EXISTING IMPERVIOUS SURFACE % \_\_\_\_\_ SQ. FT. \_\_\_\_\_

PROPOSED CONSTRUCTION SQ. FT. \_\_\_\_\_

TOTAL IMPERVIOUS SURFACE  
EXISTING AND PROPOSED: % \_\_\_\_\_ SQ. FT. \_\_\_\_\_

Note: (a) IMPERVIOUS SURFACE – Surfaces which do not absorb water, including all buildings and paved or hard surfaces. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this definition shall also be classified as impervious. For purposes of this definition, that area of a swimming pool located inside the coping shall not be classified as impervious. Brick/stone laid in sand (patio pavers, brick pavers/walkways, etc.) are considered impervious unless otherwise determined by the Township.

(b) IMPERVIOUS SURFACE RATIO – The total area of all impervious surfaces within a lot divided by the gross lot area.

Note: Subject to any regulatory agencies having jurisdiction over construction of the project, including by not limited to Bucks County Conservation District. Contact them directly at 215-345-7577 for their latest requirements.

Stored: Impervious Surface

GUIDELINE FOR MAKING APPLICATION  
FOR  
NON-RESIDENTIAL BUILDING PERMITS

The Building Permit Application is to be completed along with any applicable Sub Code Form(s) for Electrical, Mechanical (HVAC) and Plumbing when the proposed construction/work involves same. Information required on the SITE PLAN to be submitted is as noted under ITEM #1.  
Information required on the CONSTRUCTION DRAWINGS/PLANS is as noted under ITEM #2.

Also, Act 44, Workers' Compensation Reform Act must be completed and submitted with each building permit application. Copy enclosed.

ITEM #1 - INFORMATION REQUIRED ON THE SITE PLAN (ZONING DEPARTMENT)

Non-Residential Additions & Alterations

- A. A site plan shall be drawn to scale showing the dimensions and location of all existing construction including driveways, parking lot with space sizes and handicap spaces, walkways, and access pathways, etc. as well as all the proposed construction, including the distances to the side and rear property lines. It shall also include the existing and proposed grading contours, direction of water flow, grading, swales, floor elevations, flood plain, trees on lot to be removed and to remain, location and size of all utilities and/or easements, and the \*impervious surface calculations. Applicant must identify all Natural Resources as per Section 200-51 of the LMT Zoning Ordinance.  
\*(Impervious surface chart – last page)

Non-Residential New Construction

- B. A site plan shall be drawn to scale showing the size and location of all proposed construction including parking lot with space sizes, and handicap spaces, walkways, and access pathways, etc. and the distances to the side and rear property lines. It shall also include first floor elevation, existing and proposed grading contours, swales, direction of water flow, flood plain, trees on the lot to be removed and to remain, location of all utilities and/or easements, driveway slope (to be expressed in percent), the distance from the edge of the driveway to property line, any monuments to be set must be indicated (as per recorded linen) and the \*impervious surface calculations. This plan must bear the imprint seal of a licensed surveyor. Applicant must identify all Natural Resources as per Section 200-51 of the LMT Zoning Ordinance.  
\*(Impervious surface chart – last page).

ITEM #2 - CONSTRUCTION DRAWINGS/PLAN REQUIREMENTS FOR NON-RESIDENTIAL PERMIT APPLICATIONS (BUILDING DEPARTMENT)

Two (2) sets of plans, with the following information shall be submitted (in compliance with the 2006 International Building Code):

INFORMATION REQUIRED ON ARCHITECTURAL PLANS

- A. All design for new construction work shall be prepared by a registered architect and bear an imprint seal of the architect responsible for the design.
- B. Front, side and rear elevations drawn to scale.
- C. Plan review of all floor areas including basement. Indicate overall dimension of proposed construction, identify all rooms, etc.
- D. The construction drawings shall also indicate:
  - 1. Use group.
  - 2. Type of construction.
  - 3. Occupant load.
  - 4. Edition of International Building Code.
  - 5. Loading schedule – indicate live loads for which structure is designed.
  - 6. Size of footing and piers.
  - 7. Depth of footing below finished grade.
  - 8. Foundation wall construction.
  - 9. Anchor bolt size and spacing.
  - 10. Species and grade of lumber.
  - 11. Construction of all walls and partitions.
  - 12. Corner bracing detail.
  - 13. Type of exterior wall and roof sheathing with cut sheets from manufacturers.
  - 14. Insulation R- Values.
  - 15. Size, spacing and direction of all roof rafters, beams, girders, floor joist and ceiling joist with the design values.
  - 16. Any roof or floor truss will require engineered sealed drawings.
  - 17. Finished floor surface in the area of all toilets.
  - 18. Firestopping in the areas of vents, pipe ducts, chimneys and fireplace.
  - 19. Indicate all header sizes.
  - 20. Indicate all interior and exterior wall coverings.
  - 21. Indicate type of roof covering (felt and type of shingle).
  - 22. Roof slope.
  - 23. Chimney flashing detail.
  - 24. Indicate all window sizes, window manufacturer and cut sheet on the windows, indicating net clear opening for compliance with egress requirements.
  - 25. Indicate all building and room dimensions.
  - 26. Provide fireplace detail.
  - 27. Other details may be required depending on the nature of construction.

- E. Section through the building.
- F. All plans must comply with the International Building Code, 2006 Edition adopted by Ordinance #342 on 7/7/04 and any amendments thereto, adopted by Ordinances 288, 289, 290, 291.

#### INFORMATION REQUIRED ON PLUMBING PLANS

- A. New Construction:
  - 1. Isometric elevation and plan view drawings of the drainage and venting system, with the fixtures and pipe sizing labeled.
  - 2. Isometric drawing of the water piping system.
- B. Alterations:
  - 1. Isometric elevation and plan review drawings of the present installation and the proposed work.
  - 2. An isometric drawing for the water system and one for the drainage and venting, both of which shall show the proposed connection to the existing system. In addition a plan view and elevation view of the DWV system.
- C. A plumbing contractor must be RCC certified in order to work within the jurisdiction of Lower Makefield Township.
- D. All plumbing must comply with the International Plumbing Code, 2006 Edition adopted by Ordinance #342 of 7/7/04 and any amendments thereto, adopted by Ordinances 288, 289, 290, 291.

A Plumbing Sub Code Form is to be filled out, reflecting all plumbing fixtures, devices etc., and submitted with the Building Permit Application.

#### INFORMATION REQUIRED ON HEATING, VENTILATION AND AIR CONDITIONING PLANS

- A. Elevations and plan view drawings are required for alterations, replacement and new construction of HVAC units and systems (boilers, forced air heaters, A/C compressors, exhaust fans and heat pump systems).
- B. A copy of the manufacturer installation instructions.
- C. Heat load/heat gain calculations.
- D. All work to comply with the International Mechanical Code 2006 Edition adopted by Ordinance #342 on 7/7/04 and any amendments thereto, adopted by Ordinances 288, 289, 290, 291.

A Mechanical Sub Code Form is to be filled out, reflecting the items above, and submitted with the Building Permit Application. You are to indicate the BTU rating/tonnage on this form where indicated.

## INFORMATION REQUIRED ON ELECTRICAL PLANS

- A. Location of all switches, lights, receptacles, fans, smoke detectors, service equipment, heating and A/C equipment, wiring method with number of circuits. This information is to be indicated on the floor plans with a symbol legend included.
- B. All electrical work is to comply with the ICC Electrical Code, 2006 Edition adopted by Ordinance #342 on 7/7/04 and any amendments thereto, adopted by Ordinances 288, 289, 290, 291.

An Electrical Sub Code Form is to be filled out, reflecting the count of all items included above, and submitted with the Building Permit Application.

IMPERVIOUS SURFACE

BREAKDOWN

CHART

ADDRESS \_\_\_\_\_

LOT SIZE (SQ. FT.) \_\_\_\_\_

HOUSE (SQ. FT.) \_\_\_\_\_

DRIVEWAY (SQ. FT.) \_\_\_\_\_

WALKWAY(S) (SQ. FT.) \_\_\_\_\_

PATIO, MISC. (SQ. FT.) \_\_\_\_\_

TOTAL EXISTING IMPERVIOUS SURFACE % \_\_\_\_\_ SQ. FT. \_\_\_\_\_

PROPOSED CONSTRUCTION SQ. FT. \_\_\_\_\_

TOTAL IMPERVIOUS SURFACE  
EXISTING AND PROPOSED: % \_\_\_\_\_ SQ. FT. \_\_\_\_\_

Note: (a) IMPERVIOUS SURFACE – Surfaces which do not absorb water, including all buildings and paved or hard surfaces. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this definition shall also be classified as impervious. For purposes of this definition, that area of a swimming pool located inside the coping shall not be classified as impervious. Brick/stone laid in sand (patio pavers, brick pavers/walkways, etc.) are considered impervious unless otherwise determined by the Township.

(b) IMPERVIOUS SURFACE RATIO – The total area of all impervious surfaces within a lot divided by the gross lot area.

Note: Subject to any regulatory agencies having jurisdiction over construction of the project, including by not limited to Bucks County Conservation District. Contact them directly at 215-345-7577 for their latest requirements.

Stored: Impervious Surface

# Lower Makefield Township

1100 Edgewood Road  
Yardley, PA 19067

267-274-1122

## APPLICATION FOR PLAN EXAMINATION AND BUILDING PERMIT

Application must be completed in accordance with application guideline.

**IMPORTANT – Applicant to complete all items in sections: I, II, III, IV, VIII, and IX.**

<b>I. LOCATION OF BUILDING</b>	AT (LOCATION) _____ (No.) _____ (Street) _____	ZONING DISTRICT _____
	SUBDIVISION _____	PARCEL NO. _____
	LOT NO. _____	100 YEAR FLOODPLAIN ON SITE (CIRCLE ONE) YES NO IF YES, PLEASE INCLUDE THE FAIR MARKET VALUE OF THE STRUCTURE \$ _____

**II. TYPE AND COST OF BUILDING – All applicants complete Parts A – D**

<p><b>A. TYPE OF IMPROVEMENT</b></p> <p>1 <input type="checkbox"/> New building</p> <p>2 <input type="checkbox"/> Addition (If residential, enter number of new housing units added, if any, in Part D, 13)</p> <p>3 <input type="checkbox"/> Alteration (See 2 above)</p> <p>4 <input type="checkbox"/> Repair, replacement</p> <p>5 <input type="checkbox"/> Wrecking (If multifamily residential, enter number of units in building in Part D, 13)</p> <p>6 <input type="checkbox"/> Moving (relocation)</p> <p>7 <input type="checkbox"/> Foundation only</p>	<p><b>D. PROPOSED USE – For "Wrecking" most recent use</b></p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><b>Residential</b></p> <p>12 <input type="checkbox"/> One family</p> <p>13 <input type="checkbox"/> Two or more family – Enter number of units -----&gt; _____</p> <p>14 <input type="checkbox"/> Transient hotel, motel, or dormitory – Enter number of units -----&gt; _____</p> <p>15 <input type="checkbox"/> Garage</p> <p>16 <input type="checkbox"/> Carport</p> <p>17 <input type="checkbox"/> Other – Specify _____</p> </td> <td style="width: 50%; vertical-align: top;"> <p><b>Nonresidential</b></p> <p>18 <input type="checkbox"/> Amusement, recreational</p> <p>19 <input type="checkbox"/> Church, other religious</p> <p>20 <input type="checkbox"/> Industrial</p> <p>21 <input type="checkbox"/> Parking garage</p> <p>22 <input type="checkbox"/> Service station, repair garage</p> <p>23 <input type="checkbox"/> Hospital, institutional</p> <p>24 <input type="checkbox"/> Office, bank, professional</p> <p>25 <input type="checkbox"/> Public utility</p> <p>26 <input type="checkbox"/> School, library, other educational</p> <p>27 <input type="checkbox"/> Stores, mercantile</p> <p>28 <input type="checkbox"/> Tanks, towers</p> <p>29 <input type="checkbox"/> Other – Specify _____</p> </td> </tr> </table>	<p><b>Residential</b></p> <p>12 <input type="checkbox"/> One family</p> <p>13 <input type="checkbox"/> Two or more family – Enter number of units -----&gt; _____</p> <p>14 <input type="checkbox"/> Transient hotel, motel, or dormitory – Enter number of units -----&gt; _____</p> <p>15 <input type="checkbox"/> Garage</p> <p>16 <input type="checkbox"/> Carport</p> <p>17 <input type="checkbox"/> Other – Specify _____</p>	<p><b>Nonresidential</b></p> <p>18 <input type="checkbox"/> Amusement, recreational</p> <p>19 <input type="checkbox"/> Church, other religious</p> <p>20 <input type="checkbox"/> Industrial</p> <p>21 <input type="checkbox"/> Parking garage</p> <p>22 <input type="checkbox"/> Service station, repair garage</p> <p>23 <input type="checkbox"/> Hospital, institutional</p> <p>24 <input type="checkbox"/> Office, bank, professional</p> <p>25 <input type="checkbox"/> Public utility</p> <p>26 <input type="checkbox"/> School, library, other educational</p> <p>27 <input type="checkbox"/> Stores, mercantile</p> <p>28 <input type="checkbox"/> Tanks, towers</p> <p>29 <input type="checkbox"/> Other – Specify _____</p>
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<p><b>B. OWNERSHIP</b></p> <p>8 <input type="checkbox"/> Private (individual, corporation, nonprofit institution, etc.)</p> <p>9 <input type="checkbox"/> Public (Federal, State, or local government)</p>			

<p><b>C. COST</b></p> <p>10. Cost of improvement..... \$ _____</p> <p><i>To be installed but not included in the above cost</i></p> <p>a. Electrical..... \$ _____</p> <p>b. Plumbing..... \$ _____</p> <p>c. Heating, air conditioning..... \$ _____</p> <p>d. Other (elevator, etc.)..... \$ _____</p> <p>11. TOTAL COST OF IMPROVEMENT \$ _____</p>	<p>(Omit cents)</p> <p>Nonresidential – Describe in detail proposed use of buildings, e.g., food processing plant, machine shop, laundry building at hospital, elementary school, secondary school, college, parochial school, parking garage for, department store, rental office building, office building at industrial plant. If use of existing building is being changed, enter proposed use.</p> <p>_____</p> <p>_____</p> <p>_____</p>
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**III. SELECTED CHARACTERISTICS OF BUILDING – For new buildings and additions, complete Parts E – L; for wrecking, complete only Part J, for all others skip to IV.**

<p><b>E. PRINCIPAL TYPE OF FRAME</b></p> <p>30 <input type="checkbox"/> Masonry (wall bearing)</p> <p>31 <input type="checkbox"/> Wood frame</p> <p>32 <input type="checkbox"/> Structural steel</p> <p>33 <input type="checkbox"/> Reinforced concrete</p> <p>34 <input type="checkbox"/> Other – Specify _____</p>	<p><b>G. TYPE OF SEWAGE DISPOSAL</b></p> <p>40 <input type="checkbox"/> Public or private company</p> <p>41 <input type="checkbox"/> Private (septic tank, etc.)</p>	<p><b>J. DIMENSIONS</b></p> <p>48. Number of stories.....</p> <p>49. Total square feet of floor area, all floors, based on exterior dimensions.....</p> <p>50. Total land area, sq. ft. ....</p>
<p><b>F. PRINCIPAL TYPE OF HEATING FUEL</b></p> <p>35 <input type="checkbox"/> Gas</p> <p>36 <input type="checkbox"/> Oil</p> <p>37 <input type="checkbox"/> Electricity</p> <p>38 <input type="checkbox"/> Coal</p> <p>39 <input type="checkbox"/> Other – Specify _____</p>	<p><b>H. TYPE OF WATER SUPPLY</b></p> <p>42 <input type="checkbox"/> Public or private company</p> <p>43 <input type="checkbox"/> Private (well, cistern)</p>	<p><b>K. NUMBER OF OFF-STREET PARKING SPACES</b></p> <p>51. Enclosed.....</p> <p>52. Outdoors.....</p>
	<p><b>I. TYPE OF MECHANICAL</b></p> <p>Will there be central air conditioning?</p> <p>44 <input type="checkbox"/> Yes      45 <input type="checkbox"/> No</p> <p>Will there be an elevator?</p> <p>46 <input type="checkbox"/> Yes      47 <input type="checkbox"/> No</p>	<p><b>L. RESIDENTIAL BUILDINGS ONLY</b></p> <p>53. Number of bedrooms.....</p> <p>54. Number of bathrooms</p> <p style="margin-left: 20px;">} Full.....</p> <p style="margin-left: 20px;">} Partial.....</p>

PERMIT NO.

SUBDIVISION

LOT NO.

STREET



**IV. IDENTIFICATION - To be completed by all applicants**

Name		Mailing address - Number, street, city, and State	ZIP code	Tel. No.
1. Owner or Lessee				
2. Contractor			Builder's License No.	
3. Architect or Engineer				

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction. \*\*

Signature of applicant *	Address	Application date
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**DO NOT WRITE BELOW THIS LINE**

**V. PLAN REVIEW RECORD - For office use**

Plans Review Required	Check	Plan Review Fee	Date Plans Started	By	Date Plans Approved	By	Notes
BUILDING		\$					
PLUMBING		\$					
MECHANICAL		\$					
ELECTRICAL		\$					
OTHER _____		\$					

**VI. ADDITIONAL PERMITS REQUIRED OR OTHER JURISDICTION APPROVALS**

Permit or Approval	Check	Date Obtained	Number	By	Permit or Approval	Check	Date Obtained	Number	By
BOILER					PLUMBING				
CURB OR SIDEWALK CUT					ROOFING				
ELEVATOR					SEWER				
ELECTRICAL					SIGN OR BILLBOARD				
FURNACE					STREET GRADES				
GRADING					USE OF PUBLIC AREAS				
OIL BURNER					WRECKING				
OTHER _____					OTHER _____				

**VII. VALIDATION**

Building Permit number \_\_\_\_\_

Building Permit issued \_\_\_\_\_ 19 \_\_\_\_\_

Building Permit Fee \$ \_\_\_\_\_

Certificate of Occupancy \$ \_\_\_\_\_

Plan Review Fee \$ \_\_\_\_\_

Approved by: \_\_\_\_\_

\_\_\_\_\_

Code Administrator



**How to Implement  
The "Contractor Proof" Provision  
Of the Workers' Compensation Reform Act  
Act 44 of 1993  
Effective August 31, 1993**

The Workers' Compensation Reform Act was signed into law as Act 44 of 1993 by Acting Governor Mark Singel on July 2. The new law takes effect on August 31.

Included in the act is a provision that requires all municipalities that issue building permits to require proof of workers' compensation insurance prior to issuing a building permit to a contractor or to require an affidavit stating that the contractor does not employ other individuals, and therefore, is not required to carry workers' compensation insurance. An affidavit, by statutory definition, must be notarized.

**The building permit**

Under the act, each municipality must modify its building permit to include the name of the contractor, workers' compensation policy number, the name of the insurance company, and the contractor's federal or state employer identification number (EIN), in addition to any information required by the municipality in its ordinance. If the contractor signs an affidavit stating that he has no employees and is not required to carry workers' compensation insurance, the building permit must then state the contractor's federal or state employer identification number and a notation that the contractor has no other employees and does not carry workers' compensation insurance and that the contractor is not permitted to employ any individuals to perform work under the building permit.

As proof of insurance, the township should require the contractor to supply either directly or through the contractor's insurer or agent a workers' compensation certificate, which includes the effective date of the coverage and the signature of the insurer. This certificate must be kept on file with the building permit.

A sample addendum to your building permit application is enclosed. A copy of this form or similar document could be attached as an addendum to your township's current building permit or the information incorporated into the form when the township prints a new building permit. This form is a sample only. Please be sure to consult your township solicitor for guidance in complying with this requirement of the law. The township is required to obtain all information on Part A of the form as part of the building permit. If a contractor is exempt from providing workers' compensation insurance coverage, the affidavit of exemption section (Part B) must be completed and notarized.

**Applications by non-contractors**

Act 44 does not address building permit applications for non-contractors. There is nothing in the act or in the court decisions that offers guidance to townships on issuing building permits to property owners who may or may not hire a contractor to perform some or all of the work. Under Act 44, the following seems to be clear:

Property owner applicants are not "contractors" within the meaning of the Workers' Compensation Law.

The language of the act requiring townships to obtain certificates of workers' compensation coverage refers only to "contractors".

We conclude, therefore, that townships are not required to obtain such certification from a property owner as a pre-condition to issuing a building permit.

*(over)*

*May a township require such certification from a non-contractor property owner?* Without this law, townships' power to inquire into or enforce the workers' compensation obligations of private parties is highly doubtful. Act 44 establishes a responsibility for contractors only. Therefore, requiring workers' compensation coverage by non-contractor applicants would be an intrusion by the township into an area where it has no legal authority.

It is our conclusion that workers' compensation coverage certification may not be required of non-contractor applicants. We recognize that this interpretation makes the implementation of an already burdensome law even more awkward for townships. Further, in the absence of legislative or judicial clarification, this law is susceptible to divergent interpretations. You should consult with your township solicitor before taking action.

### **Expiration or cancellation of insurance**

Contractors must notify their workers' compensation insurer of each municipality in which they will be seeking building permits as a workers' compensation policy certificate holder. Insurers issuing policies that name a municipality as a certificate holder must notify that municipality of the expiration or cancellation of any such policy of insurance within three working days of the date of expiration or cancellation. Upon the receipt of such notification from the insurer, the township must issue a stop-work order to a contractor who is performing work.

Also, if a township receives actual notice that a building permittee who has filed an affidavit of exemption from workers' compensation insurance has hired employees to perform work under the building permit and has not obtained the required insurance, the township must issue a stop-work order. The stop work-order shall stay in effect until proper workers' compensation coverage is obtained for all work performed under the building permit and proper documentation of such coverage is received by the township.

### **Contractors working for a township**

Under Act 44 and Section 805 of the Township Code, the same provisions that apply to contractors seeking building permits apply to any contractor performing work for a public body or municipality. All contractors and subcontractors must provide proof of workers' compensation insurance to the township effective for the duration of the contract. Upon receiving notice that the contractor's workers' compensation insurance has expired or been canceled or that the affidavit of exemption is no longer accurate, the township shall declare the contract to be null and void.

### **Liability for enforcement**

All responsibility for notifying the township of the expiration or cancellation of a contractor's workers' compensation insurance rests with the contractor and his insurance carrier. The law specifically states that there is no municipal liability for the enforcement of this provision.

The term "proof of insurance" means a certificate of insurance or self-insurance demonstrating current coverage and compliance with the requirements of this act. Proof of insurance is not required if:

- the contractor qualifies for an exemption for religious reasons (such as the Amish) under the Workers' Compensation Act;
- the contractor is not required to provide workers' compensation insurance because he does not have employees; or
- the property owner is performing his own work.

**WORKERS' COMPENSATION INSURANCE COVERAGE**  
*(attach to building permit application)*

A. The applicant is

A contractor within the meaning of the Pennsylvania Workers' Compensation Law

Yes  No

If the answer is "yes", complete Section B and C below as appropriate.

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B. Insurance Information

Name of Applicant \_\_\_\_\_

Federal or State Employer Identification No. \_\_\_\_\_

Applicant is a qualified self-insurer for workers' compensation.

Certificate attached CERTIFICATE TO HAVE LOWER MAKEFIELD TOWNSHIP AS THE CERTIFICATE HOLDER

Name of Workers' Compensation Insurer \_\_\_\_\_

Workers' Compensation Insurance Policy No. \_\_\_\_\_  
 Certificate attached CERTIFICATE TO HAVE LOWER MAKEFIELD TOWNSHIP AS THE CERTIFICATE HOLDER

Policy Expiration Date \_\_\_\_\_

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C. Exemption

*Complete Section C if the applicant is a contractor claiming exemption from providing workers' compensation insurance.*

The undersigned swears or affirms that he/she is not required to provide workers' compensation insurance under the provisions of Pennsylvania Workers' Compensation Law for one of the following reasons, as indicated:

Contractor with no employees. Contractor prohibited by law from employing any individual to perform work pursuant to this building permit unless contractor provides proof of insurance to the township.

FEDERAL OR STATE EMPLOYER IDENTIFICATION NO. \_\_\_\_\_

Religious exemption under the Workers' Compensation Law.

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_  
*(Signature of Notary Public)*

My commission expires: \_\_\_\_\_  
*(Seal)*

Signature of applicant \_\_\_\_\_  
Address \_\_\_\_\_

County of \_\_\_\_\_  
Municipality of \_\_\_\_\_