



pennsylvania
DEPARTMENT OF AGRICULTURE
BUREAU OF FOOD SAFETY & LABORATORY SERVICES

updated 11/2023

APPLICATION PACKET

SEASONAL FARM LABOR CAMPS

Title 7, Agriculture, Chapter 82, Seasonal Farm Labor Camps: "A person who owns land, buildings or facilities may not allow the operation, use or occupancy thereof as a seasonal farm labor camp without first obtaining a permit authorizing the operation and occupancy of the seasonal farm labor camp from the Department."

The following forms with all necessary accompanying documentation must be completed and returned to the Department for permitting of a Seasonal Farm Labor Camp. Housing must be inspected and approved by the Department prior to occupancy.

- 1) Determination of Housing
- 2) Plan Review
- 3) Attachments & Submission Instructions

Applications must be submitted to the Department at least **60 days prior** to the **intended date of occupancy**. Camps who are applying for H2A workers are encouraged to submit this application even earlier to allow adequate time for processing and inspection.

Upon receiving the application, an inspector will be in contact to review the plans and schedule a pre-permit inspection. Please note failure to provide all required information could delay your permitting process.

Please allow **4 – 6 weeks** for processing. Inquiries regarding your application status should be directed to 717-787-4315.

SECTION 1:

DETERMINATION OF HOUSING

When making the determination of whether camp housing exists, the definitions of Act 93, the Seasonal Farm Labor Act, and Chapter 82, PDA regulations apply. Terms not defined by the Act or regulations are assigned a meaning so that a common reference is available to make decisions.

This questionnaire will determine if the proposed housing meets the definition of a 'Seasonal Farm Labor Camp' (SFLC) as defined by Chapter 82.1.

1. Is housing of any kind (including family units – mother, father, and siblings) provided by the employer/farm labor contractor or their designees to one or more agricultural employees at any time during the year?

- YES – Continue to question #2
 NO – This is NOT a camp subject to permitting. No further action required.

2. What period of time is housing provided?

- Days
 Weeks
 Months
 Year-round – Continue to question #3
- } This is a camp subject to permitting. Proceed to Section 2 of the application.

3. Are *four or more unrelated persons* provided housing at any time during a given year?
- a. Four or more unrelated persons means at least four (4) persons are provided housing by a grower and at least one (1) of these four persons is unrelated to the others.
- b. Unrelated persons means persons not related by blood or marriage. Persons considered related under this Act are husband, wife, their children, parents, brothers and sisters. Cousins or Aunt/Uncles and other relationships are considered unrelated.

- NO – Continue to question #4
 YES – This is a camp subject to permitting. Proceed to Section 2 of the application.

1. Do you, or any of your blood / marriage relatives, own, rent, lease or by contract or other arrangement, provide housing to ANY farmworker, whether your employee or another employer's employee?

- NO – This is NOT a camp subject to permitting. No further action required.
 YES – you must answer the following questions:

- a. I / they own housing quarters but lease to another employer; AND a total of 4 or more farmworkers that are employed year-round live in these housing unit(s). (The total number of farmworkers must include my employees AND any other employer's employees).

- YES – This is a camp subject to permitting. Proceed to Section 2 of the application.

Name of employer/lessee _____
Total # of my employees in these housing unit(s). _____
Total # of another employer's employees in these housing unit(s). _____

- NO – This is NOT a camp subject to permitting. No further action required.

- b. I / they own housing quarters but lease to another employer, AND there are seasonal workers living in these housing units. (Seasonal workers may include my employees AND any other employer's employees.)

- YES – This is a camp subject to permitting. Proceed to Section 2 of the application.
 NO – This is NOT a camp subject to permitting. No further action required.

- c. I / they own, rent, lease (or obtain through any other arrangement) two or more family housing units / apartments that in aggregate shelter 4 or more unrelated farmworkers. (The total number of farmworkers must include my employees AND any other employer's employees).

- YES – This is a camp subject to permitting. Proceed to Section 2 of the application.

Total number of families provided shelter _____
Total number of housing units _____

- NO – This is NOT a camp subject to permitting. No further action required.

Be advised, additional questions may need to be asked in order to clarify any of the answers in the determination form.

SECTION 2:

PLAN REVIEW

PART A: Type of building:

- Single family house
 Two-family (Duplex) house
 Townhouse
 Apartment complex
 Hotel/Motel
 Mobile home
 Barracks (multiple buildings)
 Other: _____

PART B: Reason for review:

- New construction of a SFLC
 Remodel of an existing SFLC
 Occupancy change of an existing SFLC
 Other, describe _____

CAMP OCCUPANCY:

Anticipated date the camp will be occupied (workers arriving): _____ (date)

Anticipated date camp will be ready for inspection by PDA: _____ (date) *(camp should be ready for occupancy at least 45-60 days prior to the date of occupancy to ensure ample processing time)*

The camp is open:

- Open year-round (Non-H2A Year-Round)
 Open seasonally (Non-H2A Seasonal)

The camp will be occupied from _____ (month) to _____ (month)

REFUSE:

- The food facility refuse collector is _____ (company name)
- List any other refuse/waste collection companies (ex: grease collection) _____

SECTION 5:

BUILDING AND ZONING CODES

BUILDING CODES

An applicant intending to construct or alter an existing building, shall obtain zoning and building code permit approvals from the appropriate jurisdictional authority. Under the Pennsylvania Construction Code Act 45 of 1999, municipalities which passed ordinance to enforce the UCC ('opts-in') became the authority having jurisdiction for all UCC enforcement within that municipality; whereas, 'opt-outs' are municipalities who have relinquished all UCC enforcement authority to either the Department of Labor & Industry (L&I) for commercial building codes or certified third-party agencies for enforcement of residential building codes.

A listing of all of Pennsylvania's municipalities and their decisions regarding local enforcement of the UCC can be accessed on the Department of Labor and Industry's website under "[Municipal Elections and Contact Information](#)".

In 'opt-out' municipalities, certified third-party agencies are responsible for the plan review and inspection of residential buildings to verify compliance with applicable building codes prior to occupancy. A list of certified third-party agencies can be found on the Department of Labor and Industry's website under "[Code Official and Third Party Agency](#)" Info".

Proof of inspection and compliance with the UCC shall be provided to PDA by the SFLC owner/operator upon applying for a SFLC permit. A building/structure must have building code approval including electrical, plumbing, ventilation, structural, etc. from the appropriate jurisdictional authority prior to operation and permitting by the Department.

TYPE OF BUILDING:

- Commercial building
 - Seasonal Farm Labor Camp is a commercial building constructed before 2004, with no changes the building use and an existing occupancy permit exists.
 - Seasonal Farm Labor Camp is a commercial building constructed before 2004, with changes the building use and/or no existing occupancy permit exists. **Proof of compliance with the UCC as an uncertified building shall be obtained from the 'opt-in' municipality or Department of Labor and Industry for 'opt-out' municipalities.**
 - Seasonal Farm Labor Camp is a commercial building constructed after 2004 and has obtained an occupancy permit verifying the camp complies with all "Uniform Construction Code" Regulations. **Attached a copy of the occupancy permit with this application.**
- Residential building
 - Seasonal Farm Labor Camp is a residential building constructed before 2004 and is not subject to an occupancy permit.
 - Seasonal Farm Labor Camp is a residential building constructed or altered after 2004 and has obtained an occupancy permit verifying the camp complies with all "Uniform Construction Code" Regulations. **Attached a copy of the occupancy permit with this application.**

ZONING

- Seasonal Farm Labor Camp is compliant with local zoning requirements.

SECTION 6:

OWNERSHIP INFORMATION

Title 7, Agriculture, Chapter 82, Seasonal Farm Labor Camps: "A person who owns land, buildings or facilities may not allow the operation, use or occupancy thereof as a seasonal farm labor camp without first obtaining a permit authorizing the operation and occupancy of the seasonal farm labor camp from the Department." The applicant verifies by signature below, that they are the "employer or farm labor contractor" of the seasonal farm labor camp that is the subject of this application. The applicant verifies that all statements and information in this application is true and correct to the best of the applicant's knowledge, information and belief; and makes these statements subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

INDIVIDUAL PERSON:

Signature

Legibly Print Name

Date

Date of Birth

PARTNERSHIP:

Signature – General Partner

Legibly Print Name

Date

Date of Birth

Signature – General Partner

Legibly Print Name

Date

Date of Birth

CORPORATION OR ASSOCIATION / NON-PROFIT ENTITY:

Name of Corporation or Non-Profit Entity

Name of current CEO/President/or similar

Official Title

Date of Birth of CEO/President/or similar

Signature of Corporate / Association / Non-Profit Official

Official Title of Signatory

Legibly Print Name

Date

LIMITED LIABILITY COMPANY (LLC) OR LIMITED LIABILITY PARTNERSHIP (LLP):

Name of LLC or LLP

Name of Senior Official/General Partner, or Similar

Official Title

Date of Birth of Senior Official/General Partner, or Similar

Signature – Member

Date

Signature – Member

Date

Legibly Print Name

Legibly Print Name

The owner of a seasonal farm labor camp is the person, corporation, or other business entity which owns the land, buildings or facilities used or occupied as a seasonal farm labor camp. Use of a commercial buildings not owned by the employer/farm labor contractor shall be obtained prior to occupancy in writing and provided with this application or by signature below.

Name of land owner (print)

Official Title

Signature of land owner

Date

SECTION 7:

HOUSING FLOOR PLANS

All applicants must SUBMIT copies of a floor plan for each building/structure to be used in the 'camp'. Plans may be hand drawn but must be to approximate scale, neat and legible. Plans will NOT be returned.

Plans shall include the following:

1. All rooms in the camp including room dimensions to approximate size.
2. Number of beds per sleeping room and identification of any bunk beds.
3. Windows including dimensions
4. Egress/fire escapes
5. Toilet and bathing facilities
6. Laundry facilities (if applicable). If not provided a laundry/transportation agreement is required
7. Kitchen and living room facilities (if applicable)

SECTION 8: ALL APPLICANTS READ AND SIGN

Please check and sign you have included all required supporting documentation along with submission of the completed application.

Section 4:

- Proof of municipal water supply (ex. A copy of a water bill)
OR
- DEP Approval Letter for a non-community public water system
OR
- Non-public water supply results **AND** affidavit / DEP documentation

Section 5:

- Commercial building constructed before 2004. **Proof of compliance with the UCC as an uncertified building shall be obtained from the 'opt-in' municipality or Department of Labor and Industry for 'opt-out' municipalities.**
- Commercial building constructed after 2004. **Attached a copy of the occupancy permit with this application.**
- Residential building constructed or altered after 2004. **Attached a copy of the occupancy permit with this application.**

Section 6:

- Written verification for the use of a *commercial buildings not owned by the employer/farm labor contractor.*

Section 7:

- Housing Floor Plans. ****Plans may be hand drawn, but must be to approximate scale, neat and legible. Plans will NOT be returned.**

I have attached all required documentation outlined above that are applicable to this plan review application. I have prepared and reviewed the statements made above. I verify these statements to be true and accurate and make these statements subject to the criminal penalties of 18 Pa.C.S.A. Section 4904 (relating to unsworn falsification to authorities). **Failure to provide documentation or sign this acknowledgement will result in a delay of processing and/or the application may be denied.**

Applicant Name (print): _____

Applicant Signature: _____ **Date:** _____

All material must be submitted at least **60 days prior** to the **first day of occupancy**. Failure to provide all required information could delay your plan review.

The Department of Agriculture will review the plans and notify you of its approval/disapproval. Please allow **4 – 6 weeks** for processing. Once you receive your approval, notify your Inspector or regional office at least 30 days prior to operation to arrange an inspection. Inquiries regarding your application status should be directed to 717-787-4315.

All material **must be fully completed** and returned with any necessary accompanying documentation to:

RA-AGPLANREVIEW@pa.gov

or mail / fax to:

**Pennsylvania Department of Agriculture
Bureau of Food Safety and Laboratory Services
Attn: Plan Review
2301 N. Cameron St, Room 112
Harrisburg, PA 17110**

Fax: 717-787-1873