



House of Representatives

File No. 590

General Assembly

February Session, 2002

(Reprint of File No. 232)

Substitute House Bill No. 5621
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 27, 2002

AN ACT CONCERNING LICENSING OF ARCHITECTS AND CERTIFICATION OF BUILDINGS IN CERTAIN USE GROUPS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-298 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 The following activities are exempted from the provisions of this
4 chapter: (1) The practice of engineering by a professional engineer
5 licensed under the provisions of chapter 391, and the performance by
6 such professional engineer of architectural work for which [he] such
7 professional engineer is qualified by education and experience and
8 which is incidental to [his] such professional engineer's engineering
9 work; (2) the construction or alteration of a residential building to
10 provide dwelling space for not more than two families, or of a private
11 garage or other accessory building intended for use with such
12 residential building, or of any farm building or structure for
13 agricultural use; (3) the preparation of details and shop drawings by
14 persons other than architects, for use in execution of the work of such
15 persons, when buildings are designed in accordance with the

16 requirements of this chapter; (4) the activities of employees of
17 architects licensed in this state acting under the instructions, control or
18 supervision of their employers; (5) the superintendence by builders, or
19 properly qualified superintendents employed by such builders, of the
20 construction or structural alteration of buildings or structures; (6) the
21 activities of officers and employees of any public utility corporation
22 whose operations are under the jurisdiction of the Department of
23 Public Utility Control; (7) the activities of officers and employees of the
24 government of the United States while engaged in this state in the
25 practice of architecture for said government; and (8) the making of
26 plans and specifications for or supervising the erection of any building,
27 [containing] any building addition or any alteration to an existing
28 building, where the building, including any addition, contains less
29 than five thousand square feet total area, [the making of plans and
30 specifications for or supervising the erection of any addition
31 containing less than five thousand square feet total area to any
32 building, or the making of alterations to any existing buildings
33 containing less than five thousand square feet total area,] provided (A)
34 this subdivision shall not be construed to exempt from the provisions
35 of this chapter [alterations in buildings of more than five thousand
36 square feet total area, involving the safety or stability of such
37 buildings] buildings of less than five thousand square feet total area of
38 the use groups as defined in the State Building Code as follows:
39 Assembly, educational, institutional, high hazard, transient residential,
40 which includes hotels, motels, rooming or boarding houses,
41 dormitories and similar buildings, and (B) the [areas] area specified in
42 this subdivision [are] is to be calculated from the exterior dimensions
43 of the outside walls of the building and shall include all occupiable
44 floors or levels.

45 Sec. 2. Section 29-276b of the general statutes is repealed and the
46 following is substituted in lieu thereof (*Effective October 1, 2002*):

47 (a) For the purposes of this section, the term "threshold limit" shall
48 apply to any structure or addition thereto (1) having four stories, (2)
49 sixty feet in height, (3) with a clear span of one hundred fifty feet in

50 width, (4) containing one hundred fifty thousand square feet of total
51 gross floor area, or (5) with an occupancy of one thousand persons.

52 (b) The following use groups shall have the following additional
53 threshold limits:

T1	Use Group	Threshold Limit
T2	I - Institutional	
T3	I-1 Residential care	150 beds or persons
T4	I-2 Incapacitated care	
T5	I-3 Restrained, jails	
T6	and asylums	
T7	R - Residential	
T8	R-1 Residential - hotel/motel	Single structure
T9		with 200 rooms
T10	R-2 Residential - multifamily	Single structure
T11		with 100 dwelling units
T12	S - Storage	Parking structures
T13		with 1,000 cars
T14	S-1 Moderate hazard	250,000 square feet
T15	S-2 Low hazard	250,000 square feet

54 (c) If a proposed structure or addition will exceed the threshold
55 limit as provided in this section, the building official of the
56 municipality in which the structure or addition will be located shall
57 require that an independent structural engineering consultant review
58 the structural plans and specifications of the structure or addition to be
59 constructed to determine their compliance with the requirements of
60 the State Building Code to the extent necessary to assure the stability
61 and integrity of the primary structural support systems of such
62 structure or addition. Any modifications of approved structural plans
63 or design specifications shall require shop drawings to the extent
64 necessary to determine compliance with the requirements of the State
65 Building Code and shall be reviewed by such consultant. Any fees
66 relative to such review requirements shall be paid by the owner of the

67 proposed building project. The building official may prequalify
68 independent structural engineering consultants to perform the reviews
69 required under this subsection. In the case of such a project, each
70 general contractor and major subcontractor shall keep and maintain a
71 daily construction log in a manner prescribed by the State Building
72 Inspector. The building official shall, upon request, have access at all
73 reasonable times to such log. If a structure or addition exceeds the
74 threshold limit, the architect of record, professional engineer of record
75 responsible for the design of the structure or addition and general
76 contractor involved in such project shall sign a statement of
77 professional opinion affirming that the completed construction is in
78 substantial compliance with the approved plans and design
79 specifications. If fabricated structural load-bearing members and
80 assemblies are used in such construction, the professional engineer
81 licensed in accordance with chapter 391 responsible for the design of
82 such members or assemblies shall sign a statement of professional
83 opinion affirming that the completed fabrication is in substantial
84 compliance with the approved design specifications.

85 (d) The building official of the municipality in which the structure
86 or addition will be located shall satisfy himself that each architect,
87 professional engineer, general contractor and major subcontractor
88 involved in the project holds a license to engage in the work or
89 occupation for which the appropriate building permit has been issued.
90 If fabricated structural load-bearing members or assemblies will be
91 used in such construction, the building official shall satisfy himself that
92 each professional engineer responsible for the design of such members
93 or assemblies holds a license issued in accordance with the provisions
94 of chapter 391.

95 [(e) Any person, firm or corporation proposing to construct a
96 structure or addition which will exceed the threshold limit as provided
97 in this section shall give written notice to the building official of the
98 municipality in which the structure or addition is to be located of its
99 intent at least ninety days prior to its filing an application for a
100 building permit.]

101 [(f)] (e) (1) On and after January 1, 1990, any person, firm or
 102 corporation which performs testing of construction materials or
 103 structures, except any person, firm or corporation licensed under the
 104 provisions of chapter 391, may be designated by the building official or
 105 engineering consultant to perform such testing only if its facility has
 106 received and maintains accreditation by the national voluntary
 107 laboratory accreditation program of the National Institute of Standards
 108 and Technology. Each such person, firm or corporation shall have a
 109 professional engineer licensed in accordance with the provisions of
 110 chapter 391 certify tests and reports as required.

111 (2) Not later than July 1, 1991, the Commissioner of Consumer
 112 Protection, in consultation with the Board of Examiners for
 113 Professional Engineers and Land Surveyors, shall adopt regulations in
 114 accordance with the provisions of chapter 54 establishing standards for
 115 the testing of construction materials and structures by any person, firm
 116 or corporation licensed under the provisions of chapter 391, criteria for
 117 its facility, including reinspection of such facility, and qualifications for
 118 persons performing such testing, which shall conform at a minimum to
 119 such standards, criteria and qualifications as required by the national
 120 voluntary laboratory accreditation program. On and after July 1, 1991,
 121 any person, firm or corporation licensed under the provisions of
 122 chapter 391 which performs testing of construction materials or
 123 structures may be designated by the building official or engineering
 124 consultant to perform such testing only if its facility meets the criteria
 125 established in regulations adopted under this subdivision. A
 126 professional engineer licensed in accordance with the provisions of
 127 chapter 391 shall certify tests and reports as required.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill eliminates the requirement that anyone planning to construct a building that exceeds the threshold limits give written notice to the local building official at least 90 days before filing a building permit application and makes other technical clarifications.

It is anticipated that passage of this bill will not fiscally impact the state or municipalities.

House "A" which eliminates a provision in the bill regarding sealed plans for buildings and structures above a certain size would have no fiscal impact.

OLR Amended Bill Analysis

sHB 5621 (as amended by House "A")*

AN ACT CONCERNING LICENSING OF ARCHITECTS AND CERTIFICATION OF BUILDINGS IN CERTAIN USE GROUPS**SUMMARY:**

This bill (1) refines the 5,000-square-foot exemption from the requirement that building plans be sealed by a licensed architect; and (2) eliminates a notice that must be given to a local building official before a building permit application for a building that exceeds the "threshold limits" is filed.

*House Amendment "A" eliminated a provision in the bill concerned with sealed plans for buildings and structures above a certain size.

EFFECTIVE DATE: October 1, 2002

5,000-SQUARE-FOOT EXEMPTION

Current law exempts from the definition of the "practice of architecture" making plans for less than 5,000 square feet for buildings, alterations, or additions. The bill instead exempts making plans for buildings, alterations, or additions in which the entire structure contains less than 5,000 feet. The law does not require someone engaged in an exempt activity to be licensed as an architect.

The bill excludes from exemption buildings with less than 5,000 square feet if they are in one of the following State Building Code use groups: assembly, educational, institutional, high hazard, or transient residential (see BACKGROUND).

BUILDING OFFICIAL NOTIFICATION

The bill eliminates the requirement that anyone proposing to construct a building or structure that exceeds the threshold limits give written notice to the local building official at least 90 days before filing a

building permit application (see BACKGROUND).

BACKGROUND

State Building Code Use Groups

The State Building Code classifies buildings and structures according to 10 different use groups. The table broadly defines the use groups included in the bill.

Use Group	Buildings or Structures
Assembly	Designed for gatherings of at least 50 people.
Educational	Designed for more than five people for an educational purpose up to grade 12.
High hazard	Occupied to manufacture, process, or store hazardous materials.
Institutional	Designed for people suffering from physical limitations or in which people are detained for correctional purposes.
Residential	Designed with sleeping accommodations, except those which are institutional, including buildings for transient use, such as hotels, motels, boarding houses, and similar buildings.

BACKGROUND

Threshold Limits

The “threshold limit” requirements apply to buildings and structures with any of the following features: (1) four stories, (2) 60 feet tall, (3) a clear span of 150 feet, (4) 150,000 square feet of floor area, or (5) occupancy by 1,000 people. There are additional threshold limits for certain types of buildings based on their State Building Code use group.

Legislative History

The House referred the original version of the bill (File 232) to the Planning and Development Committee on April 3 and the Public Safety Committee on April 12. The committees reported the bill favorably without change on April 10 and April 17, respectively.

COMMITTEE ACTION

General Law Committee

Joint Favorable Report
Yea 17 Nay 0

Planning and Development Committee

Joint Favorable Report
Yea 15 Nay 1

Public Safety Committee

Joint Favorable Report
Yea 21 Nay 0