



**AN ACT CONCERNING MODIFICATIONS AND EXEMPTIONS FROM
THE STATE BUILDING CODE AND THE FIRE SAFETY CODE.**

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

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) The State Building
2 Inspector and the Codes and Standards Committee, in conjunction
3 with the Commissioner of Public Safety, shall, not later than three
4 months after the effective date of this section, create a list of
5 exemptions from the State Building Code and the Fire Safety Code.
6 Any exemption granted five or more times in the last calendar year
7 shall be included upon such list.

8 (b) Not later than six months after the effective date of this section,
9 the Commissioner of Public Safety shall, within available
10 appropriations, (1) send the list created pursuant to subsection (a) of
11 this section to all local building officials and fire marshals, (2) take
12 appropriate actions to publicize such list, and (3) educate building
13 officials, fire marshals and the public on how to use the list.

14 Sec. 2. Subsection (b) of section 29-254 of the general statutes is
15 repealed and the following is substituted in lieu thereof (*Effective*
16 *October 1, 2002*):

17 (b) The State Building Inspector may grant variations or exemptions
18 from, or approve equivalent or alternate compliance with the State
19 Building Code where strict compliance with the code would entail

20 practical difficulty or unnecessary hardship, or is otherwise adjudged
21 unwarranted, provided that the intent of the law shall be observed and
22 public welfare and safety be assured. [Applications for a modification
23 of the State Building Code] Any application for a variation, exemption
24 or modification received by a local building official shall be forwarded
25 to the State Building Inspector by first class mail within fifteen
26 business days of receipt by such local building official and shall be
27 accompanied by a letter from [the] such local building official [,
28 including] that shall include comments on the merits of the
29 application. Any such determination by the State Building Inspector
30 shall be in writing. Any person aggrieved by any decision of the State
31 Building Inspector may appeal to the Codes and Standards Committee
32 within fourteen days after mailing of the decision. Any person
33 aggrieved by any ruling of the Codes and Standards Committee may
34 appeal to the superior court for the judicial district wherein the
35 premises concerned are located.

36 Sec. 3. Section 29-296 of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective October 1, 2002*):

38 The State Fire Marshal may grant variations or exemptions from, or
39 approve equivalent or alternate compliance with, particular provisions
40 of any regulation issued under the provisions of section 29-292 where
41 strict compliance with such provisions would entail practical difficulty
42 or unnecessary hardship, or is otherwise adjudged unwarranted,
43 provided any such variation or exemption or approved equivalent or
44 alternate compliance shall, in the opinion of the State Fire Marshal,
45 secure the public safety. Any application for a variation, exemption or
46 modification received by a local fire marshal shall be forwarded to the
47 State Fire Marshal by first class mail within fifteen business days of
48 receipt by such local fire marshal and shall be accompanied by a letter
49 from such local fire marshal that shall include comments on the merits
50 of the application.

This act shall take effect as follows:

Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>October 1, 2002</i>

Statement of Legislative Commissioners:

The language in former subsection (c) of section 1 of the bill was inserted in sections 29-254 and 29-296 of the general statutes, sections 2 and 3, for accuracy and consistency with the general statutes.

PS *Joint Favorable Subst.-LCO*