



**Senate Bill No. 1093**

**Public Act No. 07-110**

***AN ACT CONCERNING THE STATE BUILDING CODE.***

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

Section 1. Subsection (c) of section 20-334d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(c) The commissioner, with the advice and assistance of the Plumbing and Piping Work Board established pursuant to subsection (d) of section 20-331, shall adopt regulations, in accordance with chapter 54, to (1) establish requirements for accredited continuing professional education for plumbers licensed pursuant to sections 20-330 to 20-341, inclusive, which regulations shall require not more than a total of seven hours of accredited continuing professional education every two years, except in the event of significant changes to the building code, as approved by the [Building Officials and Code Administrators International, Incorporated] International Code Council, that relate to plumbing, the commissioner, at such commissioner's discretion, may require more than a total of seven hours of accredited continuing professional education every two years; (2) establish qualifying criteria for accredited continuing professional education programs and establish qualifying criteria for acceptable certificates of continuing education; and (3) provide for the waiver of

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required accredited continuing professional education for plumbers for good cause.

Sec. 2. Subsection (d) of section 29-251c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(d) The Commissioner of Public Safety may apply for any federal or private funds or contributions available for training and education of code officials or other persons eligible to receive training under subsections (a) to (c), inclusive, of this section. Not later than July 1, 2000, the Commissioner of Public Safety, with the approval of the Building Code Training Council and the Fire Marshal Training Council, shall adopt regulations in accordance with chapter 54 to establish an administrative process to adjust as necessary (1) the amount of the education fee to be assessed by the State Building Inspector pursuant to section 29-252a and each municipal building official pursuant to section 29-263, and (2) the [percentage] portion of the fees collected which may be retained by each municipal building department for administrative costs. The education fee shall be adjusted downward or upward, as the case may be, when necessary, but not more than annually to reflect the actual cost of the training and educational programs and the continuing educational programs established in subsections (a) to (c), inclusive, of this section and the educational programs required in subsections (a) and (b) of section 29-262, except that no such fee may be increased by more than four [per cent] cents in any one year. The [percentage] portion of fees which may be retained for administrative costs shall be adjusted downward or upward, as the case may be, when necessary, but not more than annually, to reflect the actual costs incurred in collecting such fees except that [no such percentage of] the fees to be retained for administrative costs may not be less than one [per cent] cent or greater than three [per cent] cents per thousand dollars of the value of the

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construction declared in the building permit application.

Sec. 3. Subsection (d) of section 29-260 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(d) Each municipality shall become a member of the [Building Officials and Code Administrators International not later than January 1, 1987,] International Code Council and shall pay the membership fee.

Sec. 4. Section 29-232 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(a) The Commissioner of Public Safety shall formulate regulations for the design, construction, installation, repair, use and operation of boilers in Connecticut. Such regulations shall conform as nearly as possible to the Boiler Code of the American Society of Mechanical Engineers, and the National Board Inspection Code, both as amended, and shall prescribe requirements as to the construction, installation, repair, use and inspection of boilers in the interest of public safety. The Commissioner of Public Safety shall hold hearings for the purpose of securing aid in the formulation of such regulations. Such hearings shall be public and representatives of all parties interested shall be given an opportunity to be heard.

(b) Any person may apply to the State Building Inspector to grant variations or exemptions from, or approve equivalent or alternate compliance with, standards incorporated in the regulations adopted under the provisions of subsection (a) of this section, and the State Building Inspector or a designee may approve such variations, exemptions, or equivalent or alternate compliance where strict compliance with such provisions would cause practical difficulty or unnecessary hardship.

(c) Any person aggrieved by any decision of the State Building

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Inspector or the State Building Inspector's designee pursuant to subsection (b) of this section may appeal to the Commissioner of Public Safety or such commissioner's designee not later than thirty days after receipt of the notice of such decision. Any person aggrieved by any ruling of such commissioner or designee may appeal therefrom to the Superior Court in accordance with section 4-183.

Sec. 5. Section 29-263 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(a) Except as provided in subsection (h) of section 29-252a and the State Building Code adopted pursuant to subsection (a) of section 29-252, after October 1, 1970, no building or structure shall be constructed or altered until an application has been filed with the building official and a permit issued. Such permit shall be issued or refused, in whole or in part, within thirty days after the date of an application. No permit shall be issued except upon application of the owner of the premises affected or the owner's authorized agent. No permit shall be issued to a contractor who is required to be registered pursuant to chapter 400, for work to be performed by such contractor, unless the name, business address and Department of Consumer Protection registration number of such contractor is clearly marked on the application for the permit, and the contractor has presented such contractor's certificate of registration as a home improvement contractor. Prior to the issuance of a permit and within said thirty-day period, the building official shall review the plans of buildings or structures to be constructed or altered, including, but not limited to, plans prepared by an architect licensed pursuant to chapter 390, a professional engineer licensed pursuant to chapter 391 or an interior designer registered pursuant to chapter 396a acting within the scope of such license or registration, to determine their compliance with the requirements of the State Building Code and, where applicable, the local fire marshal shall review such plans to determine their compliance with the State Fire Safety Code. Such plans

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submitted for review shall be in substantial compliance with the provisions of the State Building Code and, where applicable, with the provisions of the State Fire Safety Code.

(b) On and after July 1, 1999, the building official shall assess an education fee on each building permit application. During the fiscal year commencing July 1, 1999, the amount of such fee shall be sixteen cents per one thousand dollars of construction value as declared on the building permit application and the building official shall remit such fees quarterly to the Department of Public Safety, for deposit in the General Fund. Upon deposit in the General Fund, the amount of such fees shall be credited to the appropriation to the Department of Public Safety and shall be used for the code training and educational programs established pursuant to section 29-251c, as amended by this act, and the educational programs required in subsections (a) and (b) of section 29-262. On and after July 1, 2000, the assessment shall be made in accordance with regulations adopted pursuant to subsection (d) of section 29-251c, as amended by this act. All fees collected pursuant to this subsection shall be maintained in a separate account by the local building department. During the fiscal year commencing July 1, 1999, the local building department may retain two per cent of such fees for administrative costs incurred in collecting such fees and maintaining such account. On and after July 1, 2000, the [percentage] portion of such fees which may be retained by a local building department shall be determined in accordance with regulations adopted pursuant to subsection (d) of section 29-251c, as amended by this act.

Sec. 6. Section 29-393 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

On receipt of information from the local fire marshal or from any other authentic source that any building in his jurisdiction, due to lack of exit facilities, fire, deterioration, catastrophe or other cause, is in

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such condition as to be a hazard to any person or persons, the building inspector shall immediately make an inspection by himself or by his assistant, and may make orders for additional exit facilities or the repair or alteration of the building if the same is susceptible to repair or both or for the removal of such building or any portion thereof if any such order is necessary in the interests of public safety. [In all cities, boroughs or towns not having a building inspector the mayor of the city, the warden of the borough or the first selectman of the town shall, by himself or by an assistant, exercise the powers and perform the duties of a building inspector as prescribed in this section.] Any building inspector [, and any person performing said duties,] shall have the right of entry into all buildings for the performance of his duties between the hours of nine o'clock a.m. and five o'clock p.m., in the interests of public safety.

Sec. 7. Section 29-394 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

Any person who, by himself or his agent, fails to comply with the written order of a building inspector [, or the mayor of a city, the warden of a borough or the first selectman of a town not having a building inspector,] for the provision of additional exit facilities in a building, the repair or alteration of a building or the removal of a building or any portion thereof, shall be fined not less than two hundred nor more than [five hundred] one thousand dollars or imprisoned not more than six months, or both.

Approved June 11, 2007