



General Assembly

January Session, 2007

Raised Bill No. 1093

LCO No. 3787

* SB01093PS_FIN022807 *

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

AN ACT CONCERNING THE STATE BUILDING CODE.

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

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 Section 20-334d of the general statutes is repealed and the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

3 (c) The commissioner, with the advice and assistance of the
4 Plumbing and Piping Work Board established pursuant to subsection
5 (d) of section 20-331, shall adopt regulations, in accordance with
6 chapter 54, to (1) establish requirements for accredited continuing
7 professional education for plumbers licensed pursuant to sections 20-
8 330 to 20-341, inclusive, which regulations shall require not more than
9 a total of seven hours of accredited continuing professional education
10 every two years, except in the event of significant changes to the
11 building code, as approved by the [Building Officials and Code
12 Administrators International, Incorporated] International Code
13 Council, that relate to plumbing, the commissioner, at such
14 commissioner's discretion, may require more than a total of seven
15 hours of accredited continuing professional education every two years;
16 (2) establish qualifying criteria for accredited continuing professional

17 education programs and establish qualifying criteria for acceptable
18 certificates of continuing education; and (3) provide for the waiver of
19 required accredited continuing professional education for plumbers
20 for good cause.

21 Sec. 2. Subsection (d) of section 29-251c of the general statutes is
22 repealed and the following is substituted in lieu thereof (*Effective July*
23 *1, 2008*):

24 (d) The Commissioner of Public Safety may apply for any federal or
25 private funds or contributions available for training and education of
26 code officials or other persons eligible to receive training under
27 subsections (a) to (c), inclusive, of this section. Not later than July 1,
28 2000, the Commissioner of Public Safety, with the approval of the
29 Building Code Training Council and the Fire Marshal Training
30 Council, shall adopt regulations in accordance with chapter 54 to
31 establish an administrative process to adjust as necessary (1) the
32 amount of the education fee to be assessed by the State Building
33 Inspector pursuant to section 29-252a and each municipal building
34 official pursuant to section 29-263, and (2) the [percentage] portion of
35 the fees collected which may be retained by each municipal building
36 department for administrative costs. The education fee shall be
37 adjusted downward or upward, as the case may be, when necessary,
38 but not more than annually to reflect the actual cost of the training and
39 educational programs and the continuing educational programs
40 established in subsections (a) to (c), inclusive, of this section and the
41 educational programs required in subsections (a) and (b) of section 29-
42 262, except that no such fee may be increased by more than four [per
43 cent] cents in any one year. The [percentage] portion of fees which may
44 be retained for administrative costs shall be adjusted downward or
45 upward, as the case may be, when necessary, but not more than
46 annually, to reflect the actual costs incurred in collecting such fees
47 except that [no such percentage of] the fees to be retained for
48 administrative costs may not be less than one [per cent] cent or greater
49 than three [per cent] cents.

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

53 (d) Each municipality shall become a member of the [Building
54 Officials and Code Administrators International not later than January
55 1, 1987,] International Code Council and shall pay the membership fee.

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

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

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

77 (c) Any person aggrieved by any decision of the State Building
78 Inspector or the State Building Inspector's designee pursuant to
79 subsection (b) of this section may appeal to the Commissioner of
80 Public Safety or such commissioner's designee not later than thirty

81 days after receipt of the notice of such decision. Any person aggrieved
82 by any ruling of such commissioner or designee may appeal therefrom
83 to the Superior Court in accordance with section 4-183.

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

86 (a) Except as provided in subsection (h) of section 29-252a and the
87 State Building Code adopted pursuant to subsection (a) of section 29-
88 252, after October 1, 1970, no building or structure shall be constructed
89 or altered until an application has been filed with the building official
90 and a permit issued. Such permit shall be issued or refused, in whole
91 or in part, within thirty days after the date of an application. No permit
92 shall be issued except upon application of the owner of the premises
93 affected or the owner's authorized agent. No permit shall be issued to
94 a contractor who is required to be registered pursuant to chapter 400,
95 for work to be performed by such contractor, unless the name,
96 business address and Department of Consumer Protection registration
97 number of such contractor is clearly marked on the application for the
98 permit, and the contractor has presented such contractor's certificate of
99 registration as a home improvement contractor. Prior to the issuance of
100 a permit and within said thirty-day period, the building official shall
101 review the plans of buildings or structures to be constructed or altered,
102 including, but not limited to, plans prepared by an architect licensed
103 pursuant to chapter 390, a professional engineer licensed pursuant to
104 chapter 391 or an interior designer registered pursuant to chapter 396a
105 acting within the scope of such license or registration, to determine
106 their compliance with the requirements of the State Building Code and,
107 where applicable, the local fire marshal shall review such plans to
108 determine their compliance with the State Fire Safety Code. Such plans
109 submitted for review shall be in substantial compliance with the
110 provisions of the State Building Code and, where applicable, with the
111 provisions of the State Fire Safety Code.

112 (b) On and after July 1, 1999, the building official shall assess an
113 education fee on each building permit application. During the fiscal

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

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

137 On receipt of information from the local fire marshal or from any
138 other authentic source that any building in his jurisdiction, due to lack
139 of exit facilities, fire, deterioration, catastrophe or other cause, is in
140 such condition as to be a hazard to any person or persons, the building
141 inspector shall immediately make an inspection by himself or by his
142 assistant, and may make orders for additional exit facilities or the
143 repair or alteration of the building if the same is susceptible to repair
144 or both or for the removal of such building or any portion thereof if
145 any such order is necessary in the interests of public safety. [In all
146 cities, boroughs or towns not having a building inspector the mayor of

147 the city, the warden of the borough or the first selectman of the town
 148 shall, by himself or by an assistant, exercise the powers and perform
 149 the duties of a building inspector as prescribed in this section.] Any
 150 building inspector [, and any person performing said duties,] shall
 151 have the right of entry into all buildings for the performance of his
 152 duties between the hours of nine o'clock a.m. and five o'clock p.m., in
 153 the interests of public safety.

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	20-334d
Sec. 2	<i>July 1, 2008</i>	29-251c(d)
Sec. 3	<i>October 1, 2007</i>	29-260(d)
Sec. 4	<i>October 1, 2007</i>	29-232
Sec. 5	<i>October 1, 2007</i>	29-263
Sec. 6	<i>October 1, 2007</i>	29-393
Sec. 7	<i>October 1, 2007</i>	29-394

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Joint Favorable C/R

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