



General Assembly

February Session, 2010

***Raised Bill No. 338***

LCO No. 1709

\*01709\_\_\_\_\_PD\_\*

Referred to Committee on Planning and Development

Introduced by:  
(PD)

***AN ACT REDUCING DEVELOPMENT BURDENS.***

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

1 Section 1. Section 29-265 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) Except as provided in subsection (h) of section 29-252a, no  
4 building or structure erected or altered in any municipality after  
5 October 1, 1970, shall be occupied or used, in whole or in part, until a  
6 certificate of occupancy, as defined in the regulations adopted under  
7 section 29-252, has been issued by the building official, certifying that  
8 such building, structure or work performed pursuant to the building  
9 permit substantially conforms to the provisions of the State Building  
10 Code and the regulations lawfully adopted under said code. Nothing  
11 in the code or in this part shall require the removal, alteration or  
12 abandonment of, or prevent the continuance of the use and occupancy  
13 of, any single-family dwelling but within six years of the date of  
14 occupancy of such dwelling after substantial completion of  
15 construction of, alteration to or addition to such dwelling, or of a  
16 building lawfully existing on October 1, 1945, except as may be

17 necessary for the safety of life or property. The use of a building or  
18 premises shall not be deemed to have changed because of a temporary  
19 vacancy or change of ownership or tenancy.

20 (b) No building official shall refuse to issue a certificate of  
21 occupancy for any single-family dwelling because such dwelling is not  
22 connected to an electric utility if such dwelling is otherwise in  
23 conformity with the requirements of this section and applicable local  
24 health codes and is equipped with an alternative energy system. A  
25 certificate issued under this section shall contain a statement that an  
26 alternative energy system is in place. For the purposes of this  
27 subsection, "alternative energy system" means any system or  
28 mechanism which uses solar radiation, wind, water, biomass or  
29 geothermal resources as the primary source for the generation of  
30 electrical energy.

31 (c) Notwithstanding the provisions of subsection (a) of this section,  
32 any municipality may, upon approval by its legislative body, or, in any  
33 town in which the legislative body is a town meeting, by the board of  
34 selectmen, adopt an ordinance to require the building official to issue a  
35 certificate of occupancy, as defined in the regulations adopted under  
36 section 29-252, for a building or structure when a professional engineer  
37 holding a license issued pursuant to section 20-302 certifies, in writing,  
38 that such building or structure or work performed pursuant to a  
39 building permit issued on or after the effective date of this section  
40 substantially conforms to the provisions of the State Building Code  
41 and the regulations lawfully adopted under said code. Such ordinance  
42 may require the payment of a certification fee not exceeding twenty-  
43 five dollars for such professional engineer certification. As used in this  
44 section, "municipality" means any town, city, borough, consolidated  
45 town and city or consolidated town and borough.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2010	29-265

**Statement of Purpose:**

To expedite the process for issuing certificates of occupancy.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*