



General Assembly

January Session, 2013

***Raised Bill No. 6524***

LCO No. 3826



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING BUILDING CODE ADOPTION CYCLES AND DUTIES OF BUILDING OFFICIALS.***

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

1 Section 1. Section 29-252 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) The State Building Inspector and the Codes and Standards  
4 Committee shall, jointly, with the approval of the Commissioner of  
5 Construction Services, adopt and administer a State Building Code  
6 based on [a] one or more nationally recognized model building [code]  
7 codes for the purpose of regulating the design, construction and use of  
8 buildings or structures to be erected and the alteration of buildings or  
9 structures already erected and make such amendments thereto as they,  
10 from time to time, deem necessary or desirable. Such amendments  
11 shall be limited to administrative matters, geotechnical and weather-  
12 related portions of [said code] the State Building Code, amendments to  
13 [said code] the State Building Code necessitated by a provision of the  
14 general statutes and any other matter which, based on substantial  
15 evidence, necessitates an amendment to [said code] the State Building

16 Code. The State Building Code shall be reviewed periodically in  
17 intervals of not less than six years and, following such review, revised  
18 in its entirety, as jointly deemed necessary by the State Building  
19 Inspector and the Codes and Standards Committee. Revisions to the  
20 State Building Code shall be based on the most current version of the  
21 model building code or codes upon which the State Building Code is  
22 based. Nothing in this section shall preclude the State Building  
23 Inspector and the Codes and Standards Committee from revising the  
24 State Building Code prior to the time a review of the State Building  
25 Code is required by this section. [The code shall be revised not later  
26 than January 1, 2005, and thereafter as deemed necessary to  
27 incorporate any subsequent revisions to the code not later than  
28 eighteen months following the date of first publication of such  
29 subsequent revisions to the code.] The purpose of [said] the State  
30 Building Code shall also include, but not be limited to, promoting and  
31 ensuring that such buildings and structures are designed and  
32 constructed in such a manner as to conserve energy and, wherever  
33 practicable, facilitate the use of renewable energy resources. [Said] The  
34 State Building Code includes any code, rule or regulation incorporated  
35 therein by reference. As used in this subsection, "geotechnical" means  
36 any geological condition, such as soil and subsurface soil conditions,  
37 which may affect the structural characteristics of a building or  
38 structure.

39 (b) The State Building Inspector shall be appointed by the Governor.  
40 He shall be an architect or professional engineer licensed by the state  
41 of Connecticut, shall have a thorough knowledge of building code  
42 administration and enforcement and shall have had not less than ten  
43 years practical experience in his profession.

44 (c) The State Building Inspector or his designee may issue official  
45 interpretations of the State Building Code, including interpretations of  
46 the applicability of any provision [of the code] thereof, upon the  
47 request of any person. The State Building Inspector shall compile and  
48 index each interpretation and shall publish such interpretations at

49 periodic intervals not exceeding four months.

50 (d) The State Building Inspector or his designee shall review a  
51 decision by a local building official or a board of appeals appointed  
52 pursuant to section 29-266 when he has reason to believe that such  
53 official or board has misconstrued or misinterpreted any provision of  
54 the State Building Code. If, upon review and after consultation with  
55 such official or board, he determines that a provision of the [code]  
56 State Building Code has been misconstrued or misinterpreted, he shall  
57 issue an interpretation of said code and may issue any order he deems  
58 appropriate. Any such determination or order shall be in writing and  
59 be sent to such local building official or board by registered mail,  
60 return receipt requested. Any person aggrieved by any determination  
61 or order by the State Building Inspector under this subsection may  
62 appeal to the Codes and Standards Committee within fourteen days  
63 after mailing of the decision or order. Any person aggrieved by any  
64 ruling of the Codes and Standards Committee may appeal in  
65 accordance with the provisions of subsection (d) of section 29-266.

66 Sec. 2. Subsection (a) of section 29-256a of the general statutes is  
67 repealed and the following is substituted in lieu thereof (*Effective*  
68 *October 1, 2013*):

69 (a) The State Building Inspector and the Codes and Standards  
70 Committee shall revise the State Building Code to require that  
71 commercial and residential buildings and building elements be  
72 designed to provide optimum cost-effective energy efficiency over the  
73 useful life of the building and to incorporate the 2012 International  
74 Energy Conservation Code, [not later than eighteen months] as soon as  
75 practicable after the publication of [said code] the State Building Code.  
76 The provisions of this section shall not be construed to impose any  
77 new requirement for any renovation or construction of a state building  
78 that is subject to the requirements of section 16a-38k, regardless of  
79 whether such building has been granted an exemption under said  
80 section.

81 Sec. 3. Subsection (b) of section 29-261 of the general statutes is  
82 repealed and the following is substituted in lieu thereof (*Effective*  
83 *October 1, 2013*):

84 (b) The building official or assistant building official shall pass upon  
85 any question relative to the mode, manner of construction or materials  
86 to be used in the erection or alteration of buildings or structures,  
87 pursuant to applicable provisions of the State Building Code and in  
88 accordance with rules and regulations adopted by the Department of  
89 Construction Services. They shall require compliance with the  
90 provisions of the State Building Code, of all rules lawfully adopted and  
91 promulgated thereunder and of laws relating to the construction,  
92 alteration, repair, removal, demolition and integral equipment and  
93 location, use, accessibility, occupancy and maintenance of buildings  
94 and structures, except as may be otherwise provided for. In carrying  
95 out their duties under this subsection, the building official and  
96 assistant building official shall ensure that all inspections are  
97 performed by licensed inspectors holding the appropriate class of  
98 license for the inspection being performed, as provided in regulations  
99 adopted by the State Building Inspector and the Codes and Standards  
100 Committee, with the approval of the Commissioner of Construction  
101 Services, pursuant to section 29-262.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	29-252
Sec. 2	<i>October 1, 2013</i>	29-256a(a)
Sec. 3	<i>October 1, 2013</i>	29-261(b)

**Statement of Purpose:**

To allow less frequent revisions to the State Building Code and require building officials to ensure that inspections are done by the appropriate licensed inspectors.

*[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.]*