DEPARTMENT OF ADMINISTRATIVE SERVICES
STATE OF CONNECTICUT
DIVISION OF CONSTRUCTION SERVICES
165 Capitol Avenue
Hartford, CT 06106

November 18, 2013

Senator Andres Ayala, Co-Chair
Representative Selim Noujaim, Co-Chair
Regulation Review Committee
Room 011, Capitol Building
Hartford, CT 06106

Re: 2013 Amendment to the 2005 Connecticut State Building Code

Dear Senator Ayala and Representative Noujaim:

Attached, please find two substitute pages for the above-mentioned proposed regulation.

On page 38, the deletion of Appendix O has been added as Appendix O conflicts with current Department of Public Health regulations concerning gray water recycling systems. On page 44, in section 90.4, language allowing the local building official to approve the use of certain products, methods of construction or materials when those required by the code are not available has been deleted as it conflicts with the additional language in that section and conflicts with the authority granted to the State Building Inspector pursuant to section 29-252 of the Connecticut General Statutes.

If you have any questions, please do not hesitate to contact me or Acting State Building Inspector Joe Cassidy (860 713-5705).

Sincerely,

Jenna Padula
Staff Attorney
(860) 713-5868

c: Senator Chapin, Co-Chair Public Safety Sub-Committee
Representative Candelora, Co-Chair Public Safety Sub-Committee
Joe Cassidy, Acting State Building Inspector

(Amd) **SECTION AE606 REFERENCED STANDARDS**

ASTM C 270-07 Specification for Mortar for Unit Masonry.....AE602

NFPA 501-05 Standard on Manufactured Housing.....AE201

APPENDIX G – SWIMMING POOLS, SPAS AND HOT TUBS

SECTION AG102 DEFINITIONS

(Amd) **RESIDENTIAL.** For the purposes of this Section, "Residential" means situated on the premises of a detached one- or two-family dwelling or which is accessory to an individual one-family townhouse for the exclusive use of its residents and invited guests.

(Amd) **AG105.2 Outdoor swimming pool.** Delete items 10, 10.1 and 10.2 and replace with the following:

10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, the ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9.

(Add) **AG105.6 Temporary enclosure.** A temporary enclosure shall be installed prior to the electrical bonding inspection of any in-ground swimming pool unless the permanent barrier specified in Section AG105.2 is in place prior to the commencement of the installation. The temporary enclosure shall be a minimum of 4 feet (1219 mm) in height, shall have no openings that will allow passage of a 4-inch sphere and shall be equipped with a positive latching device on any openings.

(Add) **AG105.7 Pool alarm.** Pursuant to section 29-265a of the Connecticut General Statutes, no building permit shall be issued for the construction or substantial alteration of a swimming pool at a residence occupied by, or being built for, one or more families unless a pool alarm is installed with the swimming pool. As used in this section, "pool alarm" means a device that emits a sound of at least 50 decibels when a person or an object weighing 15 pounds or more enters the water in a swimming pool.

Exception: Hot tubs and portable spas shall be exempt from this requirement.

(Del) **APPENDIX I – PRIVATE SEWAGE DISPOSAL.** Delete Appendix I without substitution.

(Del) **APPENDIX J – EXISTING BUILDINGS AND STRUCTURES.** Delete Appendix J without substitution.

(Del) **APPENDIX L – PERMIT FEES.** Delete Appendix L without substitution.

(Del) **APPENDIX M – HOME DAY CARE – R-3 OCCUPANCY.** Delete Appendix M without substitution.

(Del) **APPENDIX O – GRAY WATER RECYCLING SYSTEMS.** Delete Appendix O without substitution.

(Add) **APPENDIX R – WIND SPEEDS and SEISMIC DESIGN CATEGORIES**

(5) Installations under the exclusive control of an electric utility where such installations

a. Consist of service drops or laterals, and associated metering; or

b Are located in legally established easements, right-of-way or by other agreements either designated by or recognized by public service commissions, utility commissions or other regulatory agencies having jurisdiction for such installations; or

c. Are on property owned or leased by the electric utility for the purpose of communications, metering, generation, control, transformation, transmission or distribution of electric energy.

(6) Installations in one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures that are in accordance with the provisions of the 2009 International Residential Code portion of the 2005 State Building Code.

(C) Special Permission. The State Building Inspector may grant an exception for the installation of conductors and equipment that are not under the exclusive control of the electric utilities and are used to connect the electric utility supply system to the service-entrance conductors of the premises served, provided such installations are outside a building or terminate immediately inside a building wall.

(Amd) **90.4 Enforcement.** Administration of this code shall be in accordance with the provisions of Chapter 1 of the 2003 International Building Code portion of the 2005 State Building Code. For the purpose of this code, the authority having jurisdiction for interpreting the rules and for granting the special permission contemplated in a number of rules is the State Building Inspector. Interpretations shall be requested in writing from the Office of the State Building Inspector. Special permission shall be requested in writing using the Request for Modification of the State Building Code form available from local building departments or from the Office of the State Building Inspector, 1111 Country Club Road, Middletown, CT 06457. www.ct.gov/dcs.

CHAPTER 1 – GENERAL

ARTICLE 100 – Definitions.

(Amd) **Authority Having Jurisdiction.** The organization, office or individual responsible for approving equipment, material, an installation, or a procedure. The local building official has the responsibility for approving construction documents, issuing permits, approving materials and procedures and for making inspections from time to time as the construction process requires. The State Building Inspector has the responsibility for administering the State Building Code, interpreting the State Building Code and for granting exceptions from specific rules of the State Building Code. See the definition of "Special Permission" and Article 90.4.

(Amd) **Special Permission.** For the purpose of this code, the authority having jurisdiction for granting the special permission contemplated in a number of rules is the State Building Inspector. Special permission shall be requested in writing using the Request for Modification of the State