

Connecticut General Statutes Annotated [Currentness](#)

Title 29. Public Safety and State Police

▢ [Chapter 541](#). Building, Fire and Demolition Codes. Fire Marshals and Fire Hazards. Safety of Public and Other Structures ([Refs & Annos](#))

→ [Part IA](#). State Building Code ([Refs & Annos](#))

→ **§ 29-251. Codes and Standards Committee; duties; membership**

There shall be within the Department of Public Safety a Codes and Standards Committee whose duty it shall be to work with the State Building Inspector in the enforcement of part Ia [\[FN1\]](#) and the State Fire Marshal in the enforcement of part II [\[FN2\]](#) of this chapter as set forth herein. The committee shall be composed of seventeen members, residents of the state, appointed by the Commissioner of Public Safety as follows: Two members shall be architects licensed in the state of Connecticut; three shall be professional engineers licensed in the state of Connecticut, two of whom shall practice either structural, mechanical or electrical engineering but in no event shall both of such members represent the same specialty and one of whom shall be a practicing fire protection engineer or mechanical engineer with extensive experience in fire protection; two shall be builders or superintendents of construction, one of whom shall have expertise in residential construction and one of whom shall have expertise in nonresidential construction; one shall be a public health official; two shall be building officials; two shall be local fire marshals; one shall be a Connecticut member of a national building trades labor organization; and four shall be public members, one of whom shall have expertise in matters relating to accessibility and use of facilities by the physically disabled and who shall be selected from a list of names submitted by the Office of Protection and Advocacy for Persons with Disabilities. Each member, other than the public members, shall have had not less than ten years' practical experience in his profession or business. The committee shall adopt regulations in accordance with the provisions of chapter 54 [\[FN3\]](#) governing the procedure of the committee. Members who fail to attend three consecutive meetings or fifty per cent of all meetings during a calendar year shall be deemed to have resigned. It shall have power, within the limits of appropriations provided therefor, to employ such assistants as may be necessary to conduct its business.

[\[FN1\]](#) C.G.S.A. § 29-251 et seq.

[\[FN2\]](#) C.G.S.A. § 29-291 et seq.

[\[FN3\]](#) C.G.S.A. § 4-166 et seq.

TERMINATION

<For termination of the state codes and standards committee under the Connecticut Sunset Law, see § 2c-2b.>

§ 29-251a. Review of regulations. Report

As used in this section, “program requirements” means any program or part of a program which is required by law.

The Commissioner of Public Safety, in consultation with the Codes and Standards Committee, shall conduct a review of existing regulations of each state agency to determine whether any provision of such regulations conflicts with the State Building Code [FN1] or the State Fire Safety Code. [FN2] The commissioner shall make recommendations to the department head of any state agency which has regulations that are in conflict with the State Building Code or the State Fire Safety Code for the amendment of such regulations so they no longer are in conflict with said codes. Not later than ninety days following receipt of such recommendations, the department head of such state agency shall initiate the process under chapter 54 [FN3] to amend or repeal such regulation in order to bring such regulation into compliance with the State Building Code or the State Fire Safety Code, as the case may be, unless the amendment or repeal of such regulation would result in a conflict with the applicable agency's program requirements. The Commissioner of Public Safety, in consultation with the Codes and Standards Committee, shall report such recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to public safety.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] Regs. Conn. State Agencies, § 29-292-1e et seq.

[FN3] C.G.S.A. § 4-166 et seq.

§ 29-251b. Building Code Training Council; membership; vacancies

There is established, within the Department of Public Safety a Building Code Training Council which shall advise the State Building Inspector and the Codes and Standards Committee on all matters pertaining to certification training programs, continuing educational programs for building officials pursuant to section 29-262 and programs for all other persons eligible to receive training pursuant to subsections (a) and (c) of section 29-251c. The council shall be composed of seventeen members, who shall be residents of this state, appointed as follows: (1) The State Building Inspector, or his designee; (2) one by the Codes and Standards Committee, who shall be a member of said committee; (3) three by the Connecticut Building Officials Association, each of whom shall be a member of said association; (4) one by the Board of Governors of Higher Education; (5) one by the Board of Trustees of the Community-Technical Colleges; (6) one by the Governor, who shall be a chief elected official of a municipality; (7) seven by the Commissioner of Public Safety: (A) One of whom shall be an architect licensed pursuant to chapter 390, [FN1] selected from a list of individuals submitted by the Connecticut Chapter of the American Institute of Architects; (B) one of whom shall be a professional engineer, licensed pursuant to chapter 391, [FN2] selected from a list of individuals submitted by the Connecticut Engineers in Private Practice; (C) one of whom shall be a landscape architect, licensed pursuant to chapter 396, [FN3] selected from a list of individuals submitted by the Connecticut Chapter of the American Society of Landscape Architects; (D) one of whom shall be an interior designer registered pursuant to chapter 396a, [FN4] selected from a list of individuals submitted by the Connecticut Coalition of Interior Designers; (E) one of whom shall be a member of the Connecticut State Building Trades Council, selected from a list of individuals submitted by said organization; and (F) two of whom shall be builders, general contractors or superintendents of construction, one having expertise in residential building construction, selected from a list of individuals submitted by the Home Builders Association of Connecticut, Inc., and one having expertise in nonresidential building construction, selected from a list of individuals submitted by the Associated General Contractors of Connecticut, Incorporated; (8) one by the Director of the Office of Protection and Advocacy for Persons with Disabilities; and (9) one by the president pro tempore of the Senate, who shall be a member of the public. The council shall elect a chairperson and vice-chairperson from among its

members. Any member who fails to attend at least fifty per cent of all meetings held during any calendar year or fails to attend three consecutive meetings shall be deemed to have resigned from the council. Vacancies on the council shall be filled by the appointing authority. Members of the council shall serve without compensation but shall, within the limits of available funds as approved by the Commissioner of Public Safety, be reimbursed for necessary expenses incurred in the performance of their duties.

[FN1] C.G.S.A. § 20-288 et seq.

[FN2] C.G.S.A. § 20-299 et seq.

[FN3] C.G.S.A. § 20-367 et seq.

[FN4] C.G.S.A. § 20-377k et seq.

§ 29-251c. Development of training and educational programs. Code Training and Education Board of Control. Regulations. Reporting of funds received; expenditures

(a) As used in subsections (a) to (c), inclusive, of this section “prior approval of the Code Training and Education Board of Control” means approval by the board of a fiscal year budget prepared by the Commissioner of Public Safety. The commissioner shall develop a program to sponsor (1) training and educational programs in the mechanics and application of the State Building Code [FN1] and the State Fire Safety Code [FN2] conducted for any municipal or state code official, or any candidate for said positions, and (2) continuing educational programs in the mechanics and application of the State Building Code and the State Fire Safety Code for any architect, engineer, landscape architect, interior designer, builder, contractor or superintendent of construction doing business in this state, and shall determine the equipment necessary to sponsor such training and educational programs.

(b) There is established the Code Training and Education Board of Control which shall promote code training and education. No funds shall be expended for the purposes listed in subsection (a) of this section without prior approval of the Code Training and Education Board of Control. The board shall consist of seven members as follows: (1) Three members of the Building Code Training Council, one each of whom shall be appointed by the speaker, majority leader and minority leader of the House of Representatives, (2) three members of the Fire Marshal Training Council, one each of whom shall be appointed by the president pro tempore, majority leader and minority leader of the Senate, and (3) one architect, engineer, landscape architect, interior designer, builder, contractor or superintendent of construction doing business in this state, who shall be appointed by the Commissioner of Public Safety. The members of the board shall continue in office for the term of three years from the first day of July next succeeding their appointment. Vacancies on the board shall be filled by the original appointing authority for the balance of the unexpired term.

(c) The commissioner shall establish a program of education and training in the mechanics and application of the State Building Code and the State Fire Safety Code conducted for any municipal or state code official, or any candidate for said positions, and a continuing educational program in the mechanics and application of the State Building Code and the State Fire Safety Code for any architect, engineer, landscape architect, interior designer, builder, contractor or superintendent of construction doing business in this state.

(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 [FN3] 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 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 cents in any one year. The 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 the fees to be retained for administrative costs may not be less than one cent or greater than three cents per thousand dollars of the value of the construction declared in the building permit application.

(e) The Commissioner of Public Safety shall annually submit a report of the amount of funds received pursuant to subsection (d) of this section, or of any other funds received by the commissioner for the purposes of code training and education under this section, to the cochairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to finance, revenue and bonding and appropriations. All direct expenses incurred in the conduct of the code training and educational programs, or of the operation, maintenance and repair of facilities, food services and other auxiliary services incurred in the conduct of the code training and educational programs, shall be charged, and any cost of equipment for code training and educational programs may be charged, against the funds appropriated for the code training and educational programs on order of the Comptroller. Any balance of receipts after expenditures shall be retained by the commissioner and shall be used solely for the code training and educational programs under this section and for the acquisition, as provided in [section 4b-21](#), alteration and repairs of real property for educational facilities, provided repairs, alterations or additions to educational facilities costing fifty thousand dollars or less shall require the approval of the Commissioner of Public Works and capital projects costing over fifty thousand dollars shall require the approval of the General Assembly, or when the General Assembly is not in session, of the Finance Advisory Committee. Funds appropriated to or received by the Commissioner of Public Safety for the code training and educational programs shall also be used for (1) (A) the operation, maintenance and repair of auxiliary services facilities, and (B) any other activities related to training and educational programs in the mechanics and application of the State Building Code and the State Fire Safety Code conducted for any municipal or state code official, or any candidate for said positions, and (2) continuing educational programs in the mechanics and application of the State Building Code and the State Fire Safety Code for any architect, engineer, landscape architect, interior designer, builder, contractor or superintendent of construction doing business in this state. No funds shall be used for the purposes of this section without prior approval of the Code Training and Education Board of Control, established pursuant to subsection (b) of this section.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] Regs. Conn. State Agencies, § 29-292-1e et seq.

[FN3] C.G.S.A. § 4-166 et seq.

§ 29-252. State Building Code: Adoption, revision and amendments. State Building Inspector: Appointment; interpretations of code. Appeal

(a) As used in this subsection, “geotechnical” means any geological condition, such as soil and subsurface soil conditions, which may affect the structural characteristics of a building or structure. The State Building Inspector and the Codes and Standards Committee shall, jointly, with the approval of the Commissioner of Public Safety, adopt and administer a State Building Code [FN1] based on a nationally recognized model building code for the purpose of regulating the design, construction and use of buildings or structures to be erected and the alteration of buildings or structures already erected and make such amendments thereto as they, from time to time, deem necessary or desirable. Such amendments shall be limited to administrative matters, geotechnical and weather-related portions of said code, amendments to said code necessitated by a provision of the general statutes and any other matter which, based on substantial evidence, necessitates an amendment to said code. The code shall be revised not later than January 1, 2005, and thereafter as deemed necessary to incorporate any subsequent revisions to the code not later than eighteen months following the date of first publication of said subsequent revisions to the code. The purpose of said Building Code shall also include, but not be limited to, promoting and ensuring that such buildings and structures are designed and constructed in such a manner as to conserve energy and, wherever practicable, facilitate the use of renewable energy resources. Said Building Code includes any code, rule or regulation incorporated therein by reference.

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

(c) The State Building Inspector or his designee may issue official interpretations of the State Building Code, including interpretations of the applicability of any provision of the code, upon the request of any person. The State Building Inspector shall compile and index each interpretation and shall publish such interpretations at periodic intervals not exceeding four months.

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

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-252a. Code applicable to all state agencies. Building permit, education fee and certificate of occupancy required for state buildings. Appeal. Exemptions

(a) The State Building Code, [FN1] including any amendment to said code adopted by the State Building Inspector and Codes and Standards Committee, shall be the building code for all state agencies.

(b) (1) No state building or structure or addition to a state building or structure: (A) That exceeds the threshold limits contained in [section 29-276b](#) and requires an independent structural review under said section, or (B) that includes residential occupancies for twenty-five or more persons, shall be constructed until an application has been filed by the commissioner of an agency authorized to contract for the construction of buildings under the provisions of [section 4b-1](#) or [4b-51](#) with the State Building Inspector and a building permit issued by the State Building Inspector. Two copies of the plans and specifications for the building, structure or addition to be constructed shall accompany the application. The commissioner of any such agency shall certify that such plans and specifications are in substantial compliance with the provisions of the State Building Code and, where applicable, with the provisions of the State Fire Safety Code. [FN2] The State Building Inspector shall review the plans and specifications for the building, structure or addition to be constructed to verify their compliance with the requirements of the State Building Code and, not later than thirty days after the date of application, shall issue or refuse to issue the building permit, in whole or in part. The State Building Inspector may request that the State Fire Marshal review such plans to verify their compliance with the State Fire Safety Code.

(2) On and after July 1, 1999, the State Building Inspector 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 State Building Inspector 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](#). On and after July 1, 2000, the assessment shall be made in accordance with regulations adopted pursuant to subsection (d) of [section 29-251c](#).

(c) All state agencies authorized to contract for the construction of any buildings or the alteration of any existing buildings under the provisions of [section 4b-1](#) or [4b-51](#) shall be responsible for substantial compliance with the provisions of the State Building Code, the State Fire Safety Code and the regulations lawfully adopted under said codes for such building or alteration to such building, as the case may be. Such agencies shall apply to the State Building Inspector for a certificate of occupancy for all buildings or alterations of existing buildings for which a building permit is required under subsection (b) of this section and shall certify compliance with the State Building Code, the State Fire Safety Code and the regulations lawfully adopted under said codes for such building or alteration to such building, as the case may be, to the State Building Inspector prior to occupancy or use of the facility.

(d) (1) No state building or structure erected or altered on and after July 1, 1989, for which a building permit has been issued pursuant to subsection (b) of this section, shall be occupied or used in whole or in part, until a certificate of occupancy has been issued by the State Building Inspector, certifying that such building or structure substantially con-

forms to the provisions of the State Building Code and the regulations lawfully adopted under said code and the State Fire Marshal has verified substantial compliance with the State Fire Safety Code and the regulations lawfully adopted under said code for such building or alteration to such building, as the case may be.

(2) No state building or structure erected or altered on and after July 1, 1989, for which a building permit has not been issued pursuant to subsection (b) of this section shall be occupied or used in whole or in part, until the commissioner of the agency erecting or altering the building or structure certifies to the State Building Inspector that the building or structure substantially complies with the provisions of the State Building Code, the State Fire Safety Code and the regulations lawfully adopted under said codes for such building or alteration to such building, as the case may be.

(e) The State Building Inspector or said inspector's designee may inspect or cause to be inspected any construction of buildings or alteration of existing buildings by state agencies, except that said inspector or designee shall inspect or cause an inspection if the building being constructed includes residential occupancies for twenty-five or more persons. The State Building Inspector may order any state agency to comply with the State Building Code. The commissioner may delegate such powers as the commissioner deems expedient for the proper administration of this part and any other statute related to the State Building Code to The University of Connecticut, provided the commissioner and the president of The University of Connecticut enter into a memorandum of understanding concerning such delegation of powers in accordance with [section 10a-109ff](#).

(f) The joint standing committee of the General Assembly having cognizance of matters relating to the Department of Public Safety may annually review the implementation date in subsection (b) of this section, to determine the need, if any, for revision.

(g) Any person aggrieved by any refusal to issue a building permit or certificate of occupancy under the provisions of this section or by an order to comply with the State Building Code or the State Fire Safety Code may appeal, de novo, to the Codes and Standards Committee not later than seven days after the issuance of any such refusal or order.

(h) State agencies shall be exempt from the permit requirements of [section 29-263](#) and the certificate of occupancy requirement under [section 29-265](#).

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] Regs. Conn. State Agencies, § 29-292-1e et seq.

§ 29-253. Code applicable to all municipalities. Ordinance governing demolition of hazardous building

(a) The State Building Code, [FN1] including any amendment to said code adopted by the State Building Inspector and Codes and Standards Committee, shall be the building code for all towns, cities and boroughs.

(b) Nothing in this section shall prevent any town, city or borough from adopting an ordinance governing the demolition of buildings deemed to be unsafe. As used in this subsection, “unsafe building” means a building that constitutes a fire hazard or is otherwise dangerous to human life or the public welfare.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-254. Amendments to code. Variations and exemptions

(a) Any town, city or borough or any interested person may propose amendments to the State Building Code, [FN1] which proposed amendments may be either applicable to all municipalities or, where it is alleged and established that conditions exist within a municipality which are not generally found within other municipalities, any such amendment may be restricted in application to such municipality. Each amendment to the State Building Code shall be adopted in accordance with the provisions of chapter 54. [FN2]

(b) The State Building Inspector may grant variations or exemptions from, or approve equivalent or alternate compliance with, the State Building Code where strict compliance with the code would entail practical difficulty or unnecessary hardship, or is otherwise adjudged unwarranted, provided that the intent of the law shall be observed and public welfare and safety be assured. Any application for a variation or exemption or equivalent or alternate compliance received by a local building official shall be forwarded to the State Building Inspector by first class mail within fifteen business days of receipt by such local building official and shall be accompanied by a letter from such local building official that shall include comments on the merits of the application. Any such determination by the State Building Inspector shall be in writing. Any person aggrieved by any decision of the State Building Inspector may appeal to the Codes and Standards Committee within fourteen days after mailing of the decision. Any person aggrieved by any ruling of the Codes and Standards Committee may appeal to the superior court for the judicial district wherein the premises concerned are located.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] C.G.S.A. § 4-166 et seq.

§ 29-254a. Penalty for violation of State Building Code

Any person who violates any provision of the State Building Code [FN1] shall be fined not less than two hundred dollars or more than one thousand dollars or imprisoned not more than six months, or both.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-254b. List of variations or exemptions from, or equivalent or alternate compliance with, code

Not later than January 1, 2003, the State Building Inspector and the Codes and Standards Committee, in conjunction

with the Commissioner of Public Safety, shall create a list of variations or exemptions from, or equivalent or alternate compliance with, the State Building Code [FN1] granted relative to existing buildings in the last two calendar years and shall update such list biennially. Not later than April 1, 2003, the Commissioner of Public Safety shall, within available appropriations, (1) send such list to all local building officials, (2) take appropriate actions to publicize such list, and (3) educate local building officials and the public on how to use the list.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-255. Authority of fire marshals unaffected

This part shall not be construed to limit or restrict the authority of the state or local fire marshals as provided in part II [FN1] of this chapter.

[FN1] C.G.S.A. § 29-291 et seq.

§ 29-256. Revision of Building and Fire Safety Codes. Rehabilitation subcode. Regulations

(a) In order to make the State Building Code [FN1] and the State Fire Safety Code [FN2] more responsive to present economic conditions, to promote reduction in the cost of construction of homes and other buildings, thereby creating more jobs in the construction industry and promoting home ownership, as well as to enable the citizens of the state to realize the benefits of the latest technology in energy conservation in the design and construction of homes and other buildings, the State Building Inspector and Codes and Standards Committee, in conjunction with the Commissioner of Public Safety, shall thoroughly review and revise the State Building Code and the State Fire Safety Code, with an emphasis on performance rather than design specifications. In the course of such review, the State Building Inspector and the Codes and Standards Committee shall develop a rehabilitation subcode. The provisions of such subcode shall include, but not be limited to, the identification and standardization of economically feasible rehabilitation standards and modifications that ensure the public health, safety and welfare, and protect the environment. Such subcode shall be included in any revision of the State Building Code.

(b) Not later than January 1, 2005, the commissioner shall adopt regulations, in accordance with the provisions of chapter 54, [FN3] to implement the provisions of this section.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] Regs. Conn. State Agencies, § 29-292-1e et seq.

[FN3] C.G.S.A. § 4-166 et seq.

§ 29-256a. Revision of code. Energy efficiency

(a) On and after January 1, 2008, the State Building Inspector and the Codes and Standards Committee shall revise the

State Building Code [FN1] to require that buildings and building elements, including residential, be designed to provide optimum cost-effective energy efficiency over the useful life of the building. Such revision shall meet the American Society of Heating, Refrigerating and Air Conditioning Engineers Standard 90.1 for new construction.

(b) Notwithstanding subsection (a) of this section, the State Building Inspector and the Codes and Standards Committee shall revise the State Building Code to require that any (1) building, except a residential building with no more than four units, constructed after January 1, 2009, that is projected to cost not less than five million dollars, and (2) renovation to any building, except a residential building with no more than four units, started after January 1, 2010, that is projected to cost not less than two million dollars shall be built or renovated using building construction standards consistent with or exceeding the silver building rating of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, including, but not limited to, a two-globe rating in the Green Globes USA design program. The inspector and the committee shall provide for an exemption for any building if the Institute for Sustainable Energy finds, in a written analysis, that the cost of such compliance significantly outweighs the benefits.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-256b. Revision of code. Use of ungraded lumber

The State Building Inspector and the Codes and Standards Committee shall, jointly, with the approval of the Commissioner of Public Safety, amend the State Building Code [FN1] adopted under section 29-252 to allow the use of ungraded lumber in utility structures, as defined in the State Building Code, or low risk structures including, but not limited to, barns, agricultural buildings, sheds, garages or other outbuildings.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-256c. Revision of code. Bed and breakfast establishments

Not later than January 1, 2000, the State Building Inspector and the State Fire Marshal, in conjunction with the Codes and Standards Committee, shall make amendments to the State Building Code [FN1] and the State Fire Safety Code [FN2] concerning bed and breakfast establishments. Said amendments shall: (1) Be adopted in accordance with the provisions of chapter 54; [FN3] (2) define the term "bed and breakfast"; and (3) be designed to preserve the unique character of such establishments, contain the cost of conversion of a home to such an establishment and support the tourism industry in the state; provided such amendments shall not affect the safe design, use or construction of such establishments.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] Regs. Conn. State Agencies, § 29-292-1e et seq.

[FN3] C.G.S.A. § 4-166 et seq.

§ 29-256d. Revision of code. Path marking systems

Not later than January 1, 2008, the State Building Inspector and the State Fire Marshal, in conjunction with the Codes and Standards Committee, shall make amendments to the State Building Code [FN1] and the State Fire Safety Code [FN2] concerning floor proximity path marking devices or related devices intended for installation as a system to identify the path of emergency egress. The amendments shall require that a path marking system be installed within eighteen inches of the floor, provide a visible delineation of the path of travel along the designated exit access and be essentially continuous, except as interrupted by doorways, hallways, corridors or other such architectural features. The amendments shall provide which materials may be used for path marking, and such materials shall include, but not be limited to, electrical photo luminescent or self-luminous material. The amendments shall require installation of a path marking system in new construction in (1) Group A occupancies with an occupant load of more than three hundred persons, (2) Group B medical occupancies, (3) Group E occupancies, (4) Group I-1 occupancies, (5) Group I-2 occupancies, (6) Group R-1 hotels and motels, and (7) Group R-2 dormitories.

[FN1] Regs. Conn. State Agencies, 29-252-1d.

[FN2] Regs. Conn. State Agencies, 29-292-1e et seq.

§ 29-257. Repealed. (1988, P.A. 88-356, § 5.)

§ 29-258. Educational program

The Commissioner of Public Safety shall conduct a comprehensive educational program for design professionals, construction industry representatives and local building officials for carrying out the purpose of [section 29-256](#).

§ 29-259. Exemption from code for urban homesteading property and historic structures

(a) The state building inspector and the Codes and Standards Committee shall revise the State Building Code [FN1] to allow exemptions from the State Building Code for property acquired by an urban homesteading agency, pursuant to [section 8-169r](#), and transferred to a qualified applicant pursuant to [section 8-169s](#), and for historic structures, as defined in [section 10-410](#), which have been classified as such in the state register of historic places, to encourage participation in urban homesteading programs and the restoration and preservation of historic places; provided such exemptions shall not affect the safe design, use or construction of such property.

(b) Any person, agent of the state, municipality or any other political subdivision of the state may apply to the State Building Inspector and the Codes and Standards Committee to modify or set aside standards for historic buildings incorporated in the State Building Code. The State Building Inspector shall, within seven days of receipt of any such application, forward a copy of such application to the director of the Office of Protection and Advocacy for Persons with Disabilities and to the director of the Connecticut Commission on Culture and Tourism. Each of said directors shall, within thirty days of receipt, review such application and make such written recommendations as he deems appropriate to the State Building Inspector and the Codes and Standards Committee concerning the disposition of such application.

The recommendations of such directors shall be part of the records and documents of the State Building Inspector concerning such application. The State Building Inspector and the Codes and Standards Committee shall consider such written recommendations when acting upon such application and may set aside or modify an individual standard or specification when they jointly determine that it would not be feasible or would unreasonably complicate the construction, alteration or repair in question and where alternative methods and materials have been proposed to maintain certain features. Such determination shall be in writing, shall state the reasons therefor and if it sets aside any such standard of specification, a copy of such determination shall be sent to each of said directors.

(c) Regulations or codes made or amended by authority of this section shall, after a public hearing called for that purpose by the state building inspector not less than thirty days before the date of such hearing, be filed by the state building inspector with the Secretary of the State in accordance with the provisions of chapter 54 [FN2] and he shall thereafter make copies available to persons having an interest therein.

(d) If any regulation made or amended by authority of this section is set aside by a court, such ruling shall affect only the regulation, standard or specification included in the ruling and all other regulations, standards or specifications shall remain in effect.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] C.G.S.A. § 4-166 et seq.

§ 29-260. Municipal building official to administer code. Appointment. Dismissal

(a) The chief executive officer of any town, city or borough, unless other means are already provided, shall appoint an officer to administer the code for a term of four years and until his successor qualifies and quadrennially thereafter shall so appoint a successor. Such officer shall be known as the building official. Two or more communities may combine in the appointment of a building official for the purpose of enforcing the provisions of the code in the same manner. The chief executive officer of any town, city or borough, upon the death, disability, dismissal, retirement or revocation of licensure of the building official, may appoint a licensed building official as the acting building official for a single period not to exceed one hundred eighty days.

(b) Unless otherwise provided by ordinance, charter or special act, a local building official who fails to perform the duties of his office may be dismissed by the local appointing authority and another person shall be appointed in his place, provided, prior to such dismissal, such local building official shall be given an opportunity to be heard in his own defense at a public hearing in accordance with subsection (c) of this section.

(c) No local building official may be dismissed under subsection (b) of this section unless he has been given notice in writing of the specific grounds for such dismissal and an opportunity to be heard in his own defense, personally or by counsel, at a public hearing before the authority having the power of dismissal. Such public hearing shall be held not less than five or more than ten days after such notice. Any person so dismissed may appeal within thirty days following

such dismissal to the superior court for the judicial district in which such town, city or borough is located. Service shall be made as in civil process. The court shall review the record of such hearing and if it appears that testimony is necessary for an equitable disposition of the appeal, it may take evidence or appoint a referee or a committee to take such evidence as the court may direct and report the same to the court with his or its findings of fact, which report shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may affirm the action of such authority or may set the same aside if it finds that such authority acted illegally or abused its discretion.

(d) Each municipality shall become a member of the International Code Council and shall pay the membership fee.

§ 29-261. Qualifications of building official and assistant building officials. Powers and duties. Return of building plans and specifications

(a) The building official, to be eligible for appointment, shall have had at least five years' experience in construction, design or supervision and assistant building officials shall have had at least three years' experience in construction, design or supervision, or equivalent experience as determined by the Commissioner of Public Safety. They shall be generally informed on the quality and strength of building materials, on the accepted requirements of building construction, on the accepted requirements of design and construction relating to accessibility to and use of buildings by the physically disabled, on good practice in fire prevention, on the accepted requirements regarding light and ventilation, on the accepted requirements for safe exit facilities and on other items of equipment essential for the safety, comfort and convenience of occupants and shall be certified under the provisions of [section 29-262](#).

(b) The building official or assistant building official shall pass upon any question relative to the mode, manner of construction or materials to be used in the erection or alteration of buildings or structures, pursuant to applicable provisions of the State Building Code [\[FN1\]](#) and in accordance with rules and regulations adopted by the Department of Public Safety. They shall require compliance with the provisions of the State Building Code, of all rules lawfully adopted and promulgated thereunder and of laws relating to the construction, alteration, repair, removal, demolition and integral equipment and location, use, accessibility, occupancy and maintenance of buildings and structures, except as may be otherwise provided for.

(c) A building official may request proof of licensure from any person at a construction site for which a building permit was issued. If such official finds any person engaging in or practicing work in an occupation for which a license is required under chapters 393 and 393a, [\[FN2\]](#) without first having obtained an apprentice permit or a license for such work or occupation, the building official may issue a written order and personally deliver such order or send such order by certified mail to the person holding such building permit. Such order may require that any person working at such site without the required permit or license shall cease work at the site immediately. The unlicensed person may perform such work or occupation at the construction site upon submission of documentation satisfactory to the building official of compliance under said chapters 393 and 393a.

(d) The building official or his assistant shall have the right of entry to such buildings or structures, except single-family residences, for the proper performance of his duties between the hours of nine a.m. and five p.m., except that in the

case of an emergency he shall have the right of entry at any time, if such entry is necessary in the interest of public safety.

(e) Notwithstanding any provision of the Freedom of Information Act, as defined in [section 1-200](#), or the State Building Code, upon receipt of a written request signed by the owner of plans and specifications on file for a single-family dwelling or out-building, the building official shall immediately return the original plans and specifications to the owner after a certificate of occupancy is issued with respect to the plans and specifications.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] C.G.S.A. §§ 20-330 et seq., 20-314a et seq.

§ 29-262. Licensure of building officials. Continuing educational programs. Suspension or revocation of license or certificate. Hearing. Appeal. Indemnification

(a) The State Building Inspector and the Codes and Standards Committee acting jointly, with the approval of the Commissioner of Public Safety, shall require passage of a written examination and successful completion of a suitable educational program of training as proof of qualification pursuant to [section 29-261](#) to be eligible to be a building official. No person shall act as a building official for any municipality until the State Building Inspector, upon a determination of qualification, issues a license to such person except that a license shall not be required (1) in the case of a person certified prior to January 1, 1984, or (2) in the case of a provisional appointment, for a period not to exceed ninety days in order to complete such training program and licensure classes, made in accordance with standards established in regulations adopted by the State Building Inspector and the Codes and Standards Committee in accordance with the provisions of chapter 54. [FN1] The State Building Inspector and the Codes and Standards Committee, with the approval of the Commissioner of Public Safety, shall adopt regulations, in accordance with chapter 54, to (A) establish classes of licensure that will recognize the varying complexities of code enforcement in the municipalities within the state, and (B) require continuing educational programs for each such class that shall include basic requirements for each such program and a system of control and reporting. Any licensed or certified building official or inspector who wishes to retire his or her license or certificate may apply to the office of the State Building Inspector to have such license or certificate retired and be issued a certificate of emeritus. Such retired official or inspector may no longer hold himself or herself out as a licensed or certified official or inspector.

(b) The State Building Inspector shall prepare and conduct or approve continuing educational programs designed to train and assist building officials in carrying out the duties and responsibilities of their office. Such educational programs shall be in addition to the program specified under subsection (a) of this section and shall consist of not less than ninety hours of training over consecutive three-year periods. Each building official shall attend such training programs and present proof of successful completion to the State Building Inspector. The State Building Inspector may, after notice and opportunity for hearing, revoke any license issued under the provisions of subsection (a) of this section or any certificate issued prior to January 1, 1984, for failure on the part of any building official to present such proof.

(c) The fees for the educational programs of training required in subsections (a) and (b) of this section and the cost of

textbooks for such programs shall be paid from the education fee assessed pursuant to [section 29-263](#). Any person may participate in the educational programs specified under subsection (b) of this section at his own expense where space is available.

(d) The Codes and Standards Committee may suspend or revoke the license or certificate of any building official who fails to faithfully perform the duties of his office. No such building official may have his license or certificate suspended or revoked unless he has been given notice in writing of the specific grounds for such action and an opportunity to be heard in his own defense, personally or by counsel, at a hearing before the Codes and Standards Committee. Such hearing shall be held in accordance with the provisions of chapter 54. Any such building official may appeal such suspension or revocation to the superior court in accordance with the provisions of [section 4-183](#). Said court shall review the record of such hearing and, if it appears upon the hearing on the appeal that testimony is necessary for an equitable disposition of the appeal, it may take evidence or appoint a referee or a committee to take such evidence as it may direct and report the same to the court with his or its findings of fact, which report shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may affirm the action of the Codes and Standards Committee or may set the same aside if it finds that such committee acted illegally or in the abuse of its discretion.

(e) For purposes of indemnification of any building official against any losses, damages or liabilities arising out of the performance of his official duties, the building official shall be deemed to be acting for the municipality in which he was appointed.

[FN1] C.G.S.A. § 4-166 et seq.

§ 29-262a. Uniform building permit application form

The Commissioner of Public Safety shall establish a uniform building permit application form.

§ 29-263. Permit to construct or alter. Education fee

(a) Except as provided in subsection (h) of [section 29-252a](#) and the State Building Code [FN1] 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, [FN2] 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, [FN3] a professional engineer licensed pursuant to chapter 391 [FN4] or

an interior designer registered pursuant to chapter 396a [FN5] 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. [FN6] Such plans 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](#) 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](#). 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 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](#).

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] C.G.S.A. § 20-418 et seq.

[FN3] C.G.S.A. § 20-288 et seq.

[FN4] C.G.S.A. § 20-299 et seq.

[FN5] C.G.S.A. § 20-377k et seq.

[FN6] Regs. Conn. State Agencies, § 29-292-1e et seq.

§ 29-263a. Working drawings to be accompanied by evidence of licensure by the state

In the event that working drawings are used for the installation, alteration or modification of a fire sprinkler system, no state, city, town or borough building official responsible for the enforcement of laws, ordinances or regulations relating to the construction or alteration of buildings or structures, pursuant to [section 29-263](#), shall accept or approve any such drawings or specifications which are not accompanied by evidence of licensure by the state as an automatic fire sprinkler system layout technician licensed pursuant to [section 20-304a](#) or are not accompanied by evidence of licensure by the state as a professional engineer in accordance with chapter 391. [FN1]

[FN1] C.G.S.A. § 20-299 et seq.

§ 29-264. Approval of sets of building plans by state building inspector. Issuance of permits pursuant to such approval

The state building inspector may, upon application by a builder setting forth that a set of plans and specifications will be utilized in more than one municipality to acquire building permits, review and approve any set of plans and specifications for the construction or erection of any building or structure designed to provide dwelling space for not more than two families if such set of plans and specifications meet the requirements of the State Building Code. [FN1] Any building official shall issue a building permit upon application by a builder and presentation to him of such a set of plans and specifications bearing the approval of the state building inspector if all other local ordinances are complied with.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-265. Certificate of occupancy

(a) Except as provided in subsection (h) of [section 29-252a](#), no building or structure erected or altered in any municipality after October 1, 1970, shall be occupied or used, in whole or in part, until a certificate of occupancy, as defined in the regulations adopted under [section 29-252](#), has been issued by the building official, certifying that such building, structure or work performed pursuant to the building permit substantially conforms to the provisions of the State Building Code [FN1] and the regulations lawfully adopted under said code. Nothing in the code or in this part shall require the removal, alteration or abandonment of, or prevent the continuance of the use and occupancy of, any single-family dwelling but within six years of the date of occupancy of such dwelling after substantial completion of construction of, alteration to or addition to such dwelling, or of a building lawfully existing on October 1, 1945, except as may be necessary for the safety of life or property. The use of a building or premises shall not be deemed to have changed because of a temporary vacancy or change of ownership or tenancy.

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

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-265a. Permits for swimming pools

(a) As used in this section, “pool alarm” means a device which emits a sound of at least fifty decibels when a person or an object weighing fifteen pounds or more enters the water in a swimming pool.

(b) 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.

§ 29-265b. Rain sensor devices for automatic lawn sprinkler systems

(a) Any state agency or commercial enterprise that begins installation of an automatic lawn sprinkler system on or after October 1, 2003, shall equip such sprinkler system with a rain sensor device or switch that will automatically override the irrigation cycle of such sprinkler system when adequate rainfall has occurred.

(b) A municipality may, by ordinance adopted by its legislative body, require that any automatic lawn sprinkler system, the installation of which begins on or after October 1, 2003, shall be equipped with a rain sensor device or switch that will automatically override the irrigation cycle of such sprinkler system when adequate rainfall has occurred.

§ 29-266. Municipal board of appeals. Filing of appeals in absence of board of appeals

(a) A board of appeals shall be appointed by each municipality. Such board shall consist of five members, all of whom shall meet the qualifications set forth in the State Building Code. [FN1] A member of a board of appeals of one municipality may also be a member of the board of appeals of another municipality.

(b) When the building official rejects or refuses to approve the mode or manner of construction proposed to be followed or the materials to be used in the erection or alteration of a building or structure, or when it is claimed that the provisions of the code do not apply or that an equally good or more desirable form of construction can be employed in a specific case, or when it is claimed that the true intent and meaning of the code and regulations have been misconstrued or wrongly interpreted, or when the building official issues a written order under subsection (c) of [section 29-261](#), the owner of such building or structure, whether already erected or to be erected, or his authorized agent may appeal in writing from the decision of the building official to the board of appeals. When a person other than such owner claims to be aggrieved by any decision of the building official, such person or his authorized agent may appeal, in writing, from the decision of the building official to the board of appeals, and before determining the merits of such appeal the board of appeals shall first determine whether such person has a right to appeal. Upon receipt of an appeal from an owner or his representative or approval of an appeal by a person other than the owner, the chairman of the board of appeals shall appoint a panel of not less than three members of such board to hear such appeal. Such appeal shall be heard in the municipality for which the building official serves within five days, exclusive of Saturdays, Sundays and legal holidays, after the date of receipt of such appeal. Such panel shall render a decision upon the appeal and file the same with the building official from whom such appeal has been taken not later than five days, exclusive of Saturdays, Sundays and legal holidays, following the day of the hearing thereon. A copy of such decision shall be mailed, prior to such filing, to the party taking such appeal. Any person aggrieved by the decision of a panel may appeal to the Codes and Standards Committee within fourteen days after the filing of the decision with the building official. Any determination made by the local panel shall be subject to review de novo by said committee.

(c) If, at the time that a building official makes a decision under subsection (b) of this section, there is no board of ap-

peals for the municipality in which the building official serves, a person who claims to be aggrieved by such decision may submit an appeal, in writing, to the chief executive officer of such municipality. If, within five days, exclusive of Saturdays, Sundays and legal holidays, after the date of receipt of such appeal by such officer, the municipality fails to appoint a board of appeals from among either its own residents or residents of other municipalities, such officer shall file a notice of such failure with the building official from whom the appeal has been taken and, prior to such filing, mail a copy of the notice to the person taking the appeal. Such person may appeal the decision of the building official to the Codes and Standards Committee within fourteen days after the filing of such notice with the building official. If the municipality succeeds in appointing a board of appeals, the chief executive officer of the municipality shall immediately transmit the written appeal to such board, which shall review the appeal in accordance with the provisions of subsection (b) of this section.

(d) Any person aggrieved by any ruling of the Codes and Standards Committee may appeal to the superior court for the judicial district where such building or structure has been or is being erected.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-267. Tenement House Act provision re room size inapplicable to construction pursuant to building code

Section 19a-358 shall not apply to any building or structure erected or altered pursuant to the State Building Code.
[FN1]

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-268. Repealed. (1988, P.A. 88-356, § 5.)

§ 29-269. Standards for construction of buildings to accommodate physically handicapped persons

(a) The state building inspector and the Codes and Standards Committee shall revise the State Building Code [FN1] to be in substantial compliance with the provisions of the Americans With Disabilities Act of 1990, as amended, 42 USC 12101 [FN2] and the Fair Housing Amendments Act of 1988, as amended, 42 USC 3600. [FN3] The provisions of this subsection and the State Building Code as from time to time revised pursuant to this section shall control the design, construction and arrangement of all buildings and building elements, constructed under permits issued on or after October 1, 1975, and all buildings or building elements constructed or substantially renovated by the state, any municipality or any other political subdivision of the state, the architectural design of which was commenced on or after October 1, 1977, except buildings which have been approved by the Department of Housing and Urban Development as being in conformance with federal standards for housing for the elderly and physically handicapped and for which a permit was issued prior to June 9, 1976, to ensure accessibility thereto and use by the physically handicapped.

(b) Any variation of or exemption from any provision of (1) the State Building Code relating to accessibility to, and use of, buildings and structures by persons with disabilities, (2) subsection (g) of [section 14-253a](#), (3) [section 29-273](#),

or (4) [section 29-274](#), shall be permitted only when approved by the State Building Inspector and the director of the Office of Protection and Advocacy for Persons with Disabilities acting jointly. Any person, agent of the state, municipality or any other political subdivision of the state may apply to the State Building Inspector to vary or set aside standards incorporated in the State Building Code pursuant to the provisions of subsection (a) of this section. The State Building Inspector, within seven days of receipt of any such application, shall forward a copy of such application to said director, who shall, within thirty days of receipt, review the application, and acting jointly with the State Building Inspector, render a decision to accept or reject the application in whole or in part. The State Building Inspector and said director may approve a variation of or exemption from any such standard or specification when they jointly determine that it would not be feasible or would unreasonably complicate the construction, alteration or repair in question. Such determination shall be in writing, shall state the reasons therefor and if it sets aside any such standard or specification, a copy of such determination shall be sent to said director. Any person aggrieved by any such decision may appeal to the Codes and Standards Committee within thirty days after such decision has been rendered.

(c) Regulations or codes made or amended by authority of this section shall, after a public hearing called for that purpose by the state building inspector not less than thirty days before the date of such hearing, be filed by the state building inspector with the Secretary of the State in accordance with the provisions of chapter 54 [\[FN4\]](#) and he shall thereafter make copies available to persons having an interest therein.

(d) If any regulation is set aside by a court of competent jurisdiction, such ruling shall affect only the regulation, standard or specification included in the ruling and all other regulations, standards or specifications shall remain in effect.

[\[FN1\]](#) Regs. Conn. State Agencies, § 29-252-1d.

[\[FN2\]](#) 42 U.S.C.A. § 12101 et seq.

[\[FN3\]](#) 42 U.S.C.A. § 3601 et seq.

[\[FN4\]](#) C.G.S.A. § 4-166 et seq.

§ 29-269a. Report on proposed revisions to State Building Code re accessibility for disabled persons

The state building inspector shall submit a report to (1) the joint standing committee of the general assembly having cognizance of matters relating to the Department of Public Safety, and (2) the director of the Office of Protection and Advocacy for Persons with Disabilities, not later than December 1, 1990, and thereafter within two months from the date of any public hearing upon proposed revisions to the State Building Code [\[FN1\]](#) with respect to accessibility for persons with disabilities, which report shall include any proposed revisions to the State Building Code relating to accessibility, a summary of comments relating thereto and the decisions of the Codes and Standards Committee thereon.

[\[FN1\]](#) Regs. Conn. State Agencies, § 29-252-1d.

§ 29-270. Repealed. (1988, P.A. 88-356, § 5.)

§ 29-270a. Automatic doors for the physically disabled in certain shopping malls or retail businesses

The owner of any enclosed shopping mall or retail business with more than fifty thousand square feet of floor space, shall install, in at least one of the primary entrances, doors that are automatically activated to provide access to persons with physical disabilities, provided the State Building Inspector may, with the concurrence of the director of the Office of Protection and Advocacy for Persons with Disabilities, grant an exemption from such requirement where strict compliance would entail practical difficulty or unnecessary hardship. Nothing in this section shall require the installation of an automatically activated door in a primary entrance which is open and unobstructed by any door during the hours the retail business is open to the public.

§ 29-271. Design of units and facilities in state-assisted housing for the physically disabled

Any state-assisted rental housing or rental housing project constructed or substantially rehabilitated under a building permit application filed on or after January 1, 1976, and prior to October 1, 2004, that contains ten or more housing units shall have at least ten per cent of the units and all common use areas and facilities designed to promote safe and accessible means of entrance and egress and ease of access and use of facilities for the physically disabled, as defined in subsection (b) of [section 1-1f](#), unless a waiver of such requirement is obtained from the Commissioner of Economic and Community Development as provided in this section. Any state-assisted rental housing or rental housing project constructed or substantially rehabilitated under a building permit application filed on or after October 1, 2004, that contains four or more dwelling units shall have the dwelling units and all common use areas and facilities designed in accordance with the State Building Code [\[FN1\]](#) to promote the safe and accessible use of facilities for the physically disabled, as defined in subsection (b) of [section 1-1f](#), unless such waiver is obtained. Said commissioner may, with the concurrence of the director of the Office of Protection and Advocacy for Persons with Disabilities and the State Building Inspector, waive the requirement for such units for any state-financed rental housing project awarded state assistance under [sections 8-214a](#) and [8-216b](#), provided all requirements concerning the provision of housing units accessible to the physically disabled promulgated by the United States Department of Housing and Urban Development have been met. Physically disabled persons and families shall receive priority in placement in no less than ten per cent of the housing units constructed or substantially rehabilitated after January 1, 1976.

[\[FN1\]](#) Regs. Conn. State Agencies, § 29-252-1d.

§ 29-272. Definitions

As used in this part:

(a) "Complex" means any group of buildings located on a single parcel of land or on contiguous parcels of land or any building or group of buildings which are subdivided into separate occupancies and planned, financed, constructed or promoted by common management for the purpose of sale or lease of the entire complex or any subdivision thereof, except any single-family detached dwelling;

(b) “Street floor” means the floor nearest the level of exit discharge; and

(c) “Story” means that part of a building comprised between a floor and the floor or roof next above.

§ 29-273. Accessibility or adaptability requirements for residential buildings and complexes

Each residential building or complex constructed, substantially renovated or established by change of use under a building permit application filed on or after October 1, 2004, shall provide accessible or adaptable dwelling units for persons with disabilities as required by the State Building Code. [FN1]

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-274. Exemptions from State Building Code standards

(a) The provisions of [section 29-269](#) shall not apply to detached one and two-family dwellings.

(b) The provisions of [section 29-269](#) shall not apply to the renovations, additions or alterations to existing buildings above the street floor being converted to use group B, “Business Buildings”, as defined in the State Building Code, [FN1] provided: (1) Each story above the street floor contains less than three thousand square feet of total gross area per floor; (2) the street floor is renovated or altered to comply with the provisions of [section 29-269](#); and (3) the nonaccessible story above the street floor does not include the offices of health care providers, municipal or state agencies or passenger transportation facilities or offices located in airport terminals.

(c) Any building consisting of three stories or less, not otherwise exempted from the provisions of [section 29-269](#) shall be exempt from said section if (1) each story above or below the street floor contains less than three thousand square feet of total gross area, (2) the street floor is designed, renovated or altered to comply with the provisions of [section 29-269](#), and if applicable, [section 29-273](#), and (3) the nonaccessible story above or below the street floor does not include the offices of health care providers, municipal or state agencies or passenger transportation facilities or offices located in airport terminals or mercantile facilities having five or more tenant spaces.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-275. Repealed. (1988, P.A. 88-356, § 5.)

§ 29-275a. Prohibition concerning obstructions which prevent entry or exit by handicapped persons

No fixed mounted poles or other obstructions which prevent the removal of shopping carts shall be used either inside or outside of any building constructed prior to 1988 unless there is at least one opening that is a minimum of thirty-six

inches wide at the main entrance to such building which permits easy access and egress by handicapped persons in wheelchairs. No such poles or other obstructions shall be used in a manner which prevents the use of curb cuts by such handicapped persons.

§ 29-276. Repealed. (1988, P.A. 88-356, § 5.)

§ 29-276a. Moratorium on “lift-slab” construction. Regulations

(a) No person may use or cause to be used the “lift-slab” method in any construction project until the regulations adopted pursuant to subsection (b) of this section are effective.

(b) The state building inspector and the Codes and Standards Committee shall adopt regulations in accordance with the provisions of chapter 54 [FN1] specifying stringent safety requirements relative to the use of the “lift-slab” method of construction.

[FN1] C.G.S.A. § 4-166 et seq.

§ 29-276b. “Threshold limit” defined. Requirements when structure or addition will exceed threshold limit. Standards for facilities which perform testing of construction materials

(a) For the purposes of this section, the term “threshold limit” shall apply to any structure or addition thereto (1) having four stories, (2) sixty feet in height, (3) with a clear span of one hundred fifty feet in width, (4) containing one hundred fifty thousand square feet of total gross floor area, or (5) with an occupancy of one thousand persons.

(b) The following use groups shall have the following additional threshold limits:

| Use Group | Threshold Limit |
|-----------------------------------|---|
| I-Institutional | |
| I-1 Residential care | 150 beds or persons |
| I-2 Incapacitated care | |
| I-3 Restrained, jails and asylums | |
| R-Residential | |
| R-1 Residential--hotel/motel | Single structure with 200 rooms |
| R-2 Residential--multifamily | Single structure with 100 dwelling units |
| S-Storage | Parking structures |

| | |
|---------------------|---------------------|
| | with 1,000 cars |
| S-1 Moderate hazard | 250,000 square feet |
| S-2 Low hazard | 250,000 square feet |

(c) If a proposed structure or addition will exceed the threshold limit as provided in this section, the building official of the municipality in which the structure or addition will be located shall require that an independent structural engineering consultant review the structural plans and specifications of the structure or addition to be constructed to determine their compliance with the requirements of the State Building Code [FN1] to the extent necessary to assure the stability and integrity of the primary structural support systems of such structure or addition. Any modifications of approved structural plans or design specifications shall require shop drawings to the extent necessary to determine compliance with the requirements of the State Building Code and shall be reviewed by such consultant. Any fees relative to such review requirements shall be paid by the owner of the proposed building project. The building official may prequalify independent structural engineering consultants to perform the reviews required under this subsection. In the case of such a project, each general contractor and major subcontractor shall keep and maintain a daily construction log in a manner prescribed by the State Building Inspector. The building official shall, upon request, have access at all reasonable times to such log. If a structure or addition exceeds the threshold limit, the architect of record, professional engineer of record responsible for the design of the structure or addition and general contractor involved in such project shall sign a statement of professional opinion affirming that the completed construction is in substantial compliance with the approved plans and design specifications. If fabricated structural load-bearing members and assemblies are used in such construction, the professional engineer licensed in accordance with chapter 391 [FN2] responsible for the design of such members or assemblies shall sign a statement of professional opinion affirming that the completed fabrication is in substantial compliance with the approved design specifications.

(d) The building official of the municipality in which the structure or addition will be located shall satisfy himself that each architect, professional engineer, general contractor and major subcontractor involved in the project holds a license to engage in the work or occupation for which the appropriate building permit has been issued. If fabricated structural load-bearing members or assemblies will be used in such construction, the building official shall satisfy himself that each professional engineer responsible for the design of such members or assemblies holds a license issued in accordance with the provisions of chapter 391.

(e) (1) On and after January 1, 1990, any person, firm or corporation which performs testing of construction materials or structures, except any person, firm or corporation licensed under the provisions of chapter 391, may be designated by the building official or engineering consultant to perform such testing only if its facility has received and maintains accreditation by the national voluntary laboratory accreditation program of the National Institute of Standards and Technology. Each such person, firm or corporation shall have a professional engineer licensed in accordance with the provisions of chapter 391 certify tests and reports as required.

(2) Not later than July 1, 1991, the Commissioner of Consumer Protection, in consultation with the Board of Examiners for Professional Engineers and Land Surveyors, shall adopt regulations in accordance with the provisions of chapter 54 [FN3] establishing standards for the testing of construction materials and structures by any person, firm or corporation licensed under the provisions of chapter 391, criteria for its facility, including reinspection of such facility, and qualifications for persons performing such testing, which shall conform at a minimum to such standards, criteria

and qualifications as required by the national voluntary laboratory accreditation program. On and after July 1, 1991, any person, firm or corporation licensed under the provisions of chapter 391 which performs testing of construction materials or structures may be designated by the building official or engineering consultant to perform such testing only if its facility meets the criteria established in regulations adopted under this subdivision. A professional engineer licensed in accordance with the provisions of chapter 391 shall certify tests and reports as required.

[FN1] Regs. Conn. State Agencies, § 29-252-1d.

[FN2] C.G.S.A. § 20-299 et seq.

[FN3] C.G.S.A. § 4-166 et seq.

§ 29-276c. Architect or engineer to seal plans and specifications, review implementation of design of certain buildings and issue statement of professional opinion re completed structure. Use groups

(a) Notwithstanding the provisions of chapter 390, [FN1] if a proposed structure or addition is classified in any use group specified in subdivisions (1) to (3), inclusive, of subsection (b) of this section, the plans and specifications for such structure or addition shall be sealed by the licensed architect of record or professional engineer of record responsible for the design of the structure or addition. Such architect or engineer of record shall be retained and be responsible for the review of the implementation of the design of such structure or addition including the review of shop drawings and the observation of construction. In the event such architect or engineer of record is unable to fulfill such review responsibilities, an additional architect or engineer shall be retained and the local building official shall be informed, in writing, of such retainer. If fabricated structural load-bearing members or assemblies are used in such construction, the licensed professional engineer responsible for the design of such members or assemblies shall be responsible for the implementation of said engineer's design by reviewing the fabrication process to ensure conformance with said engineer's design specifications and parameters.

(b) Prior to the issuance of a certificate of occupancy for a proposed structure or addition classified in any use group specified in subdivisions (1) to (3), inclusive, of this subsection, the local building official shall require a statement signed by the architect of record or the professional engineer of record responsible for the design of the structure or addition or the additional architect or professional engineer retained pursuant to subsection (a) of this section, and by the general contractor involved in the construction of such structure or addition affirming their professional opinion that the completed structure or addition is in substantial compliance with the approved plans and specifications on file with such building official. The use groups referred to in this section, as defined in the State Building Code, [FN2] shall include: (1) Assembly, educational, institutional, high hazard, transient residential, which includes hotels, motels, rooming or boarding houses, dormitories or similar buildings, other than residential buildings designed to be occupied by one or more families, without limitation as to size or number of stories, (2) business, factory and industrial, mercantile, moderate and low hazard storage, having three stories or more or exceeding thirty thousand square feet total gross area, and (3) nontransient residential dwellings having more than sixteen units or twenty-four thousand square feet total gross area per building.

[FN1] C.G.S.A. § 20-288 et seq.

[FN2] Regs. Conn. State Agencies, § 29-252-1d.

§ 29-277. Urea-formaldehyde insulation: Definition; prohibition concerning use; penalty

(a) Urea-formaldehyde (UF) foamed in place insulation, also referred to as formaldehyde-based insulation, means any cellular plastic thermal material which contains as a component chemical formaldehyde, formaldehyde polymers, formaldehyde derivatives and any other chemical from which formaldehyde can be released, but does not mean urethane foam insulation or styrene foam insulation.

(b) Urea-formaldehyde foamed in place insulation shall not be installed in any building or structure on or after June 1, 1981.

(c) Any person who violates any provision of this section shall be fined not more than five hundred dollars for the first offense and for each subsequent offense shall be fined not more than one thousand dollars.

§§ 29-278 to 29-281. Repealed. (1988, P.A. 88-356, § 5.)

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§ 29-282. Applicability of sections

This part shall not apply to structures, other than buildings, of public service companies subject to regulation by the Department of Public Utility Control.

§§ 29-283 to 29-290. Reserved for future use

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