

**STATE CODES AND STANDARDS COMMITTEE  
MINUTES**

**May 11, 2016**

1. The Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in conference room 121 at 165 Capitol Avenue, Hartford, Connecticut.

2. **In Attendance:**
  - Carlton Smith, Chair
  - John Butkus
  - Paul Costello
  - Thomas DiBlasi
  - Donald Doeg
  - Louis Free
  - Donald Harwood
  - Mark Mastropasqua
  - David McKinley
  - Henry Miga
  - Michael Musco
  - Glenn Neilson
  - Eric Shutt
  - Fred Wajcs, Jr.
  - William Zoeller

- Also Present:**
- Joseph Cassidy, DAS
  - Bill Abbott, OSFM
  - Jenna Padula, DAS Legal
  - Bruce Spiewak, AIA CT
  - Diane Harp Jones, AIA CT
  - Timothy Baldwin, D.D.S.
  - Joseph Kingston, OSFM

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the April 13, 2016 meeting. All in favor. None opposed. Motion carried.

**4. COMMUNICATIONS**

- a.* **A-6-16 Request for Appeal dated 4/22/16 from 89 Prospect Street, LLC c/o John Forrest re Deputy Fire Marshal's decision re: 26.3.5.1 re: 44-46**

**Connecticut Boulevard, East Hartford, CT. No panel was set. Refer to Office of State Fire Marshal for review.**

**5. SUBCOMMITTEE REPORTS**

**a. Codes Amendment Subcommittee: (Free)**

This subcommittee will meet today directly following this meeting. Next meeting is set for **June 8, 2016**.

**b. Ethics/Procedural Regulations Subcommittee: (Harwood)**

There was no report.

**6. OLD BUSINESS**

**Correspondence from David Bebrin, Eversource re energy codes.** This will be addressed at the May 11, 2016 Codes Amendment Subcommittee meeting.

**7. NEW BUSINESS:**

**a. Staff reports (Cassidy)** Will include with report on bills. **(Abbott)** Nothing to report.

**b. Fire Prevention Code Advisory Committee (Harwood)**

There was no report.

**c. Joint Building Code Training Council (Musco)/ Fire Marshal Training Council (Harwood)/ (aka Joint BCTC/FMTC)**

The meeting was cancelled and will be rescheduled.

**d. Report on Bills (Cassidy)**

The legislature is in overtime. Discussions were held on the following proposed bills:

**1. H.B. No. 5050 An Act Modernizing the Symbol of Access for Persons with Disabilities.** –Passed; Connecticut now has a new handicapped symbol. Will affect new construction or as signage is replaced.

**2. H.B. No. 5180 An Act Concerning Concrete Foundations and Septic Tanks**  
To require documentation of the name of the individual or entity that poured a concrete foundation at a new residential or commercial building and the date upon which the foundation was poured prior to the issuance of a certificate of occupancy. Contractor to supply information to local building official for CO.

DCP is working on a program to assist homeowners. Passed, DCP is responsible for upcoming investigation.

**3. H.B. No. 5272 An Act Concerning Carbon Monoxide Detection and Warning Equipment in Businesses and Residential Buildings.**

To promote the safety of workers and customers by ensuring that businesses are equipped with carbon monoxide detection and warning equipment. Died in Committee.

**4. H.B. No. 5309 An Act Concerning Facilitation of the Municipal Residential Solar Application Process.**

To require the Green Bank to approve a standardized solar photovoltaic system permit application form for use by municipalities. OSBI will write two advisories for LBOs – 1) accepting electronic permit applications; 2) guidelines for basic residential systems – cost – structural issues. Died in Senate, but we're still working with the PV industry.

**5. H.B. No. 5482 An Act Concerning Building Permits.**

To eliminate the need to obtain a "six-year letter" stating that a building permit is more than six years old once the building permit has been open for nine years. Passed House with amendment. Died in Senate.

**6. H.B. No. 5545 An Act Concerning the Applicability of Certain Provisions of the State Building Code to Fairs and Festivals.**

To exempt fairs, festivals and similar gatherings, authorized by a municipality, from complying with certain provisions of the State Building Code. Died in the House. Did give a mod for their festival. We are going to put an exception in the supplement regarding putting small tents under the power line requiring them to use a spotter, so we don't have to give them a mod every year.

**7. H.B. No. 5549 An Act Concerning the Codes and Standards Committee.**

To increase the number of local fire marshals on the Codes and Standards Committee from two to four. Died in House.

**8. S.B. No. 120 An Act Concerning the Authority of Deputy Fire Marshals and Fire Inspectors.**

To create the authority of deputy fire marshals and fire inspectors to issue citations. Revised with language that works – allows LFA to delegate citation authority. Passed.

**9. S.B. No. 121 An Act Repealing Certain Statutes Related to Moving Pictures.**

To repeal certain obsolete statutes related to moving pictures. Deleting old statutes. Senate passed 4/13/16.

- 10. S.B. No. 334 An Act Concerning Revisions to Certain Energy Purchasing Pool and Life-Cycle Cost Analyses Statutes.** To (1) allow an electric distribution company to recover costs associated with the shared clean energy facilities pilot program, (2) make changes regarding contracting in connection with the purchasing pool for electricity; (3) make changes to the requirements for energy performance standards and life-cycle cost analyses, (4) remove the federal weatherization program from the purview of the Department of Social Services, and (5) make other conforming and technical changes. Passed.
- 11. S.B. No. 388 An Act Concerning the Department of Administrative Services' Recommendations Regarding the Adoption of the State Building and Fire Codes.** To remove the State Building Code, the State Fire Prevention Code and the Fire Safety Code from the regulation-making proceedings set forth in Chapter 54 of the general statutes. Passed.
- 12. S.B. No. 330 An Act Concerning Demolition Permits.** To prohibit individuals seeking demolition permits from taking action toward demolition in the event that a waiting period has been imposed by the municipality, unless the building official has determined that a danger to public health will result. Passed.
- 13. S.B. No. 86 An Act Concerning the Fire Safety Code and One, Two and Three-Family Dwellings.** To exempt three-family dwellings from Fire Safety Code regulations and provide for variation or exemption where impairment or destruction of a historic landmark being used as a private dwelling and occupied by one, two or three families would result from compliance with said code. Died in Committee.

Henry Miga questioned the recent Governor's Executive Order regarding resiliency. Joe Cassidy responded that the next code cycle will address the items listed in the order.

Joe Cassidy described the new procedures for adopting the building and fire codes, which are no longer considered to be state regulations. Although there is a legislative review component to the process—the review will not consider formatting.

1. Codes and Standards and the State Building Inspector or the State Fire Marshal, as the case may be, draft the Connecticut Building or Fire Code (with a fiscal note and a regulatory flexibility analysis).
2. Provide public notice of new document and 45-day comment period, during which, the Code Amendment Subcommittee will hold a public hearing.
3. The Code Amendment Subcommittee and the State Building Inspector or the State Fire Marshal, as the case may be, provide a response to every comment received.

4. Submit the Building or Fire Code (with the fiscal note and a regulatory flexibility analysis) to the Public Safety Committee and the Regulations Review Committee. The Regulations Review Committee has 45 days to either—meet and approve, meet and disapprove, meet and reject without prejudice or provide written notice to DAS that they won't meet. If the 45-day period expires with no action, the document is deemed approved.
5. If the committee rejects without prejudice, the Codes and Standards and the State Building Inspector or the State Fire Marshal, as the case may be, have 30 days to address the committee's concerns and resubmit the document with a summary of any revisions made. The committee has another 45 days to choose to meet and act or not meet.
6. Once approved or deemed approved, document is made available to the public and can be effective as of that date.

The August meeting order may flip with the subcommittee meeting before the full committee. Under this new procedure, with the in-house legal review being complete in early June, the codes should be in effect by mid-September.

e. **Invitations: (Smith)**

1. An invitation will be mailed today to Dominic Sims, CEO, and Alex Olszowy III, President, International Code Council, to speak at the August 10, 2016 C&S meeting.
2. All are invited to the Connecticut Building Officials' Association picnic to be held on August 10, 2016 at the Farmington Club, Farmington, CT. C&S will send an RSVP with the number who will attend to CBOA. The Codes Amendment Subcommittee Meeting will be held earlier in the day on 8/10/16.

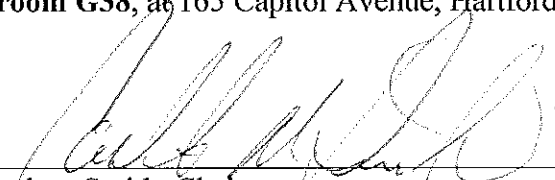
**8. APPEAL HEARINGS**

- a. **A-8-15. Request for appeal from Robert Weber, Jr., Esq., re Rocky Hill Building Official's decision re 374 New Britain Avenue, Rocky Hill, CT.** Panel consists of Glenn Neilson, Panel Chair; William Zoeller and John Butkus. Robert Hanbury will be the alternate. Hearing set for 2/10/16 was not held; on 12/15/15 appellant requested postponement. On 1/6/16 correspondence received from Rocky Hill Building Official. **Hearing was rescheduled to Wednesday, March 9, 2016, at 11:00 a.m. in room G38. On 1/13/16 deferred to Legal Counsel to draft response to appellant's postponement request. On 2/18/16 correspondence received from Jonathan Chappell, Esq., attorney representing the Town of Rocky Hill. On 2/25/16 additional information received from J. P. Langlois, appellee. Hearing was held on 3/9/16. Decision will be sent out within 90 days [by June 9, 2016.] Hold on Agenda.**

- b. **A-2-16. Request for appeal from William Connole re Deputy State Building Inspector's decision re M-41-16 re 10 Trout Brook Terrace, West Hartford, CT.** Panel consists of Robert Hanbury, Panel Chair; John Butkus and Don Doeg. Fred Wajcs, Jr. will be the alternate. **Hearing was set for 3/2/16. On 3/2/16 appellant did not appear so appeal was dismissed for lack of prosecution. Decision was sent out on 5/10/16. This item will be removed from the June agenda.**
- c. **A-3-16. Request for appeal from John Laudati, Esq., re Manchester Fire Marshal's decision re 49-51 Flower Street, Manchester, CT.** No panel was set. **On 3/10/16, referred to Office of State Fire Marshal (OFSM) for review. The building has since been turned into a two family. Awaiting letter of withdrawal. Status letter will be sent to applicant.**
- d. **A-4-16. Request for appeal from Bruce Spiewak re Deputy State Bldg. Inspector and OPA's decision re W-47-15 re DeLaMar Hotel, Memorial and Raymond Road, West Hartford, CT.** Panel consisted of Henry Miga, Panel Chair; David McKinley and Fred Wajcs, Jr. **Hearing was held on May 11, 2016. Decision will be sent out within 90 days [by August 11, 2016.] Hold on agenda.**
- e. **A-5-16. Request for appeal from Mark Miller re Deputy State Bldg. Inspector's decision re M-119-16 re Stamford Hospital, 30 Shelburne Road, Stamford, CT.** Panel consisted of Paul Costello, Panel Chair; Fred Wajcs, Jr. and Carlton Smith. **Hearing was held on May 11, 2016. Decision will be sent out within 90 days [by August 11, 2016.] Hold on agenda.**

**9. GOOD OF THE ORDER**

The next Codes and Standards Committee meeting is set for **June 8, 2016** and will be held in conference room **G38**, at 165 Capitol Avenue, Hartford, Connecticut.



Carlton Smith, Chair