

STATE BUILDING CODE INTERPRETATION NO. I-9-06

May 3, 2006

The following is offered in response to your April 12, 2006 letter to me in which you seek a formal interpretation of the provisions of Section 105 of the 2003 International Building Code (IBC) and Section 106 of the 2003 International Plumbing Code (IPC) portions of the 2005 State Building Code with respect to who may apply for and be issued a building permit. The 2003 IBC also provides administrative requirements for the 2005 National Electrical Code. The scenario you describe is: an officer of a club applies for permits to perform electrical and plumbing work associated with a renovation within the club. The officer does not possess either an electrical or a plumbing contractor's license.

Question 1: May the officer of the club properly apply for and obtain the building permit for electrical and plumbing work even though he is not a licensed electrical or plumbing contractor?

Answer 1: Yes. Section 105.3.3 of the IBC and Section 106.4 of the IPC both require that application for a permit be made by the owner or by an authorized agent. An officer of the corporation that owns the club is, in the eyes of the code, the owner and may apply for any permit for any type of work on any type of building even though he may not be legally authorized to actually perform the work. A permit is a license to perform the work *or to cause such work to be done*.

Question 2: Must the officer of the club produce the license numbers of the individuals who will actually perform the work prior to obtaining the permit?

Answer 2: No. Nothing in code or statute requires an owner or agent, as permit applicant, to supply the identities or license numbers of the persons they intend to hire to perform the work itself.

Question 3: May the officer of the club perform the electrical and/or plumbing work once the permit is obtained?

Answer 3: No. The work in question must be performed by persons properly licensed by the Department of Consumer Protection.

Note: While the questions posed did not specifically reference the 2003 International Residential Code, the 2003 International Mechanical Code or the 2003 International Existing Building Code, the responses provided are applicable to all portions of the 2005 State Building Code as well as to the 1999 State Building Code.