STATE BUILDING CODE INTERPRETATION NO. I-14-01

April 6, 2001

The following is offered in response to your letter to me dated March 26, 2001 in which you seek formal interpretations of the provisions of sections 114.1 and 114.1.1 of the BOCA National Building Code/1996 portion of the 1999 State Building Code.

Comment: Since your questions all involve the exemption of buildings under 5000 square feet in area, I have confined my responses to the need for preparation of construction documents by an architect registered to practice in the State of Connecticut. Professional licensing laws for other design professionals, found in the Connecticut General Statutes, do not refer to any exemption for buildings under 5000 square feet.

Question 1a: Do new buildings less than 5000 square feet in area require the seal of an architect?

Answer 1a: With respect to new buildings under 5000 square feet, two different statutes apply. Section 20-298, which lists those items exempt from the requirement for an architect's seal, gives a blanket exemption for new buildings under 5000 square feet in area (as determined by the exterior dimensions of the exterior walls of the building, and including all occupiable floors or levels) at item 8. However, the 1999 State Building Code, at section 114.1.1, which is written pursuant to another statute, section 29-276c, provides for circumstances under which architectural drawings for buildings of less than 5000 square feet in area must be sealed by a licensed architect. In accordance with 114.1.1, new buildings or additions to existing buildings of Use Groups A, E, I, H, or R-1, regardless of size, require the seal of a licensed architect. For other than those Use Groups, the 5000 square foot exemption found at section 20-298 would apply.

Question 1b: Do buildings of less than 5000 square feet in area that are undergoing a change of use require the seal of a licensed architect?

Answer 1b: No. Neither section 114.1 nor section 114.1.1 requires the seal of a licensed architect on construction documents for a change of use in buildings less than 5000 square feet in area.

Question 2: Does section 114.1 of the 1999 State Building Code exempt building permit applicants submitting construction documents for new buildings of less than 5000 square feet in area from the requirements for the seal of a licensed architect?

Answer 2: Since section 114.1 refers the code user to the professional registration laws of the state in which the project is to be built, and since section 114.1.1 is also based on statute, section 114.1 must always be used in conjunction with section

114.1.1, which provides additional requirements. As stated in answer 1a, although new buildings under 5000 square feet are generally exempted by 20-298, section 29-276c requires an architect's seal for all new buildings or additions to existing buildings of Use Groups A, E, I, H, or R-1, regardless of size.

Question 3: Does section 114.1 of the 1999 State Building Code exempt building permit applicants submitting construction documents for alterations to buildings of less than 5000 square feet in area from the requirements for the seal of a licensed architect?

Answer 3: Yes. Alterations to buildings of less than 5000 square feet in area are exempt from the requirement for an architect's seal, regardless of Use Group, since section 114.1.1 only applies to new buildings and additions, not to alterations.

Question 4: Does section 114.1 of the 1999 State Building Code exempt building permit applicants submitting construction documents for repairs to buildings of less than 5000 square feet in area from the requirements for the seal of a licensed architect?

Answer 4: Yes. Repairs to existing buildings of less than 5000 square feet in area are exempt from the requirement for an architect's seal, regardless of Use Group, since section 114.1.1 only applies to new buildings and additions, not to repairs. Keep in mind that repairs that do not involve the work of an architect would not require an architect's seal in any case.