

STATE BUILDING CODE INTERPRETATION NO. I-22-11

November 30, 2011

The following is in response to your request for formal interpretation dated November 29, 2011.

Question 1:

When a permit is issued, does the permit belong to the land the permit is taking place on or the owner of the land? I have been under the assumption that a permit goes with the land and Section 105.3 seems to support this.

Answer 1:

No. The permit is issued to the owner in fee or his authorized agent in accordance with Section 105.3.3, of the 2003 International Building Code portion of the 2005 State Building Code.

Question 2:

If the permit belongs to the owner of the land, does the permit become void when there is a change in ownership of the property?

Answer 2:

Yes. Since Section 105.3.3 requires that the application for permit be made by the owner in fee or his/her authorized agent, a change in ownership would create a violation of Section 105.6, of the above mentioned code.

Question 3:

If the applicant (contractor) applies for a permit and a permit is issued, does the permit become void if a different contractor performs the work?

Answer 3:

Yes. Since the contractor who received the original permit was presumably acting as the owner authorized agent, the permit application would have to be amended to include that the new contractor is acting as the new authorized agent of the owner to perform the remaining work.