

STATE BUILDING CODE INTERPRETATION NO. I-34-99

February 16, 2000

The following is offered in response to your letter in which you seek official interpretations to the following questions. The responses are based on the 1994 State Building Code for consistency with your requests.

Question: “Does section 110.1.1 BC give a building official a right to enter premises without a search warrant when the occupant refuses entry to the building official?”

Answer: Section 110.1.1 of the 1994 State Building Code refers the code user to section 115.4 for information regarding right of entry. Section 115.4 further refers the code user to Chapter 541, Part Ia, C.G.S. and Chapter 541, Part III, C.G.S. The applicable statutes contained within the referenced parts are 29-261 (d) and 29-393. Neither the building code nor the statutes contain information as to the course to be followed in light of the occupant refusing entry to the building official. I am unable to provide an interpretation on this matter since it involves legal issues beyond my authority to interpret.

Question: What powers does a building official have other than those explicitly [sic] enumerated or identified in the BC?”

Answer: Connecticut General Statutes, in various sections, enumerates the powers granted to a municipal building official.