

STATE BUILDING CODE INTERPRETATION NO. I-48-99

December 1, 1999

Question #1: “Is it allowable under Section 1107.4.2 of the 1999 Connecticut State Building Code for a dwelling unit owner to alter an individual dwelling unit purchased via condominium ownership in such a way that the clearances required for accessibility are eliminated?”

Answer #1: No. Section 1110.1 of the code is specific to this scenario. It states “Any building, facility, *dwelling unit* or site which is constructed or altered to be accessible or adaptable shall be maintained accessible during its occupancy.” The commentary to this section states “Continued compliance with the accessibility requirements of the code is dependent on maintenance of such facilities throughout the life of the building.” Since the Type A dwelling unit required by Section 1107.4.2 has both accessible and adaptable features, Section 1110.1 would require that such accessibility and adaptability be maintained throughout the life of the structure.

Question #2: “If the answer to Question #1 is ‘yes’, would there be any requirement to restore the unit to the original design (or equivalent) prior to resale?”

Answer #2: N/A.