

STATE BUILDING CODE INTERPRETATION NO. I-35-00

May 23, 2000

The following is offered in response to your letter in which you request an interpretation of Section 105.7 of the BOCA National Building Code/1996 portion of the 1999 State Building Code.

Question: Is the code official required, by section 105.7 of the BOCA National Building Code/1996 portion of the 1999 State Building Code, to keep construction documents?

Answer: No. BOCA code interpretation No. 41/108/79 states, in part, that section 105.7 does not require the retention of construction documents after construction is completed. This section of the code only requires that the code official keep records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued for as long as the building exists. The BOCA interpretation does, however, go on to say that state laws or other ordinances may require the retention of construction documents.

Subsection (e) of section 29-261 of the Connecticut General Statutes states, in part, that the building official shall return plans and specifications (construction documents) on file at the time of request for the issuance of a certificate of occupancy for any single-family dwelling or outbuilding to the owner of such dwelling or building no earlier than two years after issuance of the certificate of occupancy. This information is repeated in the State Building Code at section 118.5 of the BOCA National Building Code/1996 and at section 112.3 of the 1995 CABO One and Two Family Dwelling Code. Legislative history indicates that this provision was made to allow municipalities to dispose of plans and specifications for single-family dwellings and outbuildings that would otherwise be required to be retained.

The 1999 State Building Code offers no guidance with respect to the requirements for retention of construction documents for buildings other than single-family dwellings and outbuildings. It is, however, my understanding that the State has adopted a retention schedule that may require that construction documents for certain other buildings be retained for the life of the building. Since the only document I am authorized to interpret is the State Building Code, I can only suggest that the legal counsel for your jurisdiction consult with the Public Records Administrator at the State Library in Hartford for guidance regarding this issue.