

## STATE BUILDING CODE INTERPRETATION NO. I-50-00

August 8, 2000

The following is offered in response to your request for a formal interpretation of the provisions of Chapter 4 of the 1995 CABO One and Two Family Dwelling Code portion of the 1999 State Building Code.

**Question:** Is a local building official within his rights to hire an engineer to evaluate a proposed solution, prepared by the owner's engineer, to a foundation problem?

**Answer:** Yes. All building officials in the State of Connecticut are required by statute (Section 29-261) to pass upon any question relative to the mode and manner of construction and to require compliance with the provisions of the State Building Code. In the case at hand, footings and round concrete piers were poured, without inspection, to support a two-story deck constructed to the rear of a single-family dwelling constructed on a steeply sloped lot. At the time of inspection of the deck, it was observed that the piers were out of plumb. The building official was concerned about the ability of the piers to support the super-imposed load and about their stability due to the steep slope of the land in the vicinity of the deck piers. The building official's concerns were based upon language found in section 401.2 of the referenced code, which states in part that the foundation and its structural elements shall be capable of supporting all superimposed loads and all lateral loads.

The owner of the property hired an engineer to design corrective measures, and submitted those measures to the building official for review. Given the building official's responsibilities as outlined above, and the fact that he had no formal training in engineering, it was entirely appropriate for the building official to cause the town to hire, at the town's expense, a professional engineer to review the proposed solution for code-conformance.

If, as a result of the town-hired engineer's report, the building official does not feel the owner-supplied solution is code-compliant, the building official should issue an order that the required corrections be made in order to achieve compliance with the applicable code.