

STATE BUILDING CODE INTERPRETATION I-14-07

June 8, 2007

The following is offered in response to your June 1, 2007 request for a formal interpretation of the provisions of Sections 105.1 and R105.1, respectively, of the 2003 International Building Code and 2003 International Residential Code portions of the 2005 State Building Code.

Question: The 1999 State Building Code specifically stated, at Section 107.1, that a building permit be required when moving a lot line that affects an existing structure. The 2005 State Building Code does not contain that specific provision. Is it the intent of the 2005 code to require a building permit when a lot line affecting an existing building or structure is moved?

Answer: Yes. The intent of the code is that when items regulated by the code are affected, a building permit is required. Since there are various code-regulated provisions dependant on location of a lot line, including but not limited to: exit discharge; exterior wall rating; openings in exterior walls; provision of private water and septic systems; and excess open perimeter, it is the intent of the code to require a permit prior to moving a lot line affecting an existing building or structure.

Note: The State Building Code is currently under study for future amendments. This issue will be clarified in those amendments.