



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE, EMERGENCY AND BUILDING SERVICES
OFFICE OF STATE FIRE MARSHAL

Policy Directive # 6
Replaces: Directive # 6 (incomplete)
Administered by: SCSC

Date: July 1, 2001
Duration: Until Revised
Authority: Deputy State Fire Marshal

SUBJECT: CODES AND STANDARDS COMMITTEE APPEALS PROCESS

PURPOSE:

- (1) To clarify the procedure required by the State Codes and Standards Committee when filing an appeal.
- (2) To provide local fire marshals with the proper forms to be utilized when filing an appeal.

DISCUSSION:

The State Codes and Standards Committee has established a procedure for filing appeals concerning building code officials and fire code officials. The Office of State Fire Marshal endorses that procedure and sets them forth in the following policy.

POLICY:

Pursuant to various sections of Chapter 541 of the Connecticut General Statutes, the Connecticut Codes and Standards Committee is charged with hearing and deciding appeals of decisions of:

- Local Building Official
- Local Fire Marshal
- Local Building Board of Appeals
- State Building Inspector
- State Building Inspector together with Office of Protection and Advocacy
- State Fire Marshal

Hearing Dates: A Request for Appeal received by the Committee shall be scheduled for hearing at the monthly meeting immediately succeeding receipt of said Request.

Except in the case of legal holidays, the Committee conducts regular meetings on the second Wednesday of every month, except February and July.

Time for Filing Appeals: The attached schedule demonstrates certain deadlines to initiate appeals to the Committee. Notwithstanding the schedule, and for purposes of preserving appeal rights, receipt of a written notice at the Office of the Codes and Standards Committee, Department of Public Safety, 1111 Country Club Road, P. O. Box 2794, Middletown, CT 06457-9294, requesting an appeal shall serve as the initiation of an appeal with respect to such time limits. The enclosed Request for Appeal should be received by the Codes and Standards Committee not later than fourteen (14) days from the date received.

Though the Request for Appeal form is optional, the Codes and Standards Committee strongly urges the appellant to complete the form as an effort to assist the hearing panel understand the merits of and resolving the appeal.

Materials to be filed: All of the following shall be filed for each appeal:

- Original of Request for Appeal form of the Codes and Standards Committee, signed and notarized as indicated, with all questions comprehensively answered and all information required by the form concisely stated. (Optional but strongly suggested.) **ALL APPLICATIONS MUST BE LEGIBLE—TYPE OR PRINT USING INK.**
- Information in support of the appeal, such as:
 - Statute section referenced granting this appeal.
 - Site and Building Plans containing sufficient information to support and identify the issues under appeal. The appellant is encouraged to highlight specific drawing information pertinent to the appeal.
 - Building Permit History of subject property and/or structure.
 - Dates of Issuance of Previous or Existing Certificates of Occupancy for structure in issue and a copy of the most recent Certificate of Occupancy.
 - Any other pertinent information.

Upon receipt of the Request for Appeal at the office of the Codes and Standards Committee, the appellant shall be given a file number. All future correspondence to the Committee should reference the file number.

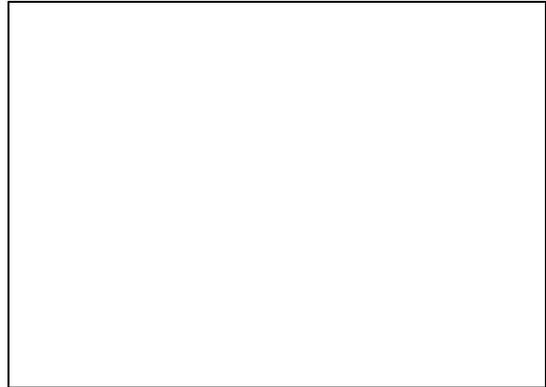
CONTACT INFORMATION:

Business hours are 8:30 am to 4:30 p.m. (EST) Monday through Friday.

Department of Public Safety
Codes and Standards Committee
1111 Country Club Rd., P. O. Box 2794
Middletown, CT 06457-9294
Telephone: (860) 685-8310 Fax: (860) 685-8365

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC SAFETY
CODES & STANDARDS COMMITTEE
P. O. BOX 2794
MIDDLETOWN, CT 06457-9294
TELEPHONE: (860) 685-8310
FAX: (860) 685-8365

FILE # _____



REQUEST FOR APPEAL
to the
CONNECTICUT CODES AND STANDARDS COMMITTEE

In accordance with the provisions of C.G.S. Chapter 541, I (we) (hereinafter referred to as the "Appellant") hereby submit an appeal for relief from a decision of:

- Local Building Official (Town/City: _____)
- Local Fire Marshal (Town/City: _____)
- Local Building Board of Appeals (Town/City: _____)
- State Building Inspector
- State Building Inspector together with Office of Protection and Advocacy
- State Fire Marshal

The Appellant must provide all relevant information. Where information is not available or not relevant to the Appeal, please indicate "N/A."

1. (a) Date of Decision appealed from (Attach copy of letter of decision) _____

(b) Name, Address and Telephone Number of Appellee whose decision is being appealed

2. Address of Subject Property or Structure _____

3. Name, Address and Telephone Number of Owner of Subject Property _____

4. Name, Address and Telephone Number of Appellant _____

5. Appellant's relationship to Owner _____

6. Designation:
 New Building Existing Building Addition
 Alteration Rehabilitation Repair
 Change in Use Historic Building (Local, State or Federal Designation)
 Other _____

7. a. Building Use Group (If no Change in Use) _____
b. If there is a Change in Use, describe current and intended use
From _____ to _____
c. Building Construction Classification _____

8. Size of Building
Height (in feet) _____ Number of Stories _____
Total Area _____ Maximum Area per Floor _____

9. a. Fire Protection at subject premises (Check appropriate headings)
 Smoke Detection Heat Detection Extinguishers
 Sprinklers Stand Pipes Other (identify) _____
b. Describe Alarm System(s) at Premises _____

10. Building Code Section(s) under Appeal _____

11. Fire Safety Code Section(s) under Appeal _____

STATE OF CONNECTICUT

Codes and Standards Committee

STATUTORY AUTHORITY MATRIX

Statutory Authority	CGS 29-252 (d)	CGS 29-252a (g)	CGS 29-254 (b)	i) CGS 29-269 (b) ii)CGS 29-200 (d)	CGS 29-266 (b)	CGS 29-266 (c)	CGS 29-309
Concerning	State Building Inspector's Review of decision of BO or BBA	Refusal to Issue BP/CO, order to comply with BC (State Buildings)	BC Modification	i) Handicap modification ii)Inclined stairway chairlifts, vertical wheelchair or incline lifts, and LULA's	Review of decision of BBA (Refusal to issue Building Permit)	Failure to convene BBA (Refusal to issue Building Permit)	Statutes concerning fire prevention and fire safety codes
What may be heard?	Appeal of decision of SBI	Appeal of decision of SBI	Appeal of decision of SBI	Appeal of decision of SBI and OPA	Appeal of decision of BBA	Appeal of decision of BO	Appeal of decision of LFM or SFM
Who may bring an appeal?	Any aggrieved party	Any aggrieved party	Any aggrieved party	Any aggrieved party	Any aggrieved party	Any aggrieved party	Any party determined to have a right of appeal
Notice Requirements	SBI, BO, BBA, Property Owner, Appellant	Property owner, Applicant, SBI	SBI, Appellant, Property owner, Aggrieved party	SBI, OPA, Property owner, Aggrieved Party	Property owner, BO, BBA	Property owner, CEO, BO	Appellant, LFM, SFM
Special Requirements	Within 14 days after decision. Aggrievement must be established	Within 7 days after decision. Aggrievement must be established	Within 14 days after SBI decision. (Registered mail Return Receipt required)	Within 30 days. Aggrievement must be established	Within 14 days after filing with BO by BBA	Within 14 days after filing with BO by CEO	Within 30 days
Nature of appeal hearing	De novo	De novo	First Hearing	First Hearing	De novo	First hearing	First hearing

GLOSSARY

SBI = State Building Inspector
 BO = Local Building Official
 SFM = State Fire Marshal
 LFM = Local Fire Marshal
 BBA = Local Building Board of Appeals
 OPA = Office of Protection and Advocacy

CEO = Chief Executive Officer of Municipality
 CGS = Connecticut General Statutes, as amended
 BC = Connecticut Building Codes, as amended
 FSC = Connecticut Fire Safety Codes, as amended
 BP = Building Permit
 CO = Certificate of Occupancy