



Memorandum

Date:	July 25, 2017
To:	Municipal Building Officials
From:	Joseph V. Cassidy, P.E., State Building Inspector <i>Joseph V. Cassidy</i>
Subject:	PA 17-176 AAC Closure of Certain Building Permits

The purpose of this memorandum is to provide guidance to building officials in complying with the requirements of PA 17-176, attached. This law **does not require you to approve work** that was not inspected. This law also **does not apply to** work for which a permit was never issued. The following is a breakdown of the Act.

The first sentence says that **any permit over nine years old is closed.** When such a permit is brought to your attention you should simply close the permit by noting that it is closed pursuant to PA 17-176, that no inspections were done (if applicable), and that no approvals were granted for this work.

The second sentence says that no enforcement action can be taken for the work covered by the old permit. This means you cannot charge any fees for the permit – no closure fee, investigation fee, or other fee or penalty. It also means you cannot pursue correction of work covered by the permit. The exception would be issues presenting a hazardous condition, which can be abated pursuant to Connecticut General Statute 29-393.

The third sentence relieves you and your municipality from any liability for closing this permit. Providing notations on the closure that no inspections were performed and no approvals granted should help protect you from liability related to any work done that you did not inspect.



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Public Act No. 17-176

AN ACT CONCERNING THE CLOSURE OF CERTAIN BUILDING PERMITS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 29-265 of the general statutes is amended by adding subsection (c) as follows (*Effective October 1, 2017*):

(NEW) (c) Nine years from the date of issuance of a building permit issued pursuant to section 29-263 for construction or alteration of a one-family dwelling, two-family dwelling or structure located on the same parcel as a one-family dwelling or two-family dwelling, for which construction or alteration a certificate of occupancy, as defined in the regulations adopted pursuant to section 29-252, has not been issued by the building official, such building permit shall be deemed closed. Following such nine-year period, no enforcement action based upon work commenced or completed pursuant to an open building permit shall be commenced. No municipality or officer or employee of any such municipality shall be liable concerning any claim relating to the closure of a building permit pursuant to this section. For the purposes of this section, "structure" has the same meaning as in the zoning regulations for the municipality in which the building permit was issued, or if undefined by such regulations, "structure" means any combination of materials that is affixed to the land, including, but not

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limited to, a shed, garage, sign, fence, wall, pool, patio, tennis court or deck.