

510-RICR-00-00-11

TITLE 510 – BUILDING CODE COMMISSION

CHAPTER 00 – N/A

SUBCHAPTER 00 – N/A

PART 11 – Certification of Building Code Officials and Inspectors

11.1 Authority

- A. This Part is promulgated by the Building Code Standards Committee pursuant to the authority granted in R.I. Gen. Laws §§ 23-27.3-107.1 through 23-27.3-107.7.

11.2 Purpose

- A. To establish procedures and standards for the certification of building code officials and inspectors pursuant to the requirements in R.I. Gen. Laws §§ 23-27.3-107.1 through 23-27.3-107.7.

11.3 Definitions

- A. "Alternate building official" means the designated authority charged with the administration and enforcement of this code in the absence of the building official.
- B. "Building inspector" means the authorized representative of the Building Official acting as the Building Official's assistant.
- C. "Building official" means the other designated authority charged with the administration and enforcement of this code at the local level.
- D. "Certification Subcommittee" means a subcommittee of the Building Code Standards Committee which review applications for certification for the positions described in this Part.
- E. "Certified Building Official" or "CBO" means the credential issued by the ICC upon successful completion of the exam modules required by the ICC to obtain that credential.
- F. "Code" means the Rhode Island State Building Code as set forth in R.I. Gen. Laws Chapter 23-27.3 and the regulations in this Title.
- G. "Commissioner" means the State Building Code Commissioner.

- H. "Committee" means the Building Code Standards Committee, R.I. Gen. Laws § 23-27.3-100.1.3, which is part of the State Building Office at the Department of Business Regulation, pursuant to R.I. Gen. Laws § 5-84-3.1.
- I. "DBR" means the Rhode Island Department of Business Regulation.
- J. "DLT" means the Rhode Island Department of Labor and Training.
- K. "Electrical inspector" means the authorized representative of the building official charged with enforcing the provisions of the electrical code under the direction of the Building Official.
- L. "ICC" means the International Code Council, the leading global source of model codes, standards and building safety solutions that include product evaluation, accreditation, technology, training and certification. Parts 1, 2, 3, 4, 6, 7, 8, 14 and 19 of this Subchapter adopt ICC model codes. <https://www.iccsafe.org/>
- M. "Mechanical inspector" means the authorized representative of the building official charged with enforcing the provisions of the mechanical code under the direction of the Building Official.
- N. "MEP Inspectors" means Mechanical, Electrical and Plumbing Inspectors.
- O. "Plumbing inspector" means the authorized representative of the Building Official charged with enforcing the provisions of the plumbing code under the direction of the Building Official.
- P. "State Building Office" or "SBO" means the office within the Department of Business Regulation as defined in R.I. Gen. Laws § 5-84-3.1.

11.4 Certification Required

- A. No individual shall be certified or claim to be certified unless that person has received a certificate confirming satisfaction of qualifications for that position from the Committee.
- B. To obtain a certification in any of the below positions, an applicant must satisfy the applicable statutory and regulatory requirements for the desired position. The Committee issues certifications for the following positions:
 - 1. Building Official;
 - 2. Building Inspector -1;
 - 3. Building Inspector -2;
 - 4. Plumbing Inspector;

5. Mechanical Inspector; and
6. Electrical Inspector.

11.5 Application Requirements

- A. Applications for certification for any position shall be made on forms prescribed by the Committee.
 1. Incomplete or deficient applications will not be considered by the Committee.
 2. Applications shall include, but not be limited to, the following:
 - a. A current resume detailing relevant work experience;
 - b. Completion certificates for any required coursework, trainings, or credentials;
 - c. Proof of current RI licenses and registrations issued by DLT or DBR, if applicable;
 - d. Proof of graduation/degree, if applicable;
 - e. Letter of appointment from a municipality, if applicable; and
 - f. Anything else the Committee may require.
- B. All certification requirements, including professional licenses issued by DLT or DBR and credentials issued by ICC or other organizations, must be maintained and kept current for the duration of the certification.
- C. Application Procedures
 1. Applications deemed complete by the Commissioner's staff will be placed on the agenda of the Certification Subcommittee and the Committee for an upcoming meeting.
 2. Applicants for the positions of Building Official and Building Inspector -1 and -2 shall appear before the Certification Committee for an interview.
 3. Applicants for the positions of Mechanical, Electrical and Plumbing Inspectors are not required to be interviewed by the Certification Subcommittee, but their attendance may be requested at the meeting if there are questions on their application.
 4. The findings and recommendations of the Certification Subcommittee shall be presented to the Committee for final determination on each application for all positions.

5. Exceptions:

- a. An applicant who has previously served in a building code enforcement position in another state who also possesses a nationally recognized certification as a Certified Building Official (CBO) may apply to the Committee for a determination of whether that service and certification is equivalent to satisfy any of the certification requirements in this Part.

6. The Committee will consider the recommendation of the Certification Subcommittee on each application and vote to approve or deny the application. The Committee may remand the application to the Certification Subcommittee for further review or to request additional information.

7. The applicant will be notified in writing of the Committee's decision to grant or deny their application for certification.

E. Revocation

1. In accordance with the Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35, the Committee, after notice and opportunity for hearing, may revoke or refuse to reissue any certificate issued under the provisions of R.I. Gen. Laws §§ 23-27.3-107.6 and 23-27.3-107.7 for failure on the part of any building official and inspector to successfully complete the required continuing education credits for the position as set forth in § 11.7 of this Part.

F. Appeal

1. Any applicant aggrieved by the Committee's decision regarding the issuance or revocation of a Certification may appeal the decision to the Sixth Division of the Rhode Island District Court. R.I. Gen. Laws § 23-27.3-127.1.4(f), (g) and (h).
2. Appeals are subject to the Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

G. Term of Certification

1. The term of a Certification shall be for 1 year. Building Inspector -1 or Building Inspector -2 certifications issued under the condition that they must complete certain certification programs within one (1) year of obtaining the certification, will expire and not be renewed after one (1) year unless satisfactory proof of completing the required programs is submitted to the Committee prior to the expiration date of the Certification.

H. Renewal of Certification

1. All certifications must be renewed every year upon submission of a renewal application as prescribed by the Committee and proof of completing the required continuing education requirements for the position as set forth in § 11.7 of this Part.

I. Requests for Extension of Time or Waiver of Requirements

1. The Committee may grant extensions of time or waive continuing education hourly requirements upon presentation of good cause.
2. No individual will be re-certified for a new 1-year period unless they satisfy the provisions of this Part.

11.6 Specific Requirements for each Position/Certification

- A. Building Official applicants must comply with the requirements of R.I. Gen. Laws § 23-27.3-107.5 and may qualify for state certification if they meet all the requirements under one of the following Options.

| Building Official – R.I. Gen. Laws § 23-27.3-107.5 | | | |
|---|--|--|--------------------------------|
| | Experience | Employment | Certification/ Exam |
| Option 1 | At least 5 years' experience in both residential AND commercial construction | Proof of employment as a Certified Building Inspector-2 for a minimum of 1 year | ICC CBO certification required |
| Option 2 | At least 5 years' experience in both residential AND commercial construction | Proof of employment as a Certified Building Inspector-2 under the direct supervision of a CBO for a minimum of 3 years OR Proof of employment as a Certified Building Inspector-1/Certified Building Inspector-2 under the direct supervision of a CBO for a combined minimum of 6 years | N/A |

1. A Rhode Island professional architect registration or engineer registration (civil or structural discipline) issued by DBR that is active and in good

standing plus an ICC CBO certification is deemed the equivalent of and shall satisfy the experience and employment requirements in the above table in § 11.6(A) of this Part.

2. Building Official Certification Candidates shall be generally informed on: The quality and strength of building materials; the code requirements of building construction, light and ventilation, safe exit facilities; good practice in fire prevention; and on other items of equipment essential for the safety, comfort, and convenience of occupants,
3. The building official shall require compliance with the provisions of the state building code, all rules lawfully adopted and promulgated thereunder, and laws relating to construction, alteration, repair, removal, demolition, and integral equipment, and location, use, occupancy, and maintenance of buildings and structures, except as may be otherwise provided for.
4. The building official or their assistant (building inspector) shall have the right of entry to buildings or structures, for the proper performance of his or her duties during normal business hours, except that in the case of an emergency the building official shall have the right of entry at any time, if the entry is necessary in the interest of public safety.

B. Building Inspector.

1. The appropriate local authority may appoint one or more local full time or part time inspectors to assist the building official in the performance of their duties and in the enforcement of this code. There are two different classifications: Building Inspector – 1 and Building Inspector – 2.
 - a. A Building Inspector -1 is only authorized to enforce the provisions of the Rhode Island One and Two Family Dwelling Code, Part 2 of this Subchapter.
 - b. A Building Inspector -2 is authorized to enforce the provisions of both the Rhode Island Building Code, Part 1 of this Subchapter, and the Rhode Island One and Two Family Dwelling Code, Part 2 of this Subchapter.
2. For Building Inspector-1, three (3) years of residential construction experience shall mean an average of 1,750 hours per year engaged in the performance of at least three (3) of the following construction areas in buildings or structures subject to the International Residential Code:
 - a. Designs, Plans & Permits;
 - b. Foundations;
 - c. Floor Construction;

- d. Wall Construction;
 - e. Ceilings & Roof Assemblies; and
 - f. Energy Conservation.
3. For Building Inspector -2, three (3) years of commercial construction experience shall mean an average of 1,750 hours per year engaged in the performance of at least five (5) of the following construction areas in buildings or structures subject to the International Building Code:
- a. Designs, Plans & Permits;
 - b. Height & Area Calculations;
 - c. Foundations;
 - d. Floor Construction;
 - e. Wall Construction;
 - f. Ceilings & Roof Assemblies;
 - g. Energy Conservation;
 - h. Fire Prevention & Safety Systems.
 - i. Accessibility; and
 - j. Flood-Resistant Construction.
4. Building Inspector applicants must comply with the requirements of R.I. Gen. Laws § 23-27.3-107.1.1 and may qualify for state certification if they meet all the requirements under one of the following Options.

| Building Inspector -1 (Residential ONLY) | | |
|---|--|--|
| | Experience/Education | Certification/Exam |
| Option 1 | Minimum of 3 years' experience in residential construction | ICC B-1 Residential Building Inspector Certification AND Must complete Class 10 [Residential] of the State Certification Program (as described in § 11.8 of this Part) |

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| | | within 1 year of conditional certification as Building Inspector -1 |
| Option 2 | <p>Minimum of 3 years' experience in residential construction</p> <p>OR</p> <p>Degree or certificate from High School, Trade School or GED program plus an ICC HSTTP Certification</p> | <p>Must complete Classes 1-10 [Residential] of the State Certification Program (as described in § 11.8 of this Part) within 1 year of conditional certification as Building Inspector -1</p> |
| Building Inspector -2 (Residential and Commercial) | | |
| | Experience/Education | Certification |
| Option 1 | <p>Minimum of 3 years' experience in residential AND commercial construction</p> | <p>ICC B-1 and B-2 Commercial Building Inspector Certifications</p> <p>AND</p> <p>Must complete Class 10 [Commercial] of the State Certification Program (as described in § 11.8 of this Part) within 1 year of conditional certification as Building Inspector -2 (if not previously completed)</p> |

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| Option 2 | <p>Minimum of 3 years' experience in residential AND commercial construction</p> <p>OR</p> <p>Degree or certificate from High School, Trade School or GED program plus an ICC HSTTP Certification;</p> <p>AND</p> <p>Proof of employment as a Certified Building Inspector-1 for a minimum of 1 year</p> | <p>Must complete Classes 1-10 [Commercial] of the State Certification Program (as described in § 11.8 of this Part) within 1 year of conditional certification as Building Inspector-2 (if not previously completed).</p> |
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5. A Rhode Island professional architect registration or engineer registration (civil or structural discipline) issued by DBR that is active and in good standing plus an ICC CBO certification is deemed the equivalent of and shall satisfy the experience and education requirements in the above table in § 11.6(B) of this Part.

C. Mechanical, Electrical and Plumbing (MEP) Inspectors

1. Applicants for these positions shall have:
 - a. At least 5 years' of practical experience in their applicable field as described in subsections (3), (4) and (5) below; and
 - b. The ability to read and understand codes and ordinances relating to their specialized work, the ability to read plans and specifications and to recognize deviations from such plans or specifications in the field, ability to write concise narrative reports for correction of violations observed on job sites, and the ability to enforce regulations firmly and impartially and to maintain satisfactory working relations with contractors and property owners.
2. Applications for the MEP inspectors must include a copy of the applicable active license/registration from DLT or DBR.
3. Applicants for a Mechanical Inspector position must comply with the requirements of R.I. Gen. Laws § 23-27.3-107.1.1 and may qualify for

state certification if they meet all the requirements under one of the following Options.

| Mechanical Inspector | | | |
|-----------------------------|--|--|--|
| | Professional License | Experience | |
| Option 1 | Proof of an active Pipefitter Master Class I license from DLT | A minimum of 5 years of experience as a licensed Pipefitter Master Class 1, or Pipefitter Journeyperson Class 1. | |
| Option 2 | Proof of an active Pipefitter Journeyperson Class 1 License from DLT | A minimum of 5 years of experience as a Pipefitter Journeyperson Class 1. | |

4. A Rhode Island professional engineer registration (mechanical discipline) issued by DBR that is active and in good standing is deemed the equivalent of a pipefitter's license and shall satisfy the license requirement in the above table in § 1.6(C)(3) of this Part.
5. Applicants for an Electrical Inspector position must comply with the requirements of R.I. Gen. Laws § 23-27.3-107.1.1 and may qualify for state certification if they meet all the requirements under one of the following Options.

| Electrical Inspector | | | |
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| | Professional License | Experience | |
| Option 1 | Proof of an active Class A Electrician's license from DLT | A minimum of 5 years of experience as a Licensed Class A and/or Class B Electrician | |

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| Option 2 | Proof of an active Class B Electrician's license from DLT | A minimum of 5 years of experience as a licensed or Class B Electrician | |
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6. A Rhode Island professional engineer registration (electrical discipline) issued by DBR that is active and in good standing is deemed the equivalent of an electrician's license and shall satisfy the license requirement in the above table in § 1.6(C)(5) of this Part.
7. Applicants for a Plumbing Inspector position must comply with the requirements of R.I. Gen. Laws § 23-27.3-107.1.1 and may qualify for state certification if they meet all the requirements under one of the following Options.

| Plumbing Inspector | | | |
|---------------------------|--|---|--|
| | Professional License | Experience | |
| Option 1 | Proof of an active Master Plumber's License from DLT | A minimum of 5 years of experience as a licensed master and/or journeyman plumber | |
| Option 2 | Proof of an active Journeyman Plumber's license from DLT | A minimum of 5 years of experience as a journeyman plumber | |

8. A Rhode Island professional engineer registration (mechanical discipline) issued by DBR that is active and in good standing is deemed the equivalent of a plumber's license and shall satisfy the license requirement in the above table in § 1.6(C)(7) of this Part.
- D. Any previously approved ICC or State certification that is submitted in support of initial certification or advancement to the next level of certification (e.g., Building Inspector -1 to Building Inspector -2; or Building Inspector -2 to Building Official) shall be maintained in good standing and valid at the time of submission. Certifications that have lapsed, expired or otherwise been deemed invalid will not be considered.

- E. Any person seeking certification as a Building Inspector who is not currently employed and serving in a Code enforcement position with the State or a municipality shall be placed on a “certified eligible” list and shall not identify themselves as a Building Inspector unless and until such time as they are so employed by the State or a municipality.

11.7 Continuing Education Requirements

- A. All training and educational programs for continuing education credit must have prior approval by the Commissioner and/or the Building Code Standards Committee.
- B. Every certified official and inspector shall attend such training and educational programs and present proof of successful completion to the Commissioner on forms provided by the State Building Office.
- C. Continuing Education Requirements for Each Position
 - 1. Building Officials
 - a. Building Officials must complete at least 25 hours continuing education every one (1) year provided by Committee approved programs.
 - 2. Building Inspectors (1 and 2)
 - a. Building Inspectors must complete at least 15 hours of continuing education every one (1) year provided by Committee approved programs.
 - 3. MEP Inspectors
 - a. MEP Inspectors must complete at least 15 hours of continuing education hours every one (1) year provided by Committee approved programs.
- D. An official or inspector who was originally certified under these provisions but does not currently serve in a position of code enforcement for the state or municipality shall be permitted to participate in continuing education programs at their own expense, but they cannot identify themselves as Building Officials or Inspectors.
- E. Records
 - 1. Each participant in the continuing education program is responsible to maintain a record of all continuing education hours acquired during the current re-certification period.

2. Continuing education records may be released to the appointing authority, the Building Code Official in charge of the inspector, to the participant, or in accordance with Chapter 38-2 the Rhode Island General Laws.

11.8 State Certification Training Program

- A. The State Certification Program curriculum for Building Inspector-1 Option 1 shall consist of one (1) two-hour class designated as Class 10 on the Residential Syllabus approved by the Committee to include the following topics:
 1. R.I. Gen. Laws § 23-27.3-100, et seq., and amendments to the residential building codes;
 2. Introduction to Part 2 of this Subchapter; and
 3. Inspector Skills.
- B. The State Certification Program curriculum for Building Inspector-1 Option 2 shall consist of ten (10) two-hour classes designated as Classes 1-10 on the Residential Syllabus approved by the Committee to include residential construction topics as well as the topics described above in § 11.8(A)(1)-(3) of this Part.
- C. The State Certification Program curriculum for Building Inspector-2 Option 1 shall consist of one (1) two-hour class designated as Class 10 on the Commercial Syllabus approved by the Committee to include the following topics:
 1. R.I. Gen. Laws § 23-27.3-100, et seq., and amendments to the commercial building code;
 2. Introduction to Part 1 of this Subchapter; and
 3. Supervisory inspector skills.
- D. The State Certification Program curriculum for Building Inspector-2 Option 2 shall consist of ten (10) two-hour classes designated as Classes 1-10 on the Commercial Syllabus approved by the Committee to include commercial construction topics as well as the topics described above in § 11.8(C)(1)-(3) of this Part.
- E. The State Certification Programs for Building Inspector-1 and Building Inspector-2 shall be open to those inspectors who have been deemed certified eligible pursuant to this Part and who have already been hired in the role of inspector.
- F. The Commissioner and Committee shall structure all training programs and continuing education requirements around the technical and administrative provisions of the State Building Code, Parts 1 through 21 of this Title.

- G. The State Building Commissioner, with the assistance of the Building Code Standards Committee, shall prepare and/or approve continuing education programs designed to train and assist state and local building officials and inspectors in carrying out the duties and responsibilities of their office. Such certification and continuing education programs shall be in accordance with the State Building Code provisions in R.I. Gen. Laws §§ 23-27.3-107.6 and 23-27.3-107.7.

11.9 Severability

- A. If any provision of these regulations, or the application thereof to any person or circumstance, is held to be invalid, such invalidity shall not affect other provisions or application of these regulations which can be given effect without the invalid provision or application, and to this end the provisions are declared to be severable.

510-RICR-00-00-11

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CHAPTER 00 - N/A

SUBCHAPTER 00 - N/A

PART 11 - RISBC-11 CERTIFICATION OF BUILDING CODE OFFICIALS AND INSPECTORS

Type of Filing: Amendment

Agency Signature

Agency Head Signature

Agency Signing Date

Department of State

Regulation Effective Date

Department of State Initials

Department of State Date