

# LEGAL ASPECTS <sup>OF</sup> CODE ADMINISTRATION

## Legal Aspects of Code Administration

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# *Preface*

The effective and proper administration of a building department demands that its building official and staff know the legal ramifications of the action taken or not taken by the building department. This book, *Legal Aspects of Code Administration*, is designed to inform the building official of the legal aspects of his or her profession. It is not to be used in place of the advice of a municipal attorney.

The text is written in a logical order with explanation of legal terms that building officials, fire marshals, and their staff must have familiarity in while performing their jobs. It also serves as an excellent refresher to those preparing to take the Legal Module of the ICC Certified Building Official (CBO) and/or Certified Fire Marshal (CFM) certification examination as this book is a required resource for these examinations.

Because of the nature of the subject matter, it is necessary to refer frequently to provisions of the state constitution, state statutes, and building code regulations. It is desirable that the user have access to specific state and municipal laws relating to the specific jurisdiction for which he or she is responsible.

Recognition must be given to the original author of the text, George Dean. Dean practiced law with Metropolitan Nashville Government with specific assignments as legal counsel to the codes administration and planning department. Dean received his A.B. degree from Vanderbilt University.

Recognition is also given to the coauthors of the previous edition: Jennifer Shapiro and Linda S. Pieczynski. The addition of original case law was the result of Jennifer Shapiro's extensive research.

Linda S. Pieczynski is a former assistant state's attorney and the author of *Illinois Criminal Practice and Procedure* (West Publishing) and an instructor of training on legal aspects for the International Code Council.

Robert Church updated the 2002 edition resulting in this updated and refreshed 2017 publication by adding new information, new case law, and revising some of the dated informa-

tion. He is the Director of the Utah Prosecution Council and has prosecuted for a midsize municipality in Utah for nearly 18 years. He prosecuted all code violations in his city. He has taught Legal Aspects of Code Administration for ICC for over 15 years.