

건축규제 합리화를 위한 건축기준 정비방안 연구

A Study on the Regulatory Reform of Building Code

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Building, which has different purposes depending on residential, business and commercial uses, is a space for people's everyday life. Therefore, the quality of building and space environment significantly affects the well-being of people. Various standards of Building Performance and safety are considered as an institutional method to ensure the safety and happiness of people. Especially, building standard and building administration have been more important by a series of safety and fire accidents happened recently.

The Building Act as fundamental building legislation is a typical out-dated law because of the relation with other regulations associated with permission procedures, technical standard, management and maintenance. In particular, building standard defined by the Building Act has been a major target of civil complaints due to chaos of legal hierarchy, difficulty of interpretation, etc. Also, building standard applied in the construction process lacks connectivity with relevant laws leading complexity, so that it has created unreasonable regulation. As a result of these problems, complaints and distrust of the administrative process have been generated, ultimately causing social expense increases.

Therefore, this research aims to propose the primary direction for systematic reform of law related to building standard in building construction process, and the organization of building standard regulation including permission procedures. Since constant improvement of building standard is essential to reflect social condition and

change of paradigm, operation direction of building standard is also suggested in order to manage such changes efficiently.

This study proposes the reform of building standard and management plan through analysis of current situation and issues on the Building Act and relevant laws and United State International Building Code(IBC). In order to reform building standard, establishment of unified system for building standard such as the IBC where has primary standard is necessary. To institutionalize the unified system, there are two possible suggestions: enactment of Building Standard Act and Building Administrative Act as separate legislation and enhancement of building standard part in the Building Act.

For integrated management of building standard, it should have unity of classification system in building use and be integrated with related other laws in advance. In addition, it is necessary to consider standardizing updating procedures of building standard, reflecting a wide range of opinions in the procedures as US ICC. Finally, institution and organization which have the expertise should be established for systematic reform of relevant laws and enactment and revision of building standard.

In conclusion, this research proposes the plan for the revision of building standard based on the analysis of problems in operation process of building standard defined by the Building Act. According to the problem analysis, there are several main issues such as inconsistent building standard between the Building Act and relevant laws, different classification systems in building use and confusion caused by frequent revision. However, the analysis, deduced through the analysis of the legal system and content, shows limitation that it does not widely reflect opinions from actual demanders. Thus social consensus formation from the demanders about the need for radical reform of building legislation and standard is required, and following research should be intensified by developing the empirical analysis of practical difficulties in building process and proper reform of building legislation and standard.

Key Words : Building standard, Building regulation, Building act, International Building Code