

**TOWN OF TOPSHAM  
COMMERCIAL BUILDING  
PERMIT APPLICATION**

Date: \_\_\_\_\_

Map: \_\_\_\_\_ Lot: \_\_\_\_\_ Zone: \_\_\_\_\_ Lot Area: \_\_\_\_\_ acres

Site Address: \_\_\_\_\_

Property Use: \_\_\_\_\_

Applicant: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Current Legal Use Group Classification(s) in the building per IBC ch.3: Group(s) \_\_\_\_\_

Proposed Use Group Classification(s) in the building per IBC ch.3: Group(s) \_\_\_\_\_

Building Type of Construction per IBC ch. 6: \_\_\_\_\_

Type of Work (Check all that apply)

- New
- Addition
- Alteration
- Change of Occupancy: PERMANANT or TEMPORARY (circle one)
- Transmission Tower Collocation

Statement of Special Inspections (IBC section 1704)

- Provide a Statement of Special Inspections prepared by the Registered Design Professional in responsible charge or provide a statement from the professional indicating the section is not applicable to the project

Registered Design Professional in Responsible Charge:

\_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Estimated Value of Construction: \$ \_\_\_\_\_

**GENERAL PROJECT DESCRIPTION (APPLICATION MUST ALSO INCLUDE REQUIRED INFORMATION PER THE "PLAN REVIEW CHECKLIST")**

\_\_\_\_\_  
I HERBY CERTIFY THAT: THE INFORMATION IN THIS APPLICATION IS COMPLETE AND CORRECT AND I AGREE TO COMPLY WITH ALL TOWN ORDINANCES AND LAWS APPLICABLE TO THIS PROJECT; I AM OR LEGALLY REPRESENT THE OWNER OF THE SUBJECT PROPERTY FOR THE PURPOSE OF OBTAINING THIS PERMIT; I HAVE READ AND UNDERSTAND THE ATTACHED HANDOUT "Building Permit Standard Conditions"

**Applicant Signature:** \_\_\_\_\_ **Printed Name:** \_\_\_\_\_

**FOR OFFICE USE ONLY:** Zoning Use \_\_\_\_\_ Fee Calculation: \_\_\_\_\_ FEE: \_\_\_\_\_

Project IS : IS NOT subject to 175-4A. If subject to 175-4A, the project HAS : HAS NOT been reviewed and acted upon in accordance with 175-3B2

APPROVED / DISAPPROVED; CEO SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Permit Conditions / Comments:

## Plan Review Checklist

- **PROVIDE:** Application for projects generating wastewater must include an on-site disposal system design (HHE-200) **or** a receipt of connection to municipal sewer on forms provided by the Topsham Sewer District: 729-3612. Provide a copy with this application
- **PROVIDE:** For any work within a public way including a driveway or culvert, a permit is required from Public Works: 725-1728. Provide a copy with this application

### Commercial Project:

- One full set drawn to scale and one 11x17 or PDF plan (two sets total) containing a minimum of all applicable information below.
- Construction documents complying with section 107 of the code shall be submitted. Plans must include a Code Analysis indicating at a minimum: Building Occupancy Classification; Construction Type; Height and Area Limitations; Indicate Single or Mixed Separated/Non-Separated occupancy; Location on Lot; Fire Suppression Requirements; Fire rated

### Required Inspections:

- Foundation steel prior to concrete where steel is required by engineered design  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Foundation prior to backfill  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Framing  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Plumbing Rough  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

construction; Smoke control; Means of Egress; Accessibility

- Provide a copy of the SFMO Construction Permit. Permits will be assumed to be required for all projects. **Exception:** *The applicant may submit the following in place of a SFMO Construction Permit; a copy of any email between the applicant and SFMO Plans Review Division confirming the project does not require a permit.*
- Distance to buildings measured perpendicular to property lines including those required by IBC 705.3
- Location of septic field, tank and well if applicable

### Energy

- Provide documentation of compliance with the IECC 2009

The building code in Topsham is the Maine Uniform Building and Energy Code (MUBEC). Information regarding the MUBEC code as well as free viewing of the applicable ICC codes may be found at the Bureau of Building Codes & Standards website <http://www.maine.gov/dps/bbcs/> or for information by phone call (207) 624-7007

- \_\_\_\_\_
- \_\_\_\_\_
- Electrical Rough  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Energy efficiency (insulation prior to cover)  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Final  
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## Building Permit Standard Conditions

The permit to which this is attached is the building permit. Separate permits are required for plumbing, heating and electrical work. Building permits are subject to appeal for a period of 30 days from issuance. A building permit expires if there is no substantial start on the project within a period of 6 months. All work must meet applicable codes and ordinances. The building code in Topsham is the Maine Uniform Building and Energy Code (MUBEC). Information regarding the MUBEC code as well as free viewing of the applicable ICC codes may be found at the Bureau of Building Codes & Standards website <http://www.maine.gov/dps/bbcs/>

We ascertain the code compliance of your project to the best of our ability with the data provided by you. Many building code related topics are posted on our web site, [www.topshammaine.com](http://www.topshammaine.com) . Follow tabs; Town Departments – Code Enforcement – Building Code Information. Code requirements supersede information submitted or omitted on a permit application. Please take a look at any topics applicable to your project and if you have any questions, please ask.

**Inspections;** at a minimum we will need to inspect the foundation after drainage and dam proofing are installed and before it is backfilled; framing, rough electrical and plumbing before insulation or sheetrock; air sealing and insulation per energy code requirements before they are covered; fire rated construction if applicable; any special inspections noted; the final building before it is occupied and any other inspections noted on the permit.

**Setbacks;** you are responsible for knowing where your applicable property lines are and for meeting the zoning requirements as to setbacks and similar criteria. We will assist you as best as we can in meeting the various criteria, but the burden of compliance is on you. Setbacks are measured from the property line to the nearest point on the structure (this is often not the wall). The edge of the road or sidewalk is usually not the property line, the Town usually owns beyond these features. If you are not sure where your property lines are, we recommend that you have the land surveyed by a licensed surveyor.

**Deed and/or Other Restrictions;** there may be restrictions in your deed such as easements, covenants, prior approvals, etc. that could affect your project. You are responsible for making sure your project meets any deed restrictions. There can be legal issues with the properties that can affect the feasibility of a project that are not readily apparent. If there are issues/questions about things such as boundary locations, subdivision, merger, etc., we recommend you consult a surveyor or attorney.

**Utilities;** there may be features that affect your project such as public or private sewer lines, water lines, power lines, phone lines, etc. that can affect the code compliance of your project. The burden of ascertaining the existence of and making us aware of these is yours. The Codes Officer can help you with the code aspects of these. Call DIG SAFE at 1-800-DIG-SAFE (1-800-344-7233) prior to excavating, they will assist you in locating buried features on your site and it's the law!

**Engineering;** if you use trusses, engineered lumber, steel, etc., we will need written certification from a licensed architect or engineer that the product is suitable for the intended use. Many of these products have been pre-engineered and the suppliers of these products can usually supply engineered installation standards upon request.

# Change of Occupancy Classification

(Permanent)

The Building Code classifies how a building is used into different categories or “Occupancies”. Whenever the use of any part of a building changes from one occupancy classification to another, *even when no building alterations are proposed*, a building permit for a Change of Occupancy is required. For example, a change of occupancy is required to use a store building (an M occupancy) as a day care center (an E occupancy) or to enlarge the seating in a restaurant from less than 50 (B occupancy) to more than 50 (A-2 occupancy).

When the occupancy of a building is changed, the Building Code requires that the building meet all current code requirements for that new use. A “Change of Occupancy” applies to the use of a building only and should not be confused with any process required by the Zoning Code to change the use of a property. Building occupancy classifications address the impact of the building on the occupants of the building, whereas zoning use classifications tend to focus on the impact of the use on the surrounding properties.

Application for a permanent change of occupancy must include information required by the “plan review checklist” with the design subject to section 3408 of the 2009 International Building Code or the 2009 International Existing Building Code.

# Temporary Change of Occupancy

Temporary occupancies may be issued a permit indicating the period of the temporary occupancy approved by the Building Official. The temporary occupancy of buildings, or portions thereof, will require a Temporary Certificate of Occupancy (TCO).

## **Application for permit shall include:**

1. A completed page 1 of the commercial building permit application
2. A letter of request provided to the Building Official, signed by the representative of the organization that is requesting the temporary occupancy. The letter of request shall:
  - Describe the activities associated with the special event
  - Specify the set up period
  - Specify the period of occupancy (not to exceed 180 days)
  - Specify the end date
  - Indicate the applicant understands the requested TCO is limited to locally adopted code only and does not nullify any provision of any requirement and/or State or Federal law the applicant is responsible to comply with such as but not limited to; State Fire Codes, Americans with Disabilities Act, Occupational Safety & Health Act.

## **Provide a scale drawing containing:**

1. Site plan showing outdoor areas associated with the special event
2. Detail location and size of available off street parking
3. Plans designed to the 2009 International Building Code (IBC) signed and sealed by a Maine Registered Design Professional detailing the following and including any proposed remedies to compliance issues during the duration of the temporary occupancy:
  - Complete Code Analysis for the entire building with the temporary occupancy
  - Total floor plans for floors where the temporary occupancy occurs
  - Areas for which the temporary occupancy is requested
  - Areas impacted by the temporary occupancy
  - Occupant load for each space of the temporary occupancy
  - Total building occupant load
  - Compliance with IBC chapter 8
  - Toilet facilities
  - Exit scheme - exit routes, exit width, exit doors and door hardware, exit discharge
  - Portable fire extinguishers
  - Emergency egress lighting equipment
  - Exit signage

- A complete list of special equipment and processes to be used.
- Structural analysis based on the proposed occupancy subject to IBC section 1604.5.
- Verification that the building floor system meets minimum live load requirements specified in Table 1607.1 of the IBC for the temporary occupancy.

**Temporary Certificate of Occupancy.**

No temporary occupancies permitted under this policy shall be used or occupied until a Temporary Certificate of Occupancy (TCO) is issued by the Building Official subject to these requirements. The Building Official reserves the right to require Staff review comments prior to issuance of a TCO. Any change in scope or submitted details voids the TCO.

**Extension of approved period of occupancy.**

Prior to expiration of the TCO a written request to extend the approved period of occupancy may be submitted for consideration by the Building Official. Such requests shall contain an updated Letter of Request. The written request shall demonstrate that there have been no complaints or hazards as a result of this temporary occupancy.