

TOWN OF TOPSHAM  
GENERAL BUILDING  
PERMIT APPLICATION

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

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

Property Owner: \_\_\_\_\_

Property Owner Mailing Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone Number: \_\_\_\_\_

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

Please select the permit category that best describes your project:

- Residential Permit:** Detached One- and Two-family Dwellings and Townhouses and their accessory structures (shed/garage/deck/etc.). Provide all information required by form "**RESIDENTIAL SUBMITTALS**". **Note: See form for Exceptions.** Only submit the pages needed for your project.
- Commercial Permit:** All other projects. Provide all information required by form "**COMMERCIAL SUBMITTALS**". **Note: See form for Exceptions.** Only submit the pages needed for your project.

If an **Exception** applies;

- What is the exception number? 1, 2, 3, 4, 5, 6, 7, 8, 9
- What is the size of the project in square feet? \_\_\_\_\_
- What are the projects setbacks to property lines? Front \_\_\_\_\_, Side \_\_\_\_\_, Rear \_\_\_\_\_

**PROJECT DESCRIPTION**

\_\_\_\_\_

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

PERMIT #: BP \_\_\_\_\_

- VISION

Map: \_\_\_\_\_ Lot: \_\_\_\_\_ Lot Area: \_\_\_\_\_

Fee Calculation: \_\_\_\_\_ FEE: \_\_\_\_\_

Zone: \_\_\_\_\_ Zoning Use: \_\_\_\_\_

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

Permit Conditions / Comments:

## 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. 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, [Building Code Information - Topsham, Maine \(topshammaine.com\)](#) Information on the Maine Uniform Building and Energy Code (MUBEC) can be found here [Building Codes | Office of State Fire Marshal \(maine.gov\)](#)

- **Code Purpose:** The purpose of codes is to establish *minimum requirements* to provide a reasonable level of safety, health and general welfare through affordability, structural strength, means of egress, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations. Workmanship and finishes are not addressed by the building code or the inspector. *Please hire a reputable builder and check references!*

**Inspections:** We will need to inspect the foundation reinforcing (only if an engineered design): Foundation after drainage and damproofing are installed and before it is backfilled: Framing before insulation or sheetrock: Fire rated construction if applicable; any special inspections noted on the permit: The final building before it is occupied.

- **Note:** The required inspections only permit the inspector to see a fraction of the code requirements. Issuance of a Certificate of Occupancy shall not be construed as an approval of a code violation, the property owner is responsible for code compliance for the life of the building. *Please hire a reputable builder and check references!*

**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 understanding 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 you have 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. 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.

## COMMERCIAL SUBMITTALS

A permit is required to construct or alter a building which is defined as a "structure having a roof supported by columns or walls for the housing of persons, animals, or personal property". For purposes of this definition, elevated decks also require this permit.

**Exceptions:** The following do not require this permit, only submit the *General Building* page:

1. One-story detached accessory structures such as SHEDS, playhouses and similar structures, provided that the floor area is not greater than 120 square feet
2. Repairs to and maintenance of existing buildings and structures
3. Replacement of non-structural elements
4. Decorative changes
5. Log homes: This includes 100% of a *home* construction, if the building is not a home, this permit is required
6. Manufactured housing as defined in Title 10, chapter 951: Only items subject to Maine Manufactured Housing laws/rules are exempt, other construction does require this permit
7. Post and beam or timber frame (PB/TF) construction: This is limited to all structural aspects of the building including any that support the PB/TF and any that are supported by the PB/TF
8. Warehouses or silos used to store harvested crops: What this means will be assessed on a case-by-case basis

Projects constructed under this permit are regulated by the Maine Uniform Building and Energy Code (MUBEC) CH-3 currently the 2021 International Building Code (IBC) as amended. The following project types listed in the IBC scope may be constructed under this code:

### [A] 101.2 Scope.

The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the [International Residential Code](#).

### Provide the following information as applicable with your application

- If the project is an Alteration or Renovation: Provide the cost of the Building Construction ***EXCLUDING*** the value of non-structural repairs/replacements, all decorative changes, all plumbing/electrical/gas/mechanical:

Cost = \$ \_\_\_\_\_

- 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
- Provide a copy of the SFMO Construction Permit. If the SFMO determines a permit is not required, submit a record of the determination. ***Exception: Projects regulated under the IBC containing a group R occupancy must obtain a Construction Permit on a voluntary basis where not otherwise required***

### Building

- Plans required: Please contact our office, an electronic copy is always needed, hard copies may/may not be needed.
- Documents must include a ***Code Analysis and/or submittals*** indicating at a minimum:
  - o Applicable codes
  - o Classification of work
  - o Automatic sprinkler system
  - o Allowable heights and areas
  - o Required occupancy separations
  - o Fire resistive ratings
  - o Detail compliance with IBC table 705.5 and section 705

- Statement of Special Inspections subject to chapter 17
- Method of protection for penetration of fire rated assemblies. **Note: Where Special Inspection is not required by 1705.18, the permit holder must retain a 3<sup>rd</sup> party inspector to document installed system compliance subject to ASTM published ASTM E 2174 “Standard Practice for On-Site Inspection of Installed Fire Stops” and ASTM E 2393 “Standard Practice for On-Site Inspection of Installed Fire Resistive Joint System and Perimeter Fire Barriers”**
- Occupancy load (1004)
- Means of egress components
- Building Risk Category (1604.5)
- Egress width per occupant
- Plumbing fixture count subject to the Maine Plumbing Code
- Accessibility: Detail compliance with IBC ch-11 and ADA including required exterior parking/access/other
- Site plan indicating distance to buildings measured perpendicular to property lines and lines used to determine Fire Separation Distance (IBC table 705.5; and section 705)
- Provide structural plans sealed by an engineer or detail prescriptive code compliance
- ENERGY: Provide detailed compliance with the IECC 2021 and complete attached “Energy Systems Compliance Completion Certificate – 2021 IECC Commercial” form as required. **Note: The permit holder must retain an Energy Certified 3<sup>rd</sup> Party to document building compliance and installed system compliance subject to code. The Energy Certified 3<sup>rd</sup> Party must submit certified design with the building permit application and certified inspection, testing, and commissioning reports prior to a request for Occupancy; C103.3, C105.4, Chapter 4; There may be more than one Energy Certified 3<sup>rd</sup> Party.**
- For projects that involve new or expanded lot coverage; provide percentage of impervious area
- AS of MAY 22, 2024: If your project involves work in the Front Setback area **and** you are located in a MUC, LV, MV, VC zone, footnote #30 of the Table of Dimensional Requirements now states: “Where the area from the back of curb or the edge of pavement to the lot line is less than 12 feet, a streetscape easement must be provided on the private lot to expand the area to at least 12 feet. The minimum setback for the building must be measured from the easement edge, at least 12 feet off the back of curb/edge of pavement.” In order to comply with this requirement, you must submit a survey showing the distance from the back of curb or the edge of pavement to the lot line and if this distance is less than 12 feet, provide a recorded streetscape easement benefiting the Town of Topsham on the private lot to expand the area to at least 12 feet.
- As-Built plans are required prior to a request for Occupancy

**Information regarding the Maine Building and Energy Code can be found here:**

[MUBEC Code Launch Documents](#)

[Building Code Information - Topsham, Maine](#)

## 2021 IECC COMMERCIAL COMPLIANCE OPTIONS

The 2021 IECC has simplified the compliance options available for commercial buildings. To reduce confusion between the various options, the terms “mandatory” and “prescriptive” have been removed from the names of requirements and section headings. Each compliance path is now outlined within its own section, with references to specific provisions as applicable. Existing buildings must comply with [Chapter 5](#) [CE]. [Figure 7-1](#) provides a roadmap to compliance.

### IECC Total Building Performance Compliance Option

Commercial projects may also comply with the energy code using total building performance, a compliance option that calculates total building performance based on the performance of various systems and loads. [Ref. [C401.2.1](#)] Heating systems, cooling systems, service water heating, fan systems, lighting power, receptacle loads and process loads are factored into the performance of the building; trade-offs are permitted between these systems. [Ref. [C407.1](#)] Compliance based on total building performance requires that a proposed design achieves an annual energy cost that is less than or equal to 80 percent the annual energy cost of the standard reference design, as predicted using approved computer software, and meets the requirements of [Table C407.2](#) ([Table 7-1](#)). [Ref. [C407.2](#)]

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### ASHRAE 90.1 Compliance Option

As an alternative to [IECC](#) compliance, commercial projects may comply with the requirements of ANSI/ASHRAE/IES Standard 90.1—2019, Energy Standard for Buildings Except Low-Rise Residential Buildings. [Ref. [C401.2.2](#)] [ASHRAE 90.1](#) provides the minimum energy efficiency requirements for the same systems regulated by the [IECC](#) ([Figure 7-2](#)).

New buildings and additions and alterations complying with [ASHRAE 90.1](#) must comply with one of the following:

- Section 5 (Building Envelope), Section 6 (Heating, Ventilating and Air Conditioning), Section 7 (Service Water Heating), Section 8 (Power), Section 9 (Lighting) and Section 10 (Other Equipment).
- Section 11 (Energy Cost Budget Method).
- Appendix G (Performance Rating Method). [Ref. ASHRAE 4.2.1]



April 7, 2025

Re: Policy subject to Fire-resistant penetrations and joints; Group R Occupancies

From: Tom Lister, CEO Topsham

Effective April 7, 2025, Group R occupancies constructed under the International Building Code shall comply with section 1705.18 Fire-resistant penetrations and joints of the 2021 International Building Code regardless of the Group R occupant load.

Tom Lister  
CEO, Topsham

# 2021 IBC Code and Commentary Volumes 1 & 2 (Building)

## CHAPTER 17: SPECIAL INSPECTIONS AND TESTS

### **[BF] 1705.18 Fire-resistant penetrations and joints.**

In high-rise buildings, in buildings assigned to *Risk Category* III or IV, or in *fire areas* containing Group R occupancies with an *occupant load* greater than 250, *special inspections* for *through-penetrations*, *membrane penetration* firestops, *fire-resistant joint systems* and perimeter fire containment systems that are tested and *listed* in accordance with [Sections 714.4.1.2, 714.5.1.2, 715.3.1 and 715.4](#) shall be in accordance with [Section 1705.18.1](#) or [1705.18.2](#).

❖ Through-penetration and membrane-penetration firestop systems, as well as fire-resistant joint systems and perimeter fire barrier systems, are critical to maintaining the fire-resistive integrity of fire-resistance-rated construction, including fire walls, fire barriers, fire partitions, smoke barriers and horizontal assemblies. The proper selection and installation of such systems must be in compliance with the code and/or appropriate listing. With thousands of listed firestop and joint systems available, each with variations that multiply possible systems for a building exponentially, the selection of the correct system is not a generic process. Where such systems are used in two types of buildings considered as “high risk,” it is mandatory that they be included as a part of the special inspection process. Such “high risk” buildings are identified as:

- High-rise buildings assigned to Risk Category III or IV in accordance with [Section 1604.5](#).
- Fire areas containing Group R occupancies with an occupant load greater than 250.

Although the proper application of firestop and joint system requirements is very important in all types and sizes of buildings, the requirement for special inspection is limited to specific building types: those that represent a substantial hazard to human life in the event of a system failure; or those that are considered to be essential facilities. Inspection in accordance with ASTM E2174 for penetration firestop systems and ASTM E2393 for fire-resistant joint systems brings an increased level of review to these applications.

### **[BF] 1705.18.1 Penetration firestops.**

Inspections of *penetration firestop* systems that are tested and *listed* in accordance with [Sections 714.4.1.2 and 714.5.1.2](#) shall be conducted by an *approved agency* in accordance with ASTM E2174.

❖ A primary method of addressing a penetration of a fire-resistance-rated wall assembly is through the use of an approved firestop system installed in accordance with ASTM E814 or UL 1479. The system must have an F rating that is not less than the fire-resistance rating of the wall being penetrated. It is critical that the firestop system be appropriate for the penetration being protected. The choice of firestop systems varies based on the size and material of the penetrating item, as well as the construction materials and fire-resistance rating of the wall being penetrated. Special inspection of the firestop system is intended to verify that the appropriate system has been specified and that the installation is in conformance with its listing.

### **[BF] 1705.18.2 Fire-resistant joint systems.**

Inspection of *fire-resistant joint systems* that are tested and *listed* in accordance with [Sections 715.3.1 and 715.4](#) shall be conducted by an *approved agency* in accordance with ASTM E2393.

❖ A “joint” is defined as a “linear opening in or between adjacent fire-resistance-rated assemblies that is designed to allow independent movement of the building in any plane caused by thermal, seismic, wind or any other loading.” The joint creates an interruption of the fire-resistant integrity of the wall or floor system, requiring the use of an appropriate fire-resistant joint system. The code mandates general installation criteria for such systems and requires them to be tested in accordance with ASTM E1966 or UL 2079. Much like the inspection of penetration firestop systems, the proper choice and installation of fire-resistant joint systems can be verified through a comprehensive special inspection process.

Although regulated under the provisions for fire-resistant joint systems, a second type of system is technically not a joint but rather an extension of protection afforded by a horizontal assembly. The void created at the intersection of an exterior curtain wall assembly and a fire-resistance-rated floor or floor/ceiling assembly must be filled in a manner that maintains the integrity of the horizontal assembly. The system utilized to fill the void must be in compliance with ASTM E2307 and able to resist the passage of flame for a time period equal to that of the floor assembly. Special inspection is necessary to verify that the appropriate joint system is chosen and installed.