

THE MUBEC

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ADMINISTRATION

16 DEPARTMENT OF PUBLIC SAFETY

642 BUREAU OF BUILDING CODES AND STANDARDS

Chapter 1: MAINE UNIFORM BUILDING CODE AND UNIFORM ENERGY CODE -
ADMINISTRATIVE PROCEDURES

SUMMARY: All building construction in Maine, with some exceptions, is governed by the Maine Uniform Building Code and Uniform Energy Code (“MUBEC” “MUBC” “MUEC”), which is adopted by the Technical Building Codes and Standards Board by rule in Chapters 1 through 6, pursuant to 10 M.R.S. §9721, *et seq.*

These rules set forth the requirement of certain municipalities to enforce these Codes, the methods by which municipalities may accomplish building inspections, the deadlines for municipalities to begin enforcing these Codes, the requirement for establishing training and certification standards for building officials and third-party inspectors, requirements for third-party inspectors, the administrative procedures for requests for advisory rulings and code amendments, and the procedures for identifying and resolving code conflicts.

SECTION 1. PURPOSE AND SCOPE

The Maine Technical Building Codes and Standards Board established pursuant to 5 M.R.S. §12004-G (5-A), hereinafter called the Board, is required by chapter 699, Public Laws of 2008 to adopt, maintain and amend the Maine Uniform Building Code and Uniform Energy Code hereinafter referred to as the MUBEC, MUBC and MUEC, as provided in 10 M.R.S. §9721, *et seq.* and the State Legislature.

The purpose of this Chapter is to set forth procedures for each individual municipality to recognize and where applicable, enforce these Codes. These Codes are a compilation of different codes and standards, which have been harmonized by identifying and resolving conflicts between the incorporated codes and standards. This Chapter also provides five options for building inspections, including the use of a third-party inspector.

SECTION 2. AUTHORITY

The authority for this Chapter is 10 M.R.S. §9722, which provides that the Maine Bureau of Building Codes and Standards shall promulgate rules which adopt, amend, and maintain these uniform Codes, to resolve conflicts between these Codes and the various codes and standards that are incorporated and comprise these Codes, and to provide training for municipal building officials, local code enforcement officers and third-party inspectors.

SECTION 3. DEFINITIONS

As used throughout this Chapter and these rules, the following terms have the following meanings.

1. **Amendment.** “Amendment” means any modification to the MUBEC, MUBC or MUEC, initiated through Board action or by petition to the Board from any agency, municipality,

county or interested individual or organization that would have the effect of changing the MUBEC, MUBC or MUEC. Amendments to the MUBEC, MUBC or MUEC must be adopted in accordance with the Maine Administrative Procedure Act, Title 5, Chapter 375.

2. **Any building code.** "Any building code" means a building code or standard locally adopted based on the Maine model building codes under 10 M.R.S. Chapter 1101, or a national model building code and used to regulate the construction of buildings. A fire and life safety code, fire safety ordinance or any land use ordinance, including but not limited to: the Land Use Planning Commission rules, are not considered as "any building code" for purposes of this definition.
3. **Applicant.** "Applicant" for a building permit or certificate of occupancy includes a property owner or his or her authorized agent, which includes but is not limited to a builder, developer, contractor, or construction manager.
4. **Board.** "Board" means the Technical Building Codes and Standards Board established in 5 M.R.S. §12004-G, subsection 5-A.
5. **Building official.** "Building official" means a building official or officer charged with the administration and enforcement of this Code and includes a codes enforcement officer appointed pursuant to 25 M.R.S. §2351-A.
6. **Bureau.** "Bureau" means the Bureau of Building Codes and Standards established in 5 M.R.S. §2372.
7. **MUBEC.** "MUBEC" means the **Maine Uniform Building and Energy Code** adopted pursuant to 10 M.R.S. §9271, *et seq.*
8. **MUBC.** "MUBC" means the **Maine Uniform Building Code.** "Maine Uniform Building Code" means that portion of the Maine Uniform Building and Energy Code that does not contain energy code requirements as determined by the Board pursuant to section 9722, subsection 6, paragraph L.
9. **MUEC.** "MUEC" means the **Maine Uniform Energy Code.** "Maine Uniform Energy Code" means that portion of the Maine Uniform Building and Energy Code that contains only energy code requirements as determined by the Board pursuant to section 9722, subsection 6, paragraph L.
10. **Model codes.** "Model codes" means the codes developed by the model code organizations and adopted by reference in 10 M.R.S. §9721, *et seq.*
11. **Model code organization(s).** "Model Code organization(s)" means the national code-promulgating organizations that develop the model codes (as defined herein), such as the International Code Council, International Association of Plumbing and Mechanical Officials, National Fire Protection Association and American Society of Heating, Refrigerating, and Air-Conditioning Engineers.
12. **Municipality.** "Municipality" means any city, town, plantation or municipal village corporation within the State.

13. **Population.** "Population" means the number of residents living in the municipality according to the U.S. Census Bureau's most recent decennial census.
14. **Seasonal Dwelling.** To be considered a seasonal dwelling, a building must meet a minimum of three of the requirements listed below and not be occupied more than 180 days within any calendar year. If the building meets the minimum requirements, then the building would meet the requirements set forth by the State of Maine to be considered a seasonal dwelling for the requirements of the Maine Uniform Building and Energy Code (MUBEC) and the Maine Uniform Energy code (MUEC). If a building is considered a seasonal dwelling compliance with the IECC is not required.
 1. The maximum area of the structure shall be limited to 750 sq. ft. of interior space.
 2. There shall be no central heating system installed in the building.
 3. Any heating appliance shall not have a fuel supply attached capable of heating the structure for more than 24 hours.
 4. There shall not be a year round sub surface wastewater system installed.
 5. The electrical service shall be limited to 100 amp. system.
 6. The structure shall be owner occupied.
 7. Any water supply shall be limited to 180 days of use per calendar year
15. **Third-party inspector ("TPI").** "TPI" means a person certified by the Maine Department of Economic and Community Development to conduct inspections under 30-A M.R.S. §4451, for compliance with these Codes.

SECTION 4. APPLICATION OF THE MUBEC, MUBC and MUEC

1. As of September 28, 2011, the MUBEC must be enforced in a municipality with a population of 4,000 residents or more that had previously adopted any building code on or before August 1, 2008.
2. No later than July 1, 2012, the MUBEC must be enforced in a municipality with a population of 4,000 residents or more that had not adopted any building code on or before August 1, 2008.
3. A municipality of up to 4,000 residents may not adopt or enforce a building code other than the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code. Notwithstanding any other provision of this chapter or Title 25, Chapter 314, the provisions of the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code do not apply in a municipality that has 4,000 or fewer residents except to the extent the municipality has adopted that code pursuant to this subsection.
4. Any municipality with a population of less than 4,000 must choose one of the following options. If a Town chooses to adopt a Code, it must be done by town ordinance:
 - A. Adopt MUBEC
 - B. Adopt MUBC
 - C. Adopt MUEC
5. Effective December 1, 2010, except as provided in 10 M.R.S. §9724(4) and §9725, any

ordinance regarding any building code of any political subdivision of the State that is inconsistent with the MUBEC, MUBC and MUEC is void, with the following exception: this provision does not apply to any adopted fire & life safety code, fire safety ordinance or any land use ordinance, including Land Use Planning Commission rules.

6. No provisions of the MUBEC, MUBC or MUEC shall be construed to prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth provisions for local enforcement of building codes. Such ordinances may include items such as, permits, fees, boards of appeals and violations.

SECTION 5. ENFORCEMENT OF MUBEC

1. Pursuant to 25 M.R.S. §2373, in municipalities with a population over 4,000, enforcement of the provisions of the MUBEC shall be the responsibility of the municipality and shall be accomplished by one or more of the following means the decision of which provision is used is solely the decision of the municipality.
 - A. Building officials. Inspections performed by building officials certified pursuant to 30-A M.R.S. §4451.
 - B. Inspections by virtue of inter-local agreements. Inspections performed by virtue of inter-local agreements with other municipalities, that share the use of building officials, certified in building standards pursuant to 30-A M.R.S. §4451.
 - C. Contractual agreements. Inspections performed by virtue of contractual agreements with one or more municipalities, or county or regional authorities, that share the use of building officials certified in building standards pursuant to 10 M.R.S. §9723.
 - D. Third party inspection by report. Inspections performed and verified by reports from a TPI, certified pursuant to 10 M.R.S. §9723.
 - E. If the municipality does not elect one or more of the four-options listed above, then the applicant shall elect to have an inspection performed by a TPI at their own cost.

SECTION 6. ELEMENTS OF THE MAINE UNIFORM BUILDING AND ENERGY CODE

1. This Code consists of a compilation of the following editions of the following codes, which are adopted in whole or in part, in Chapters 3, 4, 5 and 6 of these rules.
 - A. The International Building Code (IBC) edition issued for the year 2015.
 - B. The International Existing Building Code (IEBC) edition issued for the year 2015.
 - C. The International Residential Code (IRC) edition issued for the year 2015.
 - D. The International Energy Conservation Code (IECC) edition issued for the year 2009.
2. The following standards are also adopted in this Code.

- A. The American Society of Heating, Refrigerating and Air-Conditioning Engineers, Standards (ASHRAE) 62.1-2013 (Ventilation for Acceptable Indoor Air Quality), 62.2- 2013 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings) and 90.1-2013 (Energy Standard for Buildings except Low-Rise Residential Buildings), editions without addenda.
- B. The American Society for Testing and Materials (ASTM), E-1465-08, Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings.

SECTION 7. ELEMENTS OF THE MAINE UNIFORM BUILDING CODE (MUBC)

- 1. This Code consists of a compilation of the following editions of the following codes, which are adopted in whole or in part, in Chapters 3, 4, 5 and 6 of these rules.
 - A. The International Building Code (IBC) edition issued for the year 2015.
 - B. The International Existing Building Code (IEBC) edition issued for the year 2015.
 - C. The International Residential Code (IRC) edition issued for the year 2015.
- 2. The following standards are also adopted in this Code.
 - A. The American Society of Heating, Refrigerating and Air-Conditioning Engineers, Standards (ASHRAE) 62.1-2013 (Ventilation for Acceptable Indoor Air Quality) and 62.2-2013 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings) editions without addenda.
 - B. The American Society for Testing and Materials (ASTM), E-1465-08, Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings.

SECTION 8. ELEMENTS OF THE MAINE UNIFORM ENERGY CODE (MUEC)

- 1. This Code consists of a compilation of the following editions of the following codes, which are adopted in whole or in part, in Chapter 6 of these rules.
 - A. The International Energy Conservation Code (IECC) edition issued for the year 2009.
- 2. The following standards are also adopted in this Code.
 - A. The American Society of Heating, Refrigerating and Air-Conditioning Engineers, Standards (ASHRAE) 62.1-2013 (Ventilation for Acceptable Indoor Air Quality), 62.2-2013 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings) and 90.1-2013 (Energy Standard for Buildings except Low-Rise Residential Buildings), editions without addenda.

- B. The American Society for Testing and Materials (ASTM), E-1465-08, Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings.

SECTION 9. CODES THAT CONTINUE IN EFFECT IN CONJUNCTION WITH THIS CODE

1. The following codes, standards, rules and their amendments, listed in this section, shall remain in full force and effect in their entirety and are not affected by the operation of this Code.
 - A. Electrical standards adopted pursuant to 32 M.R.S. §1153-A.
 - B. The plumbing code adopted pursuant to 32 M.R.S. §3403-B.
 - C. Oil and solid fuel burning equipment standards adopted pursuant to 32 M.R.S. §2353.
 - D. Propane and natural gas equipment standards adopted pursuant to 32 M.R.S. §14804.
 - E. Boiler and pressure vessel standards adopted pursuant to 32 M.R.S. §15104-A.
 - F. Elevator standards adopted pursuant to 32 M.R.S. §15206.

SECTION 10. THE FOLLOWING MODIFIED CODE REMAINS IN EFFECT

1. The following code remains in effect, with modifications to resolve conflicts with this code.
 - A. Fire safety codes and standards adopted pursuant to 25 M.R.S. §§2452 and 2465.

SECTION 11. CERTIFICATION STANDARDS FOR BUILDING OFFICIALS AND THIRD-PARTY INSPECTORS

1. Authority to Establish Standards
 - A. The training and certification committee of the Technical Building Codes and Standards Board shall determine the standards for certifying building officials and third-party inspectors. Standards shall enumerate the knowledge and training required to ensure that building officials and third-party inspectors have the basic understanding needed to apply the MUBEC, MUBC, and MUEC and the ongoing education needed to stay current with code changes and amendments.
2. Training and Certification Program
 - A. The Maine Department of Economic and Community Development (“Department”) shall administer the training and certification program in accordance with the standards established in Section 11.1. The Department shall adopt by rule the certification and recertification standards set by the training and certification committee.

- (1) Review of Training Content. The training and certification committee of the Technical Building Codes and Standards Board shall annually review the building standards training and certification program to:
 - (a) Assure the training content meets the needs of code enforcement officers, municipal building officials, and third-party inspectors;
 - (b) Evaluate training materials for consistency with the Maine Uniform Building Code and Energy Code;
 - (c) Confirm that training courses are regularly offered in geographically diverse locations; and
 - (d) Confirm that training for municipal building officials is fully-funded by the State.

SECTION 12. ADVISORY RULINGS AND TECHNICAL SUPPORT

1. The interpretation and enforcement of this Code are the responsibility of the local municipality. However, the Bureau is available to provide advisory rulings and technical support for the administration of this Code, amendments, conflict resolutions, and interpretations. This support includes but is not limited to:
 - A. Written request. Upon written request of any interested person or entity, the Bureau may provide a nonbinding advisory interpretation, pursuant to Title 5 M.R.S. §9001, with respect to the applicability of any statute, rule or code administered by the Bureau, on that person or entity, or the property of that person or entity, or actual state of facts. The written request shall be made on the official Bureau form and shall include the following information.
 - (1) Specific identification of the subject code or codes with a description of the questioned application or perceived conflict.
 - (2) Relevant construction documents to fully illustrate the issue upon which an advisory interpretation is sought.
 - (3) The Bureau may request additional documentation or information required to issue an advisory interpretation or to provide technical support. All requested information shall be provided within 30 days of request, or the request for advisory interpretation or support may be deemed abandoned.
 - B. Advisory interpretation written. All advisory interpretations shall be in writing.
 - C. Advisory interpretations not binding. An advisory interpretation shall not be binding.

SECTION 13. PROCEDURE FOR CODE AMENDMENT

The purpose of this section is to establish policies and procedures for submittal, Board review and consideration of all proposed amendments to the MUBEC, MUBC and MUEC.

1. Policies for the consideration of proposed amendments.
 - A. Amendments to the MUBEC, MUBC and MUEC submitted by an agency, municipality or county or other interested individual or organization shall be based on one of the following criteria:
 - (1) The amendment is required to address a health, safety or welfare need.
 - (2) The amendment is required to address a specific State policy or statute.
 - (3) The amendment is required for consistency with State or Federal regulations.
 - (4) The amendment is required to address a unique character of the State.
 - (5) The amendment corrects errors and omissions.
 - B. Amendments and emergency amendments to the MUBEC, MUBC and MUEC shall conform to the purposes, objectives, requirements and standards prescribed in the statutory authority: 10 M.R.S. §9721, *et seq.*
 - C. The Board will accept and consider all other petitions for amendments in accordance with 10 M.R.S. §9721, *et seq.*
 - D. The Board shall publicize the MUBEC, MUBC or MUEC amendment process in January of each year. Proposed amendments must be received by May 30 to be considered for adoption by December 30. The Board shall review all proposed amendments and file for future rulemaking those proposals approved as submitted or as amended by the Board. Amendments as approved by the Board shall be posted to the public website within 30 days after rulemaking is completed. The Board shall endeavor to ensure that all amendments become effective January 1 of the following year after submission of the proposed amendment to the Board. Emergency amendments shall become immediately effective upon vote of the Board in accordance with 5 M.R.S §8055.
 - E. The Board shall consider the action of the model code organizations, including supplements and accumulative supplements, in their consideration of these proposals.
2. Procedure for submitting proposed amendments.
 - A. All proposed amendments shall be submitted in writing to the Board by May 30 on the form provided by the Board.
 - B. The Board may refer a proposed amendment to one or more of the Technical Advisory Groups for review and comment prior to Board action in accordance with these rules.
 - C. The Board shall act on all proposed amendments received by June 30 of each year and put into place January of the following year. Amendments as approved

by the Board shall be posted to the public website within 30 days of adoption at the direction of the Board.

- D. If the proposed amendment is more restrictive than the MUBEC, MUBC or MUEC provision, the entity submitting the amendment shall:
- (1) Identify the types and projected number of small businesses impacted,
 - (2) Estimate the financial impact,
 - (3) Provide a description of any less intrusive or less costly reasonable alternative method of achieving the proposed code amendment, and
 - (4) Attach supporting documentation.
3. Petition for emergency review.
- A. The Board will accept and consider written petitions for emergency amendments to the MUBEC, MUBC or MUEC at any time, in accordance with 10 M.R.S. §9721, *et seq.* Emergency amendment means any proposed amendment, the adoption of which is immediately necessary in order to protect health, safety, and welfare of building occupants; preserve the structural integrity of buildings built in accordance with the MUBEC, MUBC and MUEC and to correct errors and omissions that in the opinion of the Board need to be immediately rectified and addressed. Emergency amendments require a 2/3 vote by the Board of members present and voting. Emergency amendments to the MUBEC, MUBC and MUEC must be adopted in accordance with the Maine Administrative Procedure Act, Title 5, Chapter 375.
4. Petition for reconsideration.
- A. When the Board denies an amendment to the MUBEC, MUBC or MUEC, the party proposing the amendment may file a written petition for reconsideration. The petition must be received by the Board within thirty calendar days of the date of action of the Board. The petition must state specific reasons why the Board should reconsider their decision.
- B. Within ninety calendar days of receipt of a timely petition for reconsideration, the Board shall in writing:
- (1) Grant the petition for reconsideration and approve the amendment;
 - (2) Deny the petition for reconsideration, giving reasons for the denial; or
 - (3) Request additional information and extend the time-period for not more than thirty calendar days to either grant or deny the petition for reconsideration.
- C. All final Board actions under this section are subject to judicial review under the Maine Administrative Procedure Act, Title 5 M.R.S. Chapter 375.

**SECTION 14. PROCEDURES FOR IDENTIFYING AND RESOLVING CONFLICTS
BETWEEN THIS CODE AND THE FIRE SAFETY CODES AND STANDARDS**

1. Notification shall be made to the authority or authorities having jurisdiction over the code or standard that is in conflict with these Codes, and a request for submission of proposed solutions for such conflicts.
2. Conflict resolution. The following procedures shall be employed by the Board for consideration of proposed solutions submitted for provisions that are in conflict with these Codes. The Board shall also consider new approaches to resolving conflicts.
 - A. Identify and indicate the codes in conflict, the edition, chapter, section, and sub-sections as appropriate of the codes.
 - B. Provide a narrative of the code provisions which indicate the intent of each section and provide a description of the conflicting provisions.
 - C. Compare the provisions in respect to health, safety and welfare of building occupants, establish by a quorum of Board members present and voting, whether the provision found within the MUBEC, MUBC or MUEC provides a level of health, safety and welfare that is more stringent or less stringent than the provision of the code identified as "in conflict" with these Codes.
 - D. If the provision of the code identified as "in conflict" with these Codes is found to provide a level of health, safety and welfare that is less stringent, the Board members shall review the provision in respect to its conformance with "industry standards." If the provision of the code identified as "in conflict" is found to be less stringent than the industry standard, it shall not be adopted in place of the provision of these Codes.
 - E. If the provision of the code identified as "in conflict" is found to be more stringent than "industry standards," the current provision of the MUBEC, MUBC or MUEC shall remain.
 - F. If the provision of the code identified as "in conflict" with these Codes is found to provide a level of health, safety, and welfare that is more stringent, the Board members shall consider the financial impact of the improved health, safety and welfare provision. If the cost of complying with the provision of the code identified as "in conflict" is found to be equal to or less than that of the provision of the MUBEC, MUBC or MUEC, the more stringent provision shall be adopted in place of the provision of the MUBEC, MUBC or MUEC.
 - G. If the cost of the code provision identified as "in conflict" is found to be greater than that of the MUBEC, MUBC or MUEC, the Board members will determine if the provision identified as "in conflict" "significantly influences health, safety, and welfare in the State." If the Board members find the provision identified as "in conflict" does significantly influence health, safety and welfare in the State it shall be adopted. If the Board members find the provision identified as "in conflict" does not significantly influence health, safety, and welfare, it shall not be adopted in place of the provision of the MUBEC, MUBC or MUEC.

- H. A record of the deliberations shall be recorded, dated, and signed by the Board Secretary.
3. Publication of resolution of the conflict shall be made, within 30 days of adoption, on the Bureau's webpage.

SECTION 15.- EXPERIMENTAL BUILDINGS

1. These Codes shall not limit the use of non-traditional or experimental construction, including, but not limited to straw bale and earth berm construction. However, construction must adhere to the provisions of these Codes.

SECTION 16. NATIVE LUMBER

1. These Codes shall not limit the use of building materials from local sawmills including, but not limited to non-graded lumber. However, the materials must be of sufficient quality to be adequate for the purpose intended and must adhere to the provisions of these Codes.

SECTION 17. COPIES OF THE FOLLOWING CODES MAY BE PURCHASED FROM:

1. The International Building Code (IBC), 2015 edition.
500 New Jersey Avenue, NW, 6th Floor
Washington, DC 20001
1-888-ICC-SAFE (422-7233)
2. The International Existing Building Code (IEBC), 2015 edition.
500 New Jersey Avenue, NW, 6th Floor
Washington, DC 20001
1-888-ICC-SAFE (422-7233)
3. The International Residential Code (IRC), 2015 edition.
500 New Jersey Avenue, NW, 6th Floor
Washington, DC 20001
1-888-ICC-SAFE (422-7233)
4. The International Energy Conservation Code (IECC), 2009 edition.
500 New Jersey Avenue, NW, 6th Floor
Washington, DC 20001
1-888-ICC-SAFE (422-7233)
5. The ASHRAE Standards 62.1-2013, 62.2-2013 and 90.1-2013; editions without addenda.
ASHRAE
1791 Tullie Circle NE
Atlanta, GA 30329
www.ashrae.org
6. ASTM – E1465-08
ASTM International
100 Barr Harbor Drive

PO Box C700
West Conshohocken, PA 19428-2959
1-877-909-2786

STATUTORY AUTHORITY: 10 M.R.S. §9722

EFFECTIVE DATE:

October 11, 2010 – filing 2010-466

TPIs

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642 BUREAU OF BUILDING CODES AND STANDARDS

Chapter 2: MAINE UNIFORM BUILDING CODE AND UNIFORM ENERGY CODE -
THIRD PARTY INSPECTORS ("TPI")

SECTION 1. PURPOSE AND SCOPE

A TPI certified by the Maine Department of Economic and Community Development is authorized to enter into a private agreement for remuneration with an Applicant or with a municipality or municipalities, to conduct inspections under 30-A M.R.S. §4451 for compliance with these Codes, to issue a Notice to Proceed to the Applicant and to issue an inspection report to the municipality for the issuance of a certificate of occupancy.

SECTION 2. AUTHORITY

The authority for third party inspectors is found in 10 M.R.S. §9723.

SECTION 3. NOTICE TO PROCEED

1. A TPI shall inspect the Applicant's planned construction documents, including diagrams, schematics, specifications, etc. for compliance with these Codes. If the TPI finds the planned construction complies with the Code, the TPI shall:
 - A. Approve the planned construction in writing to the Applicant, as currently in compliance with these Codes, within the specific building area for which the TPI is certified.

SECTION 4. *RESERVED*

SECTION 5. CONSTRUCTION FILE

1. One copy of the Construction File shall be retained by the TPI, and an additional copy shall be furnished to the municipality when the Application for Certificate of Occupancy is submitted.
2. One copy of the Construction File shall be provided to the Applicant and shall be available upon request, for inspection, during the planned construction.
3. The Construction File shall contain the following:
 - A. All written correspondence between the TPI and the Applicant regarding the planned construction. The inclusion of contractual documents regarding contracted services by and between the TPI and Applicant is voluntary.

- B. A copy of the plans, schematics, diagrams, and specifications fully describing the planned construction.
- C. A copy of the Notice to Proceed issued by the TPI to the Applicant for the planned construction.
- D. Change orders for significant modification of planned construction and TPI approval for each change order.
- E. A copy of all inspection reports prepared by the TPI.
- F. A copy of all photographs of the construction. Each photograph shall be time dated.
- G. A final statement of the TPI to the municipality advising if the subject construction is compliance with these Codes.

SECTION 6. INSPECTION REPORT

1. The Inspection Report shall be prepared by the TPI, and shall include, but not be limited to the following information.
 - A. The Inspection Report shall contain a clear and concise description of each Code item reviewed for compliance.
 - B. The Inspection Report shall provide instruction and guidance to the Applicant to identify and resolve items found to be in noncompliance with the Code.
 - C. Inspection items found to be in noncompliance shall be described and identified by Code section.
 - D. Correction of non-conforming inspection items shall be documented.
 - E. All change orders that significantly modify the planned construction, shall be dated and shall include a written determination by the TPI of Code compliance or noncompliance.
 - F. Each Inspection Report shall include the time and date of inspections, the stage of the planned construction and shall be signed by the TPI conducting the inspection.

SECTION 7. INSPECTIONS

1. Construction for which a Notice to Proceed is issued shall be subject to inspection by the TPI and such construction shall remain accessible and exposed for inspection purposes until approved by the TPI.
2. The TPI, upon notification by the Applicant, shall make inspections pursuant to the Code and Chapter I of each applicable international code. Such inspection(s) shall be within the specific building area(s) for which the TPI is certified.

STATUTORY AUTHORITY: 10 M.R.S. §9723

EFFECTIVE DATE:

October 11, 2010 – filing 2010-471

IBC

16 DEPARTMENT OF PUBLIC SAFETY

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Chapter 3: MAINE UNIFORM BUILDING CODE - COMMERCIAL BUILDING CODE OF MAINE

SUMMARY: This chapter establishes the Commercial Building Code component of the Maine Uniform Building and Energy Code "MUBEC" and "MUBC." The provisions of this chapter are based on a nationally recognized model building code published by the International Code Council, Inc., and is made part of the MUBEC and MUBC through incorporation by reference. This chapter also contains requirements for the enforcement of the Commercial Building code by local building officials in municipalities with a population of more than 4,000 residents.

SECTION 1. PURPOSE AND SCOPE

All building construction within a municipality of over 4,000 inhabitants shall be governed by the MUBEC. All other municipalities shall be governed by the MUBEC or the MUBC as adopted by the municipality. These codes are adopted by the Technical Building Codes and Standards Board pursuant to 10 M.R.S. Chapter 1103. The primary objective of the Board is to establish a uniform building code throughout the State of Maine.

This chapter sets forth the standards for the construction, alteration, movement, 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 building or structure, with the exception of detached one and two-family dwellings and townhouses.

SECTION 2. AUTHORITY

The authority for this Chapter is 10 M.R.S. §9722, which provides that the Maine Technical Building Codes and Standards Board shall promulgate rules which adopt, amend, and maintain the Maine Uniform Building and Energy Code and the Maine Uniform Building Code (MUBC). A municipality will have up to 90 days after the effective date of this rule to begin enforcement under the 2015 code.

SECTION 3. DEFINITIONS

1. **IBC.** "IBC" means the 2015 International Building Code, published by the International Code Council, Inc.
2. **NFPA.** "NFPA" means The National Fire Protection Association.
3. **MUBEC.** "MUBEC" means the Maine Uniform Building and Energy Code adopted pursuant to 10 M.R.S. §9271 *et seq.*

4. **MUBC.** "MUBC" means the Maine Uniform Building Code. "Maine Uniform Building Code" means that portion of the Maine Uniform Building and Energy Code that does not contain energy code requirements as determined by the board pursuant to section 9722, subsection 6, paragraph L.
5. **Technical Building Codes and Standards Board.** "Technical Building Codes and Standards Board" means the board established pursuant to 5 M.R.S. §12004-G, subsection 5-A and 10 M.R.S. §9722.

SECTION 4. INCORPORATION BY REFERENCE

1. The following Chapters of the 2015 International Building Code, published by the International Code Council, Inc. are hereby adopted and incorporated by reference:
 - A. Chapters 1 – 11
 - B. Chapters 12 – 28
 - C. Chapters 30 – 33
 - D. Chapter 35
2. The following Chapters, and all appendices, of the IBC are specifically excluded from adoption:
 - A. Chapter 29 PLUMBING SYSTEMS
 - B. Appendix A – M

SECTION 5. REVISIONS TO THE IBC

The following additions, insertions, deletions, and other changes are hereby made to the 2015 International Building Code:

1. Generally all sections.
Delete "International Mechanical Code"
Insert "applicable state codes and statutes"
2. Section 101.1
Delete [NAME OF JURISDICTION]; *and*
Insert "State of Maine" in its place.
3. Section 101.4.1
Delete "International Fuel Gas Code"; *and*
Insert "NFPA 54 National Fuel Gas Code: Fire safety codes and standards adopted pursuant to Title 25 M.R.S. §§2452 and 2465" in its place.
4. Section 101.4.2
Delete Section 101.4.2 "Mechanical" in its entirety, without substitution.

5. Section 101.4.3

Delete "International Plumbing Code"; *and*

Insert "Maine State Plumbing Code, adopted pursuant to Title 32, M.R.S §3404-B" in its place.

Delete "International Private Sewage Disposal Codes"; *and*

Insert "Maine State Plumbing Code, adopted pursuant to Title 32, M.R.S §3404-B" in its place.

6. Section 101.4.4

Delete Section 101.4.4 "Property maintenance" in its entirety, without substitution.

7. Section 101.4.5

Delete "International Fire Code"; *and*

Insert "NFPA #1; Fire codes and standards adopted pursuant to Title 25 M.R.S §§2452 and 2465" in its place.

8. Section 102.1

Insert "No provisions of the MUBEC or MUBC shall be construed to prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth provisions for local enforcement of building codes. Such ordinances may include items such as, permits, permit fees, boards of appeals and violations."

9. Section 102.4.1

Delete Section 102.4.1

10. Section 102.4.2

Delete section 102.4.2

11. Section 102.6

Delete "International Property Maintenance Code or the International Fire Code"; *and*

Insert "NFPA #1; Fire Safety codes and standards adopted pursuant to Title 25 M.R.S §§2452 and 2465" in its place.

12. Section 102.6.2

Delete "International Property Maintenance Code or the International Fire Code"; *and*

Insert "NFPA #1; Fire Safety codes and standards adopted pursuant to Title 25 M.R.S §§2452 and 2465" in its place.

13. Section 103

Delete Section 103 "Department of Building Safety" in its entirety, without substitution.

14. Sections 104, 105, 106, 107, 108, 110, 111, 112, 115 and 116 and any amendments thereto shall only be applicable:
 - A. In a municipality with a population of 4,000 or more residents, beginning:
 - (1) No later than December 1, 2010, if the municipality had previously adopted any building code on or before August 1, 2008; or
 - (2) No later than July 1, 2012, if the municipality had not adopted any building code on or before August 1, 2008.
 - B. In a municipality with a population of less than 4,000 residents if the municipality voluntarily elects to enforce the MUBEC or MUBC.
15. Section 104.8
Delete all language in Section 104.8; *and*
Insert "See 14 MRSA §8101" in its place.
16. Section 105.1
Insert "where required by municipal ordinance" at the end of the paragraph.
17. Section 105.2
Insert "Structures exempt from permits shall be located in compliance with zoning and floodplain regulations" at the end of the paragraph.
18. Section 109
Delete Section 109 "Fees" in its entirety, without substitution.
19. Sections 113 and 114
Delete Section 113 "Board of Appeals" and Section 114 "Violations" in their entirety, without substitution.
20. Section 308.3.3
Delete All language in section 308.3.3; *and*
Insert "See NFPA 101 2015 edition chapter 16"
21. Section 308.6
Delete All language in section 308.6; *and*
Insert "See NFPA 101 2015 edition Chapter 16"
22. Section 308.6.1
Delete "A child day care facility that provides care for more than five but not more than 100 children 2 ½ years or less of age" *and*

Insert "A child day care facility that provides care for more than twelve but not more than 100 children 2 ½ years or less of age."

23. Section 308.5.2

Delete Section 308.5.2 and the exceptions thereto, in its entirety, without substitution.

24. Section 404.6

Delete all language in Section 404.6; *and*
Insert "See NFPA 101 8.6.7 (2015 edition)" in its place.

25. Section 419.5

Delete this section: "and an automatic sprinkler system in accordance with Section 903.2.8"

26. Section 716.5.9.1.2

Insert a new Section 716.5.9.1.2 to read: "Every door assembly in a stair enclosure serving more than four (4) stories shall permit re-entry from the enclosure to the interior of the building. **Exception:** An automatic release that is actuated with the initiation of the building fire alarm or fire detection system shall be provided to unlock all stair enclosure door assemblies to allow re-entry."

27. Section 717.5.3

Delete "and smoke" in the first sentence.

28. Section 903.2.1.2

Delete "100" and *Insert* "300"

29. Section 903.3.1

Insert "and any other adopted standard of the Office of the State Fire Marshal and in accordance with the sprinkler rules in the Office of The State Fire Marshal fire sprinkler technical policy"

30. Section 1004.1.2, Exception

Delete "**Exception:** Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load."

31. Section 1005.1

Insert (within the paragraph; after) The means of egress width shall not be less than required by this section. The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inches (7.61mm) per occupant for stairways.

Exception: Board and Care 0.4; Health Care – Sprinkled 0.3; Health Care Non-sprinkled 0.6.

Delete “and by 0.2 inches (5.08 mm) per occupant for other egress components”

Insert The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.2 inches (5.08 mm) per occupant for other egress components.

Exception: Board and Care 0.2; Health Care Sprinkled 0.2; Health Care Non-Sprinkled 0.5.

32. Section 1010.1.9.9

Delete “E” from the Group reference in two (2) locations in the first paragraph.

33. Section 1017

Delete all language in Section 1017; *and*
Insert “See NFPA 101-2009 Table A7.6” in its place.

34. Section 1017, Table 1017.2

Insert “I-1” in the occupancy column as a new row; *and*
Insert “See NFPA 101-2009 Table A7.6”

35. Section 1017, Table 1017.2

Delete “E” from the occupancy column as one of the use groups; *and*
Insert a new row in the column titled “Single Use”; *and*
Insert “E” in the Single Use occupancy column; *and*
Insert “150” in the without sprinkler system (feet) column; *and*
Insert “200” in the sprinkling system (feet) column.

36. Section 1017, Table 1017.2

Delete “S-1 and S-2” from the occupancy column; *and*
Insert “S-1 and S-2” in the occupancy column as a new row; *and*
Insert “See NFPA 101-2009 Table A7.6”

37. Section 1030.5.1

Insert “the means of escape shall be continuously maintained free of all obstructions or impediments to full use in case of fire or other emergency”

38. Section 2801.1

[M] 2801.1 Scope. Mechanical appliances, equipment and systems shall be constructed, installed and maintained in accordance *and*
Delete “with the International Mechanical Code and the International Fuel Gas Code. Masonry chimneys, fireplaces

and barbecues shall comply with the International Mechanical Code and Chapter 21 of this code." *and*
Insert "with ASHRAE 62.1 2013 edition"

STATUTORY AUTHORITY: 10 M.R.S. §9722

EFFECTIVE DATE:

October 11, 2010 – filing 2010-468

IEBC

Chapter 4: MAINE UNIFORM BUILDING CODE - EXISTING BUILDING CODE

SUMMARY: This chapter establishes the Existing Building code component of the Maine Uniform Building and Energy Code ("MUBEC") and the Maine Uniform Building Code ("MUBC"). The provisions of this chapter are based on a nationally recognized model building code published by the International Code Council, Inc., and is made part of the MUBEC through incorporation by reference. This chapter also contains requirements for the enforcement of the Existing Building code by local building officials in municipalities with a population of more than 4,000 residents.

SECTION 1. PURPOSE AND SCOPE

All building construction within a municipality of over 4,000 inhabitants shall be governed by the MUBEC. All other municipalities shall be governed by the MUBEC or the MUBC as adopted by the municipality. These codes are adopted by the Technical Building Codes and Standards Board pursuant to 10 M.R.S. Chapter 1103. The primary objective of the Board is to establish uniform building codes throughout the State of Maine.

This chapter sets forth the standards for the repair, alteration, change of occupancy, addition and relocation of all existing buildings.

SECTION 2. AUTHORITY

The authority for this Chapter is 10 M.R.S. §9722, which provides that the Maine Technical Building Codes and Standards Board shall promulgate rules which adopt, amend, and maintain the Maine Uniform Building and Energy Code and the Maine Uniform Building Code. A municipality will have up to 90 days after the effective date of this rule to begin enforcement under the 2015 code.

SECTION 3. DEFINITIONS

1. **IEBC.** "IEBC" means the 2015 International Existing Building code, published by the International Code Council, Inc.
2. **MUBEC.** "MUBEC" means the Maine Uniform Building and Energy Code adopted pursuant to 10 M.R.S. §9271, *et seq.*
3. **MUBC.** "MUBC" means Maine Uniform Building Code. "Maine Uniform Building Code" means that portion of the Maine Uniform Building and Energy Code that does not contain energy code requirements as determined by the board pursuant to section 9722, subsection 6, paragraph L.

4. **Technical Building Codes and Standards Board.** “Technical Building Codes and Standards Board” means the board established pursuant to 5 M.R.S. §12004-G, subsection 5-A and 10 M.R.S. §9722.

SECTION 4: INCORPORATION BY REFERENCE

1. Chapters 1 – 16 and Appendices A-C of the 2015 International Existing Building Code, published by the International Code Council, Inc., are hereby adopted and incorporated by reference.

SECTION 5. REVISIONS TO THE IEBC

The following additions, insertions, deletions, and other changes are hereby made to the 2015 International Existing Building Code:

1. Generally all sections

Delete “International Mechanical Code”
Insert “applicable state codes and statutes”
2. Generally all sections

Delete “International Fire Code”
Insert “NFPA #1; Fire code and standards adopted pursuant to Title 25 M.R.S. §§2452 and 2465”
3. Section 101.1

Delete [NAME OF JURISDICTION]; *and*
Insert “State of Maine” in its place.
4. Section 101.4.3

Insert: Section 101.4.3 “No provisions of the MUBEC or MUBC shall be construed to prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth provisions for local enforcement of building codes. Such ordinances may include items such as, permits, permit fees, boards of appeals and violations.”
5. Section 103

Delete Section 103 “Department of Building Safety” in its entirety, without substitution.
6. **Sections 104, 105, 106, 107, 109, 110, 111, 114, 115, 116, and 117, and any amendments thereto shall only be applicable:**
 - A. In a municipality with a population of 4,000 or more residents, beginning:
 - (1) No later than December 1, 2010, if the municipality had previously adopted any building code on or before August 1, 2008; or

- (2) No later than July 1, 2012, if the municipality had not adopted any building code on or before August 1, 2008.
- B. In a municipality with a population of less than 4,000 residents, if the municipality voluntarily elects to enforce the MUBEC or MUBC.
7. Section 104.8
- Delete* all language in Section 104.8; and
Insert "See 14 M.R.S. §8101" in its place.
8. Section 105.1
- Insert* (at the end of the paragraph), "where required by municipal ordinance."
9. Section 105.2
- Insert* (at the end of the paragraph after jurisdiction and before Permits): "Structures exempt from permits shall be located in compliance with zoning and floodplain regulations."
10. Section 108
- Delete* Section 108 "Fees" in its entirety, without substitution.
11. Sections 112 and 113
- Delete* Section 112 "Board of Appeals" and Section 113 "Violations" in their entirety, without substitution.
12. Section 702.6
- Delete* "International Mechanical Code and International Plumbing Code"
Insert "Maine State Plumbing Code, Maine State Fuel Gas and mechanical provisions"
13. Section 702.61
- Delete* "International Fuel Gas Code"
Insert "NFPA #54 Fuel Gas Code; Fire codes and standards adopted pursuant to Title 25 M.R.S. §§2452 and 2465"
14. Section 1009.1
- Delete* "in accordance with the International Mechanical Code" and "intent of the respective International Mechanical Code provisions", and
Insert "provisions of NFPA #96; Fire codes and standards adopted pursuant to Title 25 M.R.S. §§2452 and 2465"
15. Section 1010.1
- Delete* "International Plumbing Code"

Insert "Maine Plumbing Code"

16. Section 1010.2

Delete "International Plumbing Code"

Insert "Maine Plumbing Code"

17. Section 1010.3

Delete "International Plumbing Code"

Insert "Maine Plumbing Code"

18. Section 1010.5

Delete "International Plumbing Code"

Insert "Maine Plumbing Code"

19. Section 1301.2

Delete "International Fire Code and the International Property Maintenance Code."

Insert "NFPA #1; Fire codes and standards adopted pursuant to Title 25 M.R.S. §§2452 and 2465"

20. Section 1401.2

Delete "[DATE TO BE INSERTED BY THE JURISDICTION]"; and

Insert "December 1, 2010".

STATUTORY AUTHORITY: 10 M.R.S. §9722, sub-§6

EFFECTIVE DATE:

October 11, 2010 – filing 2010-469

IRC

Chapter 5: MAINE UNIFORM BUILDING AND ENERGY CODE AND MAINE UNIFORM BUILDING CODE - RESIDENTIAL BUILDING CODE FOR ONE AND TWO-FAMILY DWELLINGS IN MAINE

SUMMARY: This chapter establishes the Residential Building code component of the Maine Uniform Building and Energy Code ("MUBEC") and the Maine Uniform Building Code ("MUBC"). The provisions of this chapter are based on a nationally recognized model building code published by the International Code Council, Inc., and is made part of the MUBEC and MUBC through incorporation by reference. This chapter also contains requirements for the enforcement of the Residential Building code by local building officials in municipalities with a population of more than 4,000 residents.

SECTION 1. PURPOSE AND SCOPE

All building construction within a municipality of over 4,000 inhabitants shall be governed by the MUBEC. All other municipalities shall be governed by the MUBEC or the MUBC as adopted by the municipality. These codes are adopted by the Technical Building Codes and Standards Board pursuant to 10 M.R.S. Chapter 1103. The primary objective of the Board is to establish a uniform building code throughout the State of Maine.

This chapter sets forth the standards for residential construction for one and two-family dwellings that are part of the MUBEC and MUBC. It applies to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of 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.

SECTION 2. AUTHORITY

The authority for this Chapter is 10 M.R.S. §9722, which provides that the Maine Technical Building Codes and Standards Board shall promulgate rules which adopt, amend, and maintain the Maine Uniform Building and Energy Code and the Maine Uniform Building Code. A municipality will have up to 90 days after the effective date of this rule to begin enforcement under the 2015 code.

SECTION 3. DEFINITIONS

1. **IRC.** "IRC" means the 2015 International Residential Code, published by the International Code Council, Inc.
2. **NFPA.** "NFPA" means The National Fire Protection Association.

3. **MUBEC.** "MUBEC" means the Maine Uniform Building and Energy Code adopted pursuant to 10 M.R.S. §9271, *et seq.*
4. **MUBC.** "MUBC" means Maine Uniform Building Code. "Maine Uniform Building Code" means that portion of the Maine Uniform Building and Energy Code that does not contain energy code requirements as determined by the board pursuant to section 9722, subsection 6, paragraph L.
5. **Technical Building Codes and Standards Board.** "Technical Building Codes and Standards Board" means the board established pursuant to 5 M.R.S. §12004-G, subsection 5-A and 10 M.R.S. §9722.

SECTION 4: INCORPORATION BY REFERENCE

1. The following Chapters of the 2015 International Residential Code, published by the International Code Council, Inc., are hereby adopted and incorporated by reference:
 - A. Chapters 1 - 10
 - B. Chapters 12 - 19
 - C. Chapter 23
 - D. Chapter 41
 - E. Chapter 42
 - F. Chapter 44
 - G. Appendix G
 - H. Appendix V-As Attached
2. The following Chapters, and all appendices, of the IRC are specifically excluded from adoption:
 - A. Chapter 11 Energy Efficiency
 - B. Chapter 20 Boilers and Water Heaters
 - C. Chapter 21 Hydronic Piping
 - D. Chapter 22 Special Piping and Storage Systems
 - E. Chapter 24 Fuel Gas
 - F. Chapter 25 Plumbing Administration
 - G. Chapter 26 General Plumbing Requirements
 - H. Chapter 27 Plumbing Fixtures
 - I. Chapter 28 Water Heaters
 - J. Chapter 29 Water Supply and Distribution
 - K. Chapter 30 Sanitary Drainage
 - L. Chapter 31 Vents
 - M. Chapter 32 Traps
 - N. Chapter 33 Storm Drainage
 - O. Chapter 34 General Requirements
 - P. Chapter 35 Electrical Definitions
 - Q. Chapter 36 Services
 - R. Chapter 37 Branch Circuit and Feeder Requirements
 - S. Chapter 38 Wiring Methods
 - T. Chapter 39 Power and Lighting Distribution
 - U. Chapter 40 Devices and Luminaries

- V. Chapter 43 Class 2 Remote-Control, Signaling and Power Limited Circuits
W. Appendix A – F and H - Q

SECTION 5. REVISIONS TO THE IRC

The following additions, insertions, deletions, and other changes are hereby made to the 2015 International Residential Code:

1. Generally all sections

Delete “International Mechanical Code”

Insert “applicable state codes and statues”

2. Section R101.1

Delete [NAME OF JURISDICTION]; *and*

Insert “State of Maine” in its place.

3. Section R101.2

Delete under Exception: “complying with the requirements of Section 419 of the International Building Code”

Delete under Exception: “fire suppression required by Section 419.5 of the International Building Code when constructed under the International Residential Code for one and two-family dwellings shall conform to Section 903.3.1.3 of the International Building Code.”

Delete exception 1 in its entirety

Insert “Live work units as defined in the International Building Code shall be permitted and constructed in accordance with The International Residential Code for One and Two Family Dwellings.”

Delete Exception 2 in its entirety

Insert “One and two family dwellings that house more than 3 outsiders in rented rooms shall be considered an R-1 use group. One and two family dwellings housing 3 or less outsiders in rented rooms shall be permitted and constructed in accordance with The International Residential Code for One and Two Family Dwellings.”

4. Section R102.2.1

Insert “No provisions of the MUBEC or MUBC shall be construed to prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth provisions for local enforcement of building codes. Such ordinances may include items such as, permits, permit fees, boards of appeals and violations.”

5. Section R102.7

Delete “International Property Maintenance Code or the International Fire Code”; *and*

Insert "NFPA #1; Fire and Safety Codes and standards adopted pursuant to Title 25, M.R.S. §§2452 and 2465" in its place.

6. Section R103

Delete Section R103 'Department of Building Safety' in its entirety, without substitution.

7. Section R104.8

Delete all language in Section R104.8; and
Insert "See 14 M.R.S. §8101" in its place.

8. Section R105.1

Insert "where required by municipal ordinance." at the end of the paragraph.

9. Section R105.3

Delete "department of building safety" in the first paragraph; *and*
Insert "municipality" in its place.

10. Section R105.3.1

Delete "within a reasonable time after filing"
Insert "in accordance with 30A M.R.S. §4103"

11. Section R105.3.1.1

Delete "finding shall be provided to the board of appeals for a determination of substantial damage. Applications determined by the bar of appeals to constitute substantial improvement or substantial damage"; *and*
Insert "Building Official" in its place.

12. Section R108

Delete Section R108 "Fees" in its entirety, without substitution.

13. Sections R112 and R113

Delete Section R112 "Board of Appeals" and Section R113 "Violations" in their entirety, without substitution.

14. Section R202

Delete "Conditioned space: For energy purposes, space within a building that is provided with heating and/or cooling equipment of systems capable of maintaining, through design or heat loss/gain 50° F (10° C) during the heating season and 85° F (29° C) during the cooling season, or communicates directly with a conditioned space. For mechanical purposed, an area, room or space being heated or cooled by any equipment or appliance"

Insert “An area or room within a building being heated or cooled, containing un-insulated ducts, or with a fixed opening directly into an adjacent conditioned space.” in its place.

15. Section 302.2

Delete Section 302.2 in its entirety

Insert Section 302.2 as follows:

Townhouses. Common walls separating townhouses shall be assigned a fire resistance rating in accordance with section R302.2, item 1,2 or 3. The common wall shared by two townhouses shall be constructed without plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing.

- A. Where a fire sprinkler in accordance with NFPA 13D is provided the common wall shall be not less than a 2- hour fire resistance rated wall assembly tested in accordance with ASTM E 119 or UL 263.
- B. Where a fire sprinkler is not provided the common wall shall not be less than a 2- hour fire resistance rated wall assembly tested in accordance with ASTM E 119 or UL 263 and meeting the requirements of NFPA 221 as a fire wall.
- C. Where a fire sprinkler in accordance with section NFPA 13R is provided the common wall shall be not less than a 1- hour fire resistance rated wall assembly tested in accordance with ASTM E 119 or UL 263.

16. Section 302.12

Delete Section R 302.12 in its entirety

Insert Section R302.12 as follows:

Draftstopping shall be provided in one and two residential family combustible lightweight assembly construction where there are concealed voids or interstitial spaces above or below a floor/ceiling assembly components; such as but not limited to attics, mansards, overhangs or other concealed spaces. Draftstops shall be installed so that the area of any concealed or void space does not exceed 500 sq.ft. Draftstops shall be installed so that the area of any concealed space is divided into approximately equal areas. Draftstopping shall be installed above, and in line with, sleeping unit and dwelling unit separation walls that do not extend to the underside of the roof sheathing above. Where the assembly is enclosed by a floor membrane above and a ceiling membrane below, draftstopping shall be provided in floor/ceiling assemblies under the following circumstances:

- A. Ceiling is suspended under the floor framing
- B. Floor framing is constructed of truss-type open-web or perforated members

Exceptions:

- A. Where corridor walls provide a sleeping unit or dwelling unit separation, draftstopping shall only be required above one of the corridor walls.
- B. Draftstopping is not required in buildings equipped throughout with an automatic sprinkler system in accordance with IBC Section 903.3.1.1.
- C. Draftstopping is not required in buildings equipped throughout with an automatic sprinkler system in accordance with IBC Section 903.3.1.2 provided that automatic sprinklers are also installed in the combustible concealed space, where the draftstopping is being omitted.
17. Section R310.1, Exception
Insert “if the dwelling unit is protected throughout by an approved automatic sprinkler system in accordance with R313.” at the end of the exception.
18. Section R310. 2.1
Delete “Exception: Grade floor openings shall have a minimum net clear opening of 5 square feet (0.465 m²).”
19. Section 310.2.3
Insert “window wells shall be maintained free and clear at all times”
20. Section R313.2
Delete Section R313.2 in its entirety.
21. Section: Table M1507.3
Delete Table M1507.3.3(1) and M1507.3.3(2); *and*
Insert See ASHRAE 62.2 – 2007 edition; Table 5.1 and 5.2
-

STATUTORY AUTHORITY: 10 M.R.S. §9722

EFFECTIVE DATE:

October 11, 2010 – filing 2010

2015 International Residential Code

APPENDIX V TINY HOUSES

CHAPTER PART AV101— GENERAL

AV101.1 Scope. This appendix shall be applicable to tiny houses used as single dwelling units. Tiny houses shall comply

with this code except as otherwise stated in this appendix.

CHAPTER PART AV102— DEFINITIONS

AV102.1 General. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein.

Refer to Chapter 2 of this code for general definitions.

EGRESS ROOF ACCESS WINDOW. A skylight or roof window designed and installed to satisfy the emergency escape and

rescue opening requirements in Section R310.2.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a loft.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor and open to it on at least one side with a

ceiling height of less than 6 feet 8 inches (2032 mm), used as a living or sleeping space.

TINY HOUSE. A dwelling that is 400 square feet (37 m²) or less in floor area excluding lofts.

CHAPTER PART AV103— CEILING HEIGHT

AV103.1 Minimum ceiling height. Habitable space and hallways in tiny houses shall have a ceiling height of not less than

6 feet 8 inches (2032 mm). Bathrooms, toilet rooms, and kitchens shall have a ceiling height of not less than 6 feet 4 inches

(1930 mm). Obstructions shall not extend below these minimum ceiling heights including beams, girders, ducts, lighting

and other obstructions.

Exception: Ceiling heights in lofts are permitted to be less than 6 feet 8 inches (2032 mm).

CHAPTER PART AV104— LOFTS

AV104.1 Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area and

dimension requirements of Sections AV104.1.1 through AV104.1.3.

AV104.1.1 Minimum area. Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

AV104.1.2 Minimum dimensions. Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AV104.1.3 Height effect on loft area. Portions of a loft with a sloping ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

2

2

Exception: Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

AV104.2 Loft access. The access to and primary egress from lofts shall be any type described in Sections AV104.2.1

through AV104.2.4.

AV104.2.1 Stairways. Stairways accessing lofts shall comply with this code or with Sections

AV104.2.1.1 through

AV104.2.1.5.

AV104.2.1.1 Width. Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the

handrail. The minimum width below the handrail shall be not less than 20 inches (508 mm).

AV104.2.1.2 Headroom. The headroom in stairways accessing a loft shall be not less than 6 feet 2 inches (1880 mm), as

measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

AV104.2.1.3 Treads and risers. Risers for stairs accessing a loft shall be not less than 7 inches (178 mm) and not more

than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following

formulas:

1. The tread depth shall be 20 inches (508 mm) minus $\frac{4}{3}$ of the riser height, or

2. The riser height shall be 15 inches (381 mm) minus $\frac{3}{4}$ of the tread depth.

AV104.2.1.4 Landing platforms. The top tread and riser of stairways accessing lofts shall be constructed as a landing

platform where the loft ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the loft. The landing

platform shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the

edge of the loft, and 16 to 18 inches (406 to 457 mm) in height measured from the landing platform to the loft floor.

AV104.2.1.5 Handrails. Handrails shall comply with Section R311.7.8.

AV104.2.1.6 Stairway guards. Guards at open sides of stairways shall comply with Section R312.1.

AV104.2.2 Ladders. Ladders accessing lofts shall comply with Sections AV104.2.1 and AV104.2.2.

AV104.2.2.1 Size and capacity. Ladders accessing lofts shall have a rung width of not less than 12 inches (305

mm) and 10 inches (254 mm) to 14 inches (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200

pound (75 kg) load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ -inch (9.5 mm).

AV104.2.2.2 Incline. Ladders shall be installed at 70 to 80 degrees from horizontal.

AV104.2.3 Alternating tread devices. Alternating tread devices accessing lofts shall comply with Sections R311.7.11.1

and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AV104.2.4 Ships ladders. Ships ladders accessing lofts shall comply with Sections R311.7.12.1 and R311.7.12.2. The

clear width at and below handrails shall be not less than 20 inches (508 mm).

AV104.2.5 Loft Guards. Loft guards shall be located along the open side of lofts. Loft guards shall not be less than

36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

CHAPTER PART AV105— EMERGENCY ESCAPE AND RESCUE OPENINGS

AV105.1 General. Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of

Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the

loft floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.

IECC

16 DEPARTMENT OF PUBLIC SAFETY

642 BUREAU OF BUILDING CODES AND STANDARDS

Chapter 6: MAINE UNIFORM ENERGY CODE - ENERGY CONSERVATION CODE OF MAINE

SUMMARY: This chapter establishes the Energy Conservation code component of the Maine Uniform Building and Energy Code ("MUBEC") and the Maine Uniform Energy Code ("MUEC"). The provisions of this chapter are based on a nationally recognized model building code published by the International Code Council, Inc. and is made part of the MUBEC and the MUEC through incorporation by reference. This chapter also contains requirements for the enforcement of the Energy Conservation code by local building officials in municipalities with a population of more than 4,000 residents.

SECTION 1. PURPOSE AND SCOPE

All building construction within a municipality of over 4,000 inhabitants shall be governed by the MUBEC and other municipalities shall be governed by the MUBEC or MUBC or the MUEC as adopted by the municipality. These codes are adopted by the Technical Building Codes and Standards Board pursuant to 10 M.R.S. Chapter 1103. The primary objective of the Board is to establish a uniform building code throughout the State of Maine.

This chapter sets forth the regulation of the design and construction of buildings for the effective use of energy and is applicable to both residential and commercial buildings.

SECTION 2. AUTHORITY

The authority for this Chapter is 10 M.R.S. §9722, which provides that the Maine Technical Building Codes and Standards Board shall promulgate rules which adopt, amend, and maintain the Maine Uniform Building and Energy Code and the Maine Uniform Energy Code.

SECTION 3. DEFINITIONS

1. **IECC.** "IECC" means the 2009 International Energy Conservation Code, published by the International Code Council, Inc.
2. **MUBEC.** "MUBEC" means the Maine Uniform Building and Energy Code adopted pursuant to 10 M.R.S. §9271, *et seq.*
3. **MUEC.** "MUEC" means the Maine Uniform Energy Code. "Maine Uniform Energy Code" means that portion of the Maine Uniform Building and Energy Code that contains only energy code requirements as determined by the board pursuant to section 9722, subsection 6, paragraph L.

4. **Technical Building Codes and Standards Board.** “Technical Building Codes and Standards Board” means the board established pursuant to 5 M.R.S. §12004-G, subsection 5-A and 10 M.R.S. §9722.

SECTION 4: INCORPORATION BY REFERENCE

1. Chapters 1 – 6 of the 2009 International Energy Conservation Code, published by the International Code Council, Inc., in effect on June 1, 2010, are hereby adopted and incorporated by reference.

SECTION 5. REVISIONS TO THE IECC

The following additions, insertions, deletions, and other changes are hereby made to the 2009 International Energy Conservation Code:

1. Generally all sections
Delete “International Mechanical Code”
Insert “applicable state codes and statutes” except for the specific Sections below where references to International Mechanical Code are specifically deleted and/or altered.
2. Section 101.1
Delete [NAME OF JURISDICTION]; *and*
Insert “State of Maine” in its place.
3. Section 107
Delete Section 107 “Fees” in its entirety, without substitution.
4. Section 109
Delete Section 109 “Board of Appeals” in its entirety, without substitution.
5. Section 402.4.2.1
Delete “33.5 psf (50 Pa.)” at the end of the first sentence; *and*
Insert “50 PA (1 psf)” in its place.
6. Section 403.9.1
Insert after “natural gas” “or LPG”
7. Section 503.2.5
Delete “Chapter 4 of the International Mechanical Code”
Insert “ASHRAE 62.1-2007.” in its place for both occurrences.
8. Section 503.2.5.1

Delete “(as established in Table 403.3 of the International Mechanical Code)”, without substitution.

9. Section 503.2.6 Exception 1

Delete Exception 1 “Where energy recover systems are prohibited by the International Mechanical Code,” with no substitution

10. Section 503.2.7.1

Delete “the International Mechanical Code.”
Insert “NFPA 90A” in its place.

11. Section 503.2.9.1

Delete “in accordance with the requirements of Chapter 6 of the International Mechanical Code” without substitution.

12. Section 503.3.1 Exception 2.

Delete Exception 2 “in order to meet the minimum ventilation requirements of Chapter 4 of the International Mechanical Code”, without substitution.

13. Section 503.4.5 Item 3

Delete “Chapter 4 of the International Mechanical Code.”
Insert “ASHRAE 90.1-2007.” in its place.

STATUTORY AUTHORITY: 10 M.R.S. §9722

EFFECTIVE DATE:

October 11, 2010 – filing 2010-471