

# 7<sup>th</sup> Edition MA State Building Code Amendment Proposals, May 2008 Public Hearing

<b>Section</b>	<b>Code Change Proposals are shown in the table below<sup>1</sup> in standard red-line format<sup>2</sup></b>
	<p>1. Please note that in some cases significant changes to a section are contained either in the pages <i>following</i> this table or separate documents</p> <p>2. Black indicates existing text, Red indicates new text, and blue text are for informational or directional purposes only.</p>
106.5 & Table 106	<p><b>106.5 Inspection and certification of specified use groups:</b> The building official shall periodically inspect and certify buildings and structures or parts thereof in accordance with Table 106. A building or structure shall not be occupied or continue to be occupied without the posting of a valid certificate of inspection where required by Table 106. A certificate of inspection as herein specified shall not be issued until an inspection is made certifying that the building or structure or parts thereof complies with all the applicable requirements of 780 CMR, and until the <b>inspection fee, if a fee is required by the municipality</b>, is paid. <del>as specified in Table 106. Municipalities may increase or waive only in their entirety for any specific use group the fees as specified in said Table 106.</del></p> <p><del>Exception: Municipalities may revise or modify, or waive in part those fees for buildings and structures or parts thereof owned by the municipality, county or political subdivision thereof and for buildings and structures or parts thereof used solely for religious purposes.</del></p> <p><del>Delete entire right column (which lists inspection fee amounts) of Table 106.</del></p> <p><del>Modify footnotes of Table 106 as shown below:</del></p> <p>Notes applicable to Table 106</p> <p><b>Superscript Note 1:</b> When appropriate for A-2 USES, the Inspection for the Certificate of Inspection should be timed to satisfy the requirements of MGL c.10, § 74 (also see the bottom-most row of Table 106 above).</p> <p><b>Superscript Note 2:</b> Premises licensed (via the ABCC) to sell and serve alcohol on the premises include many other USES beyond A-2 USES.</p> <p><b>General:</b> The maximum certification period specified in Table 106 is intended to provide administrative flexibility. For those buildings and structures or parts thereof allowing more than one year maximum certification period, the building official may determine the length of validity of the certificate issued. For example, a building in the R-2 use group could be issued a certificate valid for one, two, three, four or five years. <del>The total amount of fees charged for a certificate or certificates issued during the maximum certification period can exceed the fee listed or referenced in column 4 of Table 106. For example, if the building official issues a certificate valid for two years for a building in the R-2 use group, the fee charged would be 2/5 times the fee per maximum certification period as determined for the building in question using the formula in Note f. 11/27/98 780 CMR Seventh Edition 9</del></p> <p><del><b>Note a.</b> For buildings or structures, or parts thereof, in the A-3 Use Group categories, with capacities over 400, the fee to be charged for the maximum certification period of one year is \$75 for accommodations for up to 5,000 persons, plus \$15 for the accommodations for each additional 1,000 persons or fraction thereof.</del></p> <p><del><b>Note b.</b> For all buildings or structures, or parts thereof, in A-5 use group, the fee to be charged for the maximum certification period of one year is \$40 for seating accommodations for up to 5,000 persons, plus \$8 for the accommodation for each</del></p>

additional 1,000 persons or fraction thereof.

~~**Note c.** For all buildings and structures, or parts thereof, in the I-3 use group, the fee to be charged for the maximum certification period of two years is \$75 for each structure containing up to 100 beds, plus a \$2 charge for each additional ten beds or fraction thereof over the initial 100 beds.~~

~~**Note d.** For hospitals, nursing homes, sanitariums, and orphanages in the I-2 use group, the fee to be charged for the maximum certification period of two years is \$75 for each structure containing up to 100 beds, plus a \$2 charge for each additional ten beds or fraction thereof over the initial 100 beds. All other buildings or structures or parts thereof in the I-2 use group classification shall be charged a fee of \$75 for a two year maximum certification period.~~

~~**Note e.** For all buildings and structures or parts thereof in the R-1 use group, the fee to be charged for the maximum certification period of one year shall be \$40 for up to five units plus \$2 per unit for all over five units. A unit shall be defined as follows:  
two hotel guest rooms;  
two lodging house guest rooms;  
two boarding house guest rooms; or  
four dormitory beds~~

~~**Note f.** For all buildings and structures or parts thereof in the R-2 use group, the fee to be charged for the maximum certification period of five years shall be \$75, plus \$2 per dwelling unit except that three family dwelling units shall be exempt from such fees.~~

~~**Note g.** For purposes of determining the required number of inspections, the maximum certification period, and the fees, as specified in Table 106, dormitories are included in the R-1 use group classification rather than the R-2.~~

~~**Note h.** Summer camps for children in use group R-2 shall be inspected and certified annually prior to the beginning of each season. The annual fee shall be \$15 for the first 25 residential units: \$8 for each~~

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Change several snow loads in Table 5301.2(5) to be more consistent with loads found in IRC 2003. It should be noted that Plympton, Hopedale, and Charlemont are not currently listed in Table 5301.2(5).

30 PSF	40 PSF		50 PSF
Plympton	Egremont	Northampton	Charlemont
35 PSF	Hopedale	Sunderland	Worcester
Belchertown	Leverett	Whately	
Westfield	North Brookfield		

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Add to Table 5301.2(4) under 110 mph Basic Wind Speed, Plympton

<p>120.Y</p>	<p><b>Add the Hancock-Clarke House and the home of Mary Baker Eddy :</b>  Lexington      Buckman Tavern, 1 Bedford Street  Sanderson House, 314 Massachusetts Avenue  Monroe Tavern, 1332 Massachusetts Avenue  <b>Hancock-Clarke House, 36 Hancock Street</b></p> <p>Lowell      Whistler House, Worthen Street</p> <p>Lynn      <b>Mary Baker Eddy House Museum, 12 Broad Street</b></p> <p>Lynnfield      Meetinghouse</p>
<p>61</p>	<p><b>Delete Chapter 61 in its entirety and replace with:</b>  <b>780 CMR 61.00</b></p> <p style="text-align: center;"><b>Energy Efficiency</b></p> <p><b>780 CMR 61.01 Jurisdiction</b>  <b>6101.1 Energy Efficiency.</b> Energy efficiency is to be met via compliance with the International Energy Code (IECC) 2006 with the 2006/2007 Supplement and ASHRAE 90.1-2007. These MA amendments apply to the IECC 2006:  <b>1. Amend Section 404.6.2 as follows:</b>  404.6.2 Specific approval. Performance analysis tools meeting the applicable sections of 404 shall be permitted to be approved. Tools are permitted to be approved based on meeting a specified threshold for a jurisdiction. The code official shall be permitted to approve tools for a specified application or limited scope. <b>REScheck with the IECC 2006 code is allowed.</b></p>
<p>13</p>	<p><b>780 CMR 13.00</b></p> <p style="text-align: center;"><b>Energy Efficiency</b></p> <p><b>780 CMR 13.01 Jurisdiction</b>  <b>1301.1 Energy Efficiency.</b> Energy efficiency is to be met via compliance with the International Energy Code (IECC) 2006 with the 2006/2007 Supplement and ASHRAE 90.1-2007.  <b>1301.1.1 Amendments.</b> To meet Massachusetts energy efficiency requirements the IECC 2006 is amended as follows: <i>(insert here contents of file titled: 780 CMR Code Change Proposal Chapter 13 Front End Amendments.doc)</i></p>

Baluster Spacing to 4 inches (submitted as an emergency amendment on April 16, 2008)

**780 CMR 5312 GUARDS**

**5312.1 Guards Required.** Porches, balconies or raised floor surfaces located more than 30 inches (762 mm) above the floor or grade below shall have guards not less than 36 inches (914 mm) in height. Open sides of stairs with a total rise of more than 30 inches (762 mm) above the floor or grade below shall have guards not less than 34 inches (864 mm) in height measured vertically from the nosing of the treads.

Porches and decks which are enclosed with insect screening shall be provided with guards where the walking surface is located more than 30 inches (762 mm) above the floor or grade below.

**5312.2 Guard Opening Limitations.** Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures which do not allow passage of a sphere ~~five inches (127 mm)~~ *four inches (102 mm)* or more in diameter.

**Exceptions:**

1. The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere six inches (152 mm) cannot pass through.
2. Openings for required guards on the sides of stair treads shall not allow a sphere ~~5~~ *4*<sup>3/8</sup> inches (107 mm) to pass through.

120.AA

Insert New Appendix AA

**780 CMR 120.AA**

**Energy Efficiency: Above Code Programs**

**120.AA Tiered Energy Efficiency Performance** For users wishing to go beyond the minimum code requirements in 780 CMR 13 or 61 the Guides and Standards of this section are to be followed.

**120.AA.1 Tier One** (20 to 30% Better Than the Energy Performance of Minimum Code Requirements):

**120.AA.1.1 Low-Rise Residential including Townhouses:**  
*Energy Star Homes*

**120.AA.1.2 K-12 Schools:** ASHRAE *Advance Energy Design Guide (AEDG) for K-12 School Buildings* and/or New Business Institute (NBI) *Core Performance Guide* and/or ASHRAE/USGBC/IESNA *Standard 189.1* and for incentive funding consideration, *Collaborative for High Performance Schools (CHPS)*

**120.AA.1.3 Small Retail Buildings:** ASHRAE *Advance Energy Design Guide (AEDG) for Small Retail Buildings* and/or New Business Institute (NBI) *Core Performance Guide* and/or ASHRAE/USGBC/IESNA *Standard 189.1*

**120.AA.1.4 Small Office Buildings:** ASHRAE *Advance Energy Design Guide (AEDG) for Small Office Buildings* and/or New Business Institute (NBI) *Core Performance Guide* and/or ASHRAE/USGBC/IESNA *Standard 189.1*

**120.AA.1.5 Warehouses:** ASHRAE *Advance Energy Design Guide (AEDG) for Warehouses* and/or New Business Institute (NBI) *Core Performance Guide* and/or ASHRAE/USGBC/IESNA *Standard 189.1*

**120.AA.1.6 Other Commercial Buildings up to Approximately 70,000 Sq. Ft.:** New Business Institute (NBI) *Core Performance Guide* and/or ASHRAE/USGBC/IESNA *Standard 189.1*

**120.AA.1.7 All Other Commercial Buildings, Except Low-Rise Residential Buildings:** ASHRAE/USGBC/IESNA *Standard 189.1*

**120.AA.2 Tier Two** (30% Better Than the Energy Performance of Minimum Code Requirements and Includes other Green Initiatives):

**120.AA.2.1 Low-Rise Residential including Townhouses:**  
*LEED Homes* and/or *NAHB Model Green Home Building Guidelines*

**120.AA.2.2 All Other Commercial Buildings, Except Low-Rise Residential Buildings:** ASHRAE/USGBC/IESNA *Standard 189.1*