

780 CMR: MASSACHUSETTS AMENDMENTS TO THE *INTERNATIONAL BUILDING CODE 2009***CHAPTER 2: DEFINITIONS****201.3** Revise to read as follows:

201.3 Terms Defined in Other Codes. Where terms are not defined in this code and are defined in the *International Mechanical Code 2009*, *International Fire Code*, *International Existing Building Code 2009*, *International Energy Conservation Code 2009*, or any of the applicable specialized codes of M.G.L. 143, § 96, such terms shall have the meanings ascribed to them as in those codes.

202 DEFINITIONS: Add or revise definitions as follows:

AGRICULTURE. Defined by M.G.L. c. 128, §1A. Specifically, “farming” or “agriculture” shall include farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market.

AGRICULTURAL, BUILDING. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation.

BUILDING OFFICIAL. The building commissioner/inspector of buildings, local inspector or state building inspector charged with the administration and enforcement of this code in accordance with M.G.L. c. 143, §§ 3 and 3A.

DESIGN FLOOD. *See Base Flood.*

DESIGN FLOOD ELEVATION. *See Base Flood Elevation.*

HIGH-RISE BUILDING. A building more than 70 feet in height above grade plane.

JURISDICTION. The Board of Building Regulations and Standards.

NIGHT CLUB. *See section 303.1.1: Definitions.*

ORDINANCE. Ordinance or bylaw.

OWNER. Every person who alone or jointly or severally with others (a) has legal title to any building or structure; or (b) has care charge or control of any building or structure in any capacity including but not limited to agent, executor, executrix, administrator, administration, trustee or guardian of the estate of the holder of legal title; or (c) lessee under a written letter agreement; or (d) mortgagee in possession; or (e) agent, trustee or other person appointed by the courts. Each such person is bound to comply with the provisions of this code.

REGISTERED DESIGN PROFESSIONAL. An individual who is licensed or otherwise authorized to practice their respective design profession as defined by the statutory requirements of the professional registration laws of Massachusetts.

REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE. *See registered design professional.*

REPAIRS, ORDINARY. Any maintenance which does not affect the structure, egress, fire protection systems, fire ratings, energy conservation provisions, plumbing, sanitary, gas, electrical or other utilities. A building *permit* is not required for ordinary repairs.

SPECIALIZED CODES. Codes, rules or regulations pertaining to building construction, reconstruction, alteration, repair or demolition promulgated by and under the authority of various boards authorized by the general court. *See M.G.L. c. 143, § 96.*

2.00: continued

STORY ABOVE GRADE PLANE. Add a third note:

3. or more than six feet (1829 mm) above finished ground level for more than 50% of the total building perimeter.

TEMPORARY EMERGENCY USES. A building or space within a building that is used for purposes other than originally designed or intended. A temporary emergency use may only be used pursuant to the provisions of section 108. A Temporary Emergency Use building or space within a building shall be approved for such use by the municipal or state building official in consultation with the other appropriate municipal and state officials in accordance with procedures found at www.mass.gov/dps established for such purpose.

TEMPORARY OVERNIGHT SHELTER. *See* section 3111.