

CHAPTER 2 - DEFINITIONS - AMENDMENTS

The ninth edition building code became first effective on October 20, 2017 and, with a shortened concurrency period, the new code came into full force and effect on **January 1, 2018**.

The new, ninth edition code is based on modified versions of the following **2015 International Codes as published by the International Code Council (ICC)**.

- **The International Building Code (IBC);**
- **International Residential Code (IRC);**
- **International Existing Building Code (IEBC);**
- **International Mechanical Code (IMC);**
- **International Energy Conservation Code (IECC);**
- **International Swimming Pool and Spa Code (ISPSC);**
- **Portions of the International Fire Code (IFC).**

Massachusetts amends these code fairly significantly to accommodate for unique issues in the commonwealth. This package of amendments revise the IBC, IEBC, IMC, and IECC.

Please remember that the Massachusetts amendments posted on-line are ***unofficial versions*** and are meant for convenience only. Official versions of the Massachusetts amendments may be purchased from the State House Bookstore @ [Shop the Bookstore](#) and any of the I-Codes may be purchased from the International Code Council (ICC) @ [iccsafe.org](#).

Additionally, the ICC publishes transition documents that identify changes from the 2009 to the 2015 I-Codes for those who may have interest.

- [International Building Code \(IBC\) Transition](#)
- [International Residential Code \(IRC\) Transition](#).

780 CMR: MASSACHUSETTS AMENDMENTS TO THE *INTERNATIONAL BUILDING CODE, 2015***CHAPTER 2: DEFINITIONS**

202 Add or revise definitions as follows:

202 **DEFINITIONS:** Add and/or revise definitions to read 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.

BASE FLOOD ELEVATION. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). For AO zones the base flood elevation shall be the elevation of the highest adjacent grade plus the depth specified on the FIRM or the elevation of the highest adjacent grade plus two feet if no depth is specified.

BOARDING HOUSE. A building arranged or used for lodging for compensation, with or without meals.

BUILDING OFFICIAL. The building commissioner/inspector of buildings, local inspector or state building inspector charged with the administration and enforcement of 780 CMR in accordance with M.G.L. c. 143, §§ 3 and 3A.

COMBUSTIBLE LIQUID. A liquid having a closed cup flash point at or above 100°F (38°C), Combustible liquids shall be subdivided as follows:

Class II. Liquids having a closed cup flash point at or above 100°F (38°C) and below 140°F (60°C).

Class IIIA. Liquids having a closed cup flash point at or above 140°F (60°C) and below 200°F (93°C).

Class IIIB. Liquids having a closed cup flash point at or above 200°F (93°C).

Exceptions: The category of combustible liquids shall not apply to:

1. Compressed gases or cryogenic fluids.
2. Class II and III liquids that are not heated to or above their flash points and:
 - a. that have no fire point when tested in accordance with ASTM D92, up to the boiling point of the liquid or up to a temperature at which the sample being tested shows an obvious physical change; or
 - b. that are in a water-miscible solution or in a dispersion with a water and inert (non-combustible) solids content of more than 80% by weight, which do not sustain combustion when tested using 49 CFR 173 Appendix H or the UN Recommendation on the Transport of Dangerous Goods.

COASTAL DUNE. Any natural hill, mound or ridge of sediment landward of a coastal beach deposited by wind action or storm overwash. Coastal dune also means sediment deposited by artificial means and serving the purpose of storm damage prevention or flood control. For purposes of 780 CMR, a coastal dune is one that has been determined to be significant to the interests of flood control and/or storm damage prevention as defined in the Wetlands Protection Act, M.G.L. c. 131, § 40. Coastal Dunes are subject to the construction requirements of Appendix G.

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COASTAL WETLAND RESOURCE AREA. Any coastal wetland resource area subject to protection under the Wetlands Protection Act, M.G.L. c. 131, § 40, and the Wetlands Protection Act Regulations, 310 CMR 10.00: *Wetlands Protection*. Coastal Wetland Resource Areas include barrier beaches, coastal beaches, coastal dunes, rocky intertidal shores, tidal flats, land subject to coastal storm flowage, coastal banks, land containing shellfish, lands subject to tidal action, and lands under an estuary, salt pond or certain streams, ponds, rivers, lakes or creeks within the coastal zone that are anadromous/catadromous fish runs. *See* Appendix G for all construction requirements in these areas.

DESIGN FLOOD. *See* Base Flood.

DESIGN FLOOD ELEVATION. *See* Base Flood Elevation.

ELECTRIC VEHICLE SERVICE EQUIPMENT (EVSE) Level-2 (220 - 240V). Equipment expressly designed for the safe charging of battery electric and plug-in hybrid electric vehicles.

FIRE AREA. The aggregate area of a building, regardless of subdivisions by fire barriers, fire walls, or horizontal assemblies.

FLOOD HAZARD AREA. The greater of the following two areas:

1. The area within a flood plain subject to a 1% or greater chance of flooding in any year as identified on a community's current effective Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM), whichever is applicable.
2. If a community has received preliminary FIRM and Flood Insurance Study (FIS) from FEMA, and has been issued a Letter of Final Determination (LFD) from FEMA, the area designated as a flood hazard area on the community's preliminary FIRM, and FIS as of the date of the LFD.

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

JURISDICTION. The Board of Building Regulations and Standards.

LODGING HOUSE. A one-family dwelling with five or fewer guest rooms where one or more occupants are primarily permanent in nature and compensation is provided for the guest rooms. A building licensed as a "lodging house" in accordance with M.G.L. c. 140, §§ 22 through 31 shall comply with 780 CMR requirements according to its appropriate use and occupancy classification.

NATIVE LUMBER. Native lumber is wood processed in the Commonwealth of Massachusetts by a mill registered in accordance with 780 CMR 110.R4. Such wood may be ungraded but is stamped or certified in accordance with 780 CMR 110.R4.

NIGHT CLUB. An assembly occupancy with a high occupant load density that is generally characterized by at least two of the following: low lighting levels; music generating above-normal sound levels; nighttime operating hours; tables and seating that create ill-defined aisles; a specific area designated for dancing; or service facilities for beverages with limited food service. For night club construction requirements, *see* Section 430.

OFFICE. The Office of Public Safety and Inspections.

OFFICIAL INTERPRETATION. A written interpretation made by the BBRS, under authority of M.G.L. c. 143, § 94(e), or by the Building Code Appeals Board under authority of M.G.L. c. 143, § 100 of any provision of 780 CMR, or its referenced standards, except the specialized codes.

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 780 CMR.

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 the Commonwealth.

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

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.

STATE BUILDING INSPECTOR. An "inspector" as described in M.G.L. c. 143, § 3A.

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR

SUMMER CAMPS FOR CHILDREN. Premises with residential facilities operated solely between April and October for recreational and other purposes. For requirements *see* Section 429.

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 Section 3113.

TEMPORARY OVERNIGHT SHELTER. *See* Section 3112.

TRANSFORMER VAULT. An underground structure or room in which power transformers, network protectors, voltage regulators, circuit breakers, and meters are housed.

NON-TEXT PAGE