

51.00: continued

**R102.7.3** Add subsection:

**R102.7.3. Laws Not in Existence.** In cases where applicable codes, rules or regulations, bylaws or ordinances were not in existence at the time of such construction or alteration, the building or structure shall be maintained by the owner in accordance with this code.

**R102.7.4** Add subsection:

**R102.7.4. Less Stringent.** In cases where the provisions of this code are less stringent than the applicable codes, rules or regulations, bylaws or ordinances in effect at the time of such construction or substantial alteration, the applicable provisions of this code shall apply, provided that such application of these provisions can be reasonably demonstrated to not result in danger to the public, as determined by the *building official*.

**R103** Replace entire section R103 as follows:

**R103.1 Municipal and State Enforcement.** This code shall be enforced, and enforcement officials shall be appointed, in accordance with M.G.L. c. 143, §§ 3 and 3A and M.G.L. c. 22. Reference to The Department of Building Safety shall be considered reference to the *building official*.

**R104.1** Replace as follows:

**R104.1 General.** The *building official* is hereby authorized and directed to enforce the provisions of this code in accordance with M.G.L. c. 143.

**R104.4.1** Add subsection:

**R104.4.1 Coordination of Inspections.** Whenever in the enforcement of this code, or another code or ordinance, the responsibility of more than one enforcement official of the jurisdiction is involved, it shall be the duty of the enforcement officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners and occupants of the building or structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an enforcement official observes an apparent or actual violation not within the official's authority, the official shall report the findings to the official having jurisdiction.

**R104.8** Replace as follows:

**R104.8 Liability.** All claims of liability relative to *building officials* shall be governed by M.G.L. c. 258.

**R104.10** Replace the last sentence with the following two sentences:

The details of action granting modifications shall be recorded and entered in the files of the *building official* and a copy forwarded to the BBRS within seven days. A *building official* may seek assistance from the district's State building inspector for modifications.

**R104.10.1** Replace as follows:

**R104.10.1 Areas Prone to Flooding.** The *building official* shall not grant modifications to any provision related to areas prone to flooding as established by this code without the granting of a variance to such provisions by the building code appeals board. Also, no variance to requirements of this code can be solely utilized to argue for lawful construction/reconstruction where such construction/reconstruction would conflict with requirements of M.G.L. c. 131, § 40: *Removal, Fill, Dredging or Altering of Land Bordering Waters* (the Wetlands Protection Act), and/or 310 CMR and 314 CMR, as applicable.

51.00: continued

**R104.10.2** Add subsection:

**R104.10.2 Matters Not Provided For.** In recognition of the inherent difficulty of drafting a functional code that contemplates every situation that may arise in the area of building safety, this section provides the *building official*, the building code appeals board, or the BBRS itself, with reasonable discretion to ensure that all life safety issues that may arise in the enforcement of this code may be appropriately addressed. Matters not specifically provided for in this code regarding structural, egress, fire, energy, sanitary or other requirements essential to occupant safety shall be determined by the *building official* or, in the case of an appeal, the building code appeals board. If this provision is used, the *building official* shall notify the BBRS in writing within seven days of such determination. For highly specialized buildings and structures that conform to unique code requirements or nationally recognized standards not required in this code, *registered design professionals* shall provide sufficient information to the *building official* to support their approval.

**R105.1** Replace as follows:

**R105.1 Required.** It shall be unlawful to construct, reconstruct, alter, repair, remove or demolish a building or structure; or to change the use or occupancy of a building or structure; or to install or alter any equipment for which provision is made or the installation of which is regulated by this code without first filing a written application with the *building official* and obtaining the required *permit*.

**R105.1.1** Add subsection

**R105.1.1 Action on Application.** The *building official* shall examine or cause to be examined applications for *permits* and amendments, and take action, within 30 days of filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, to the applicant, stating the reasons. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and applicable laws and ordinances, the *building official* shall issue a *permit* forthwith or as soon as practicable.

**R105.2** Replace as follows:

**R105.2 Work Exempt from Permit.** Except for activities which may require a *permit* pursuant to other laws, by-laws, rules and the *specialized codes*, a building *permit* is not required for the following activities:

**Building:**

1. One-story detached *accessory structures* used as tool and storage sheds, playhouses and similar uses, but not garages, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>)
2. Fences not over six feet (1829 mm) high.
3. Retaining walls that are not over four feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge, or that retain over four feet of unbalanced fill.
4. Sidewalks and driveways.
5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
7. Swings and other playground equipment.
8. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
9. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a *dwelling* and do not serve the exit door required by subsection R311.4.

**R105.2.1** Add the following note:

**Note:** Pursuant to the terms of the specialized codes of M.G.L. c. 143, § 96, this exemption might not apply to emergency repairs conducted under those *specialized codes*.

51.00: continued

**R105.2.2** Replace as follows:

**R105.2.2 Ordinary Repairs.** A building *permit* is not required for *ordinary repairs*.

**R105.2.3** Delete subsection.

**R105.3** Replace items 3. and 4. as follows:

3. Indicate the use and occupancy for which the proposed work is intended. If the work involves a care facility or residence licensed by a State agency, indicate the agency name and appropriate licensing regulation on the *permit*.

4. Be accompanied by *construction documents* and other information as required in Subsection R106.1. *Construction documents* shall list any building features required by a Massachusetts agency for licensed care facilities that are beyond the requirements of this code. Any additional building features required by the Massachusetts Department of Developmental Services shall not result in a change in the classification of a DDS operated or licensed residences for five or fewer occupants and their compliance with this code.

**R105.3.1.1** Replace as follows:

**R105.3.1.1 Determination of Substantially Improved or Substantially Damaged Existing Buildings in Flood Hazard Areas and Coastal Dunes.** For applications for reconstruction, rehabilitation, addition or other improvement of existing buildings or structures located in an area prone to flooding as established by Table R301.2(1), *the building official* shall examine or cause to be examined the *construction documents* and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its predamaged condition.

In determining the value of the proposed work, the *building official* shall consider the following:

A substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50% of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:

1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the *building official* and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of an historic building or structure, provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:
  - 2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or
  - 2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or
  - 2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

If the *building official* finds that the value of proposed work equals or exceeds 50% of the market value of the building or structure before the damage has occurred or the improvement is started, the *building official* shall determine it to be substantial damage or substantial improvement.

Applications determined by the *building official* to constitute substantial improvement or substantial damage shall require all existing portions of the entire building or structure to meet the requirements of Section R322.

51.00: continued

**R105.3.1.1.1** Add subsection:

**R105.3.1.1.1 Determination of 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 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 Section R322.

**R105.3.1.2** Add subsection:

**R105.3.1.2 Other Requirements.** The following requirements must be satisfied before a building permit is issued:

**Zoning:** in accordance with M.G.L. c. 40A or St. 1956, c. 665.

**Railroad Right-of-way:** in accordance with M.G.L. c. 40, § 54A.

**Water Supply:** in accordance with M.G.L. c. 40, § 54; also refer to 310 CMR 22.00: *Drinking Water* and/or 310 CMR 36.00: *Massachusetts Water Resources Management Program*, when applicable.

**Wastewater:** in accordance with 310 CMR 15.00: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage* and 314 CMR 3.00: *Surface Water Discharge Permit Program*, 5.00: *Ground Water Discharge Permit Program* 7.00: *Sewer System Extension and Connection Permit Program*, and 20.00: *Reclaimed Water Permit Program and Standards*

**Debris Removal:** in accordance with M.G.L. c. 40, § 54 and M.G.L. c. 111, § 150A; also refer to DEP Regulations 310 CMR 7.09(2) and 310 CMR 7.15, when applicable.

**Workers Compensation Insurance:** in accordance with M.G.L. c. 152, § 25C(6).

**Hazards to Air Navigation:** in accordance with M.G.L. c. 90, § 35B.

**Construction in Coastal Dunes:** in accordance with M.G.L. c. 131, § 40 and the Coastal Wetland regulations at 310 CMR 10.21 through 10.35.

**R105.7** After the word “work” insert the phrase “and be posted conspicuously”

**R105.8.1** Add subsection:

**R105.8.1 Workmanship.** All work shall be conducted, installed, protected and completed in a workmanlike and acceptable manner so as to secure the results intended by this code.

**R106.1** At the end of the first paragraph add the following:

All plans and specifications for work designed by a *registered design professional* shall bear the seal and signature of the responsible *registered design professional* in accordance with M.G.L. c. 143, § 54A. See also [www.mass.gov/dpl](http://www.mass.gov/dpl) for policy on electronic seal and signature for certain *registered design professionals*.

**R106.3.3.4** Add Subsection:

**R106.3.3.4 Fire Department Review.** For *permits* that include fire protection system work, *construction documents* shall be filed simultaneously with the head of the local fire department and *building official* for review and approval. The fire department shall complete its review within ten-working days after receiving the documents. Upon the fire department’s request, the *building official* may grant one or more extensions up to a total review period maximum of 30-days. If the fire department review is not received within the allowed time frame the *building official* may upon review deem the documents in compliance. If the head of the local fire department disapproves such *construction documents*, he or she shall notify the *building official* (refer to M.G.L. c. 148, § 28A) in writing citing relevant sections of noncompliance with this code or the section of the referenced standards of Chapter 44.

51.00: continued

**R106.5** Replace as follows:

**R106.5 Retention of Construction Documents.** Sets of *approved construction documents* shall be retained by the *building official* in accordance with M.G.L. c. 66, § 8.

**R107.1** Add this last sentence:

Prior to issuing a certificate, the *building official* shall consult with the head of the fire department.

**R107.3** Replace as follows:

**R107.3 Temporary Power.** See 527 CMR 12.00: *Massachusetts Electrical Code (Amendments)*.

**R108.3** Replace as follows:

**R108.3 Building Permit Valuations.** The applicant for a *permit* shall provide an estimated *permit* value at time of application. If, in the opinion of the *building official* the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can provide detailed estimates acceptable to the *building official*. Final building *permit* valuation shall be set by the *building official*.

**108.5** Delete this subsection.

**108.6** Replace as follows:

**108.6 Work Commencing Before Building Permit Issued.** Any person who commences any work on a building or structure governed by this code before obtaining the necessary building *permit* shall be in violation of this code and subject to penalties. See Section 114.

**R109.1** At the end of this subsection add the following:

It shall be the duty of the *permit* holder to provide access to and means for inspections of work required by this code. The *building official* may require the *permit* holder or his representative to attend these inspections. In conjunction with specific construction projects, the *building official* may designate specific inspection points in the course of construction that require the contractor or builder to give the *building official* one business day notice prior to the time when those inspections need to be performed. The *building official* shall make the inspections within two business days after notification. The *building official* may require the owner, owner's representative or licensed construction supervisor to be present during such inspections.

**R109.1.2** At the end of the sentence add the following and delete the exception:

'and as otherwise required by the *specialized codes*'.

**R109.1.3** After the word "flooding" add "and coastal dunes".

**R109.1.5** Add a second sentence as follows:

The *building official* shall inform the applicant of the required points of inspection at the time of the *permit* application.

**R110.1** Add a last sentence as follows:

Conformance is required to all applicable *specialized codes* and when applicable, 310 CMR 7.00: *Air Pollution*, 310 CMR 15.00: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage*, 310 CMR 22.00: *Drinking Water* or 310 CMR 30.000: *Hazardous Waste*, prior to the issuance of the certificate of occupancy.

51.00: continued

**R110.2** Replace as follows:

**R110.2 Altered Buildings or Structures.** A building or structure, in whole or in part, altered to change from one use group to another; to a different use within the same use group; the maximum live load capacity; or the occupancy load capacity shall not be occupied or used until a certificate has been issued certifying that the work has been completed in accordance with the provisions of the approved *permits* and applicable codes.

**R110.2.1** Add subsection:

**R110.2.1 Massachusetts' Licensed Care Facilities.** Certificate of Occupancy inspections for Massachusetts licensed care facilities, including inspection of special building features required by the licensing agency, shall be limited to verifying compliance with the provisions of this code.

**R110.3** Add an item 10. as follows:

10. If a care facility is licensed by a State agency, then the name of the agency and the name and number of any relevant Code of Massachusetts Regulations (CMR) that apply regarding building features and a list of those building features above and beyond those required by this code.

**R111** Delete this section.

**112.1** Replace as follows:

**112.1 General.** Appeals of orders, decisions, determinations and failures to act made by any state or local agency or any person or state or local agency charged with the administration or enforcement of the state building code or any of its rules and regulations, except the *specialized codes*, relative to the application and interpretation of this code shall be addressed by the building code appeals board in accordance with M.G.L. c. 143, § 100.

**R112.2.1** Delete subsection.

**R112.2.2** Delete subsection.

**R112.3** Replace as follows:

**R112.3 Qualifications.** See M.G.L. c. 143, § 100, and 780 CMR 113.

**R112.4** Replace as follows:

**R112.4 Administration.** See M.G.L. c. 143, § 100, and 780 CMR 113.

**R113.1** After the words "demolish or" add the following phrase "change the use or"

**R113.2** After the words "demolition or" add the following phrase "change the use or"

**113.2.1** Add subsection:

**113.2.1 Notice Issuance.** Every notice or order shall be in writing and shall be served on the person responsible:

1. Personally, by any person authorized by the *building official*; or
2. By any person authorized to serve civil process by leaving a copy of the order or notice at the responsible party's last and usual place of business or abode; or
3. By sending the party responsible or their agent authorized to accept service of process in the Massachusetts a copy of the order by registered or certified mail return receipt requested, if he is within the Massachusetts; or
4. If the responsible party's last and usual place of business or abode is unknown, by posting a copy of this order or notice in a conspicuous place on or about the premises in violation and by publishing it for at least three out of five consecutive days in one or more newspapers of general circulation wherein the building or premises affected is situated.

51.00: continued

113.3 Replace as follows:

**113.3 Enforcement.** Violations to this code shall be enforced in accordance with the applicable provisions of M.G.L. c. 143, §§ 6 through 10 and § 94, M.G.L. c. 148, and M.G.L. c. 148A, and any other applicable state law.

113.4 Insert after the word "alters" the text ", makes a change of use"

R115 Add section:

**SECTION R115  
UNSAFE STRUCTURES AND EQUIPMENT**

**R115.1 General.** Unsafe or dangerous structures are governed by M.G.L. c. 143, §§ 6, 7, 8, 9 and 10.

R202 Add or replace definitions as follows:

**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.

**BASIC WIND SPEED.** Replace the text 'Figure R301.2(4)' with 'Table R301.2(4)'

**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 10.21 through 10.35. Coastal Wetland Resource Areas include barrier beaches, coastal beaches, coastal dunes, rocky intertidal shores, tidal flats, land subject to 100 year 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.

**CODE OF MASSACHUSETTS REGULATION (CMR).** Regulations that are codified by the Secretary of State, Commonwealth of Massachusetts. 780 CMR 1.00. lists various CMRs applicable to building construction and/or design.

**CONDITIONED SPACE.** An area or room within a building being heated or cooled, containing uninsulated ducts, or with a fixed opening directly into an adjacent *conditioned space*.

**CONSTRUCTION CONTROL.** The compilation of Building Code requirements found in 780 CMR 1, Section 107 or otherwise referenced in 780 CMR and directed toward all buildings and structures requiring registered architectural services or registered professional engineering services in accordance with M.G.L. c. 143, § 54A; M.G.L. c. 112, §§ 60A through 60L; and, M.G.L. c. 112, §§ 81D through 81T.

**JURISDICTION.** The Board of Building Regulations and Standards.

**LOCAL ENFORCEMENT AGENCY.** A department or agency in a municipality charged with the enforcement of this code and appropriate *specialized codes* which include, but are not limited to, 248 CMR, the State Plumbing and Gas Fitting Code, and 527 CMR 12.00, *Massachusetts Electrical Code (Amendments)*.

**MANUFACTURED BUILDING.** Any building which has concealed elements, such as electrical, mechanical, plumbing, fire protection, insulation and other systems affecting health and safety, and which is manufactured and assembled in manufacturing facilities, on or off the building site. Also, any building as defined above which does not have concealed elements, but which has been approved by the BBRS at the request of the manufacturer.

**NATIVE LUMBER.** Native lumber is wood processed in the Commonwealth of Massachusetts by a mill registered in accordance with 780 CMR 110.R4: *Licensing Native Lumber Producers*. Such wood is ungraded but is stamped or certified in accordance with the requirements of 780 CMR 110.R4. For the purpose of this definition, native lumber shall be restricted to the use in one- and two-story dwellings, barns, sheds, agricultural and accessory buildings and other structures when permitted by 780 CMR 110.R4.

51.00: continued

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

**ORDINANCE.** Ordinance or bylaw.

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

**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.

**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.

**WIND-BORNE DEBRIS REGION.** Areas within *hurricane-prone regions* within one mile of the coastal mean high water line where the basic wind speed is 110 miles per hour (49 m/s) or greater; or where the basic wind speed is equal to or greater than 120 miles per hour (54 m/s). The coastal mean high water line, in the Massachusetts 110 mph wind zones, forms the outer edge of the red bands overlaid onto the satellite images found on the MA Department of Public Safety website at [www.mass.gov/dps](http://www.mass.gov/dps). For estimating purposes, the inner edge of the red bands is approximately one mile inland from coastal mean high water. For buildings in close proximity to the inner edge of the red band, to determine whether a building is in a wind borne debris region, the *building official* shall use a survey, provided with the *permit* application and the building plan, which indicates the distance, in feet, from the location of the proposed building to the closest location of the coastal mean high water line as described.

**R301.1** Add the following note:

**Note.** Seismic requirements in this code only apply to townhouses three stories or less per Subsection R101.2, and do not apply to one- and two-family dwellings.

**R301.1.1** Add to the end of the second sentence: “and be performed by a *registered design professional*.”

**R301.1.1** Add a fourth note as follows:

4. American Forest and Paper Association (AF&PA) *Prescriptive Residential Wood Deck Construction Guide* (DCA6-09) and does not require the services of a *registered design professional*.

**R301.1.3** Add a last sentence as follows:

‘Engineered design shall be provided by a *registered design professional* using the wind and snow loads, and seismic loads if applicable, from this code.’

**R301.2.1** Replace “Figure R301.2(4)” with “Table R301.2(4)”.

**R301.2.1.1** Modify as follows:

**R301.2.1.1 Design Criteria.** In regions where the basic wind speeds from Table R301.2(4) equal 110 miles per hour (49 m/s), the design of buildings shall be in accordance with one of the following methods. The elements of design not addressed by those documents in Items 1 through 4 shall be in accordance with this code.

**R301.2.1.1** Add to subsection 1. the text as follows:

or the *Guide to Wood Construction in High Wind Areas for One- and Two-Family Dwellings, 110 mph Exposure B*. A Commonwealth of Massachusetts version of the checklist can be used in place of the checklist at the end of the guide. The Massachusetts version is found at [www.mass.gov/dps](http://www.mass.gov/dps); or

51.00: continued

TABLE R301.2(1) Replace the table as follows and delete the footnotes:

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM		
	Speed (mph)	Topographic Effects		Weathering	Frost Line Depth	Termite
See Table R301.2 (4)	See Table R301.2(5)	No	Applies to townhouses three stories or less, see Figure R301.2(2) or 780 CMR Table 1604.11.	Severe	48 inches	See Figure 301.2 (6)
WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED		FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP	
Dry bulb	Applicable to roofing, see Subsection R905.2.7.1		See Section 322.0 and local flood maps.	Applicable to shallow foundations, see Table R403.3(2).	See: <a href="http://www.ncdc.noaa.gov/fps/f.html">www.ncdc.noaa.gov/fps/f.html</a>	

R301.2.1.2 Add a second exception as follows:

**Exception 2.** Doors and windows which meet the construction requirements approved by a registered design professional.

301.2.1.3 Replace "Figure R301.2(4)" with "Table R301.2(4)".

R301.2.1.5.1 Replace "Figure R301.2(4)" with "Table R301.2(4)".

FIGURE R301.2(4) Delete this figure and footnotes and replace with the following table:

51.00: continued

TABLE R301.2(4) MASSACHUSETTS BASIC WIND SPEEDS

<90 MPH	90 MPH		100 MPH		110 MPH
Adams	Acton	New Braintree	Abington	Middleton	Acushnet
Alford	Agawam	New Marlborough	Amesbury	Milford	Aquinnah
Ashfield	Amherst	New Salem	Andover	Millis	Barnstable
Becket	Ashburnham	North Brookfield	Arlington	Millville	Bourne
Bernardston	Ashby	Northampton	Ashland	Milton	Brewster
Buckland	Athol	Northborough	Attleboro	Nahant	Carver
Cheshire	Auburn	Northfield	Avon	Natick	Chatham
Clarksburg	Ayer	Oakham	Bedford	Needham	Chillmark
Colrain	Barre	Orange	Bellingham	Newbury	Dartmouth
Cummington	Belchertown	Otis	Belmont	Newburyport	Dennis
Dalton	Berlin	Palmer	Berkley	Newton	Duxbury
Egremont	Blandford	Paxton	Beverly	Norfolk	Eastham
Florida	Bolton	Pelham	Billerica	North Andover	Edgartown
Great Barrington	Boxborough	Pepperell	Blackstone	North Attleborough	Fairhaven
Greenfield	Boylston	Petersham	Boston	North Reading	Fall River
Hancock	Brimfield	Phillipston	Boxford	Northbridge	Falmouth
Hawley	Brookfield	Princeton	Braintree	Norton	Freetown
Heath	Carlisle	Royalston	Bridgewater	Norwell	Gay Head
Hinsdale	Charlton	Russell	Brockton	Norwood	Gosnold
Lanesborough	Chelmsford	Rutland	Brookline	Oxford	Halifax
Lee	Chester	Sandisfield	Burlington	Peabody	Harwich
Lenox	Chesterfield	Shirley	Cambridge	Plainville	Kingston
Leyden	Chicopee	Shrewsbury	Canton	Quincy	Lakeville
Middlefield	Clinton	Shutesbury	Chelsea	Randolph	Marion
Monroe	Conway	South Hadley	Cohasset	Raynham	Marshfield
Monterey	Deerfield	Southampton	Concord	Reading	Mashpee
Mount Washington	Dracut	Southbridge	Danvers	Rehoboth	Mattapoisett
New Ashford	Dunstable	Southwick	Dedham	Revere	Middleborough
North Adams	East Brookfield	Spencer	Dighton	Rockland	Nantucket
Peru	East Longmeadow	Springfield	Douglas	Rockport	New Bedford
Pittsfield	Easthampton	Sterling	Dover	Rowley	Oak Bluffs
Plainfield	Erving	Stow	Dudley	Salem	Orleans
Richmond	Fitchburg	Sturbridge	East Bridgewater	Salisbury	Pembroke
Rowe	Gardner	Sunderland	Easton	Saugus	Plymouth
Savoy	Gill	Templeton	Essex	Seekonk	Plympton
Sheffield	Goshen	Tolland	Everett	Sharon	Provincetown
Shelburne	Granby	Townsend	Foxborough	Sherborn	Rochester
Stockbridge	Granville	Tyngsborough	Framingham	Somerville	Sandwich
Tyringham	Groton	Wales	Franklin	Southborough	Scituate
Washington	Hadley	Ware	Georgetown	Stoneham	Somerset
West Stockbridge	Hampden	Warren	Gloucester	Stoughton	Swansea
Williamstown	Hardwick	Warwick	Grafton	Sudbury	Tisbury
Windsor	Harfield	Wendell	Groveland	Sutton	Truro
Worthington	Harvard	West Boylston	Hamilton	Swampscott	Wareham
	Holden	West Brookfield	Hanover	Taunton	Welfleet
	Holland	West Springfield	Hanson	Tewksbury	West Tisbury
	Holyoke	Westfield	Haverhill	Topsfield	Westport
	Hubbardston	Westford	Hingham	Upton	Yarmouth
	Hudson	Westhampton	Holbrook	Uxbridge	
	Huntington	Westminster	Holliston	Wakefield	
	Lancaster	Whately	mm	Walpole	
	Lawrence	Wilbraham	Hopkington	Waltham	
	Leicester	Williamsburg	Hull	Watertown	
	Leominster	Winchendon	Ipswich	Wayland	
	Leverett	Worcester	Lexington	Webster	
	Littleton		Lincoln	Wellesley	
	Longmeadow		Lynn	Wenham	
	Lowell		Lynnfield	West Bridgewater	
	Ludlow		Malden	West Newbury	
	Lunenburg		Manchester	Westborough	
	Maynard		Mansfield	Weston	
	Methuen		Marblehead	Westwood	
	Millbury		Marlborough	Weymouth	
	Monson		Medfield	Whitman	
	Montague		Medford	Wilmington	
	Montgomery		Medway	Winchester	
			Melrose	Winthrop	
			Mendon	Woburn	
			Merrimac	Wrentham	

51.00: continued

**R311.1 and R311.2** Replace as follows:

**R311.1 Means of Egress.** All *dwelling*s shall be provided with two means of egress as provided in this section. The means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the *dwelling* to the exterior of the *dwelling* at the required egress doors without requiring travel through a garage. For townhouses also see the Architectural Access Board's regulations at 521 CMR.

**Exception.** Egress through the secondary egress door, required in subsection R311.2, may include travel through a garage provided the garage has an exit door meeting the requirements of a secondary egress door.

**R311.2 Egress Door.** At least two egress doors shall be provided for each *dwelling* unit, remote as possible from each other, at the normal level of exit.

**Exceptions:**

1. In multi-level dwellings, including but not limited to townhouses, split-level and raised ranch style layouts, the two separate egress doors required by R311.2 are permitted to be located on different levels.
2. Where site topography prevents direct access at two remote locations to grade from the normal level of entry, the two separate egress doors required by R311.2 are permitted to be located on different levels.

The primary egress door shall be side-hinged, and shall provide a minimum clear width of 32 inches (813 mm) when measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). The secondary egress door shall be side-hinged or sliding, and shall provide a minimum clear width of 28 inches (711 mm) when measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). The minimum clear height of the primary and secondary egress door opening shall not be less than 78 inches (1981 mm) in height measured from the top of the threshold to the bottom of the stop. Other exterior doors shall not be required to comply with these minimum dimensions. Egress doors shall be readily openable from inside the *dwelling* without the use of a key or special knowledge or effort.

**R311.2.1** Add subsection:

**R311.2.1 Interior Doors.** All doors providing access to habitable rooms shall have a minimum nominal width of 30 inches (762 mm) and a minimum nominal height of six feet, six inches (1981 mm).

**Exceptions:**

1. Doors providing access to bathrooms are permitted to be 28 inches (711 mm) in nominal width.
2. Doors providing access to bathrooms in existing buildings are permitted to be 24 inches (610 mm) in nominal width.

**R311.7.4.1** Replace the phrase '7¼ inches (196 mm)' with '8¼ inches (210 mm)'.

**R311.7.4.2** Replace the phrase '10 inches (254 mm)' with '9 inches (229 mm)'

**R311.7.4.2** Replace the second paragraph as follows:

Winder treads shall have a minimum tread depth equal to the tread depth of the straight run portion of the stairs measured as above at a point 12 inches from the side where the treads are narrower. Winder treads shall have a minimum tread depth of three inches at any point. Within any flight of stairs, the greatest winder tread depth at the 12 inch walk line shall not exceed the smallest by more than ⅜ inch.

**R313.1.1** Replace as follows:

**R313.1.1 Design and Installation.** Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13, 13R, or 13 D, as applicable.

1. A townhouse building with an aggregate area of 12,000 square feet or more shall use a NFPA 13 system.

51.00: continued

2. A townhouse building with an aggregate area less than 12,000 square feet shall be permitted to use a NFPA 13-R system.

**Exception.** A three unit townhouse building with an aggregate area less than 12,000 square feet shall be permitted to use a NFPA 13-D system.

For the purposes of this section the aggregate area shall be the combined area of all stories of the building and fire walls shall not be considered to create separate buildings. Aggregate area shall include garage area, basement area, and finished attic area. Unfinished attic area shall not be included in aggregate area.

**R313.2** Replace as follows:

**R313.2 One- and Two-family Dwellings Automatic Fire Sprinkler Systems.** Only one- and two-family dwellings having an aggregate area greater than 14,400 square feet shall have fire sprinklers installed in accordance with NFPA 13D. Aggregate area for the purpose of this section shall include basements but not garages and unfinished attics. Additions to such dwellings with automatic sprinkler systems shall have automatic sprinklers installed in accordance with NFPA 13D.

**R313.2.1** Delete the text: 'Section P2904 or'

**R314.1** Replace the text "listed in accordance with UL 217" as follows "photoelectric type smoke alarms listed in accordance with UL 217 or UL 268.

**R314.2** Delete the last sentence.

**R314.2 Smoke Detection Systems.** Household fire alarm systems installed in accordance with NFPA 72 that include smoke alarms, or a combination of smoke detector and audible notification device installed as required by this section for smoke alarms, shall be permitted. The household fire alarm system shall provide the same level of smoke detection and alarm as required by this section for smoke alarms. Where a household fire warning system is installed using a combination of smoke detector and audible notification device(s), it shall become a permanent fixture of the occupancy and owned by the homeowner.

**R314.3** Add subsections 4 and 5 as follows:

4. Near the base of all stairs where such stairs lead to another occupied floor.
5. For each 1,200 square feet of area or part thereof.

**R314.5** Add a section and a subsection:

**R314.5 Heat Detector.** A single heat detector listed for the ambient environment shall be installed in:

1. Any integral garage ("garage under") or attached garage to the main house (detached garages do not require a heat detector).
2. A new addition attached garage to an existing dwelling. If the existing house contains a fire detection system that is compatible with the garage heat detector, then the detector shall be interconnected to the existing system. Where the existing fire detection system is not compatible with the garage heat detector, the garage heat detector shall be connected to a sounder (occupant notification appliance) or compatible heat detector containing a sounding device, located in the dwelling and within 20 feet (6096 mm) of the nearest door to the garage from the dwelling. The required garage heat detector is neither required to incorporate audible alarm notification nor is any audible notification device required in the garage.

**R314.5.1 Heat Detector Placement.** For flat-finished ceilings, the single heat detector shall be placed on or near the center of the garage ceiling. For sloped ceilings having a rise to run of greater than one foot in eight feet (305 mm in 2438 mm), the single heat detector shall be placed in the approximate center of the vaulted ceiling but no closer than four inches (102 mm) to any wall.

**R315.1** Replace as follows:

**R315.1 Governing Regulations.** Carbon monoxide alarms (alarms) for new construction and existing dwellings shall be furnished, installed and maintained by the owner in accordance with this section, M.G.L. c. 148, § 26F½, 527 CMR 31.00: *Carbon Monoxide Alarms*, 248 CMR, NFPA 720 and the manufacturer's instructions.