



Docket # 587

THE COMMONWEALTH OF MASSACHUSETTS
William Francis Galvin
Secretary of the Commonwealth

Regulation Filing *To be completed by filing agency*

CHAPTER NUMBER: 780 CMR 1.00

CHAPTER TITLE: Administraion

AGENCY: State Board of Building Regulations and Standards

SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.*
Removes Home Improvement Contractor requirements and clarifies temporary emergency use provisions.

REGULATORY AUTHORITY: C. 802 of Acts of 1972, as amended and MGL C. 143 Sections 93-100

AGENCY CONTACT: Don Finocchio PHONE: 617-727-3200,
x-25206

ADDRESS: 1 Ashburton Place, Boston, MA 02108

Compliance with M.G.L. c. 30A

EMERGENCY ADOPTION - *if this regulation is adopted as an emergency, state the nature of the emergency.*

PRIOR NOTIFICATION AND/OR APPROVAL - *If prior notification to and/or approval of the Governor, Legislature or others was required, list each notification, and/or approval and date, including notice to the Local Government Advisory Commission.*

DHCD and MMA

PUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period be filed with the Secretary of the Commonwealth, published in appropriate newspapers, and sent to persons to whom specific notice must be given at least 21 days prior to such hearing or comment period.*

Date of public hearing or comment period: BBRS Public Hearing on December 8, 2009

FISCAL EFFECT - Estimate the fiscal effect of the public and private sectors.

For the first and second year: _____

For the first five years: _____

No fiscal effect: None

SMALL BUSINESS IMPACT - State the impact of this regulation on small business. Include a description of reporting, record keeping and other compliance requirements as well as the appropriateness of performance versus design standards and whether this regulation duplicates or conflicts with any other regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.

None

CODE OF MASSACHUSETTS REGULATIONS INDEX - List key subjects that are relevant to this regulation:
Home improvement contractor registraion and temporary emergency use.

PROMULGATION - State the action taken by this regulation and its effect on existing provisions of the Code of Massachusetts Regulations (CMR) or repeal, replace or amend. List by CMR number:

Amends 780 CMR 101.00, 108.00 and 110.00.

ATTESTATION - The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency. ATTEST:

SIGNATURE: *Ronald J. Amoretti* DATE: 1/13/10

Publication - To be completed by the Regulations Division

MASSACHUSETTS REGISTER NUMBER: 1149 DATE: 2/5/10

EFFECTIVE DATE: 2/5/10

CODE OF MASSACHUSETTS REGULATIONS

Remove these pages: | Insert these pages:

1, 2
11, 12
17, 18

1, 2
11, 12
17, 18

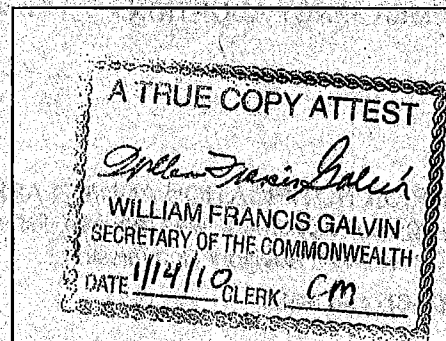


TABLE OF CONTENTS

780 CMR 1.00 ADMINISTRATION		406	Motor-vehicle-related Occupancies	72
Section		407	Group I-2	76
101	Scope	408	Group I-3	77
102	Applicability	409	Motion Picture Projection Rooms	80
103	Maintenance	410	Stages and Platforms	80
104	Validity	411	Special-Amusement Buildings	83
105	Office of the Inspector of Buildings or Building Commissioner	412	Aircraft-related Occupancies	83
106	Duties and Powers of the Building Official	413	Combustible Storage	85
107	Duties and Powers of the State Inspector	414	Hazardous Materials	86
108	Rules and Regulations	415	Groups H-1, H-2, H-3, H-4 and H-5	90
109	Approval	416	Application of Flammable Finishes	102
110	Application for Permit	417	Drying Rooms	103
111	Permits	418	Organic Coatings	103
112	Demolition of Structures	419	Mobile Units	103
113	Conditions of Permit	420	Swimming Pools	103
114	Fees	421	Group Residence	103
115	Inspection	422	Day Care Centers	105
116	Registered Architectural and Professional Engineering Services – Construction Control	423	Summer Camps for Children	110
117	Workmanship	424	Bulk Merchandising Retail Buildings	110
118	Violations	425	Limited Group Residence	115
119	Stop Work Order	426	Detoxification Facilities	118
120	Certificate of Occupancy	427	Group Dwelling Units	120
121	Unsafe Structures	428	Motion Picture and Television Production Facilities	123
122	Board of Appeals	780 CMR 5.00 GENERAL BUILDING HEIGHTS AND AREAS		
123	Construction Materials Safety Board	Section		
124	Fire Prevention – Fire Protection Advisory Committee	501	General	125
125	Structural Peer Review Advisory Committee	502	Definitions	125
780 CMR 2.00 DEFINITIONS		503	General Height and Area Limitations	125
Section		504	Height Modifications	127
201	General	505	Mezzanines	127
202	Definitions	506	Area Modifications	128
780 CMR 3.00 USE AND OCCUPANCY CLASSIFICATION		507	Unlimited Area Buildings	129
Section		508	Special Provisions	130
301	General	780 CMR 6.00 TYPES OF CONSTRUCTION		
302	Classification	Section		
303	Assembly Group A	601	General	133
304	Business Group B	602	Construction Classification	133
305	Educational Group E	603	Combustible Material in Type I and II Construction	134
306	Factory Group F	780 CMR 7.00 FIRE-RESISTANCE-RATED CONSTRUCTION		
307	High-Hazard Group H	Section		
308	Institutional Group I	701	General	137
309	Mercantile Group M	702	Definitions	137
310	Residential Group R	703	Fire-Resistance Ratings and Fire Tests	138
311	Storage Group S	704	Exterior Walls	140
312	Utility and Miscellaneous Group U	705	Fire Walls	143
780 CMR 4.00 SPECIAL DETAILED REQUIRE- MENTS BASED ON USE AND OCCUPANCY		706	Fire Barriers	145
Section		707	Shaft Enclosures	146
401	Scope	708	Fire Partitions	148.1
402	Covered Mall Buildings	709	Smoke Barriers	149
403	High-Rise Buildings	710	Smoke Partitions	150
404	Atriums	711	Horizontal Assemblies	150
405	Underground Buildings	712	Penetrations	151
		713	Fire-resistant Joint Systems	153
		714	Fire-resistance Rating of Structural Members	154
		715	Opening Protectives	155

780 CMR: STATE BOARD OF BUILDING REGULATIONS AND STANDARDS
THE MASSACHUSETTS STATE BUILDING CODE

TABLE OF CONTENTS - continued

<p>716 Ducts and Air Transfer Openings 159</p> <p>717 Concealed Spaces 162</p> <p>718 Fire-resistance Requirements for Plaster 164</p> <p>719 Thermal- and Sound-Insulating Materials 164</p> <p>720 Prescriptive Fire Resistance 165</p> <p>721 Calculated Fire Resistance 183</p> <p>780 CMR 8.00 INTERIOR FINISHES</p> <p>Section</p> <p>801 General 213</p> <p>802 Definitions 213</p> <p>803 Wall and Ceiling Finishes 213</p> <p>804 Interior Floor Finish 216</p> <p>805 Decorations and Trim 217</p> <p>780 CMR 9.00 FIRE PROTECTION AND LIFE SAFETY SYSTEMS</p> <p>Section</p> <p>901 General 219</p> <p>902 Definitions 222</p> <p>903 Automatic Sprinkler Systems 226</p> <p>904 Alternative Automatic Fire-extinguishing Systems 231</p> <p>905 Standpipe Systems 232</p> <p>906 Portable Fire Extinguishers 235</p> <p>907 Fire Alarm and Detection Systems 235</p> <p>908 Emergency Alarm Systems 244</p> <p>909 Smoke Control Systems 245</p> <p>910 Smoke and Heat Vents 254</p> <p>911 Fire Command Center 256</p> <p>912 Fire Department Connections 256</p> <p>913 Private Underground Fire Mains and Yard Hydrants 256</p> <p>914 Fire Pumps 256</p> <p>915 Carbon Monoxide Protection 257</p> <p>780 CMR 10.00 MEANS OF EGRESS</p> <p>Section</p> <p>1001 Administration 259</p> <p>1002 Definitions 259</p> <p>1003 General Means of Egress 261</p> <p>1004 Occupant Load 262</p> <p>1005 Egress Width 263</p> <p>1006 Means of Egress Illumination 263</p> <p>1007 Accessible Means of Egress 264</p> <p>1008 Doors, Gates and Turnstiles 266</p> <p>1009 Stairways and Handrails 271</p> <p>1010 Ramps 274</p> <p>1011 Exit Signs 276</p> <p>1012 Guards 276</p> <p>1013 Exit Access 277</p> <p>1014 Exit and Exit Access Doorways 279</p> <p>1015 Exit Access Travel Distance 280</p> <p>1016 Corridors 281</p> <p>1017 Exits 282</p> <p>1018 Number of Exits and Continuity 282</p> <p>1019 Vertical Exit Enclosures 283</p> <p>1020 Exit Passageways 285</p>	<p>1021 Horizontal Exits 285</p> <p>1022 Exterior Exit Ramps and Stairways 286</p> <p>1023 Exit Discharge 287</p> <p>1024 Assembly 288</p> <p>1025 Emergency Escape and Rescue 293</p> <p>780 CMR 11.00 ACCESSIBILITY</p> <p>Section</p> <p>1101 Jurisdiction 295</p> <p>780 CMR 12.00 INTERIOR ENVIRONMENT</p> <p>Section</p> <p>1201 General 297</p> <p>1202 Definitions 297</p> <p>1203 Ventilation 297</p> <p>1204 Temperature Control 299</p> <p>1205 Lighting 299</p> <p>1206 Yards or Courts 299</p> <p>1207 Sound Transmission 300</p> <p>1208 Interior Space Dimensions 300</p> <p>1209 Access to Unoccupied Spaces 300</p> <p>1210 Surrounding Materials 301</p> <p>780 CMR 13.00 ENERGY EFFICIENCY</p> <p>Section</p> <p>1301 Jurisdiction 303</p> <p>780 CMR 14.00 EXTERIOR WALLS</p> <p>Section</p> <p>1401 General 353</p> <p>1402 Definitions 353</p> <p>1403 Performance Requirements 353</p> <p>1404 Materials 354</p> <p>1405 Installation of Wall Coverings 355</p> <p>1406 Combustible Materials on the Exterior Side of Exterior Walls 359</p> <p>1407 Metal Composite Materials (MCM) 360</p> <p>780 CMR 15.00 ROOF ASSEMBLIES AND ROOF TOP STRUCTURES</p> <p>Section</p> <p>1501 General 363</p> <p>1502 Definitions 363</p> <p>1503 Weather Protection 363</p> <p>1504 Performance Requirements 364</p> <p>1505 Fire Classification 364</p> <p>1506 Materials 365</p> <p>1507 Requirements for Roof Coverings 365</p> <p>1508 Roof Insulation 375</p> <p>1509 Rooftop Structures 375</p> <p>1510 Reroofing 376</p> <p>780 CMR 16.00 STRUCTURAL DESIGN</p> <p>Section</p> <p>1601 General 379</p> <p>1602 Definitions and Notations 379</p>
--	--

780 CMR 1.00

ADMINISTRATION

780 CMR 1.00 is unique to Massachusetts

780 CMR 101.0 SCOPE

101.1 Title. 780 CMR shall be known as the *Commonwealth of Massachusetts State Building Code*.

101.2 Scope. In accordance with M.G.L. c. 143, §§ 92 through 100, the provisions of 780 CMR shall apply to:

- (a) the construction, reconstruction, alteration, repair, demolition, removal, inspection, issuance and revocation of permits or licenses, installation of equipment, classification and definition of any building or structure and use or occupancy of all buildings and structures or parts thereof except bridges and appurtenant supporting structures which have been or are to be constructed by, or are under the custody and control of the Massachusetts Highway Department, the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the Department of Conservation and Recreation, or the Massachusetts Port Authority or for which said agencies have maintenance responsibility;
- (b) the rehabilitation and maintenance of existing buildings;
- (c) the standards or requirements for materials to be used in connection therewith, including but not limited to provisions for safety, ingress and egress, energy conservation and sanitary conditions;
- (d) the establishment of reasonable fees for inspections and the issuance of licenses to individuals engaged as construction supervisors;
- (e) the certification of inspectors of buildings, building commissioners and local inspectors and;
- (f) other duties and responsibilities as defined in Special Regulations 780 CMR 110.R1 through 110.R7.

Exception. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) with a separate means of egress and their accessory structures shall comply with 780 CMR 51.00 through 99.00 and 780 CMR 120.Z.

101.3 Application of References. Unless otherwise specifically provided for in 780 CMR, all references to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of

780 CMR.

101.4 Intent. 780 CMR shall be construed to secure its expressed intent, which is to insure public safety, health and welfare insofar as they are affected by building construction, through structural strength, adequate means of egress facilities, sanitary conditions, light and ventilation, energy conservation and fire safety; and, in general, to secure safety to life and property from all hazards incident to the design, construction, reconstruction, alteration, repair, demolition, removal, use or occupancy of buildings, structures or premises.

101.5 Specialized Codes. In accordance with M.G.L. c. 143, § 96, specialized codes, rules or regulations pertaining to building construction, reconstruction, alteration, repair or demolition, and inspection promulgated by, and under the authority of the various boards which have been authorized by the general court shall be incorporated into 780 CMR. Areas regulated by the specialized codes shall require that all such work performed is designed, installed and inspected in accordance with the specialized codes.

For governing regulations addressing the approval, design, installation and maintenance of fossil fuel-burning appliances, refer to the Massachusetts Fuel Gas and Plumbing Code (248 CMR) for gas and the Massachusetts Fire Prevention Regulations State Fire Code (527 CMR) for oil. Applicable specialized codes, rules or regulations relating to building systems include, but are not limited to, those identified in 780 CMR 101.5.1 through 101.5.9 and those listed in 780 CMR 35.00.

101.5.1 Architectural Access. *The Architectural Access Code (521 CMR).*

101.5.2 Department of Environmental Protection; *Environmental Protection (310 CMR); Water Pollution Control (314 CMR)*

101.5.3 Electrical. *Massachusetts State Electrical Code (527 CMR 12.00).*

101.5.4 Elevator. *Massachusetts Elevator Code (524 CMR).*

101.5.5 Fire Prevention. *The Massachusetts Fire prevention Code (527 CMR).*

THE MASSACHUSETTS STATE BUILDING CODE

101.5.6 Gas. Massachusetts Fuel Gas and Plumbing Code (248 CMR).

101.5.7 Mechanical. The International Mechanical Code (Not a specialized code but a subset of the Massachusetts State Building Code).

101.5.8 Plumbing. Massachusetts Fuel Gas and Plumbing Code (248 CMR).

101.5.9 Property Maintenance. 780 CMR and, where applicable, the State Sanitary Code (105 CMR).

101.6 Referenced Standards. The standards referenced in 780 CMR and listed in 780 CMR 35.00 shall be considered part of the requirements of 780 CMR to the prescribed extent of each such reference. Where differences occur between provisions/allowances of 780 CMR and referenced standards, the provisions of 780 CMR shall apply. The administrative provisions of 780 CMR shall apply to all standards referenced in 780 CMR 35.00, other than those of the specialized codes in listed in 780 CMR 101.5.

Exception. Where enforcement of a provision of 780 CMR would violate the conditions of a listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

780 CMR 102.0 APPLICABILITY

102.1 General. The provisions of 780 CMR shall apply to all matters affecting or relating to buildings and structures, as set forth in 780 CMR 101.0 and shall apply with equal force to municipal, county, state authorities of, or established by the legislature and private buildings and structures, except where such buildings and structures are otherwise provided for by statute. The construction, reconstruction, alteration, repair, addition, change in use or occupancy, demolition, removal of all buildings and structures shall comply with 780 CMR.

102.2 Matters not Provided for. Any requirements that are essential for the structural, fire or sanitary safety, energy conservation, interior climate comfort of an existing or proposed building or structure, or for the safety of the occupants thereof, which are not specifically provided for by 780 CMR, shall be determined by the building official. The State Board of Building Regulations and Standards (BBRS) and the Department of Public Safety shall be notified by the building official in writing within seven working days of any action taken pursuant to 780 CMR 102.2.

Note 1 - Buildings and portions of buildings and specialty building permissible systems dedicated to: specialized industrial processes, water treatment, waste water treatment, other specialized chemical and factory processes, etc.; certain aspects of public transportation buildings and

other highly specialized buildings or portions thereof may require that aspects of their design and construction conform to certain Specialized Code requirements and/or nationally-recognized design and construction standards not explicitly identified in 780 CMR and the architects/engineers of record are responsible for providing to the Building Official, sufficient information, calculations and technical defense as to why such buildings or portions thereof and building permissible systems should be addressed under 780 CMR 102.0 and not otherwise be required to comply with the code generally and as applicable.

Refer to 780 CMR 101.5 and conformance to all applicable Specialized Code requirements is required.

Note 2 - The substitution of "alternative fire protection design methodologies" requires conformance to the requirements of 780 CMR 903.2.1.

102.3 Zoning Bylaw Restrictions. When the provisions herein specified for structural strength, adequate egress facilities, sanitary conditions, equipment, light and ventilation, energy conservation or fire safety conflict with the local zoning bylaws or ordinances, 780 CMR shall control the construction or alteration of buildings and structures unless such bylaws or ordinances are promulgated in accordance with the provisions of M.G.L. c. 143, § 98.

102.4 General Bylaw Restrictions. When the provisions herein specified for structural strength, adequate egress facilities, sanitary conditions, equipment, light and ventilation, energy conservation or fire safety conflict with the local general bylaws or ordinances, 780 CMR shall control the construction or alteration of buildings and structures unless such bylaws or ordinances are promulgated in accordance with the provisions M.G.L. c. 143, § 98.

102.5 Existing Buildings. Existing buildings and structures shall comply with the provisions of 780 CMR 102.0, and 780 CMR 34.00 and all other applicable provisions of 780 CMR.

102.5.1 General. Unless specifically provided otherwise in 780 CMR, any existing building or structure shall meet and shall be presumed to meet the provisions of the applicable laws, codes, rules or regulations, bylaws or ordinances in effect at the time such building or structure was constructed or altered and shall be allowed to continue to be occupied pursuant to its use and occupancy, provided that the building or structure shall be maintained in accordance with 780 CMR 103.0.

102.5.2. In cases which applicable codes, rules or regulations, bylaws or ordinances were not in use at the time of such construction or alteration, the provisions of 780 CMR 103.0 shall apply.

buildings. All buildings and structures owned by any authority established by the legislature and not owned by the Commonwealth shall be regulated in accordance with 780 CMR 106.0.

107.2 Other Responsibilities. The state inspector shall make periodic reviews of all local building inspection practices, provide technical assistance and advice to the local building officials in the implementation and application of 780 CMR, and report in writing his/her findings to the building officials.

107.3 Review by the Commissioner of Public Safety. The Commissioner of the Commonwealth of Massachusetts, Department of Public Safety shall establish districts which shall be supervised by a state inspector of the Division of Inspections. The Commissioner may review, on his own initiative, or on the application of any state inspector, any action or refusal or failure of action by any building official the result of which does not comply with the uniform implementation of 780 CMR; and may reverse, modify or annul, in whole or in part, such action except with respect to the specialized codes, provided that an order or action of the Commissioner shall not reverse, modify, annul, or contravene any order, action, determination, interpretation or any decision by the BBRs or the State Building Code Appeals Board.

107.4 Reports. The state inspector shall file with the BBRs reports of his periodic reviews and recommendations for improvements of building inspection practices. The format and due dates for these reports shall be determined by the BBRs.

780 CMR 108.0 RULES AND REGULATIONS

108.1 Rule Making Authority. Under authority granted by St. 1984, c. 348 as amended, M.G.L. c. 143, §§ 93 through 100, the BBRs is empowered in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations, and to interpret and implement the provisions of 780 CMR to secure the intent thereof.

108.2 Amendments and Promulgation of Rules. In accordance with the provisions of M.G.L. c. 143, § 97, any person may propose amendments to 780 CMR (refer to 780 CMR 120.P for the proper Form for Code change proposals). Public hearings shall be held at least once each calendar year at times and locations as determined by the BBRs, and at such other times and places as the BBRs may determine, to consider petitions for such amendments. Amendments adopted by the BBRs shall be binding and have the full force and effect in all cities and towns.

108.3 Activities Requiring Licenses, Registration or Certification. The following activities require

special license, registration, certification and/or other approval of the BBRs. The referenced special regulations pertaining to such activities are made part of 780 CMR 35.00.

108.3.1 Testing Laboratories. A testing laboratory, branch laboratory and/or project laboratory shall not test concrete and/or concrete materials for use in structures subject to construction control (780 CMR 116.0) and/or controlled materials (780 CMR 17.00) unless licensed by the BBRs in accordance with 780 CMR 110.R1: *Concrete Testing Laboratories Licensing.*

108.3.2 Field Technicians. A person shall not engage in the activities of field testing of concrete for use in structures subject to construction control (780 CMR 116.0) and/or controlled materials (780 CMR 17.00) unless such person is licensed in accordance with 780 CMR 110.R2: *Concrete Field Testing Technician Licensing.*

108.3.3 Manufactured Buildings. No individual, organization or firm shall be engaged in the construction of manufactured buildings for use in the Commonwealth of Massachusetts unless approved to construct same by the BBRs in accordance with 780 CMR 110.R3: *Manufactured Buildings, Building Components and Mobile Homes.*

108.3.4 Native Lumber. No individual, organization or firm shall engage in the production of native lumber for use in structures within the Commonwealth of Massachusetts unless registered by the BBRs in accordance with 780 CMR 110.R4: *Use of Native Lumber.*

108.3.5 Licensing of Construction Supervisors.

108.3.5.1. Except for those structures governed by Construction Control in 780 CMR 116.0, effective July 1, 1982, no individual shall be engaged in directly supervising persons engaged in construction, reconstruction, alteration, repair, removal or demolition involving any activity regulated by any provision of 780 CMR, unless said individual is licensed in accordance the Rules and Regulations for Licensing Construction Supervisors as set forth in 780 CMR 110.R5: *Construction Supervisors.*

All persons engaged in the supervision of the field erection of a manufactured building shall be licensed in accordance with 780 CMR 110.R5: *Construction Supervisors.*

Exception. Any Home Owner performing work for which a building permit is required shall be exempt from the licensing provisions of 780 CMR 108.3.5; provided that if a Home Owner engages a person(s) for hire to do such work, that such Home Owner shall act as supervisor. This exception shall not apply to the field

THE MASSACHUSETTS STATE BUILDING CODE

erection of a manufactured buildings constructed pursuant to 780 CMR 35.00 and 780 CMR 110.R3. For the purposes of 780 CMR 108.3.5, a "Homeowner" is defined as follows: Person(s) who owns a parcel of land on which he/she resides or intends to reside, on which there is, or is intended to be, a one or two family dwelling, attached or detached structures accessory to such use and/or farm structures. A person who constructs more than one home in a two-year period shall not be considered a home owner.

Note: Any Licensed Construction Supervisor who contracts to do work for a home owner shall be responsible for performing said work in accordance with 780 CMR 110.R5: *Construction Supervisors* and all reference standards and/or manufacture's recommendations, whether or not the licensed contractor secured the permit for said work.

108.3.5.2 Exemptions from Construction Supervisor License Requirement. A construction supervisor's license is not required for:

1. construction of above ground swimming pools, the erection of signs, the erection of tents, insulating of the building thermal envelope and the insulating of other systems or portions thereof, required by 780 CMR;
2. projects which are subject to construction control (780 CMR 116.0);
3. agricultural buildings which are not open to the public or otherwise made available for public use;
4. Massachusetts registered engineers and Massachusetts registered architects provided such engineers and/or architects comply with the Construction Supervisor oversight requirements set forth in 780 CMR R5 generally and 780 CMR R5.2.12, as applicable;
5. the practice of any trade licensed by agencies of the commonwealth (see M.G.L. c. 112, §81R), provided that any such work is within the scope of said license, including, but not limited to wiring, plumbing gas fitting, fire protection systems, pipefitting, HVAC and refrigeration equipment.

108.3.5.3. No municipality shall be prohibited from requiring a license for those individuals engaged in directly supervising persons engaged in construction, reconstruction,

alteration, repair, removal or demolition in those categories of building and structures for which the BBRS does not require a license, provided that those municipalities which have established licensing requirements for construction supervisors prior to January 1, 1975, may maintain their existing licensing requirements.

108.3.6 Certification of Inspectors of Buildings, Building Commissioners and Local Inspectors; Except as allowed for conditional appointees, no individual shall perform the duties of a municipal inspectors of buildings, building commissioners or local inspectors unless certified by the BBRS as set forth in 780 CMR 110.R7: *Certification of Inspectors of Buildings, Building Commissioners and Local Inspectors.*

108.4 Enforcement. Whoever violates the provisions of 780 CMR 108.0 or any rules and regulations promulgated hereunder, or who falsifies or counterfeits a license, registration or certification issued by the BBRS, or who fraudulently issues or accepts such a license, registration or certification shall be punished as provided in 780 CMR 118.0 and/or shall be subject to any other penalty provided for by law.

780 CMR 109.0 APPROVAL

109.1 Approved Materials and Equipment. All materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

109.2 Used Materials and Equipment. Used materials, equipment and devices which meet the minimum requirements of 780 CMR for new materials, equipment and devices shall be permitted; however, the building official may require satisfactory proof that such materials, equipment and devices have been reconditioned, tested, and/or placed in good and proper working condition prior to approval.

109.3 Minor Modifications. Wherever there are practical difficulties involved in carrying out minor provisions of 780 CMR, the building official shall have the authority to grant modifications for individual cases, provided the building official shall first find that special individual reasons make the strict letter of 780 CMR impractical and the modification is in compliance with the intent and purpose of 780 CMR and that such modification does not affect health, life, fire safety, means of egress, or structural requirements. The details of actions granting modifications shall be recorded and