



Docket # 579

THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin  
Secretary of the Commonwealth

**Regulation Filing** *To be completed by filing agency*

CHAPTER NUMBER: 780 CMR 120.00 Appendix Z

CHAPTER TITLE: Design and Construction of Townhouses

AGENCY: State Board of Building Regulations and Standards

SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.*  
**This regulation allows townhouses of up to three stories to use the same snow loads as required for one and two family dwellings.**

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

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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, 7/10/09.**

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: August 11, 2009 Public Hearing

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

For the first and second year: \_\_\_\_\_

For the first five years: May reduce costs as snow loads for one and two family dwellings are less than those for commercial building in several towns.

No fiscal effect: \_\_\_\_\_

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.

**May reduce costs as snow loads for one and two family dwellings are less than those for commercial building in several towns**

CODE OF MASSACHUSETTS REGULATIONS INDEX - List key subjects that are relevant to this regulation:  
**Snowloads on townhouses of three stories or less.**

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:

**780 CMR 120.Z**

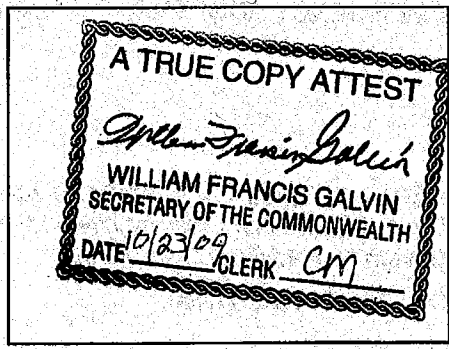
ATTESTATION - The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency. ATTEST:

SIGNATURE: [Signature] DATE: 10/21/09  
Publication - To be completed by the Regulations Division

MASSACHUSETTS REGISTER NUMBER: 1143 DATE: 11/13/09

EFFECTIVE DATE: 11/13/09

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1109, 1110	1109, 1110



**APPENDIX 120.Z****DESIGN AND CONSTRUCTION OF TOWNHOUSES***(Note: 780 CMR 120.Z is unique to Massachusetts)***780 CMR 120.Z101 GENERAL**

**120.Z101.1 Scope.** The provisions of 780 CMR 120.Z shall govern the design, construction, repair, renovation, alteration, addition, demolition and change of use to *townhouses*.

**780 CMR 120.Z102 DEFINITIONS**

**120.Z102.1 General.** The following words and items shall, for the purposes of 780 CMR 120.Z and as used elsewhere in 780 CMR, have the meaning shown in 780 CMR 120Z102.

**TOWNHOUSE.** *A single family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with open space on at least two sides (Use classification is typically R-2 by nature of numbers of and nature of occupancy of dwelling units per 780 CMR 3.00). Note: Townhouses ("row housing") in Massachusetts, unlike one- and two-family dwellings, are subject to seismic design requirements but townhouses of no more than three stories in height are allowed, in certain other respects, to resemble one- and two-family homes.*

**LOW-RISE RESIDENTIAL BUILDINGS.** *Any Residential use of up to three stories in height above-grade, except hotels and motels.*

**780 CMR 120.Z103 BUILDING PLANNING FOR TOWNHOUSES**

**120.Z103.1 Design and Construction.** For design and construction purposes, *townhouses* shall be designed and constructed in accordance with the applicable requirements of 780 CMR 1.00 through

50.00: *The Massachusetts State Building Code, 7<sup>th</sup> Edition, as applicable*). The height and area restrictions of 780 CMR 5.00 generally and of 780 CMR Table 503, specifically, shall likewise apply.

**Exception 1.** Energy conservation requirements for any new construction *low-rise residential building* including townhouses of no more than three stories in height (except hotels and motels) shall comply with the requirements of 780 CMR 61.00: *Energy Efficiency* of the Massachusetts Building Code for One- and Two-Family Dwellings, 7<sup>th</sup> Edition.

**Exception 2.** For townhouses of no more than three stories in height, fire separation requirements between dwelling units shall comply with the requirements of 780 CMR 5317 of the Massachusetts Building Code for One- and Two-Family Dwellings or the fire separation requirements dictated by the building Construction Type, whichever is greater.

**Exception 3.** For townhouses of no more than three stories in height, all required means of egress elements, including, but not limited to stair design and allowed widths, stair rise and run, hand rails and guardrails and required landings may comply with requirements of 780 CMR 51.00 through 100.00, as applicable. For townhouses of more than three stories in height the applicable egress element requirements of 780 CMR 1.00 through 50.00, are required.

**Exception 4.** For townhouses of no more than three stories in height, wind and snow loads shall comply with 780 CMR 53.00.

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

NON-TEXT PAGE