

Chapter 3: MAINE UNIFORM BUILDING AND ENERGY CODE - COMMERCIAL BUILDING CODE OF MAINE

SUMMARY: This chapter establishes the Commercial Building Code component of the Maine Uniform Building and Energy Code (“MUBEC”). The provisions of this chapter are based on a nationally recognized model building code published by the International Code Council, Inc., and is made part of the MUBEC through incorporation by reference. This chapter also contains requirements for the enforcement of the Commercial Building code by local building officials in municipalities with a population of more than 2,000 residents.

SECTION 1. PURPOSE AND SCOPE

All building construction in Maine, with some exceptions, is governed by the MUBEC, which is adopted by the Technical Building Codes and Standards Board pursuant to 10 M.R.S. Chapter 1103. The primary objective of the Board is to establish a uniform building code throughout the State of Maine.

This chapter sets forth the standards for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building or structure, with the exception of detached one and two-family dwellings and townhouses.

SECTION 2. AUTHORITY

The authority for this Chapter is 10 M.R.S. §9722, which provides that the Maine Technical Building Codes and Standards Board shall promulgate rules which adopt, amend, and maintain the Maine Uniform Building and Energy Code.

SECTION 3. DEFINITIONS

1. **IBC.** “IBC” means the 2009 International Building code, in effect June 1, 2010, published by the International Code Council, Inc.
2. **NFPA.** “NFPA” means The National Fire Protection Association.
3. **MUBEC.** “MUBEC” means the Maine Uniform Building and Energy Code adopted pursuant to 10 M.R.S. §9271 *et seq.*
4. **Technical Building Codes and Standards Board.** “Technical Building Codes and Standards Board” means the board established pursuant to 5 M.R.S. §12004-G, subsection 5-A and 10 M.R.S. §9722.

SECTION 4. INCORPORATION BY REFERENCE

1. The following Chapters of the 2009 International Building Code, published by the International Code Council, Inc., in effect on June 1, 2010, are hereby adopted and incorporated by reference:
 - A. Chapters 1 - 10
 - B. Chapters 12 - 27
 - C. Chapters 31 - 35

2. The following Chapters, and all appendices, of the IBC are specifically excluded from adoption:
 - A. Chapter 11 ACCESSIBILITY
 - B. Chapter 28 MECHANICAL SYSTEMS
 - C. Chapter 29 PLUMBING SYSTEMS
 - D. Chapter 30 ELEVATORS AND CONVEYING SYSTEMS
 - E. Appendix A - K

SECTION 5. REVISIONS TO THE IBC

The following additions, insertions, deletions, and other changes are hereby made to the 2009 International Building Code:

1. Generally all sections.

Delete “International Mechanical Code”
Insert “applicable state codes and statutes”

2. Section 101.1

Delete [NAME OF JURISDICTION]; *and*
Insert “State of Maine” in its place.

3. Section 101.4.1

Delete “International Fuel Gas Code”; *and*
Insert “NFPA 54 National Fuel Gas Code: Fire safety codes and standards adopted pursuant to Title 25 §§ 2452 and 2465” in its place.

4. Section 101.4.2

Delete Section 101.4.1 “Mechanical” in its entirety, without substitution.

5. Section 101.4.3

Delete “International Plumbing Code”; *and*
Insert “Maine State Plumbing Code, adopted pursuant to Title 32, § 3404-B” in its place.

Delete “International Private Sewage Disposal Codes”; *and*
Insert “Maine State Plumbing Code, adopted pursuant to Title 32, § 3404-B” in its place.

6. Section 101.4.4

Delete Section 101.4.4 “Property maintenance” in its entirety, without substitution.

7. Section 101.4.5

Delete “International Fire Code”; *and*

Insert “NFPA #1; Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465” in its place.

8. Section 102.2.1

Insert “No provisions of the MUBEC shall be construed to prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth provisions for local enforcement of building codes. Such ordinances may include items such as, permits, permit fees, boards of appeals and violations.”

9. Section 102.6

Delete “International Property Maintenance Code or the International Fire Code”; *and*
Insert “NFPA #1; Fire Safety codes and standards adopted pursuant to Title 25 §§ 2452 and 2465” in its place.

10. Section 103

Delete Section 103 “Department of Building Safety” in its entirety, without substitution.

11. Sections 104, 105, 106, 107, 108, 110, 111, 112, 115 and 116 and any amendments thereto shall only be applicable:

A. In a municipality with a population of 2,000 or more residents, beginning:

- (1) No later than December 1, 2010, if the municipality had previously adopted any building code on or before August 1, 2008; or
- (2) No later than July 1, 2012, if the municipality had not adopted any building code on or before August 1, 2008.

B. In a municipality with a population of less than 2,000 residents if the municipality voluntarily elects to enforce the MUBEC.

12. Section 104.8

Delete all language in Section 104.8; *and*
Insert “See 14 MRSA §8101” in its place.

13. Section 105.1

Insert “where required by municipal ordinance” at the end of the paragraph.

14. Section 105.2
Insert “Structures exempt from permits shall be located in compliance with zoning and floodplain regulations” at the end of the paragraph.
15. Section 109
Delete Section 109 “Fees” in its entirety, without substitution.
16. Sections 113 and 114
Delete Section 113 “Board of Appeals” and Section 114 “Violations” in their entirety, without substitution.
17. Section 308.5.2
Delete Section 308.5.2 and the exceptions thereto, in its entirety, without substitution.
18. Section 404.6
Delete all language in Section 404.6; *and*
Insert “See NFPA 101 8.6.7 (2009 edition)” in its place.
19. Section 715.4.8.1.1
Insert a new Section 715.4.8.1.1 to read: “Every door assembly in a stair enclosure serving more than four (4) stories shall permit re-entry from the enclosure to the interior of the building. **Exception:** An automatic release that is actuated with the initiation of the building fire alarm or fire detection system shall be provided to unlock all stair enclosure door assemblies to allow re-entry.”
20. Section 716.5.3
Delete “and smoke” in the first sentence.
21. Section 1004.1.1, Exception
Delete “**Exception:** Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.”
22. Section 1005.1
Insert (within the paragraph; after) The means of egress width shall not be less than required by this section. The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inches (7.61mm) per occupant for stairways.
Exception: Board and Care 0.4; Health Care – Sprinkled 0.3; Health Care Non-sprinkled 0.6.
Delete “and by 0.2 inches (5.08 mm) per occupant for other egress components”

Insert The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.2 inches (5.08 mm) per occupant for other egress components.

Exception: Board and Care 0.2; Health Care Sprinkled 0.2; Health Care Non-Sprinkled 0.5.

23. Section 1008.1.9.8

Delete “E” from the Group reference in two (2) locations in the first paragraph.

24. Section 1014.3

Delete all language in Section 1014; *and*

Insert “See NFPA 101-2009 Table A7.6” in its place.

25. Section 1015, Table 1016.1

Insert “I-1” in the occupancy column as a new row; *and*

Insert “See NFPA 101-2009 Table A7.6”

26. Section 1015.2.1

Insert “and exit discharge” Where two *exits* or *exit access doorways* are required from any portion of the *exit access*, the *exit doors* or *exit access doorways*, and *exit discharge* shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between *exit doors* or *exit access doorways* and *exit discharge*.

27. Section 1016, Table 1016.1

Delete “E” from the occupancy column as one of the use groups; *and*

Insert a new row in the column titled “Single Use”; *and*

Insert “E” in the Single Use occupancy column; *and*

Insert “150” in the without sprinkler system (feet) column; *and*

Insert “200” in the sprinkling system (feet) column.

28. Section 1016, Table 1016.1

Delete “S-1 and S-2” from the occupancy column; *and*

Insert “S-1 and S-2” in the occupancy column as a new row; *and*

Insert “See NFPA 101-2009 Table A7.6”

STATUTORY AUTHORITY: 10 M.R.S. §9722

EFFECTIVE DATE:

October 11, 2010 – filing 2010-468