

Chapter 4: MAINE UNIFORM BUILDING CODE - EXISTING BUILDING CODE

SUMMARY: This chapter establishes the Existing Building code component of the Maine Uniform Building and Energy Code (“MUBEC”) and the Maine Uniform Building Code (“MUBC”). 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 Existing Building code by local building officials in municipalities with a population of more than 4,000 residents.

SECTION 1. PURPOSE AND SCOPE

All building construction within a municipality of over 4,000 inhabitants shall be governed by the MUBEC. All other municipalities shall be governed by the MUBEC or the MUBC as adopted by the municipality. These codes are 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 uniform building codes throughout the State of Maine.

This chapter sets forth the standards for the repair, alteration, change of occupancy, addition and relocation of all existing buildings.

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 and the Maine Uniform Building Code.

SECTION 3. DEFINITIONS

1. **IEBC.** “IEBC” means the 2009 International Existing Building code in effect June 1, 2010, published by the International Code Council, Inc.
2. **MUBEC.** “MUBEC” means the Maine Uniform Building and Energy Code adopted pursuant to 10 M.R.S. § 9271, *et seq.*
3. **MUBC.** “MUBC” means Maine Uniform Building Code. "Maine Uniform Building Code" means that portion of the Maine Uniform Building and Energy Code that does not contain energy code requirements as determined by the board pursuant to section 9722, subsection 6, paragraph L.
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. Chapters 1 – 15 of the 2009 International Existing Building Code, published by the International Code Council, Inc., in effect on June 1, 2010, are hereby adopted and incorporated by reference.

SECTION 5. REVISIONS TO THE IEBC

The following additions, insertions, deletions, and other changes are hereby made to the 2009 International Existing 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 101.4.2
 - Delete* “International Fire Code, or the International Property Maintenance Code”
 - Insert* “NFPA#1: Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465”
4. *Insert:* Section 101.4.3 “No provisions of the MUBEC or MUBC 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.”
5. Section 101.5.1
 - Delete* “International Fire Code”
 - Insert* “NFPA#1; Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465”
6. Section 103
 - Delete* Section 103 “Department of Building Safety” in its entirety, without substitution.
7. Sections 104, 105, 106, 107, 109, 110, 111, 114, 115, 116, and 117, and any amendments thereto shall only be applicable:
 - A. In a municipality with a population of 4,000 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 4,000 residents, if the municipality voluntarily elects to enforce the MUBEC or MUBC.

8. Section 104.8

Delete all language in Section 104.8; and
Insert “See 14 M.R.S. § 8101” in its place.

9. Section 105.1

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

10. Section 105.2

Insert (at the end of the paragraph after jurisdiction and before Permits): “Structures exempt from permits shall be located in compliance with zoning and floodplain regulations.”

11. Section 108

Delete Section 108 “Fees” in its entirety, without substitution.

12. Sections 112 and 113

Delete Section 112 “Board of Appeals” and Section 113 “Violations” in their entirety, without substitution.

13. Section 307.7

Delete “International Fuel Gas Code”
Insert “NFPA#54 Fuel Gas code: Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465”

14. Section 307.8

Delete “special” and “International Mechanical Code”
Insert “mechanical” between special and provisions

15. Section 307.9

Delete “International Plumbing Code”
Insert “Maine State Plumbing Code” – Title 32 § 3403-B

16. Section 602.4

Delete “International Mechanical Code and International Plumbing Code”
Insert “Maine State Plumbing Code, Maine State Fuel Gas and mechanical provisions”

17. Section 602.4.1
Delete “International Fuel Gas Code”
Insert “NFPA#54 Fuel Gas Code; Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465”
18. Section 703.2.3
Delete “or the International Fuel Code”
19. Section 704.4.1.1
Delete “or the International Fuel Code”
20. Section 704.4.3
Delete “or the International Fire Code”
21. Section 709.1
Delete “In accordance with the International Mechanical Code”
22. Section 802.1.1
Delete “in accordance with the International Mechanical Code”
23. Section 802.2.1
Delete “in accordance with the International Mechanical Code”
24. Section 909.1
Delete “in accordance with the International Mechanical Code” and “intent of the respective International Mechanical Code provisions”, and
Insert “provisions of NFPA #96; Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465”
25. Section 910.1
Delete “International Plumbing Code”
Insert “Maine Plumbing Code”
26. Section 910.2
Delete “International Plumbing Code”
Insert “Maine Plumbing Code”
27. Section 910.3
Delete “International Plumbing Code”
Insert “Maine Plumbing Code”

28. Section 910.5
Delete “International Plumbing Code”
Insert “Maine Plumbing Code”
29. Section 912.5.1
Delete “Section 903.3.1.1 of the International Fire Code”
Insert “NFPA #1 Fire Code: Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465”
30. Section 1201.2
Delete “International Fire Code and the International Property Maintenance Code.”
Insert “NFPA #1; Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465”
31. Section 1301.2
Delete “[DATE TO BE INSERTED BY THE JURISDICTION]”; *and*
Insert “December 1, 2010”.
32. Section 1301.3.2
Delete “International Fire Code and the International Property Maintenance Code.”
Insert “NFPA #1; Fire codes and standards adopted pursuant to Title 25 §§ 2452 and 2465”
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STATUTORY AUTHORITY: 10 M.R.S. § 9722, sub-§6

EFFECTIVE DATE:

October 11, 2010 – filing 2010-469