

## **Resolve 46 Bill Summary**

*The forthcoming bill to implement Resolve 46 recommendations is summarized below.*

### **1. Resolve 46 puts a framework in place that establishes statewide uniform building and energy codes.**

- A state Board consisting of eleven professionals representing building trades, fire safety, historic preservation and energy would be appointed to amend, update and adopt the building and energy codes.
- National building and energy codes would be customized for Maine through amendments made by this board.
- Codes would be updated regularly by the board, so they don't get out of date.
- Municipalities would no longer amend and adopt codes locally, but could submit code amendments to the state board, which must consider them in a timely fashion.

### **2. Resolve 46 supports local code enforcement.**

- Towns remain the authority having jurisdiction for enforcement of building and energy codes.
- Towns with more than 2000 residents are required to enforce the state uniform code, code enforcement is optional in towns with less than 2000 residents
- Towns may contract with outside agencies for code enforcement services.
- All towns that enforce the building and energy codes will enforce the state uniform code, eliminating the need for towns to update, amend and adopt the codes themselves.
- A state technical assistance phone line will be available to answer code questions during regular business hours.
- The final interpretation of the codes for enforcement purposes is the jurisdiction of the local code officer.

### **3. Resolve 46 puts a framework in place that can resolve conflicts between codes.**

- The state Board is authorized to resolve conflicts involving building codes and other codes such as fire, electric and plumbing.

- Code conflict resolutions will be adopted by rule and published on the web.
- Fire and building officials will work together on the new Board, and the Board will be housed at the Department of Public Safety, to enhance coordination and cooperation between the building and fire code interests.

#### **4. Resolve 46 improves code enforcement through training.**

- The state Board is directed to provide affordable, accessible training to code enforcement officers, and is authorized to create certification standards for code officers.
- Specific training in Maine's building and energy codes will be added to the certification requirements for code enforcement officers.
- This same training will also be offered to (but not required for) builders, contractors, architects and designers.

#### **5. Resolve 46 facilitates historic preservation.**

- Statewide adoption of the IEBC (rehab code) by the state Board will enable local code officers, architects, designers and builders to use this code.
- Required training in the IEBC will familiarize building professionals with this code.
- The Technical Building Codes Board can resolve conflicts between the IEBC and other codes, increasing the effectiveness of the rehab code.

#### **6. Resolve 46 improves energy conservation in new construction.**

- The state board will amend and adopt Maine's energy code, providing towns with an updated energy code that they can enforce.
- Training in Maine's energy code would be provided to local code officers at no cost and become part of the certification requirements for code officials.

- Towns with over 2000 residents will be required to enforce the energy code, in towns with less than 2000 residents, enforcement is optional.
- Towns may contract with certified inspectors for energy inspection services.

## **7. Resolve 46 lays the groundwork for further efficiencies and improvements in code administration.**

- Resolve 46 calls for further work and a report back our building codes administration system, including streamlining the licensing and administration of other building related codes (such as plumbing, electric, elevator, etc.)
- Resolve 46 calls for an evaluation and report back on the effectiveness of code enforcement, three years after the state uniform code takes effect.

## **8. Resolve 46 is funded by fees paid to the state.**

- Funding is needed to staff the state Board, and to provide training and technical assistance. The estimated annual cost of these services is \$250,000.
- Funding is provided by a surcharge in fees paid directly to the fire marshal's office on commercial, public and institutional buildings.
- The surcharge will be deposited into a separate account dedicated to building code administration and training.
- The fee increase is \$.04 per square foot and applies to structures over 3000 square feet in size. (Examples: Fee for 3000 sq. ft. building would be raised from \$150 to \$270; fee for a 50,000 sq. ft. building would be raised from \$2500 to \$4500.)