

**Bangor – January 2, 2008**

- Contractor licensing is a good start towards dealing with municipalities that do not enforce a building code
- CEOs – general concerns about inspections – these are what make the difference in the quality and code conformance of a project
- For communities that don't have CEO inspections, require design professionals to do the inspections and to certify the work is being done to code \*\* see how storm water regulations deal with this
- The biggest problem CEOs have with contractors are the little homeowner jobs
- Certificate of Occupancy – this issue needs to be looked at more, it is potentially a big thing – insurance companies insist on having CofOs
- Fire Marshal Office needs to improve the # of years for retention of and storage capacity for plans reviewed by that office
- Attach occupancy terminology to draft proposal to clarify public/commercial and residential
- Local CEO authority having jurisdiction – big issue need to be thoughtfully addressed in Chapter One
- If CofO is voluntary – it doesn't matter what the approved plan said
- Need to clarify state/local partnership in this code administration proposal
- BGS has adopted ME Benchmark Standards – need to make sure that BGS standards match state building code
- Assessors (inspectors?) are legislated to go to training through the SPO – training to the statewide building code should also be legislated
- More work on the funding mechanism needed
- Standardization of fees may be a good thing
- Strike the word “voluntary” after local in the summary chart – it is misleading
- Did not find Market Decisions conclusions to be in line with the focus group input
- Don't forget ISO ratings will be impacted by state adoption of the building code in two ways: 1) if state waters down the national code, and 2) if state falls behind national adopted versions
- Remember – IBC=performance code and IRC=specification code
- IRC is more important to communities north of Augusta

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**Portland – January 3, 2008**

- Significant issue to be resolved=Authority Having Jurisdiction and Interpretation – right now NFPA adopted locally means local is AHJ – State adoption of building code would make state AHJ?
- If enforcement is voluntary – how to deal with local issuance of CofO?
- Ch 10 IBC deals with life safety – how will this chapter be resolved with NFPA 101?
- Re: Contractor Responsibility – that is not their job, should be the architects designing the buildings, make the architects and engineers responsible
- Architectural Laws need to be looked at as part of Phase 2 – specifically what type of construction certified architectural plans should be required for

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- Local permit fees should stay with the municipality – concerned about surcharge
- Third party inspectors – may be a reasonable / affordable option for municipalities
- Don't forget ICC & architects do provide plan review
- Authority Having Jurisdiction – need to ID how other states resolve local vs state AHJ
- Technical Building Codes Board members should have ICC certification requirements: 1) need to ID which ICC certifications and 2) consider qualifications not just certifications
- Need to change terminology “voluntary” associated with local in chart
- Title 30A – Adoption (Land Use) Ordinances including life safety – how will this work with proposed no local ordinances related to building codes?
- Concerns about Technical Codes Board having too many fire officials
- CEOs should be grandfathered in building standards category
- Delegated Authority: who will set the criteria and how will state fund certification requirements?
- Technical Codes Board should not be general appeal board because it will slow down construction projects
- Technical Codes Board should do minor – not substantial – amendments to the national model code
- Technical Codes Board Chair should be chosen by the Board Members – should not be Commission of Public Safety
- MBOIA and SEAM presented summaries of their position papers – SPO will post all position papers they receive
- Enhanced authority of FMO and new authority created in Technical Codes Board – how would this interplay with proposed Phase 2 work?
- Need assurance the ICodes will be left alone – having them at Dept. Public Safety might lead one to assume they could be substituted by NFPA 5000 in the future
- State should work towards adoption of the entire ICC family because they are designed to work together
- ICC certification = out of state & expensive vs. state certification which is done well now, is affordable and should continue
- State should not have set up a building codes committee without MBOIA being on it
- Training Coordinator should be under the Technical Codes Board, NOT under FMO
- Local CEO's and Fire Service need more enforcement authority
- Proposal not really dealing with residential construction
- SFM did not adopt the mandatory sprinkler provision of NFPA 101 – if state won't do it, who will?
- Local ordinances being superseded by state uniform building code – this may be an issue for the Legislature to decide, not the Resolve 46 Committee
- Please make the state uniform building code the most recent version of the ICC model codes
- Really put emphasis on need to make sure state code revision does not fall behind national revision schedule
- Contractor Responsibility – too “Live Free or Die” feeling. Note: Contractors are only liable for one year vs. architects that are liable for 7+ years – architects spend a lot

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of money on liability insurance. Contractors should have same liability requirements as architects

- CT requires an Engineer to certify that the contractor built to code
- Contractor Responsibility clause could be asking contractors to act as architects
- Laws ought to be written to protect tax payers – residential construction, including condos, are in need of the greatest protection
- Timeline of responsibility – one year is not adequate for contractors
- Mandatory enforcement and certification would improve residential protection
- How will public input be incorporated into the Resolve 46 Committee's Implementation Plan report?
- Who will be doing the drafting for the legislation and rules?
- Submittal of specific language / suggestions is encouraged for use in drafting legislation and rules
- Struck by Committee finding that mandatory enforcement is too expensive – there needs to be more #s included in the report to back this up
- Put more info into report re: mandatory enforcement and the \$ it will take to do
- Look at ICC formula for enforcement funding model
- Right now we are operating with the “more stringent” code requirement always applies, will the Tech Codes Board change this?
- Admin section of I Codes – have an Appeal Board make up – maybe can look at this for regional appeals board approach
- Title 25 Building Inspectors: worried about losing NFPA 1 and 101 which give Fire Service ability to inspect existing functioning buildings such as apartments
- Need to add a glossary of terms to the report (IBC, AHJ, C of O, etc)
- Technical Building Codes Board – Energy Expert should be Energy Efficiency Expert
- Energy Coalition on power point presentation should be Building Energy Efficiency Advocates

### **Presque Isle – January 9, 2008**

- Nominations for the CEO and builder members of the Technical Building Codes Board should be screened through SPO CEO program
- Need to ID the terms for Codes Board members and locations for meetings – meeting locations typically limit Aroostook County involvement
- Expertise necessary for Local Appeals Board membership as outlined by Chapter One in IBC and IRC often cannot be filled locally given limited number of people and professions in small municipalities
- This proposal is pure erosion of home rule
- Non-code towns are only interested in employment made possible by development
- Limited training that is offered is broad, not specific, and not advanced.
- Training must be provided at no cost and with no fiscal impact to municipalities
- How does this proposal address the coordination of local planning board approval and state plan review
- Concerned that state plan review will result in buildings approved at the local level being not approved at the state level – or having state requirements that are too

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expensive for local builder – or state required changes that make the building not meet the local planning board requirements

- Progression of code development has made requirements always more stringent such that new codes encompass old code requirements
- Whose interpretation of a statewide code would people be expected to follow – ICC or the state?
- Statewide code would be good for leveling the playing field – do not agree with home rule
- The state should not be adopting codes that require people to purchase expensive books that are not in the public domain
- Buildings in the county are not the same as in southern Maine
- ICC certification is expensive (example: training courses and testing would be about \$3,000) if certification is mandated by the state, it must be paid for by the state