**16 DEPARTMENT OF PUBLIC SAFETY**

**642 BUREAU OF BUILDING CODES AND STANDARDS**

**Chapter 2: MAINE UNIFORM BUILDING CODE AND UNIFORM ENERGY CODE - THIRD PARTY INSPECTORS (“TPI”)**

**SECTION 1. PURPOSE AND SCOPE**

A TPI certified by the Maine Department of Economic and Community Development is authorized to enter into a private agreement for remuneration with an Applicant or with a municipality or municipalities, to conduct inspections under 30-A M.R.S. §4451 for compliance with these Codes, to issue a Notice to Proceed to the Applicant and to issue an inspection report to the municipality for the issuance of a certificate of occupancy.

**SECTION 2. AUTHORITY**

The authority for third party inspectors is found in 10 M.R.S. §9723.

**SECTION 3. NOTICE TO PROCEED**

1.A TPI shall inspect the Applicant’s planned construction documents, including diagrams, schematics, specifications, etc. for compliance with these Codes. If the TPI finds the planned construction complies with the Code, the TPI shall:

A. Approve the planned construction in writing to the Applicant, as currently in compliance with these Codes, within the specific building area for which the TPI is certified.

**SECTION 4.** *RESERVED*

**SECTION 5. CONSTRUCTION FILE**

1. One copy of the Construction File shall be retained by the TPI, and an additional copy shall be furnished to the municipality when the Application for Certificate of Occupancy is submitted.

2. One copy of the Construction File shall be provided to the Applicant and shall be available upon request, for inspection, during the planned construction.

3. The Construction File shall contain the following:

A. All written correspondence between the TPI and the Applicant regarding the planned construction. The inclusion of contractual documents regarding contracted services by and between the TPI and Applicant is voluntary.

B. A copy of the plans, schematics, diagrams, and specifications fully describing the planned construction.

C. A copy of the Notice to Proceed issued by the TPI to the Applicant for the planned construction.

D. Change orders for significant modification of planned construction and TPI approval for each change order.

E. A copy of all inspection reports prepared by the TPI.

F. A copy of all photographs of the construction. Each photograph shall be time dated.

G. A final statement of the TPI to the municipality advising if the subject construction is compliance with these Codes.

**SECTION 6. INSPECTION REPORT**

1. The Inspection Report shall be prepared by the TPI, and shall include, but not be limited to the following information.

A. The Inspection Report shall contain a clear and concise description of each Code item reviewed for compliance.

B. The Inspection Report shall provide instruction and guidance to the Applicant to identify and resolve items found to be in noncompliance with the Code.

C. Inspection items found to be in noncompliance shall be described and identified by Code section.

D. Correction of non-conforming inspection items shall be documented.

E. All change orders that significantly modify the planned construction, shall be dated and shall include a written determination by the TPI of Code compliance or noncompliance.

F. Each Inspection Report shall include the time and date of inspections, the stage of the planned construction and shall be signed by the TPI conducting the inspection.

**SECTION 7. INSPECTIONS**

1. Construction for which a Notice to Proceed is issued shall be subject to inspection by the TPI and such construction shall remain accessible and exposed for inspection purposes until approved by the TPI.

2. The TPI, upon notification by the Applicant, shall make inspections pursuant to the Code and Chapter I of each applicable international code. Such inspection(s) shall be within the specific building area(s) for which the TPI is certified.

STATUTORY AUTHORITY: 10 M.R.S. §9723

EFFECTIVE DATE:

 October 11, 2010 – filing 2010-471

AMENDED:

 January 23, 2018 – filing 2018-007