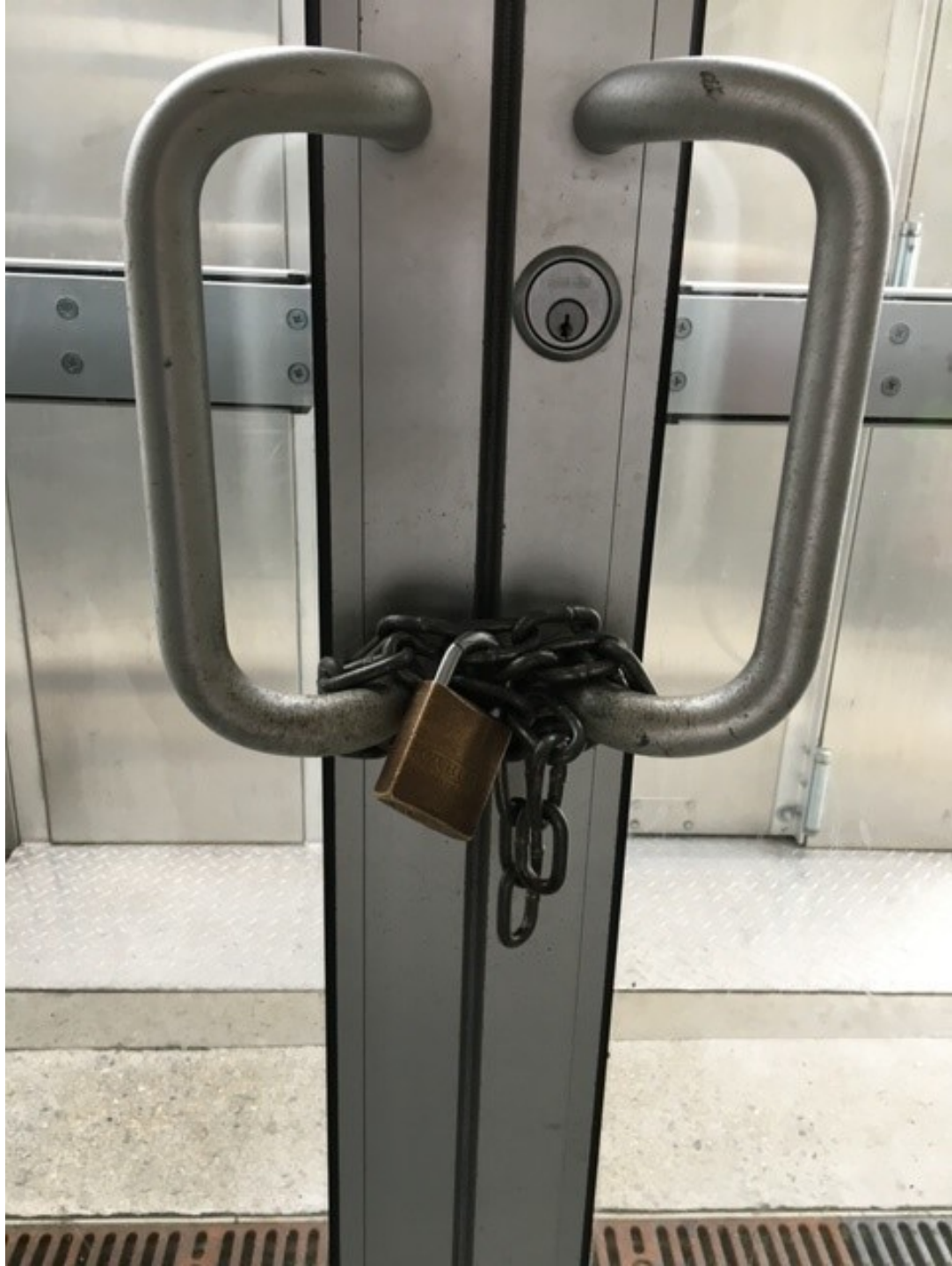


**PERFORMING
PERIODIC INSPECTIONS
PURSUANT TO
780 CMR SECTION 110.7**

What am I Doing Here?!

- **I don't know any more than you do.**
- I have the same resources, same issues and obstacles.
- The goal today is to help each other try to figure out how to attack this provision of the code.
- Discuss the requirements under the code to perform periodic inspections. What should be inspected and how often.
- Help! I have none and need it. Ideas to get the help you need.
- The issues/consequences if this section of the code is not enforced.
- If I'm wrong, you think I'm wrong or want to discuss please speak up.







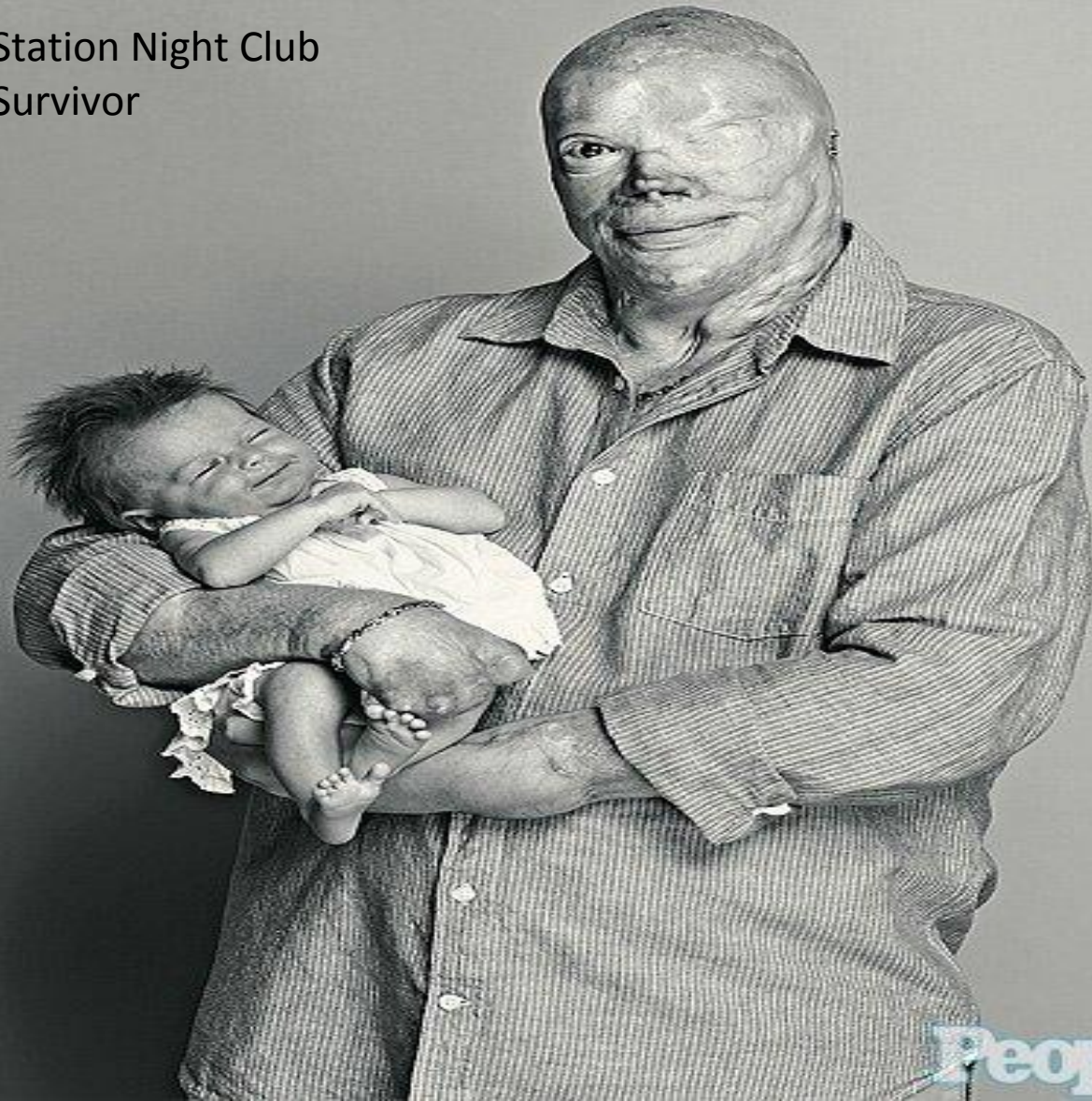


Why Do We Matter?

- 1903 Iroquois Theater – 602 Dead
- 1909 San Francisco Fire – 450 Dead
- 1911 Triangle Coat Co – 146 Dead
- 1929 Cleveland Clinic – 121 Dead
- 1930 Ohio State Pen – 320 Dead
- 1940 Rhythm Club – 209 Dead
- 1942 Knight of Columbus – 100 Dead
- 1946 Wincroft Hotel – 120 Dead
- 1949 St. Anthony Fire – 74 Dead (11 Newborns)
- 1958 Our Lady of the Angels School – 95 Dead (92 were Children)
- 1977 Beverly Hills Supper Club – 167 Dead
- 1980 MGM Grand – 84 Dead
- 2003 Station Night Club – 100 Dead
 - Total of these 13 Fires = **2588 DEAD**

WE ARE HERE FOR PUBLIC SAFETY
AND WE DO MAKE A DIFFERENCE!

Station Night Club
Survivor



People

Before we get to 110.7

- 102.6 – Existing Structures
 - 102.6.1 Laws in effect: in short, if it was built to the code in effect at the time it can continue to be occupied if maintained.
 - 102.6.2 Laws not in effect: if no codes, regulation, bylaws, etc. in effect at the time, the building can continue to be occupied if maintained.
 - 102.6.4 Existing egress, light and ventilation: maintain or make the building environment safe, healthy or otherwise comply with 780 CMR. BO can accept alternatives when practical issues arise.

Before we get to 110.7

- 102.8 – Maintenance of Existing Buildings and Structures
 - All buildings and structures...shall be maintained in a safe, operable and sanitary condition.
 - All service equipment, means of egress, devices and safeguards which are required or were required, when erected, altered or repaired, shall be maintained in good working order.
- 102.8.1 – Owner Responsibility: **“The owner shall be responsible for compliance with the provisions of 780 CMR.”**

Section 110.7 Periodic Inspections

- The Building Official **SHALL** inspect...in accordance with Table 110...
- The Owner (as defined in chapter 2) is required to request the inspection.
 - Footnote 5 Table 110 – “It is the responsibility of the building owner to meet the inspection requirements in this table for continued use and occupancy.”
- Such buildings **SHALL NOT** be occupied or continue to be occupied without a valid Certificate of Inspection. (See Section 111.5 for posting requirements)
- Does not apply to: one and two-family dwellings (R-3) unless it is a facility licensed by DDS or DMH

Table 110

- Maximum certification period indicated in the table is intended to provide flexibility. The Building Official may reduce the time between inspections.
- Fees for inspections can be set pursuant to MGL Chapter 40 Section 22F

Table 110

- A-1 – theater & stages = semi-annual inspection
- A-2 & A-3 - ≤ 400 yearly > 400 = semi-annual
 - A-2 where appropriate should include and be timed to accommodate requirements of MGL 10 § 74.
 - Applies to A-2 uses where the applicant intends to “sell alcoholic beverages to be consumed on the premises”.
 - Certificate issued by **local inspector** and signed by the **Head of the Fire Dept. Should be a joint inspection.**
 - Temporary Inspection Certificate may be authorized by the BO & co-signed by head of the FD. (See footnote 4 in Table 110)

Table 110

- A-4 Low density indoor recreational use – arena, skating rink, swimming pool, tennis courts, etc. Table calls out “low density” use but does not indicate or define what that is.
- A-5 Outdoor recreational use. Not included in the table – bleachers, grandstands and stadiums. Bleacher standard ICC-300
- A use group exceptions per 303.1.1 & 303.1.2:
 - Building or tenant space used for assembly purpose, occupant load of less than 50 classified as B use. – inspection not required
 - Room or space used for assembly, occupant load less than 50, accessory (as defined in section 508.2 -10% or less of net sf) to another occupancy shall be classified as B use or as part of that occupancy. – inspection not required
 - Room or space used for assembly, less than 750sf, accessory (10% or <) to another occupancy shall be classified as B use or as part of that occupancy. – inspection not required

Table 110

- E – Educational and Day Care
 - Education 6 or more people through 12th grade.
 - Day care- education, supervision or personal care of more than 5 children older than 2yr 9mo shall be classified as Group E.
 - 5 or fewer in home is R-3 use.
 - Accessory to religious use could be A-3 if under 100 occupants or classified as same use as primary occupancy if meets requirements of daycare.

Table 110

- I-1 – Group Home – one year
 - Group homes of 5 or fewer occupants, licensed by DDS meeting standards of 115 CMR 7.00: *Standards for All Services and Supports* are classified as R-3
- I-2 – Residents incapable of self preservation – two years (1 year for facilities licensed or operated by Dept. of Mental Health)
- I-3 – Restrained residents – two years
- I-4 – Adult and/or child day care facilities – one year (more than 5 occupants, less than 24hr care, any age)

Table 110

- R-1 – Hotel, motel, boarding house* – one year
- R-1 – Detox facility – two years
- R-2 – Multi-family – five years
 - Third party inspection ok if BO approves. Should be RDP or individuals with qualifications comparable with a BO
- R-2 – Dormitories and R-2 Congregate Living* - one year
- R-2 – Summer camp for children – one year
- R-4 – Residential care/assisted living (5-16 occupants on 24 hour basis) - one year

Table 110

- R-3 – Residential facilities licensed by DDS or DMH
 - Possible addition to Table 110 for 10th edition
 - Short term rentals and lodging houses
 - Boarding 10+ occupants transient R-1
 - Boarding 16+ occupants non-transient R-2
 - Boarding 10 or fewer occupants transient R-3
 - Boarding 16 or fewer occupants non-transient R-3
 - Lodging houses more than 5 guests IBC R-3
 - Lodging houses 5 or fewer guests IRC R-3

Table 110

- Anywhere:
 - ABCC licensed facility where alcohol is served and consumed per MGL 10 Section 74 – one year
 - House museum as defined in Ch. 34 – One year
 - Fire escapes, etc. per Ch. 10 – Five years
 - Public and semi-public pools are annual. This can be part of another use group that requires a five year inspection such as an assisted living facility.

What do we inspect?

- According to BBRIS interpretation No. 1-85 (85 indicates the year of this interpretation)
 - “The Certificate of Inspection serves as a spot check to ensure that other Code mandated procedures have been followed (e.g. permits obtained for alterations) and that the building has been maintained in safe condition. The building official is free to use his judgment in determining how extensive a periodic inspection need be.”
- Good or bad this leaves everything/anything on the table for review.

What do we inspect?

- Typically we are looking at common spaces, means of egress and life safety systems.
 - Means of egress
 - Light and ventilation
 - Detection systems – smokes, heats, carbon monoxide
 - Fire suppression systems including kitchen hoods
 - Generator testing reports
 - Extinguisher and emergency lighting testing and certification
 - Exterior stairs, balconies, fire escapes
 - Standpipe test reports
 - Fire doors
 - General health and safety items
 - Mechanical areas use for storage or not maintained
 - Required postings
 - Etc.
- 780 & MGL give us the authority to check beyond the common spaces if we have just cause using proper entry procedures if we notice: unsafe structures, unpermitted structures and/or alterations, etc.

How do we maintain a consistent, impartial inspection?

- Checklists are your friend.
 - Improves consistency
 - Avoids forgetting to check something
 - Keeps a record of findings
 - Lists are impartial and could help with potential political issues
 - Draft 10th proposed new language for required testing reports
- Items not on checklists can still be sited.
- Items outside your jurisdiction should be noted and reported to the AHJ.

PERIODIC INSPECTION REPORT - ANYTOWN, MA

780 CMR-8th Edition, IBC, Chapter 110

Building Dept.

Facility Name: _____	Occupancy Type: _____
Address: _____	Occupancy Number: _____
Owner: _____	Inspector: _____

ADMINISTRATIVE	yes	na	n/a	BOILERS/FURNACES	yes	na	n/a
1 Test reports for emergency lites, fire alarms sprinklers, etc. have been submitted				23 Combustibles are clear from boilers/furnaces			
2 Prior certificate is posted in the space and is visible/accessible to the public				24 Boiler/furnace/water heater have been recently serviced			
3 Property is readily identifiable from the street				25 Chimneys/vents visually appear sound and secure			
4 Fire escape 5-year certification is due				26 Gas meters/piping are protected from vehicle			
5 Occupant load is posted in each assembly room/space, near main entrance door				27 Electrical Equipment is properly protected			
6 All construction evident since last inspection date has been permitted and inspected				28 Boiler Room Condition is Acceptable 28 a Heating Method 28 b Ventilated			
BUILDING CONDITIONS				DETECTION			
7 Interior hangings and decorations are of non-combustible materials				29 Fire detection systems are present, where required, and have been properly tested			
8 Fire resistive assemblies are free from damage and open penetrations (i.e. boiler rooms, stair enclosures)				30 CO (carbon monoxide) detectors are installed and have been properly tested			
9 No excessive use of extension cords				31 Smoke/Fire Detectors are properly located and operable			
10 No combustibles in proximity to incandescent lights and no obvious electrical hazards				LIGHTING			
11 General maintenance (walkways free of trip hazards, debris, etc.)				32 Emergency lighting is provided and operable (if space is required to have more than 1 exit)			
12 Exterior openings are sealed against rats etc.				33 Adequate normal lighting (incl exit discharge)			
DOORS				34 Exit signs are provided, where required and properly illuminated			
13 Exit doors are side swinging and do not require the use of excessive force				STAIRS			
14 There are no flush bolts or surface bolts at egress doors				35 Exit stairs, fire escapes and decks are maintained in a safe condition. Attachments to buildings are provided.			
15 Access-controlled hardware is operational				36 Stairways have signage indicating level of upper and lower terminus if 3 or more stories			
16 Exit doors swing in direction of egress (if 50 or more persons)				37 Interior stairways are enclosed			
17 Screen/storm door swing in direction of egress				38 Fire escapes are clear			
18 Doors are readily operable without the use of a key or special knowledge or effort				39 Handrails/guardrails are properly design, located and maintained			
19 Panic hardware is operable, where required				FIRE PROTECTION			
EXITS				40 Fire extinguishers are present and recently tested 39 a Date of Expiration			
20 Exits and exit access corridors are unobstructed				41 Combustibles are clear from sprinkler heads			
21 The minimum number of exits from building and number of doorways from room are provided				42 Sprinkler system is operable 42 a gauge pressure =			
22 Adequate number of grade floor egress doorways				43 Storage is 18" below sprinkler heads			
NOTES							
B = Building Official F = Fire Dept. H = Health Dept							
PASS							

Specialized codes

- Do code requirements for periodic re-inspection include a requirement to re-inspect by wiring, plumbing, gas fitting, and elevator inspectors for compliance with the various applicable specialized codes?
 - BBRS Official Interpretation 1-85: “No....However periodic inspections conducted by the BO may reveal conditions that would require further attention by local wiring, plumbing, gas or elevator inspectors”.
- This answer would also reasonably apply to other health and fire issues.
- All issues noted that do not fall under the BO’s jurisdiction should be brought to the attention of the AHJ.

The Answer

- There is no easy answer
 - At a minimum all life safety items should be considered, including but not limited to:
 - Proper egress
 - Working emergency signage and lighting
 - General unsafe or unsanitary conditions
 - Posted occupant load where required
 - Visible fire protection systems kept in good order
 - Fire detection and prevention systems in working condition
 - Mechanical systems and spaces in good order
 - System maintenance / testing reports / tags

Part II

*How do we make it
happen?*

The Issues

- Lack of support
 - Funding
 - Man hours
 - Uninformed/Unresponsive Appointing Authority
- Poor self advocacy
 - Not great with paperwork or budgets
 - Catch 22 – no help = no time = no help
 - Fear of repercussions / political issues

Moving Forward

- Estimate hours and cost of completing the required inspections
- Show inspections will cover their own costs
- Get the support you need
 - **It is a legal requirement**
 - Documentation of estimated implementation cost vs. revenue
 - Communication with Appointing Authority

Estimating/Budgeting

- Determine the number of structures to be inspected per year
 - Information can be obtained from the Assessor's "Assessment/Classification Report"
 - Breakdown the Type of structures to be inspected by use classification
 - Assign a number of man hours to each type of structure including:
 - Scheduling/planning, phone time, etc.
 - Actual time to do inspection
 - Paperwork after inspection: letter to correct, C/I, Etc.
 - Possible re-inspection time

Estimating/Budgeting

PROPERTY TYPE	ACCT/ PARCEL COUNT	CLASS 1 Residential Assessed Value	CLASS 2 Open Space Assessed Value	CLASS 3 Commercial Assessed Value	CLASS 4 Industrial Assessed Value	CLASS 5 Personal Property Assessed Value
101	4,253	713,528,400				
102	1,436	120,168,300				
MISC 103,109	143	31,453,900				
104	2,527	479,434,800				
105	1,888	381,201,400				
111-125	716	360,804,900				
130-32,106	538	11,655,400				
200-231	0		0			
300-393	880			282,984,600		
400-452	213				199,752,400	
CH 61 LAND	0		0	0		
CH 61A LAND	0		0	0		
CH 61B LAND	1		0	105,900		
012-043	271	53,046,226	0	30,491,974	0	
501	789					14,128,140
502	674					29,875,950
503	78					8,130
504,550-2	4					63,293,830
505	9					41,042,500
506	0					0
508	6					6,376,870
TOTALS	14,424	2,151,293,326	0	313,582,474	199,752,400	154,725,420
REAL AND PERSONAL PROPERTY TOTAL VALUE						2,819,353,620
EXEMPT VALUE						620,886,600

Estimating/Budgeting

- Breakdown of classification types and estimated time per inspection. Numbers are just for the example.
 - 3-8 Family = 1 hour
 - 9+ Family = 1.5 hours
 - Restaurant = 2 hours
 - Small assembly = 1 hour
 - Medium assembly = 1.5 hours
 - Large Assembly = 2 hours
 - Day Care = 1 hour
 - Schools = 4 hours
 - Misc. = 1 hour
 - Etc.

Estimating/Budgeting

- Do the math-
 - 250, 3-8 family = 250 hours (estimate 50 per yr.)
 - 24, 9+ family = 36 hours (estimate 7 per yr.)
 - 30 Restaurants = 60 hours
 - 12 Sm Assembly = 12 hours
 - 10 med Assembly = 15 hours
 - 8 Large Assembly = 16 hours
 - 15 Day care = 15 hours
 - 12 Schools = 48 hours
 - 32 misc. = 32 Hours
 - Total hours = 255 hours**

Estimating/Budgeting

- 393 Buildings (174 inspections yr.)
- 255 hours for inspections
- Estimating 1 hour each building for travel, paperwork, phone calls etc. = another 174 hours
- $255 + 174 = 429$ hours or about 8 hours a week.

Estimating/Budgeting

- At \$40 per hour for 429 hours = \$17,160 yr.
- If fees for each of the 255 buildings were \$100 each = \$25,500 (MGL 40 Section 22F)
- $\$25,500 - \$17,160 = \mathbf{\$8,340}$.
- Part of the \$8,340 may be needed for office supplies, gas/mileage expenses, etc.
- Should still be a net gain for the City/Town and if inspections are completed ahead of time may be able to assist with daily tasks.

Certificates of Inspection

Projected Impact of Revised Fee Proposal – 3/1/08 (DRAFT)

Use	Total #	Max. Inspection Period	Current Fee	Current Revenue Generated	Proposed Fee	Projected Revenue
3-Family	338	5 years	\$75	0	\$215	\$17,914
4-8 Family	207	5 years	\$75	0	\$280	\$11,592
9+ Family	32	5 years	\$75	0	\$300	\$1920
Lodging Houses	12	1 year	\$75	\$900	\$175	\$2100
Restaurants	71	1 year	\$75	\$5325	\$150	\$10,650
Lounges	9	1 year	\$75	\$675	\$150	\$1350
Churches	10	5 years	\$75	\$0	\$100	\$200
Group Residences	20	1 year	\$75	\$1500	\$150	\$3000
Theaters	12	1 year	\$75	\$900	\$100	\$1200
Day Care	26	1 year	\$75	\$1950	\$100	\$2600
Misc.	46	1 year	\$75	\$3450	\$100	\$4600
Nursing Homes	13	1 year	\$75	\$975	\$175	\$2275
Colleges	65 buildings	1 year	\$75	\$4875	\$100	\$6500
Public Schools	9	1 year	\$0	0	\$0	0
Pools	13	1 year	\$0	0	\$100	\$1300
Bleachers (city owned)	Unknown	1 year	\$0	0	\$0	0
Bleachers (private)	Unknown	1 year	\$0	0	\$100	\$1000 ±
Summer Camps	5	1 year	\$75	\$375	\$100	\$500
Hospital	18 buildings	1 year	\$75	\$1350	\$100	\$1800
Totals	+250/year			\$20,925		\$70,501

Hiring Needs

- Needs will vary depending on the size of the City/Town and number of structures that meet the requirements for inspection.
 - Large and mid sized communities most likely could hire 1 or more full time inspectors to accomplish the goal
 - Small towns will need to hire part time and/or mix duties to create a full time position or share between towns

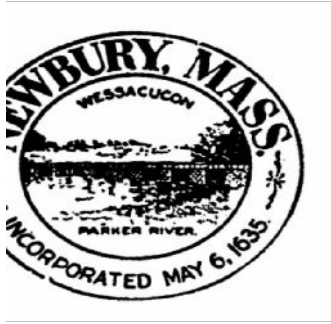
Getting Support

**IT IS A LEGAL
REQUIREMENT!**

NOT OPTIONAL!

Getting Support

- Appointing Authorities need to be made aware of the Legal Requirement of Section 110.7 that protects the lives of the occupants.
- Notify AA in writing about the requirements and consequences of performing or not performing periodic inspections.
- Request a written response to keep on file.
- CYA
- Keep trying!



Town Of Newbury
Office of
Inspectional Services
Newbury, MA 01951-4799
Phone: 978-465-0862
Fax: 978-465-3064

January 23, 2014

Dear Appointing Authority:

Section 110 of the Massachusetts State Building Code requires periodic inspections of certain use groups including schools, restaurants, churches, theaters, dormitories, hotels/motels, multi-family dwellings, etc. The general public expects when they or a loved one enter a public property that the structure is safe and that all equipment is in good working order. As such, in the event of an emergency, equipment will function properly and allow the public to safely exit the building.

The data sheet attached outlines how our community can support meeting the requirements of the State Building Code and, in doing so, protect the public.

Currently we have **XXX** residential properties and **XXX** commercial properties that would require a periodic inspection. With the proposed inspection fees implemented, our community could generate approximately \$ **xxxx**, which would sufficiently employ either a full/part time employee(s) at \$**xxx** per year to conduct the required inspections. In addition, this inspector(s) would be available to assist with vacation, sick, high volume and unexpected leave times.

Please respond as to the direction the city/town will take in supporting this requirement.

Should you have any questions, my office hours are Monday-Thursday 8:00 am to 12:00 pm or you may phone me at 978-465-0862 X 309.

Respectfully,

Sam Joslin
Newbury Building Commissioner