



**CONSTRUCTION AND
BARRIER FREE
PERMITTING**

Plan Examiners

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SFMO

Review & Enforcement of State Fire & Life Safety Codes.
And 55 adopted NFPA codes

Review for Federal ADA and MHR (Maine Human Rights)

No enforcement.

~~We **do not review** for the building code~~

CONSTRUCTION PERMITS

- Title 25, §2448; Construction Permit, when required
- Title 5 § 4594-G Barrier Free Permits, when required

WHAT REQUIRES A STATE CONSTRUCTION PERMIT?

Regardless of cost or size the following occupancies requires a Construction & Barrier Free Permit

- (1) State, municipal or county purposes;
- (2) Education;
- (3) Health care, residential care, nursing homes or any facility licensed by the Department of Health and Human Services;
- (4) Public assembly; also includes a space rented for a private event
- (5) A hotel, motel, inn or rooming or lodging house;
- (6) A restaurant;
- (7) Business occupancy of more than 3,000 square feet or more than one story; or
- (8) Mercantile occupancy of more than 3,000 square feet or more than one story.

The term "public building" includes any building or structure constructed, operated or maintained for use by the general public, which includes, but is not limited to, all buildings or portions of buildings used for a schoolhouse, hospital, convalescent, nursing or boarding home to be licensed by the Department of Health and Human Services, Division of Licensing and Regulatory Services; theater or other place of public assembly, mercantile occupancy over 3,000 square feet, hotel, motel or business occupancy of 2 or more stories; or any building to be state-owned or state-operated.

When Construction Permit Is Required

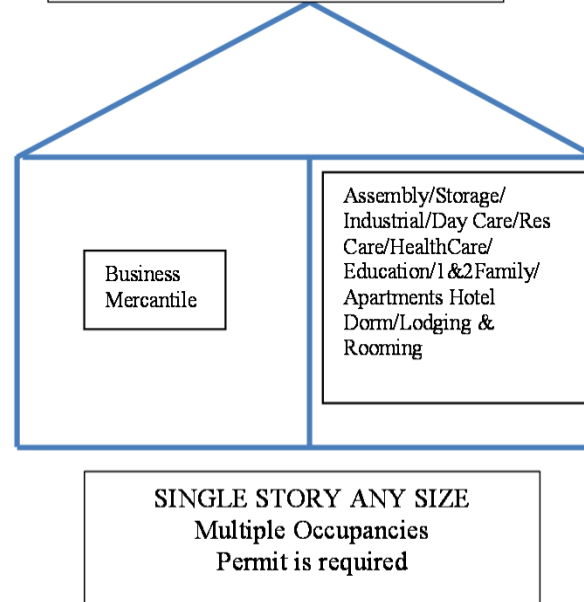
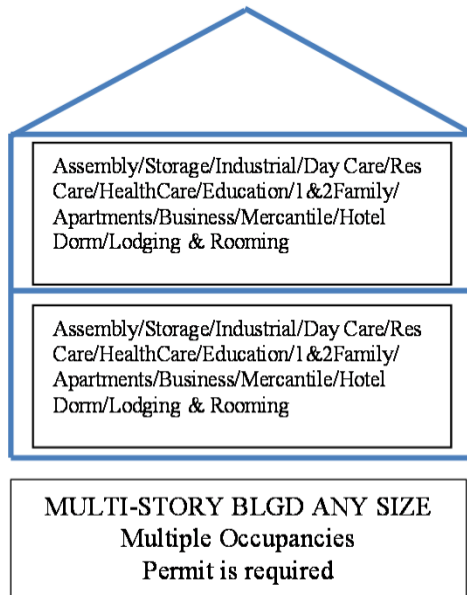
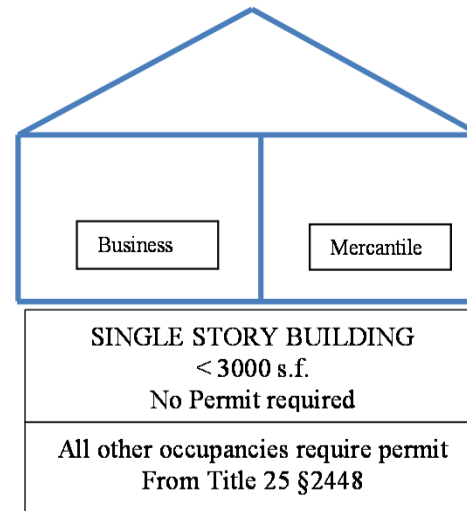
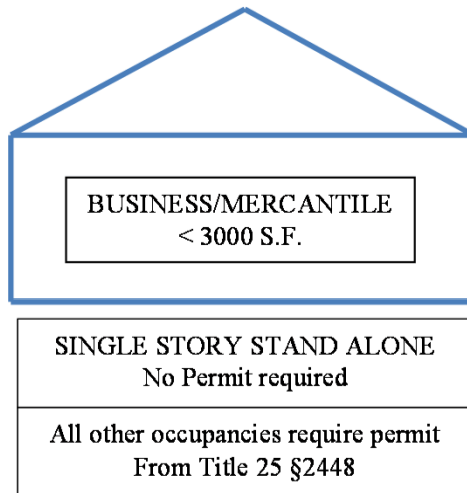
- All New Construction of the previous Occupancy Types.
- Alterations, Including but not limited to, Reconfiguration of the space, Adding or removal of Doors, Walls, Building of Stairs, or Ramps.. Changing parts of a means of egress
- New Additions
- Change of Occupancy Type.
- Installation Kitchen Suppression Systems
- Fire Alarm Installations
- Sprinkler Systems Require Sprinkler Permits

What does not require a Construction Permit

Not part of Multiple Occupancies

- A Stand Alone Storage Occupancy
- A Stand Alone Industrial Occupancy
- One and Two Family Dwellings.
- Privately Owned Apartment Buildings
- Repairs (Painting, New Trim Work, Replacement of items in the like.)

Examples



WHEN IN DOUBT

- Contact our office. (Code Enforcement, the owner or builder, or the Design Professional)
- Send an email with a drawing & description of use.
- We will reply with decision for required permitting

BARRIER FREE REVIEW

FMO authorized by

MHR ACT

State of Maine Statute TITLE 5 §4594

*TO CONDUCT MANDATORY & VOLUNTARY PLAN REVIEWS AND ISSUE
BARRIER FREE PERMITS FOR NEW CONSTRUCTION AND ALTERATIONS*

FMO does not enforce ADA

MHRA requires town inspection of completed buildings for compliance with plans certified by FMO or Design Professional.

ALTERATIONS As New Construction

- Alterations if the cost of the alteration is 75% or more of the replacement cost of the completed facility (New Construction Per MHRA)
- Alteration of more than 80% of Space is new construction. (New Construction per FMO criteria)

CERTIFICATION

- Any project where the cost of Construction or Alterations are at least \$75,000 the builder must obtain Certification from a Design Professional. (MHRA)
- Note* Under TITLE 32 §226 Design Professional required for any project \$50,000 or more.

PERMITS

- Barrier Free Permit requires application for a Construction Permit (unless the local municipality performs their own life safety reviews) i.e.. Portland, Gorham, Ellsworth, Sanford/Springvale
- Barrier Free permit is issued in conjunction with a construction permit
- These are in addition to any required Local permits

BARRIER FREE REVIEW STANDARDS

- 2010 ADA Standards
- MHRA TITLE 5 §4594

REVIEW

- Parking
- Accessible Routes (Including Doors, Ramps, Stairs, Walks, Lifts...)
- Accessible Entrances
- Seating
- Restrooms
- Signage
- Other Accessible Elements (Signage, water coolers...)

When is Barrier Free Permits Required?

For All New Construction of:

- (1) State, municipal or county purposes; TITLE II ADA 2010
- (2) Education;
- (3) Health care, residential care, nursing homes or any facility licensed by the Department of Health and Human Services;
- (4) Public assembly;
- (5) A hotel, motel, inn or rooming or lodging house;
- (6) A restaurant;
- (7) Business occupancy of more than 3,000 square feet or more than one story; or
- (8) Mercantile occupancy of more than 3,000 square feet or more than one story.

When is Barrier Free Permits Required? Cont.

- Alterations Of a place of public accommodations or Commercial Facility
- Altered Existing elements, Spaces, Common areas or Primary Function areas.
- To provide to the maximum extent feasible.
- Disproportionality; Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area.

CONTACT INFO

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FMO WEBSITE:

<http://www.maine.gov/dps/fmo>