



**CONSTRUCTION AND
BARRIER FREE
PERMITTING**

Plan Review and Sprinkler licensing

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SFMO

Review & Enforcement of State Fire & Life Safety Codes.

And 55 adopted NFPA codes

Keep in mind that some codes are adopted by reference in NFPA 1 and 101 as well!

Maine Adopted versions:

NFPA 1 and 101 2018 edition

NFPA 13 2016 edition

NFPA 72 2019 edition

NFPA 96 2021 edition

NFPA 220 2018 edition

NFPA 241 2019 edition

NFPA 221 2018 edition

For a complete list of adopted NFPA codes visit our website at

www.maine.gov/dps/fmo/fire-service-laws/nfpa

CONSTRUCTION PERMITS

■ Title 25, §2448; Construction Permit, when required

■ A property owner, agent or representative of the owner may not construct, alter or change the use of any structure to become a public building without first obtaining from the Commissioner of Public Safety or from a municipality designated pursuant to section 2448-A a permit for that purpose.

■ 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.

§2449. Penalty

Whoever violates the provisions of section 2448 shall be guilty of a Class E crime.

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, to include home daycares licensed to 12 children
- A current daycare occupancy just changing owners
- Privately Owned Apartment Buildings providing there are no other occupancies attached
- Repairs (Painting, New Trim Work, Replacement of items in the like.)

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 – Considered new construction
- Change of Occupancy Type.
- Installation Kitchen Suppression Systems – NFPA 96
- New NFPA 72 Fire Alarm Installations
- Sprinkler Systems Require Sprinkler Permits which the designs are submitted by the sprinkler contractors or their design professionals

SFMO

Review for Federal ADA (2010 Standards for Accessible Design) and the MHR (Maine Human Rights) title 5 when applicable such as Maine Housing projects

No enforcement by our office. We review for permitting but enforcement is either by the local CEO's per Chapter 11 of the IBC or by the individuals who cannot gain access to a building and services.

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

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 PERMITES 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.

WHAT REQUIRES A STATE CONSTRUCTION PERMIT?

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

Title 5 §4594-G Mandatory Plan review for ADA

- (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
- (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.

ADA REVIEW

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

Approval Letters

Approval Letters

Approval letters are **ONLY** for occupancies that do not meet the requirements to be permitted by State of Maine Statutes, but the owner still wants to have the approval that the project meets the life safety code.

Approval letters are not permits and do not meet the requirements of Title 25. **They are rarely utilized and DO NOT APPLY TO DAYCARE OCCUPANCIES**

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) This should be presented to the local CEO's for their records.
- **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 and Waterville (discussed in next slide)
- Barrier Free permit is issued in conjunction with a construction permit
- These are in addition to any required Local permits

Delegated Reviews

Delegated reviews are Life Safety reviews that are performed by a municipality that has met the requirements per Title 25 §2448-A and registered with the State of Maine to conduct their own life safety reviews. There are currently 2 municipalities with this authority. Delegated reviews are for non DHHS licensed Healthcare occupancy projects only. All DHHS licensed HealthCare's occupancy projects are reviewed by the SFMO. Portland and Waterville

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

CONTACT INFO

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**Amusement/mechanical device rides, Above Ground Storage Tanks, DEP
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<http://www.maine.gov/dps/fmo>