

IX. HOMEOWNER LICENSE EXEMPTION

Supplement #1

The current exemption for "homeowner" was extended to include owner-occupied dwellings of two units or less and to allow such homeowners to engage an individual for hire who does not possess a license, provided that the owner acts as supervisor. (State Building Code Section 110.5)

DEFINITION OF HOMEOWNER:

Person(s) who own a parcel of land on which he/she resides or intends to reside, on which there is, or is intended to be, a one to two family dwelling, attached or detached structures accessory to such use and/or farm structures. A person who constructs more than one home in a two-year period shall not be considered a homeowner. Such "homeowner shall submit to the Building Official, on a form acceptable to the Building Official, that he/she shall be responsible for all such work performed under the building permit. (Section 110.5)

The undersigned "homeowner assumes responsibility for compliance with the State Building Code and other applicable codes, ordinance, rules and regulations, and will comply with the City of New Bedford Building Department minimum inspection procedures and requirements.

HOMEOWNERS SIGNATURE _____

X. CONSTRUCTION DEBRIS DISPOSAL

Supplement #2

In accordance with provisions of Massachusetts General Law C40, S54, debris resulting from this work shall be disposed of in a properly licensed solid waste disposal facility as defined by Massachusetts General Law C111, S150A

The debris will be disposed of in: _____
(Location of Facility)

Signature of Permit Applicant _____

Date _____

XI. HOME IMPROVEMENT CONTRACTOR LAW AFFIDAVIT

(Residential Use Only) Supplement to Permit Application

Supplement #3

MGLc. 142 A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units ... or to structures which are adjacent to such residence of building" be conducted by registered contractors, with certain exceptions, along with other requirements.

Type of Work: Change Use of Building To A Church "Iglesia Peniel"

Address of Work: 929 Ashley Blvd.

Owner Name: "Iglesia Peniel" Date of Permit Application: _____

I hereby certify that: Registration is not required for the following reason(s):

_____ Work excluded by law _____ Job under \$1,000 _____ Building not owner-occupied _____ Owner obtaining own permit

Other (specify) _____

Notice is hereby given that:

OWNERS OBTAINING THEIR OWN PERMIT OR EMPLOYING UNREGISTERED CONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OF GUARANTY FUND UNDER MGLC. 142A.

signed under penalties of perjury:

I hereby apply for a permit as the agent of the owner:

Date _____ Contractor Signature _____ Registration No. _____

OR:

Notwithstanding the above notice, I hereby apply for a permit as the owner of the above property:

Date _____ Owner Signature _____

XII. BUILDING COMMISSIONERS REVIEW COMMENTS AND CONDITIONS

C. Building Permit Rejected Reason For Rejection:	<u>PLANNING BOARD - SPECIAL PERMIT</u> <u>Reduction in Parking</u> <u>" See Attachments "</u>	Fee
		Permit #

Comments and Conditions:

Signed Danny J. Romanowicz Date: 2-26 2021

Title Building Commissioner

Not valid unless signed (not stamped) by Building Commissioner



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

DEPARTMENT OF INSPECTIONAL SERVICES
133 WILLIAM STREET – ROOM 308
NEW BEDFORD, MA 02740

New Bedford Comprehensive Zoning Code Review

Code of Ordinances – Chapter-9

929 Ashley Boulevard – PLOT: 127D – LOT: 200 – ZONED DISTRICT: MUB
Special Permit is Required from the Planning Board

Zoning Code Review as follows:

<u>Special Permit</u>	<u>Planning Board</u>
❖ SECTIONS	
• 3100 – Parking and Loading	
• 3110 – Applicability	
• 3120-3125 – Special Permit (Reduction in Parking)	
• 3130 – Table of Parking Loading Requirements – Appendix C	
▪ <u>Places of Assembly: Places of Worship</u>	
• 5300-5330 – 5360-5390 – Special Permit	

.....
Please note that a variance will be required for an accessible entrance to the building from the Architectural Access Board



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

DEPARTMENT OF INSPECTIONAL SERVICES
133 WILLIAM STREET – ROOM 308
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Parking Spaces Calculations

Building Use – Place of Worship

Number of Parking Spaces Required

Number of Space required = $14,256\text{sf} \div 200\text{sf}/\text{Parking Space} = 71.28 = \underline{72 \text{ Parking Spaces}}$

Number of Parking Spaces Provided = 33 Parking Spaces

Number of Parking Spaces Required for Relief = 39 Parking Spaces

3100. - PARKING AND LOADING.

3110. Applicability. Every building erected, enlarged, converted, or relocated and each use or change of use of land shall be provided with off-street parking spaces and off-street loading spaces in accordance with Section 3130, Table of Parking Requirements.

3111. In the event of the enlargement of a structure existing on the effective date of the ordinance from which this Section is derived, or the construction or relocation of additional structures on a lot, after such effective date, the regulations of this Section shall apply only to the enlargement, construction or relocation thereof, except that any off-street parking and off-street loading facilities established to serve any buildings and any uses prior to such effective date shall not be reduced below the required number.

3112. For a building or premises used for combined purposes, the number of off-street parking spaces and off-street loading spaces shall be determined as the sum of the required number of spaces in each component of the combined use.

3113. Where the computation of required parking spaces and loading spaces result in a fractional number, the required parking spaces shall be the next whole number.

(Ord. of 12-23-03, § 1)

3120. Special Permit. Any parking or loading requirement set forth herein may be reduced upon the issuance of a special permit by the Planning Board if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:

3121. Use of a common parking lot for separate uses having peak demands occurring at different times;

3122. Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;

3123. Peculiarities of the use which make usual measures of demand invalid;

3124. Availability of on-street parking or parking at nearby municipally owned facilities.

3125. Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces.

(Ord. of 12-23-03, § 1)

3130. Table of Parking and Loading Requirements. See Appendix C.

(Ord. of 12-23-03, § 1)

3140. Location and Layout of Parking and Loading Facilities. Off-street parking and loading, for facilities other than single- or two-family residences, may be provided in structures or in the open air, and shall be subject to the following regulations pertaining to their layout and location:

3141. Parking spaces shall be located on the same lot as the building or use where they are intended to serve, except that they may be provided on an adjoining lot in the same ownership.

3142. Where the provisions of subsection 3141 cannot be satisfied and the parking lot contains five (5) or more required spaces, the required parking spaces may be located on a lot in the same ownership within two hundred (200) feet of the building or lot they are intended to serve.

3143. Parking space for three (3) or fewer vehicles may be provided in the form of a driveway on a lot; the improved surface may be extended to one foot of the side line.

3144. Where a drive or aisle, other than a street, is required to maneuver a vehicle into or out of a parking space, such drive or aisle shall be at least twenty-two (22) feet wide for parking spaces situated at right angles, or nearly right angles to the aisle. For parking spaces situated at an angle of thirty (30) to sixty (60) degrees to the aisle, the required width of the aisle shall be at least fifteen (15) feet.

3145. Open-air off-street parking facilities may be located in required front, rear and side yards, except that in a residential district, no open-air off-street parking space shall be located in front of the dwelling or principal building.

5300. - SPECIAL PERMITS.

5310. Special Permit Granting Authority. The Zoning Board of Appeals, the Planning Board or the City Council shall act as the Special Permit Granting Authority under this Chapter as specifically designated in a particular Section or in accordance with the Specific Designations in the Table of Principal Use Regulations under Appendix A of this Chapter.

(Ord. of 12-23-03, § 1; Ord. of 12-8-05, § 1)

5320. Criteria. Special permits shall be granted by the special permit granting authority, unless otherwise specified herein, only upon its written determination that the benefit to the City and the neighborhood outweigh the adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Ordinance, the determination shall include consideration of each of the following:

5321. Social, economic, or community needs which are served by the proposal;

5322. Traffic flow and safety, including parking and loading;

5323. Adequacy of utilities and other public services;

5324. Neighborhood character and social structures;

5325. Impacts on the natural environment; and

5326. Potential fiscal impact, including impact on City services, tax base, and employment.

(Ord. of 12-23-03, § 1)

5330. Procedures. Applications for special permits shall be filed in accordance with the rules and regulations of the various special permit granting authorities, as may be applicable.

(Ord. of 12-23-03, § 1)

5340. Plans. An applicant for a special permit shall submit a plan in substantial conformance with the requirements of Section 5400, herein.

(Ord. of 12-23-03, § 1)

5350. Development Impact Statement (DIS). At the discretion of the special permit granting authority, the submittal of a development impact statement (DIS) may be required. The DIS shall be prepared by an interdisciplinary team including a Registered Landscape Architect or Architect, a Registered Professional or Civil Engineer, and a Registered Surveyor.

5351. Physical Environment.

- (a) Describe the general physical conditions of the site, including amounts and varieties of vegetation, general topography, unusual geologic, archeological, scenic and historical features or structures, location of significant viewpoints, stone walls, trees over sixteen (16) inches in diameter, trails and open space links, and indigenous wildlife.
- (b) Describe how the project will affect these conditions, providing a complete physical description of the project and its relationship to the immediate surrounding area.

5352. Surface Water and Subsurface Conditions.

- (a) Describe location, extent, and type of existing water and wetlands, including existing surface drainage characteristics, both within and adjacent to the site.
- (b) Describe any proposed alterations of shore lines, marshes, or seasonal wet areas.
- (c) Describe any limitations imposed on the project by the site's soil and water conditions.
- (d) Describe the impact upon ground and surface water quality and recharge, including estimated phosphate and nitrate loading on groundwater and surface water from septic tanks, lawn fertilizer, and other activities within the site.

5353. Circulation Systems.

Project the number of motor vehicles to enter depart the site per average day and peak hour. Also state the number of motor vehicles to use streets adjacent to the site per average day and peak hour. Such data shall be sufficient to enable the special permit granting authority to evaluate (i)

existing traffic on streets adjacent to or approaching the site, (ii) traffic generated or resulting from the site, and (iii) the impact of such additional traffic on all ways within and providing access to the site. Actual study results, a description of the study methodology, and the name, address, and telephone number of the person responsible for implementing the study, shall be attached to the DIS.

5354. Support Systems.

- (a) Water Distribution: Discuss the types of wells or water system proposed for the site, means of providing water for firefighting, and any problems unique to the site.
- (b) Sewage Disposal: Discuss the type of on-site or sewer system to be used, suitability of soils, procedures and results of percolation tests, and evaluate impact of disposal methods on surface and groundwater.
- (c) Refuse Disposal: Discuss the location and type of facilities, the impact on existing City refuse disposal capacity, hazardous materials requiring special precautions.
- (d) Fire Protection: Discuss the type, location, and capacity of fuel storage facilities or other flammables, distance to fire station, and adequacy of existing firefighting equipment to confront potential fires on the proposed site.
- (e) Recreation: Discuss the distance to and type of public facilities to be used by residents of the proposed site, and the type of private recreation facilities to be provided on the site.
- (f) Schools: Project the increase to the student population for nursery, elementary, junior high school, and high school levels, also indicating present enrollment in the nearest public schools serving these categories of students.

5355. Phasing. Where development of the site will be phased over more than one year, indicate the following:

- (a)

Describe the methods to be used during construction to control erosion and sedimentation through use of sediment basins, mulching, matting, temporary vegetation, or covering of soil stockpiles. Describe the approximate size and location of portion of the parcel to be cleared at any given time and length of time of exposure.

- (b) Describe the phased construction, if any, of any required public improvements, and how such improvements are to be integrated into site development.

(Ord. of 12-23-03, § 1)

5360. Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the special permit granting authority may deem necessary to serve the purposes of this Ordinance.

(Ord. of 12-23-03, § 1)

5370. Lapse. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within twelve (12) months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in M.G.L.A. c. 40A, § 17, from the grant thereof) with the City Clerk.

(Ord. of 12-23-03, § 1)

5380. Regulations. The special permit granting authority may adopt rules and regulations for the administration of this Section.

(Ord. of 12-23-03, § 1)

5390. Fees. The special permit granting authority may adopt reasonable administrative fees and technical review fees for applications for special permits.

(Ord. of 12-23-03, § 1)

State Law reference— Special permits, M.G.L.A. c. 40A, § 9.

APPENDIX C - TABLE OF PARKING AND LOADING REQUIREMENTS

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
One-family dwelling Two-family dwelling Multi-family (3) or more per structure	Two (2) spaces per dwelling unit Two (2) spaces per dwelling unit	One (1) loading space for each multifamily dwelling containing more than ten (10) dwelling units, or more than twenty (20) housekeeping units
Hotel, motel, bed and breakfast, rooming or boarding or lodging house, tourist home, dormitories, or other non-family residence accommodations, excluding group homes	One (1) space per each employee per shift, who does not reside on the premises; one (1) space per guest room, dwelling parking requirements, if applicable	One (1) loading space for each building containing more than 20 guest rooms
Offices: General, professional, business, banks, medical clinics and laboratories, radio and television stations; office of non-profit educational, cultural, or charitable organizations	One (1) space per each 200 sq. ft. of gross floor area but not less than two (2) spaces for each business unit intended to occupy the premises. After 10,000 sq. ft. of gross floor area, one space for every 1,000 sq. ft. of gross floor area	One (1) loading space for each building containing 10,000 sq. ft. or more of gross floor area. Two (2) loading spaces for 100,000 sq. ft. or more of gross floor area

Fast-food drive-in, carry-out restaurants	One (1) space per each employee per shift for a minimum of five (5) spaces plus one (1) space per 100 sq. ft. of gross floor area with a minimum of twenty (20) spaces	One (1) loading space for each building
Businesses engaged in retail sale of goods and services, not elsewhere enumerated herein	One (1) space per each 200 sq. ft. of gross floor area, but not less than two (2) spaces for each business use intended to occupy the premises. After 20,000 sq. ft. gross floor area, one space per 400 sq. ft.	One loading space for each building containing more than 5,000 and less than 10,000 sq. ft. of gross floor area. Thereafter, one (1) additional loading space shall be required for each additional 25,000 sq. ft. of gross floor area
Businesses engaged in retail sale, rental, repair, servicing, storage and distribution of motor vehicles, trailers, campers, boats, furniture or building materials	One (1) space per each 400 sq. ft. of gross floor area, but not less than two (2) spaces for each business use intended to occupy the premises	
Hospital, convalescent homes, nursing homes, rest homes or homes for the aged	One (1) space per three (3) beds, three (3) space Drop-Off Zone.	One (1) loading space for each building containing 10,000 sq. ft. or more of gross floor area. Two (2) loading spaces for buildings

Places of assembly, including theaters, veterans, fraternal, social and recreational clubs and organizations not operated for a profit; facilities primarily for the education and instruction of persons sixteen (16) yrs. of age and older; taxi, bus & railroad passenger terminals; auditoriums, theaters, bowling alleys and dance halls; sports facilities; places of worship; funeral homes	One (1) space per five (5) seats for which the building is designed or one (1) spaces for each 200 sq. ft. of gross floor area whichever results in the greatest number	containing 100,000 sq. ft. or more of gross floor area
Businesses engaged in the manufacturing, processing, assembly, fabrication of products, including research and testing laboratories and facilities	One (1) space per each 500 sq. ft. of gross floor area plus one (1) space for each vehicle used in conducting the business	Two (2) loading spaces for each building containing 10,000 sq. ft. of gross floor area. Thereafter, one (1) additional loading space shall be required for each additional 25,000 sq. ft. of gross floor area or for each fifteen (15) feet of dock, platform or opening in the building where the loading or unloading of commodities

Location: 929 ASHLEY BLVD**Parcel ID:** 127D 200**Zoning:** MUB**Fiscal Year:** 2021**Current Owner Information:**

DEPARTMENT OF MASSACHUSETTS
VFW OF THE US INC
24 BEACON STREET STATE HOUSE ROOM 546-1

BOSTON , MA 02133

Current Sales Information:**Sale Date:**

06/26/2020

Sale Price:

\$1.00

Card No. 1 of 1

Legal Reference:

13272-221

Grantor:

PVT A POIRIER POST 3260,

This Parcel contains 0.5766 acres of land mainly classified for assessment purposes as FH-CC-FO with a(n) SOCIAL CLUB style building, built about 1967, having Conc Blk exterior, Asphalt Shingles roof cover and 12348 Square Feet, with 1 unit(s), total room(s), total bedroom(s) total bath(s), 0 3/4 baths, and 4 total half bath(s).

Building Value:

305300

Land Value:

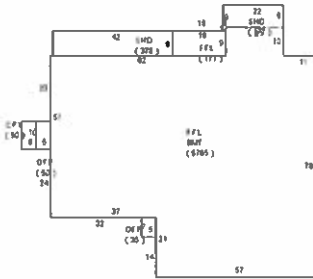
278600

Yard Items Value:

10700

Total Value:

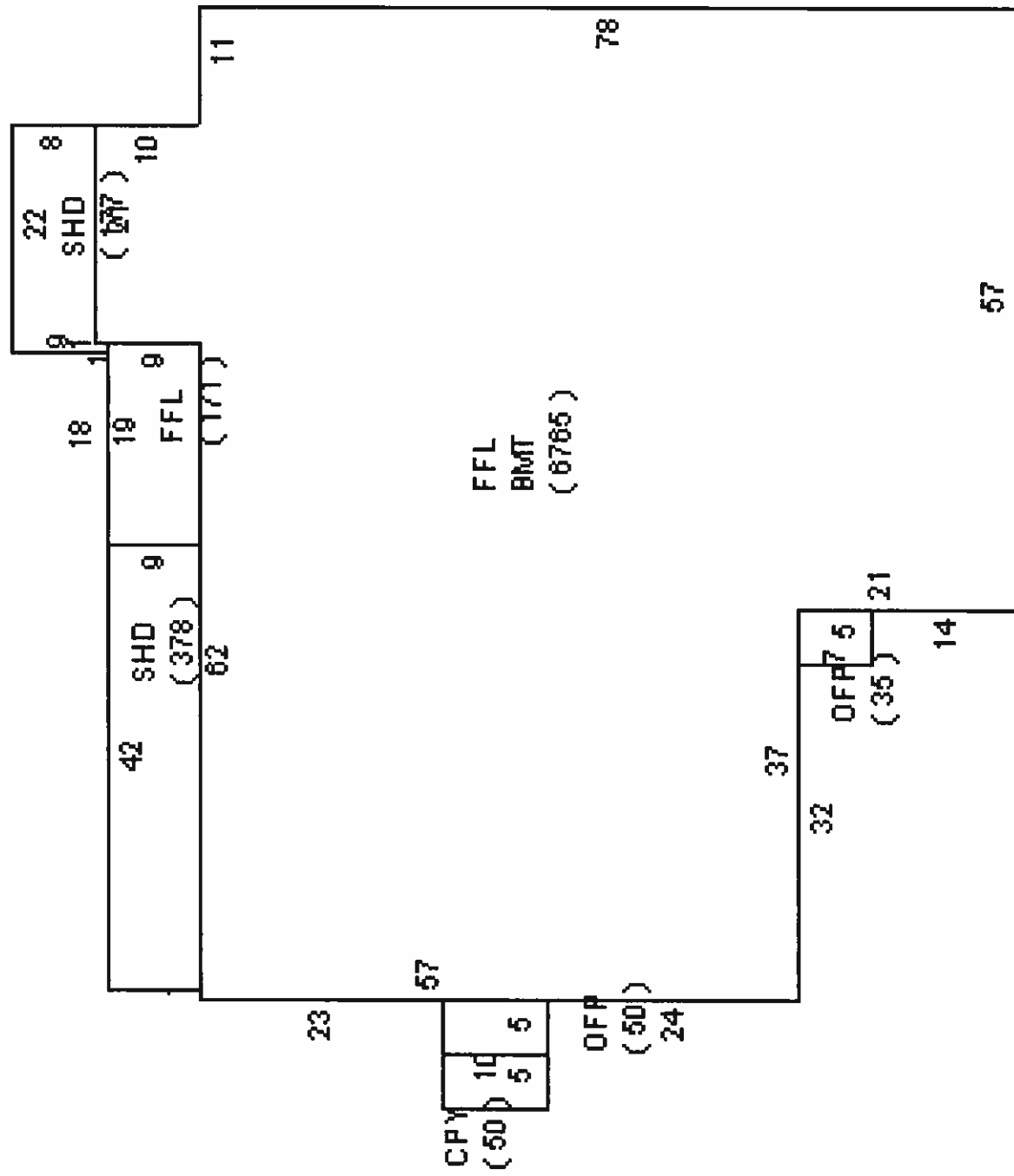
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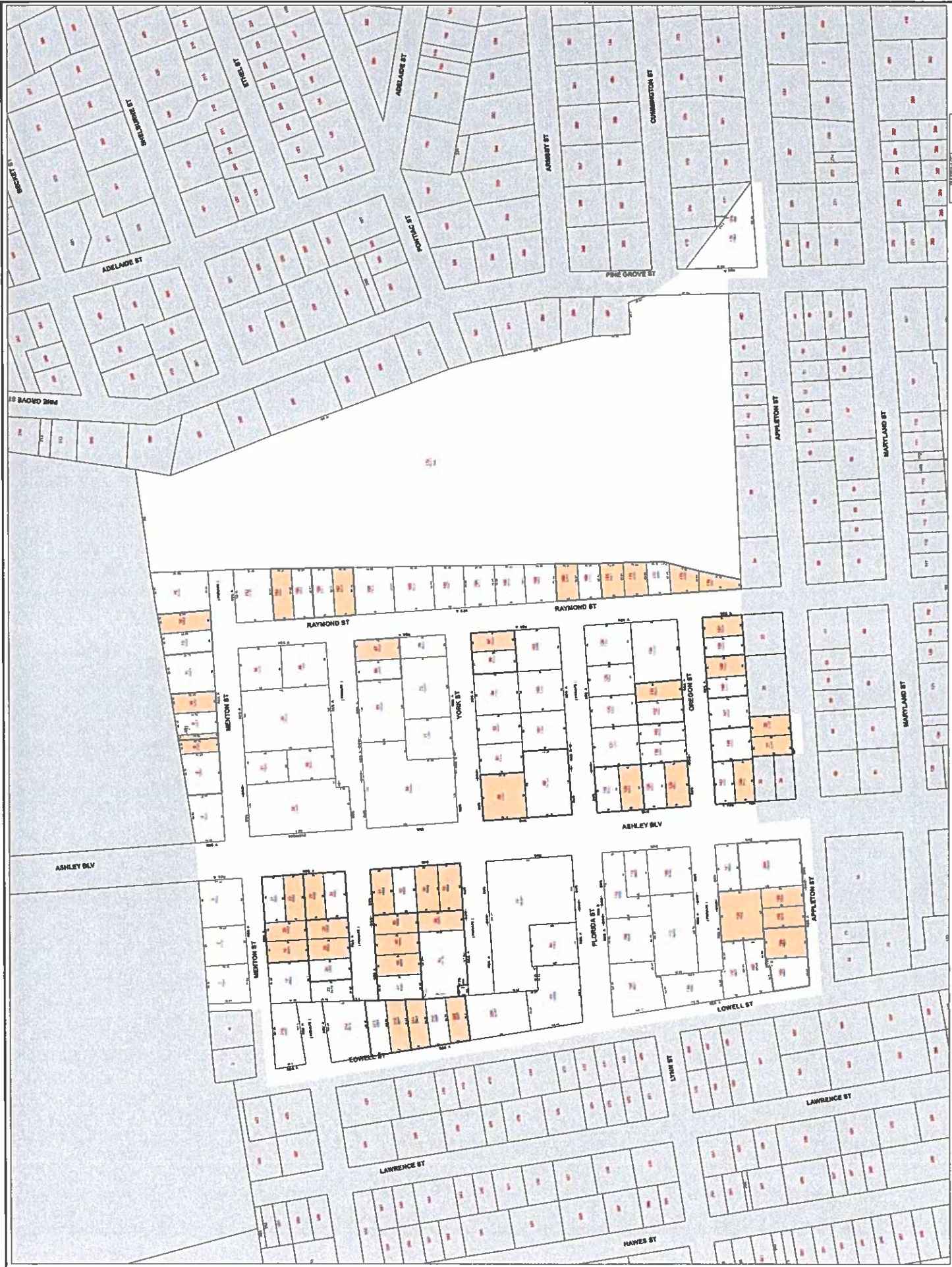
**Fiscal Year 2021****Fiscal Year 2020****Fiscal Year 2019**

Tax Rate Res.:	15.59	Tax Rate Res.:	16.16	Tax Rate Res.:	16.47
Tax Rate Com.:	32.76	Tax Rate Com.:	33.59	Tax Rate Com.:	34.84
Property Code:	954	Property Code:	954	Property Code:	954
Total Bldg Value:	305300	Total Bldg Value:	305300	Total Bldg Value:	305200
Total Yard Value:	10700	Total Yard Value:	10700	Total Yard Value:	10700
Total Land Value:	278600	Total Land Value:	278600	Total Land Value:	278600
Total Value:	594600	Total Value:	594600	Total Value:	594500
Tax:	Exempt	Tax:	Exempt	Tax:	Exempt

Disclaimer: Classification is not an indication of uses allowed under city zoning.

This information is believed to be correct but is subject to change and is not warranted.





Map Prepared By:
City of New Bedford
Department of Information Systems
January 2020



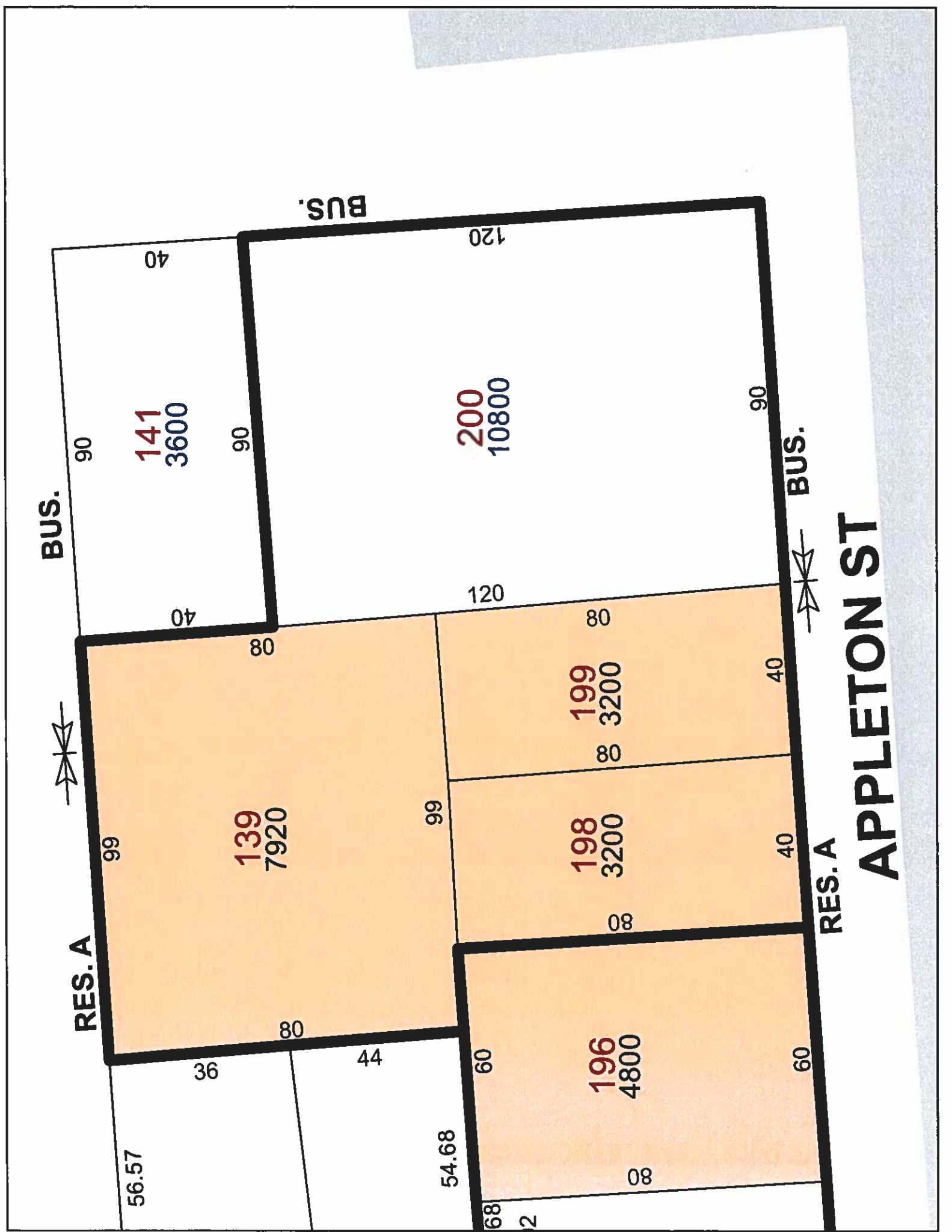
Fiscal Year 2020
This parcel map should be used for planning
and assessment purposes only.

City of New Bedford Massachusetts

Map: 127D



- Legend**
- Water Bodies
 - Planned Subdivision
 - Combined Parcels
 - Master Parcel Linking to Assessing DB
 - Associated Parcels
 - Town Boundary
 - Engineering Lot Number
 - Lot Area



56.57

36

44

54.68

68
2

60

196
4800

08

60

198
3200

08

40

199
3200

08

40

120

08

200
10800

90

141
3600

90

90

40

120

BUS.

BUS.

RES. A

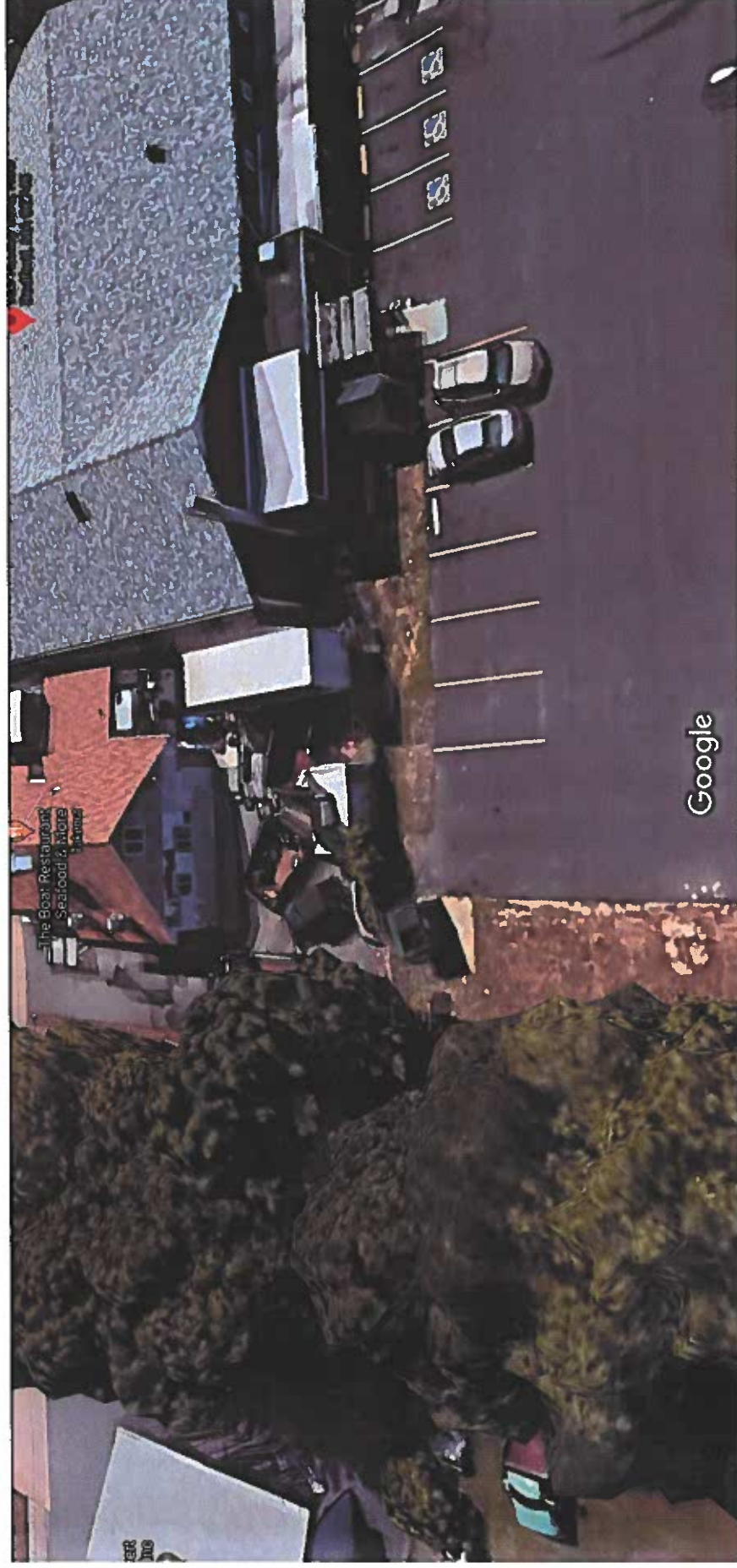
RES. A

APPLETON ST

BUS.







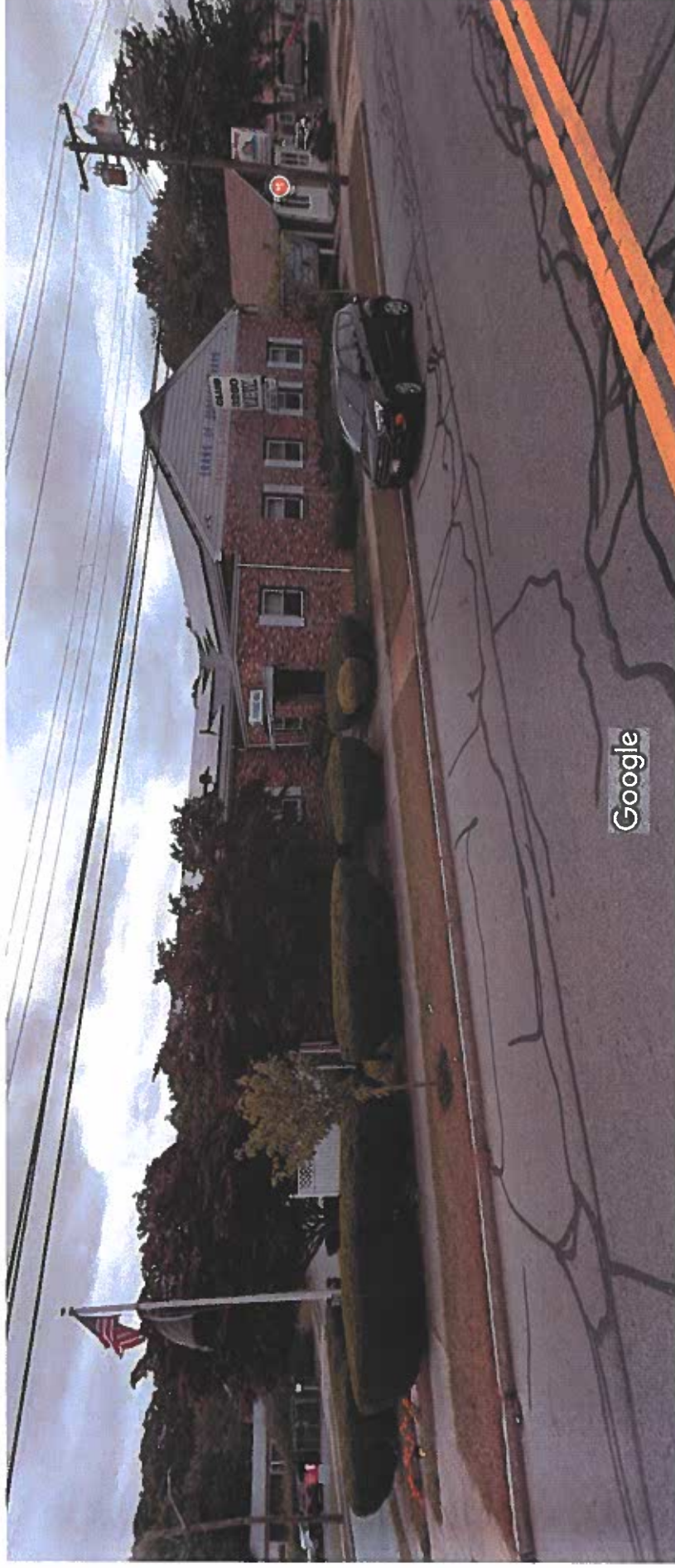


Image capture: Oct 2019 © 2021 Google

New Bedford, Massachusetts



Street View

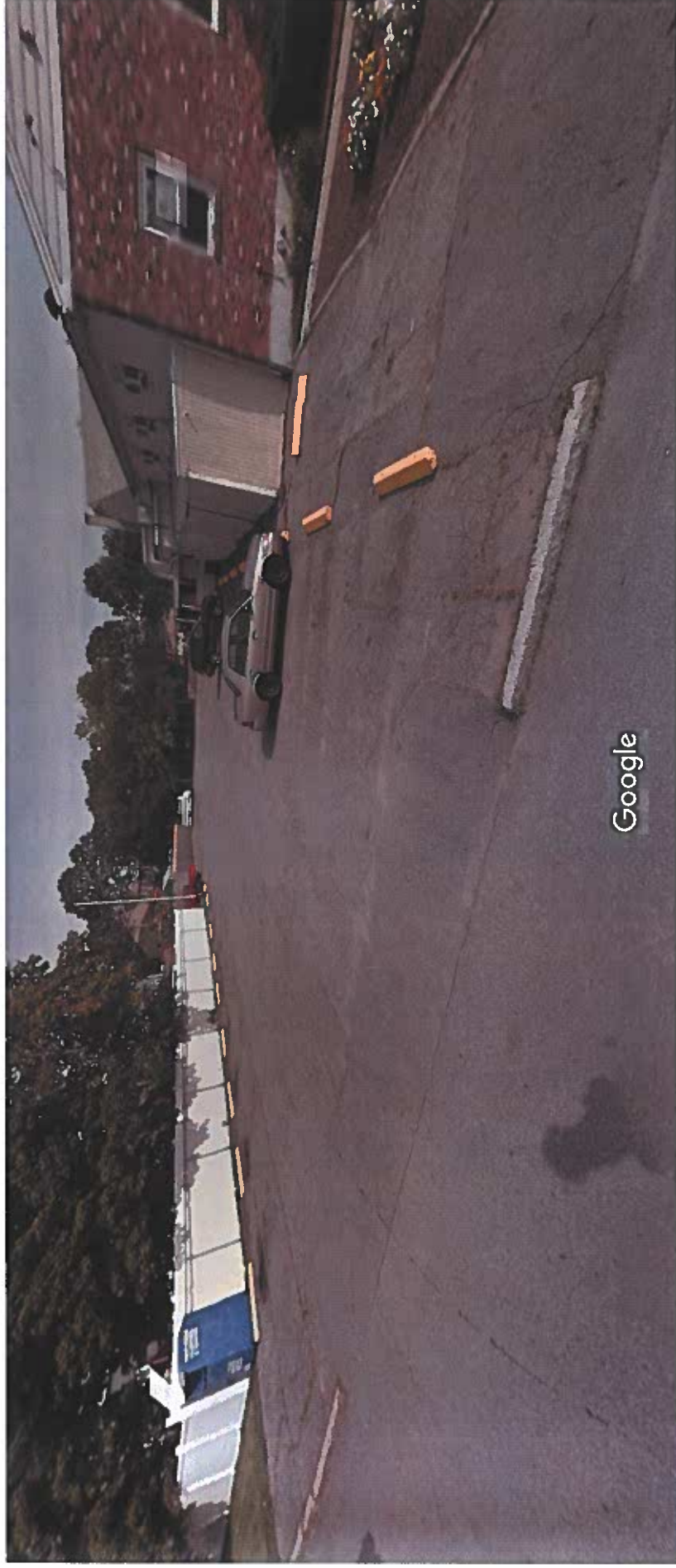


Image capture: Aug 2012 © 2021 Google

New Bedford, Massachusetts



Street View

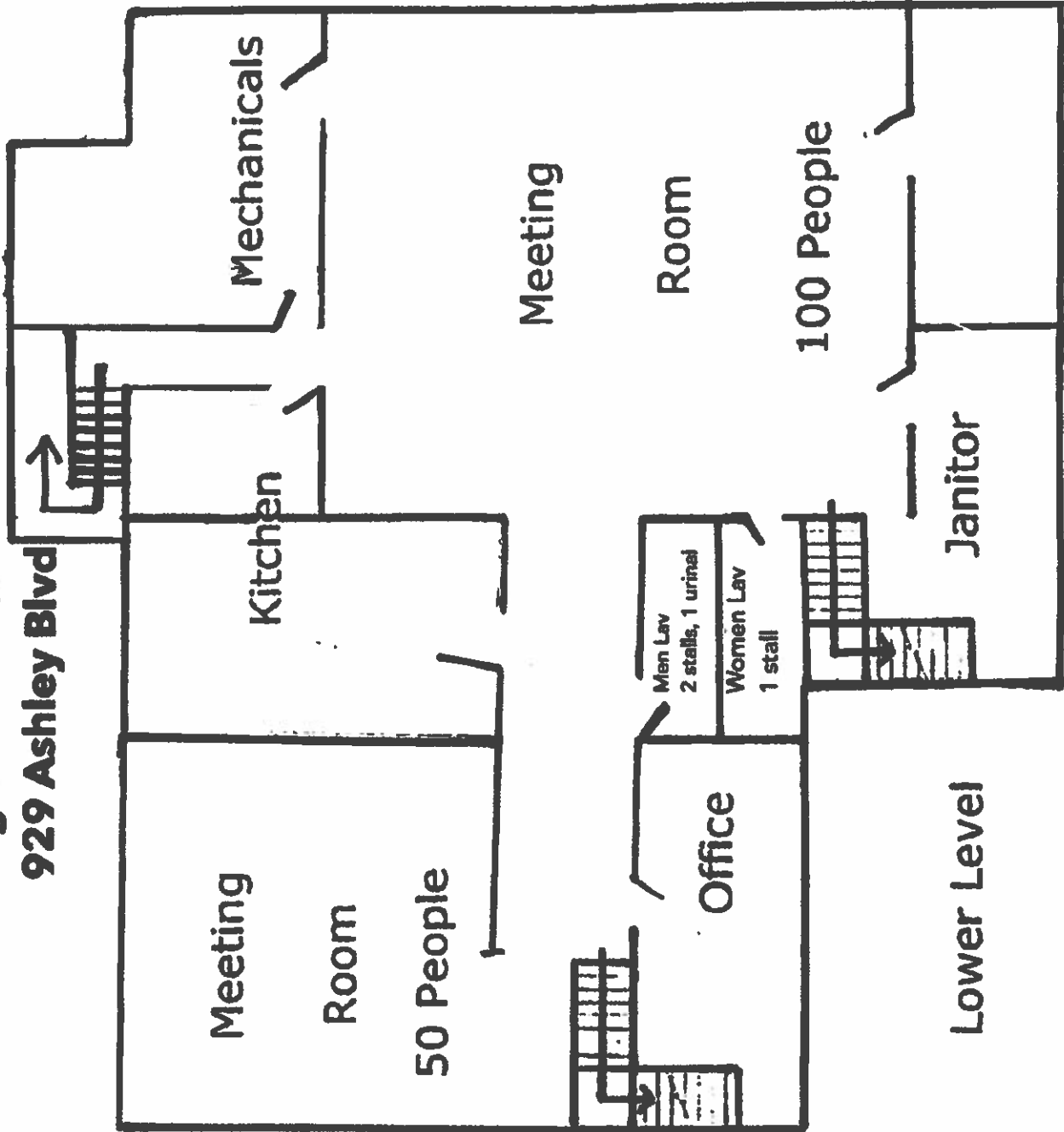


929 Ashley Blvd



Iglesia Peniel

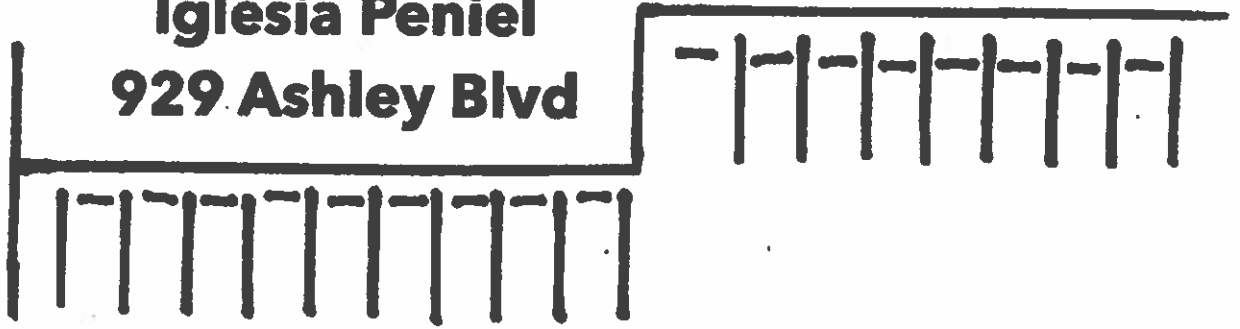
929 Ashley Blvd



Appleton St

Ashley Blvd

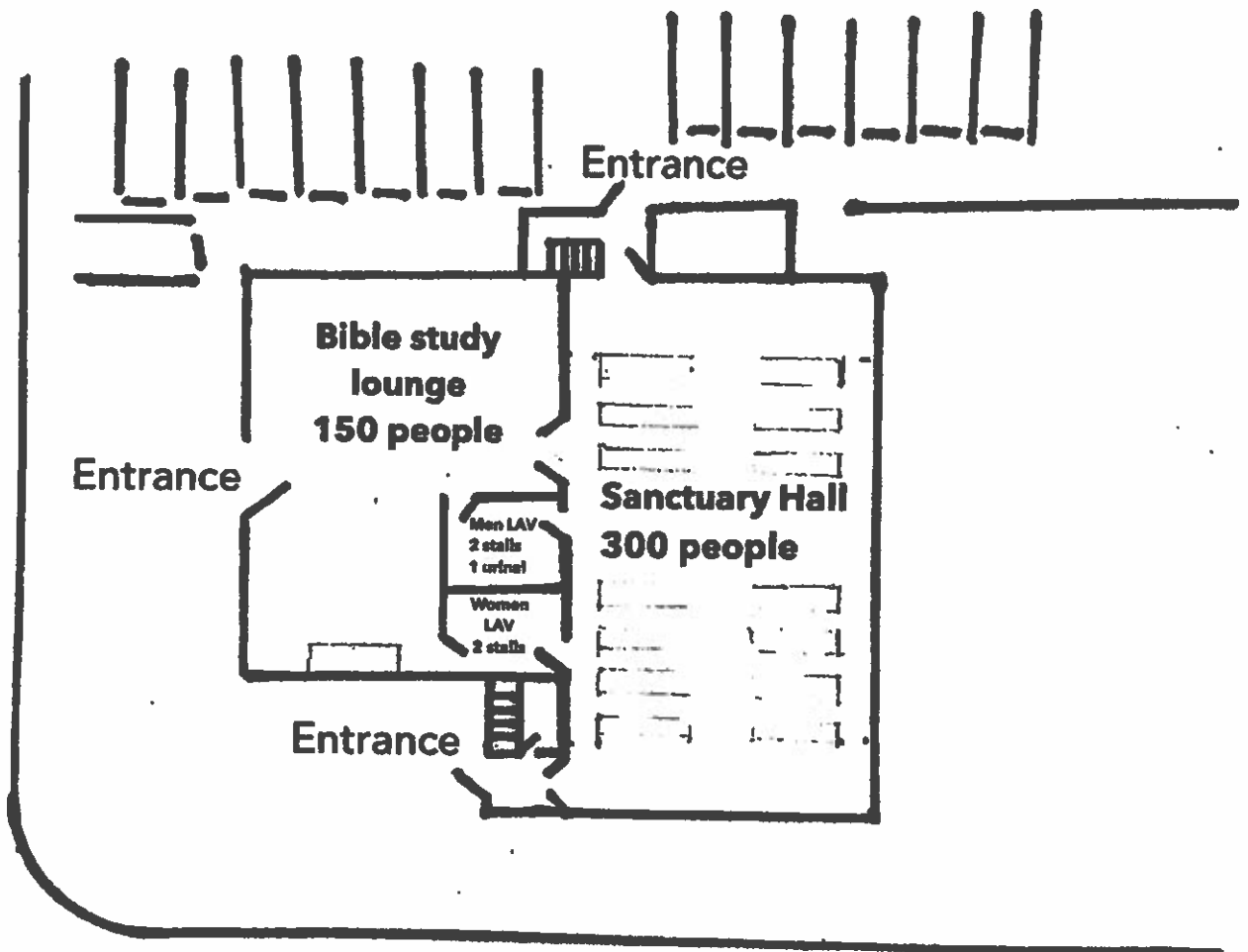
Iglesia Peniel
929 Ashley Blvd



Parking Lot = 34 spaces

Driveway

Appleton St



Ashley Blvd

***Code Analysis worksheet for the 2015 International Existing
Building Code with Massachusetts Amendments***

Property Information:

Property Location:

- 929 Ashley Blvd.

Parcel ID:

- Map: 127D Lot: 200, 199, 198, and 139

Zoning:

- MUB

Property Description:

- This Parcel contains 0.5766 acres of land mainly classified for assessment purposes as FH-CC-FO with a(n) SOCIAL CLUB style building, built about 1967, having Cone Blk exterior, Asphalt Shingles roof cover and 12348 Square Feet, with 1 unit(s), total room(s), total bedroom(s) total bath(s), 0 3/4 baths, and 4 total half bath(s).

The above information has been taken from the assessors' card.

Existing Conditions:

- Convert the existing VFW Private Poirer Post, the building is currently sprinkled on the upper level.

Planned:

- Convert the existing VFW Private Poirer Post to a place of worship (church), the building stays as an Assembly use.
- Request to use Upper Level for Worship.
- **Requesting 170 Occupants for First Floor Only.**

Existing Conditions/Proposed Summary

Total existing Parking: 34

Parking requirements 1 space per 5 seats = 170 Occupants

Upper Level

Fire suppression system installed

Total Number of toilets:

- Men: 1-Toilet, 1-Urinal, 2-Sinks; 0-Handicap Compliant
- Women: 2-toilets, 2 sinks; 0-Handicp Compliant

Egress Doors 3 total, 12'-0" or 144" x .20 = 720 Occupants

- 2 Outdoor Steps, 1-Ramp (Not Handicap Compliant)

Lower Level

No Fire Suppression system installed

Egress Stairs 3 total, 11'-6" or 138" x .30 = 460 Occupants

Kitchen:

- 1-Kitchen

Total Number of toilets:

- Men: 2-Toilet, 1-Urinal, 1-Sinks; 0-Handicap Compliant
- Women: 1-toilets, 1-sinks; 0-Handicp Compliant

Requesting 170 Occupants for First Floor only.

Iglesia Peniel
929 Ashley Blvd.
New Bedford, MA 02745

Location: 929 ASHLEY BLVD

Parcel ID: 127D 200

Zoning: MUB

Fiscal Year: 2020

Current Owner Information:

PVT A POIRIER POST 3260
VFW OF THE US INC
929 ASHLEY BLVD

NEW BEDFORD, MA 02745

Current Sales Information:

Sale Date:

12/31/1989

Sale Price:

\$0.00

Legal Reference:

127-23

Grantor:

N/A

Card No. 1 of 1

This Parcel contains 0.5766 acres of land mainly classified for assessment purposes as FH-CC-FO with a(n) SOCIAL CLUB style building, built about 1967, having Conc Blk exterior, Asphalt Shingles roof cover and 12348 Square Feet, with 1 unit(s), total room(s), total bedroom(s) total bath(s), 0 3/4 baths, and 4 total half bath(s).

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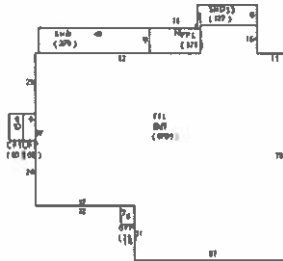
278600

Yard Items Value:

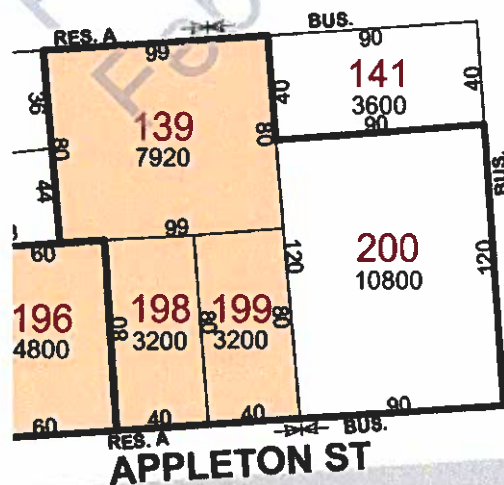
10700

Total Value:

594600



Plot: 127D Lot: 200, 199, 198, and 139



Iglesia Peniel
929 Ashley Blvd.
New Bedford, MA 02745

Aerial Photo



International Building Code, Mass 9th Edition

SECTION 301

GENERAL

301.1 Scope. The provisions of this chapter shall control the classification of all buildings and structures as to use and occupancy.

SECTION 303

ASSEMBLY GROUP A

303.1 Assembly Group A. Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption or awaiting transportation.

303.3 Assembly Group A-2. Group A-2 occupancy includes assembly uses intended for **food and/or drink consumption** including, but not limited to: Banquet halls, Casinos (gaming areas), Nightclubs, **Restaurants**, cafeterias and similar dining facilities, (including associated commercial kitchens), **Taverns and bars**.

303.4 Assembly Group A-3. Group A-3 occupancy includes assembly uses intended for **worship**, recreation or amusement and other assembly uses not classified elsewhere in Group A including, but not limited to: Amusement arcades, Art galleries, Bowling alleys, Community halls, Courtrooms, **Dance halls (not including food or drink consumption)**, Exhibition halls, Funeral parlors, Gymnasiums (without spectator seating), Indoor **swimming pools** (without spectator seating), Indoor tennis courts (without spectator seating), Lecture halls, Libraries, Museums, **Places of religious worship**, Pool and billiard parlors, Waiting areas in transportation terminals.

International Existing Conditions Building Code (Chapter 34)

SECTION 1001

GENERAL

1001.1 Scope. The provisions of this chapter shall apply where a *change of occupancy* occurs, as defined in Section 202.

SECTION 202

GENERAL DEFINITIONS

[A] CHANGE OF OCCUPANCY. A change in the use of the building or a portion of a building. A change of occupancy shall include any change of occupancy classification, any change from one group to another group within an occupancy classification or any change in use within a group for a specific occupancy classification.

1001.2 Certificate of occupancy. A change of occupancy or a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code* shall not be made to any structure without the approval of the *code official*. A certificate of occupancy shall be issued where it has been determined that the requirements for the change of occupancy have been met.

1001.2.2 Change of occupancy classification or group.

Where the occupancy classification of a building changes, the provisions of Sections 1002 through 1012 shall apply. This includes a *change of occupancy* classification and a change to another group within an occupancy classification.

SECTION 1002

SPECIAL USE AND OCCUPANCY

1002.1 Compliance with the building code. Where the character or use of an *existing building* or part of an *existing building* is changed to one of the following special use or occupancy categories as defined in the *International Building Code*, the building shall comply with all of the applicable requirements of the *International Building Code*:

- ***Does Not Apply, staying in same user group Assembly, Changing to a place of Worship.***

SECTION 1003

BUILDING ELEMENTS AND MATERIALS

1003.1 General. Building elements and materials in portions of buildings undergoing a *change of occupancy* classification shall comply with Section 1012.

- ***Does Not Apply, building is not being renovated.***

SECTION 1004

FIRE PROTECTION

1004.1 General. Fire protection requirements of Section 1012 shall apply where a building or portions thereof undergo a *change of occupancy* classification or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code*.

- ***The main floor of the building is protected with a fire suppression system designed by David Wood November 28, 2007. See Attached.***
- ***No evidence of Fire Suppression system in basement.***

SECTION 1005

MEANS OF EGRESS

1005.1 General. Means of egress in portions of buildings undergoing a *change of occupancy* classification shall comply with Section 1012.

SECTION 1006 ACCESSIBILITY

1006.1 General. Accessibility in portions of buildings undergoing a *change of occupancy* classification shall comply with Section 1012.8.

SECTION 1007 STRUCTURAL

[BS] 1007.1 Gravity loads. Buildings or portions thereof subject to a *change of occupancy* where such change in the nature of occupancy results in higher uniform or concentrated loads based on Table 1607.1 of the *International Building Code* shall comply with the gravity load provisions of the *International Building Code*.

- ***Does Not Apply, staying in same user group Assembly, Changing to a place of Worship.***
- ***Occupancy load is less than previous occupancy use.***

SECTION 1008 ELECTRICAL

1008.1 Special occupancies. Where the occupancy of an *existing building* or part of an *existing building* is changed to one of the following special occupancies as described in NFPA 70, the electrical wiring and equipment of the building or portion thereof that contains the proposed occupancy shall comply with the applicable requirements of NFPA 70 whether or not a *change of occupancy* group is involved.

- ***Does Not Apply, Changing to a place of Worship.***

SECTION 1009 MECHANICAL

1009.1 Mechanical requirements. Where the occupancy of an *existing building* or part of an *existing building* is changed such that the new occupancy is subject to different kitchen exhaust requirements or to increased mechanical ventilation requirements in accordance with the *International Mechanical Code*, the new occupancy shall comply with the respective *International Mechanical Code* provisions.

SECTION 1010 PLUMBING

1010.1 Increased demand. Where the occupancy of an *existing building* or part of an *existing building* is changed such that the new occupancy is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with the *International Plumbing Code*, the new occupancy shall comply with the intent of the respective *International Plumbing Code* provisions.

- ***Does Not Apply, Changing to a place of Worship.***

1010.2 Food-handling occupancies. If the new occupancy is a food-handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas and shall be protected in accordance with the *International Plumbing Code*.

- ***Does Not Apply, Changing to a place of Worship.***

1010.3 Interceptor required. If the new occupancy will produce grease or oil-laden wastes, interceptors shall be provided as required in the *International Plumbing Code*.

- ***Does Not Apply, Changing to a place of Worship.***

SECTION 1011

OTHER REQUIREMENTS

1011.1 Light and ventilation. Light and ventilation shall comply with the requirements of the *International Building Code* for the new occupancy.

SECTION 1012

CHANGE OF OCCUPANCY CLASSIFICATION

1012.1 General. The provisions of this section shall apply to buildings or portions thereof undergoing a change of occupancy classification. This includes a change of occupancy classification within a group as well as a change of occupancy classification from one group to a different group or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code*. Such buildings shall also comply with Sections 1002 through 1011. The application of requirements for the change of occupancy shall be as set forth in Sections 1012.1.1 through 1012.1.4. A *change of occupancy*, as defined in Section 202, without a corresponding change of occupancy classification shall comply with Section 1001.2.

1012.1.1 Compliance with Chapter 9. The requirements of Chapter 9 shall be applicable throughout the building for the new occupancy classification based on the separation conditions set forth in Sections 1012.1.1.1 and 1012.1.1.2.

1012.1.1.1 Change of occupancy classification without separation. Where a portion of an *existing building* is changed to a new occupancy classification or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code*, and that portion is not separated from the remainder of the building with fire barriers having a fire-resistance rating as required in the *International Building Code* for the separate occupancy, the entire building shall comply with all of the requirements of Chapter 9 applied throughout the building for the most restrictive occupancy classification in the building and with the requirements of this chapter.

1012.2 Fire protection systems. Fire protection systems shall be provided in accordance with Sections 1012.2.1 and 1012.2.2.

1012.2.1 Fire sprinkler system. Where a change in occupancy classification occurs or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code* that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*, such system shall be provided throughout the area where the *change of occupancy* occurs.

- ***The main floor of the building is protected with a fire suppression system designed by David Wood November 28, 2007. See Attached.***
- ***No evidence of Fire Suppression system in basement.***

1012.2.2 Fire alarm and detection system. Where a change in occupancy classification occurs or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code* that requires a fire alarm and detection system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*, such system shall be provided throughout the area where the *change of occupancy* occurs. Existing alarm notification appliances shall be automatically activated throughout the building. Where the building is not equipped with a fire alarm system, alarm notification appliances shall be provided throughout the area where the *change of occupancy* occurs in accordance with Section 907 of the *International Building Code* as required for new construction.

1012.3 Interior finish. In areas of the building undergoing the change of occupancy classification, the interior finish of walls and ceilings shall comply with the requirements of the *International Building Code* for the new occupancy classification.

1012.4 Means of egress, general. Hazard categories in regard to life safety and means of egress shall be in accordance with Table 1012.4.

**TABLE 1012.4
MEANS OF EGRESS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H
2	I-2, I-3, I-4
3	A, E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, S-1
5 (Lowest Hazard)	F-2, S-2, U

- ***Building stays within the same Hazard Category.***

1012.4.1 Means of egress for change to higher hazard category. When a change of occupancy classification is made to a higher hazard category (lower number) as shown in Table 1012.4, the means of egress shall comply with the requirements of Chapter 10 of the *International Building Code*.

1012.4.2 Means of egress for change of use to equal or lower hazard category. When a change of occupancy classification is made to an equal or lesser hazard category (higher number) as shown in Table 1012.4, existing elements of the means of egress shall comply with the requirements of Section 905 for the new occupancy classification. Newly constructed or configured means of egress shall comply with the requirements of Chapter 10 of the *International Building Code*.

1012.5 Heights and areas. Hazard categories in regard to height and area shall be in accordance with Table 1012.5.

**TABLE 1012.5
HEIGHTS AND AREAS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H
2	A-1, A-2, A-3, A-4, I, R-1, R-2, R-4
3	E, F-1, S-1, M
4 (Lowest Hazard)	B, F-2, S-2, A-5, R-3, U

- **Does Not Apply, not doing any renovations.**

1012.6 Exterior wall fire-resistance ratings. Hazard categories in regard to fire-resistance ratings of exterior walls shall be in accordance with Table 1012.6.

**TABLE 1012.6
EXPOSURE OF EXTERIOR WALLS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATION
1 (Highest Hazard)	H
2	F-1, M, S-1
3	A, B, E, I, R
4 (Lowest Hazard)	F-2, S-2, U

- **New Occupancy stays in same Hazard Category.**

1012.6.2 Exterior wall rating for change of occupancy classification to an equal or lesser hazard category. When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 1012.6, existing exterior walls, including openings, shall be accepted.

1012.7 Enclosure of vertical shafts. Enclosure of vertical shafts shall be in accordance with Sections 1012.7.1 through 1012.7.4.

- **No Vertical Shafts.**

1012.7.2 Stairways. When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.4, interior stairways shall be enclosed as required by the *International Building Code*.

- **New Occupancy stays in same Hazard Category.**

1012.8 Accessibility. Existing buildings that undergo a change of group or occupancy classification shall comply with this section.

1012.8.1 Partial change in occupancy. Where a portion of the building is changed to a new occupancy classification, any alteration shall comply with Sections 705, 806 and 906, as applicable.

SECTION 705 ACCESSIBILITY

705.1 General. A facility that is altered shall comply with the applicable provisions in Sections 705.1.1 through 705.1.14, and Chapter 11 of the *International Building Code* unless it is *technically infeasible*. Where compliance with this section is *technically infeasible*, the alteration shall provide access to the maximum extent that is technically feasible. A facility that is constructed or altered to be accessible shall be maintained accessible during occupancy.

- **Does Not Apply, new use does not require alterations.**

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 705.2.
2. Accessible means of egress required by Chapter 10 of the *International Building Code* are not required to be provided in existing facilities.

705.1.1 Entrances. Where an alteration includes alterations to an entrance, and the facility has an accessible entrance on an accessible route, the altered entrance is not required to be accessible unless required by Section 705.2. Signs complying with Section 1111 of the *International Building Code* shall be provided.

- **Does Not Apply, new use does not require alterations.**

705.1.2 Elevators. Altered elements of existing elevators shall comply with ASME A17.1/CSA B44 and ICC A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

- ***Does Not Apply, building does not have an elevator.***

705.1.3 Platform lifts. Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with ASME A18.1 shall be permitted as a component of an accessible route.

- ***Does Not Apply, building does not have a platform lift.***

705.1.4 Ramps. Where steeper slopes than allowed by Section 1012.2 of the *International Building Code* are necessitated by space limitations, the slope of ramps in or providing access to existing facilities shall comply with Table 705.1.4.

TABLE 705.1.4
RAMPS

SLOPE	MAXIMUM RISE
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

For SI: 1 inch = 25.4 mm.

- ***Does apply, building has a ramp.***

SECTION 806 ACCESSIBILITY

806.1 General. A building, *facility*, or element that is altered shall comply with this section and Section 705.

806.2 Stairways and escalators in existing buildings. In *alterations* where an escalator or stairway is added where none existed previously, an accessible route shall be provided in accordance with Sections 1104.4 and 1104.5 of the *International Building Code*.

- ***Does Not Apply, not adding either a stair or escalator.***

SECTION 906 ACCESSIBILITY

906.1 General. A building, *facility* or element that is altered shall comply with this section and Sections 705 and 806.

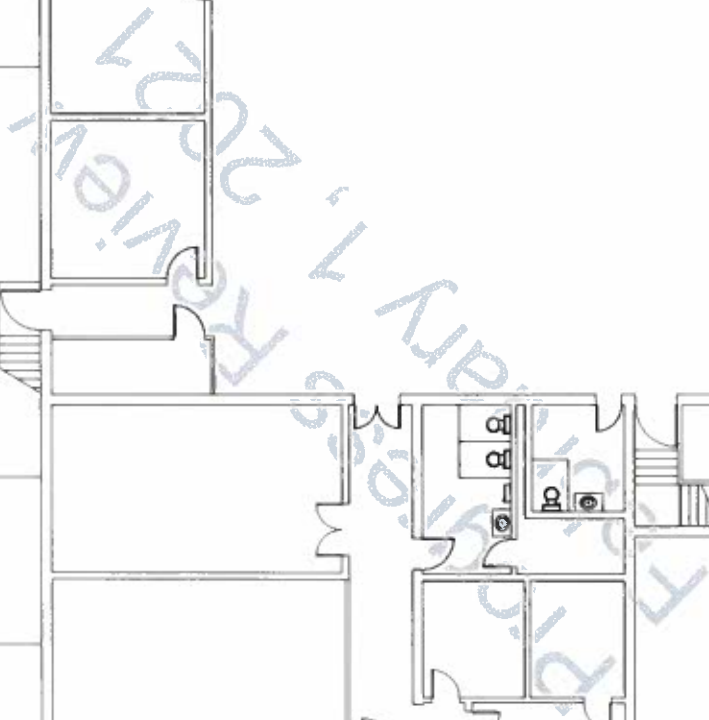
906.2 Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered.

- ***Does Not Apply, new use is not dwellings.***

1012.8.2 Complete change of occupancy. Where an entire building undergoes a *change of occupancy*, it shall comply with Section 1012.8.1 and shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to *primary function* areas.
3. Signage complying with Section 1111 of the *International Building Code*.
4. Accessible parking, where parking is provided.
5. At least one accessible passenger loading zone, where loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible.

[illegible]

1. NAME Mr. J. Edgar Hoover Director, Federal Bureau of Investigation U.S. Department of Justice Washington, D.C. 20535		2. DATE 10-15-66	
3. REASON FOR REQUEST To obtain information regarding the activities of the Communist Party, U.S.A., in the State of New York, and to determine if the same are in violation of the laws of the United States.		4. CLASSIFICATION CONFIDENTIAL	
5. APPROVAL Approved by Special Agent in Charge		6. REMARKS This is a request for information regarding the activities of the Communist Party, U.S.A., in the State of New York, and to determine if the same are in violation of the laws of the United States.	
7. REFERENCE None		8. REMARKS This is a request for information regarding the activities of the Communist Party, U.S.A., in the State of New York, and to determine if the same are in violation of the laws of the United States.	
9. REMARKS This is a request for information regarding the activities of the Communist Party, U.S.A., in the State of New York, and to determine if the same are in violation of the laws of the United States.		10. REMARKS This is a request for information regarding the activities of the Communist Party, U.S.A., in the State of New York, and to determine if the same are in violation of the laws of the United States.	

[illegible]

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[illegible]

— Pendent Sprinkler
 — Pendent Sprinkler-1" Drop
 — Upright Sprinkler
 — Upright Sprinkler-1" Spring
 — Oscillating Sprinkler
 — Pipe Riser
 — Pipe Drop
 — Pipe Connecting Any. Fl.
 — Pipe Connecting Below T.O.A.
 — Proposed Pipe
 --- Existing Pipe

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PLANT: DATA
STATUS: 00 Pkt
REASON: 43 Pkt

PLUG LOGS	DATE OF TEST	WINDSPEED	BAROM	GAUGE ELEVATION	IF ADV BY PL	LOCATION TESTED	8" DE MAN
						IN APPELTON ST.	FLOW METER
						ON APPELTON	SECT OF WIND AT

DEAD END, PRESSURE HYDRAULIC AT CORNER OF LOWELL & LYNN STREETS	SCALE: 1/4" = 1'-0"	DATE: NOVEMBER 28, 1987	CAD JOB NO. 748497200
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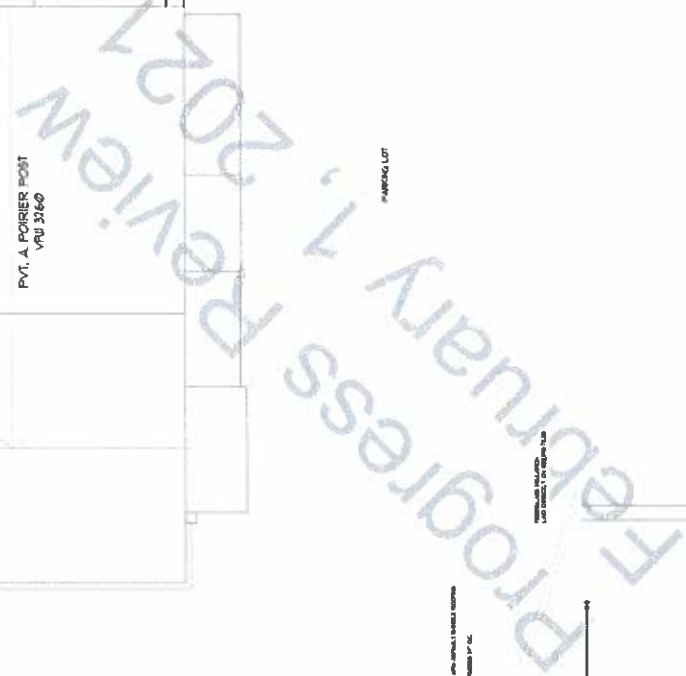
DRAWN BY: DJ MOOD, P.E.
RE-ENTRY TEMPLATE
LOCATION

PVT. A. POIRIER POST
VFW 3260
281 APPLETON STREET
NEW BEDFORD, MA 07145

ORDERING TITLE	FIRE SUPPRESSION SYSTEM INSTALLATION
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**PARTIAL SITE PLAN,
NOTES & DETAILS**

PP-1

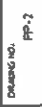




 SITE UTILITY PLAN

BUILDING SECTION A - A'

NOTE: The above information is for informational purposes only. It is not intended to constitute an offer of insurance. The actual policy is the contract between the insured and the insurer. The insured should read the policy carefully and understand its terms, conditions, coverages, exclusions, and limitations. The insured should also consult with a licensed insurance broker or agent for assistance in understanding the policy and the insurance market. The insured should not rely on this information as a basis for any insurance decision.



Fire Protection Services

Fire Protection Services
1000 W. 10th Street
New Bedford, MA 01906
Tel: 508-338-1111
Fax: 508-338-1112
www.fireprotection.com

REVISIONS

NO.	DATE	DESCRIPTION

LEGEND

- Pendent Sprinkler
- Pendent Sprinkler - 1" Drop
- Upright Sprinkler - 1" Spring
- Upright Sprinkler - 1" Spring
- Pipe Drop
- Pipe Drop - After PT
- Pipe Control Valve 1/2"
- Proposed Pipe
- Existing Pipe

SCALE: 1/4" = 1'-0"

DATE: NOVEMBER 28, 2007

CAD JOB NO.: 11/07/07

DRAWN BY: DJ 0003, PLS

PROJECT NO.: 07-0003, PLS

LOCATION:

PROJECT NAME:

PROJECT ADDRESS:

PROJECT CITY:

PROJECT STATE:

PROJECT ZIP:

PROJECT PHONE:

PROJECT FAX:

PROJECT E-MAIL:

PROJECT WEBSITE:

PROJECT NOTES:

PROJECT COMMENTS:

PROJECT DESCRIPTION:

PROJECT SPECIFICATIONS:

PROJECT MATERIALS:

PROJECT EQUIPMENT:

PROJECT LABOR:

PROJECT COSTS:

PROJECT SCHEDULE:

PROJECT RISK:

PROJECT IMPACT:

PROJECT BENEFITS:

PROJECT CHALLENGES:

PROJECT OPPORTUNITIES:

PROJECT RISKS:

PROJECT MITIGATIONS:

PROJECT MONITORING:

PROJECT EVALUATION:

PROJECT REPORTING:

PROJECT ARCHIVING:

PROJECT CLOSURE:

75

THESE PIPES SHALL BE LOCATED WITHIN THE ATIC SPRINKLER CAPACITOR AS SHOWN ON THE PLAN.

4" RIGID PIPING

4" RIGID PIPING

4" RIGID PIPING

4" RIGID PIPING

4" RIGID PIPING

4" RIGID PIPING

4" RIGID PIPING

4" RIGID PIPING

HYDRAULIC DESIGN

SYSTEM NO. 1000

DESIGN: 1000 GPM AT 100 PSI

DESIGN: 1000 GPM AT 100 PSI

DESIGN: 1000 GPM AT 100 PSI

DESIGN: 1000 GPM AT 100 PSI

DESIGN: 1000 GPM AT 100 PSI

DESIGN: 1000 GPM AT 100 PSI

DESIGN: 1000 GPM AT 100 PSI

DESIGN: 1000 GPM AT 100 PSI

GENERAL NOTES:

(1) All piping shall be installed in accordance with the applicable code requirements.

(2) All piping shall be installed in accordance with the applicable code requirements.

(3) All piping shall be installed in accordance with the applicable code requirements.

(4) All piping shall be installed in accordance with the applicable code requirements.

(5) All piping shall be installed in accordance with the applicable code requirements.

(6) All piping shall be installed in accordance with the applicable code requirements.

(7) All piping shall be installed in accordance with the applicable code requirements.

(8) All piping shall be installed in accordance with the applicable code requirements.

(9) All piping shall be installed in accordance with the applicable code requirements.

ATIC PLAN

SCALE

SCALE

SCALE

SCALE

SCALE

SCALE

SCALE

SCALE

SCALE

906.2 Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered.

- ***Does Not Apply, new use is not dwellings.***

1012.8.2 Complete change of occupancy. Where an entire building undergoes a *change of occupancy*, it shall comply with Section 1012.8.1 and shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to *primary function areas*.
3. Signage complying with Section 1111 of the *International Building Code*.
4. Accessible parking, where parking is provided.
5. At least one accessible passenger loading zone, where loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible.

CHANGE OF OCCUPANCY

1012.7.2 Stairways. When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.4, interior stairways shall be enclosed as required by the *International Building Code*.

Exceptions:

1. In other than Group I occupancies, an enclosure shall not be required for openings serving only one adjacent floor and that are not connected with corridors or stairways serving other floors.
2. Unenclosed existing stairways need not be enclosed in a continuous vertical shaft if each story is separated from other stories by 1-hour fire-resistance-rated construction or approved wired glass set in steel frames and all exit corridors are sprinklered. The openings between the corridor and the occupant space shall have at least one sprinkler head above the openings on the tenant side. The sprinkler system shall be permitted to be supplied from the domestic water-supply systems, provided the system is of adequate pressure, capacity, and sizing for the combined domestic and sprinkler requirements.
3. Existing penetrations of stairway enclosures shall be accepted if they are protected in accordance with the *International Building Code*.

1012.7.3 Other vertical shafts. Interior vertical shafts other than stairways, including but not limited to elevator hoistways and service and utility shafts, shall be enclosed as required by the *International Building Code* when there is a change of use to a higher hazard category as specified in Table 1012.4.

Exceptions:

1. Existing 1-hour interior shaft enclosures shall be accepted where a higher rating is required.
2. Vertical openings, other than stairways, in buildings of other than Group I occupancy and connecting less than six stories shall not be required to be enclosed if the entire building is provided with an approved automatic sprinkler system.

1012.7.4 Openings. All openings into existing vertical shaft enclosures shall be protected by fire assemblies having a fire protection rating of not less than 1 hour and shall be maintained self-closing or shall be automatic-closing by actuation of a smoke detector. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices shall be permitted in all shafts except stairways if the fusible link rating does not exceed 135°F (57°C).

1012.8 Accessibility. Existing buildings that undergo a change of group or occupancy classification shall comply with this section.

Exception: Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing buildings and facilities undergoing a *change of occupancy* in conjunction with less than a Level 3 alteration.

1012.8.1 Partial change in occupancy. Where a portion of the building is changed to a new occupancy classification, any alteration shall comply with Sections 705, 806 and 906, as applicable.

1012.8.2 Complete change of occupancy. Where an entire building undergoes a *change of occupancy*, it shall comply with Section 1012.8.1 and shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to *primary function* areas.
3. Signage complying with Section 1111 of the *International Building Code*.
4. Accessible parking, where parking is provided.
5. At least one accessible passenger loading zone, where loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible.

Exception: The accessible features listed in Items 1 through 6 are not required for an accessible route to Type B units.

CHAPTER 11 – ACCESSIBILITY – AMENDMENTS

The ninth edition building code became first effective on October 20, 2017 and, with a shortened concurrency period, the new code came into full force and effect on **January 1, 2018**.

The new, ninth edition code is based on modified versions of the following *2015 International Codes as published by the International Code Council (ICC)*.

- The International Building Code (IBC);
- International Residential Code (IRC);
- International Existing Building Code (IEBC);
- International Mechanical Code (IMC);
- International Energy Conservation Code (IECC);
- International Swimming Pool and Spa Code (ISPSC);
- Portions of the International Fire Code (IFC).

Massachusetts amends these code fairly significantly to accommodate for unique issues in the commonwealth. This package of amendments revise the IBC, IEBC, IMC, and IECC.

Please remember that the Massachusetts amendments posted on-line are *unofficial versions* and are meant for convenience only. Official versions of the Massachusetts amendments may be purchased from the State House Bookstore @ [Shop the Bookstore](#) and any of the I-Codes may be purchased from the International Code Council (ICC) @ iccsafe.org.

Additionally, the ICC publishes transition documents that identify changes from the 2009 to the 2015 I-Codes for those who may have interest.

- [International Building Code \(IBC\) Transition](#)
- [International Residential Code \(IRC\) Transition](#).

780 CMR: STATE BOARD OF BUILDING REGULATIONS AND STANDARDS

780 CMR: MASSACHUSETTS AMENDMENTS TO THE *INTERNATIONAL BUILDING CODE 2015*

CHAPTER 11: ACCESSIBILITY

1101.1 Replace as follows:

1101.1 Scope. In accordance with M.G.L. c. 22, § 13A, all public buildings shall be designed to be accessible to, and functional and safe for the use by, physically disabled persons, and conform to the requirements of 521 CMR: *The Architectural Access Board*. In accordance with M.G.L. c. 143, § 3, 521 CMR shall be enforced by the building official or the state inspector, as applicable.

1101.2, and 1102 through 1111.4.2 Delete these sections.

521 CMR: ARCHITECTURAL ACCESS BOARD

521 CMR 4.00: APPEAL AND VARIANCE

4.1 VARIANCES

Application: An owner or an owner's representative or tenant who thinks that full compliance with 521 CMR is *impracticable* may apply to the *Board* for a *variance* from 521 CMR. Application for a *variance* shall be made on a form provided by the *Board* for this purpose, shall contain such information as is required by the *Board*, and shall be signed by the applicant.

4.1.1 **Board Action:** Upon receipt of an application for *variance*, the *Board* shall send a copy of the application to the local building inspector, the local disability commission and the independent living center for their input. The *Board* shall also investigate the matter and may:

- a. grant the application with whatever conditions it deems appropriate or deny the application without a hearing. Any person aggrieved by the Board's action under 521 CMR may request an adjudicatory hearing within 30 days of the decision;
- b. schedule a conference to consider the simplification or clarification of the issues and/or the possibility of an agreement disposing of all or any matters as may aid in the disposition of an adjudicatory proceeding. Those matters agreed upon by the parties shall be electronically recorded and/or reduced to writing and shall be signed by the parties, and shall thereafter constitute a part of the record;
- c. commence an adjudicatory hearing in accordance with the provisions of M.G.L. c. 30A and 801 CMR 1.01 or 1.02: *Standard Adjudicatory Rules of Practice and Procedure*, as stated in the hearing notice.

4.2 COMPLAINTS

Initiating a Complaint: Any person who has knowledge or evidence that any other person or entity has not complied or is not complying with 521 CMR, may complain in writing to the *Board* on a special form available from the *Board*.

4.2.1 **Board Action:** Upon receipt of a complaint, the *Board* shall investigate the complaint, and may:

- a. issue a stipulated order indicating the date compliance must be achieved.
- b. schedule a conference to consider the simplification or clarification of the issues, the possibility of obtaining stipulations and agreements, the possibility of an agreement disposing of all or any of the issues in dispute, and any other matters as may aid in the disposition of an adjudicatory proceeding. Those matters agreed upon by the parties shall be electronically recorded and/or included in a written document and shall be signed by the parties, and shall thereafter constitute a part of the record.
- c. commence an adjudicatory hearing in accordance with the provisions of M.G.L. c. 30A and 801 CMR 1.01 or 1.02: *Standard Adjudicatory Rules of Practice and Procedure*, as stated in the hearing notice.
- d. dismiss a complaint at any time after notification to the complainant.

521 CMR: ARCHITECTURAL ACCESS BOARD

4.00: continued

4.3 HEARINGS

All adjudicatory hearings shall be conducted in accordance with the provisions of M.G.L. c. 30A and 801 CMR 1.01 or 1.02: *Standard Adjudicatory Rules of Practice and Procedure*, as stated in the hearing notice.

4.3.1 Hearings will be scheduled within 60 days of the receipt of a request for an adjudicatory hearing unless the *Board* in its discretion extends such time for good cause shown. The *Board* will schedule hearings on two weeks notice unless it deems a shorter period necessary.

4.3.2 In proceedings under 801 CMR 1.02, the *Board* may provide for mandatory discovery.

4.3.3 The *Board* will issue a decision within 21 days of the hearing unless the *Board* in its discretion extends such time.

4.3.4 When the *Board* deems it necessary and subject to appropriation, the services of an independent expert may be sought.

4.4 REOPENING HEARING, MOTION FOR RECONSIDERATION

The *Board* on its own motion, or on motion of any applicant, complainant or aggrieved person, may reopen the hearing in order to receive additional evidence which was not reasonably available at the time of the hearing. The request for reopening shall summarize such evidence to be presented.

4.4.1 The *Board* shall notify all persons who testified at or received formal notice of an initial hearing of a decision to reopen a hearing to take further testimony or receive further evidence.

4.4.2 Within ten days from the date the *final decision* is received by the applicant or complainant, an applicant, complainant, or aggrieved person may file a motion for reconsideration, setting forth the grounds or statutory provisions relied upon to sustain the motion.

4.5 APPEALS

Any party aggrieved by the *final decision* of the *Board* may appeal such decision to State Superior Court in accordance with the provisions of M.G.L. c. 30A, § 14.

4.6 ADVISORY OPINIONS

Upon the written request, the *Board* may issue advisory opinions concerning the interpretation or applicability of 521 CMR. Advisory opinions issued by the *Board* may be relied upon by the persons requesting them, as well as by any agency, or official of a city, town, or region.

4.7 PETITION FOR THE ADOPTION OF REGULATIONS

Petition: Any interested person or such person's attorney may at any time petition the *Board* to adopt, amend or repeal any regulation. The petition shall be addressed to the *Board* and sent by mail or delivered in person during normal business hours. All petitions shall be signed by the petitioner or the petitioner's attorney, contain the petitioner's address or the address of the petitioner's attorney, and set forth clearly and concisely the text of the proposed regulation. The petition may be accompanied by any supporting data, views or arguments. A member of the *Board* may make a written recommendation that a regulation be adopted, amended or repealed.

4.7.1 Initial Procedure: Within 60 days of the receipt of a petition or recommendation, the *Board* shall hold a meeting to determine whether or not to schedule the petition or recommendation for further proceedings in accordance with M.G.L. c. 30A. If the regulation has been presented by petition, the *Board* shall notify the petitioner within ten days after making such a determination.

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4.00: continued

4.7.2 Procedure for the Adoption, Amendment or Repeal of Regulations:

- a. The procedures for the adoption, amendment or repeal of any regulation shall comply with M.G.L. c. 30A.
- b. Where no public hearing is required, the *Board* may afford any interested person or his duly authorized representative, or both, an opportunity to present data, views or arguments orally before the *Board* during the meeting at which the proposed action is to be considered. If the *Board* finds that such oral presentation is unnecessary or impracticable, it may require written presentation.
- c. Where a public hearing is required, the *Board* shall afford any interested person or his duly authorized representative, or both, an opportunity to present statements and arguments orally. In its discretion, the *Board* may limit the length of oral presentation.

4.7.3 Filing of Regulations: Upon the adoption of a regulation, an attested copy shall be filed with the Secretary of the Commonwealth together with a citation of the statutory authority under which the regulation has been promulgated. The regulation shall take effect upon filing unless a later date is required by law or is specified by the *Board* in the Regulation.

521 CMR 14.00: PLACES OF ASSEMBLY

14.1 GENERAL

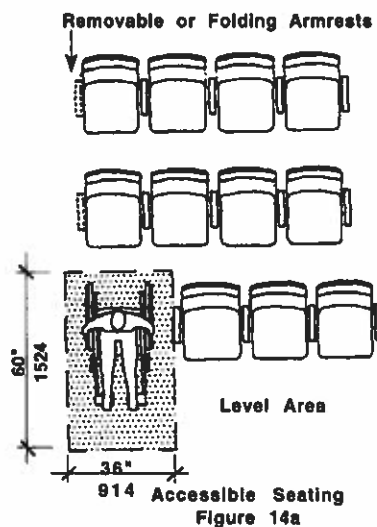
Places of assembly shall comply with all parts of 521 CMR, except as specified or modified in 521 CMR 14.00. Places of assembly shall include but not be limited to theaters, auditoriums, armories, lecture halls, arenas, stadiums, banquet rooms and conference rooms. Associated, support, or related areas, including but not limited to press boxes, lobbies, ticket offices, seating, stages, backstage areas, dressing rooms, toilet rooms, showers and green rooms, shall also be *accessible*.

14.2 NUMBER OF ACCESSIBLE SEATS

Wheelchair spaces: In places of assembly with fixed seating, the minimum number of *accessible spaces* shall be computed in accordance with the following table:

<u>Total Seating</u>	<u>Wheelchair Spaces</u>
4 to 25	1
26 to 50	2
51 to 300	4
301 to 500	6
over 500	6, one additional space for each total seating capacity increase of 100.

- 14.2.1 Armless seats: In addition to wheelchair seating locations, 1% of all fixed seats, but not less than one seat, shall be aisle seats with no armrests on the aisle side, or shall have removable or folding armrests on the aisle side. Each such seat shall be identified by a sign or marker. *Signage* notifying patrons of the availability of such seats shall be posted at the ticket office. Aisle seats are not required to be on a *level* surface. See Fig. 14a.

**14.3 ACCESSIBLE SPACE**

Each wheelchair *space* shall be 60 inches (60" = 1524mm) long and 36 inches (36" = 914mm) wide, shall be level, and shall comply with 521 CMR 29.00: FLOOR SURFACES.

14.4 PLACEMENT OF WHEELCHAIR SPACES

Wheelchair *spaces* shall be an integral part of any fixed seating plan.

- 14.4.1 Distribution: Whenever more than 150 seats are provided, wheelchair seating locations must be provided in more than one location. Wheelchair seating locations shall be dispersed throughout all seating areas so as to provide a choice of admission prices and views comparable to those for the general public. Wheelchair seating locations shall also be provided in all areas including sky boxes and specialty areas. Where 150 or less seats are provided, wheelchair spaces may be provided in one location. In movie theaters, accessible seating locations shall not be located in the front third of the theater.

14.00: continued

Exception: *Accessible* viewing positions may be clustered for bleachers, balconies, and other areas having sight lines that require slopes of greater than 5%. Equivalent *accessible* viewing positions may be located on levels having *accessible egress*.

14.4.2 *Accessible Route*: *Accessible* seats shall adjoin, but in no way interfere with, an *accessible route* that also serves as a *means of egress* in case of emergency.

14.4.3 Companion seats: At least one companion fixed seat or portable seat, shall be provided next to each wheelchair seating *space*, for designated used by a companion. Companion seats must be comparable to the seats for the general public, *i.e.*, comfort, cup holders, etc. Companion seats must have signage installed indicating that the seats are reserved as companion seating for the *accessible* seating areas.

14.4.4 Placement of *Accessible Seats*: Readily removable seats may be installed in wheelchair *spaces* when the *spaces* are not required to accommodate wheelchair users. See Fig. 14a.

14.5 ASSISTIVE LISTENING SYSTEMS

In *spaces* such as concert and lecture halls, playhouses, movie theaters, and meeting rooms, *assembly areas* shall comply with the following:

14.5.1 An *assembly area* shall have a permanently installed assistive listening system if:

- a. the *assembly area* accommodates at least 50 persons, or
- b. if it has an audio-amplification system, and fixed seating.

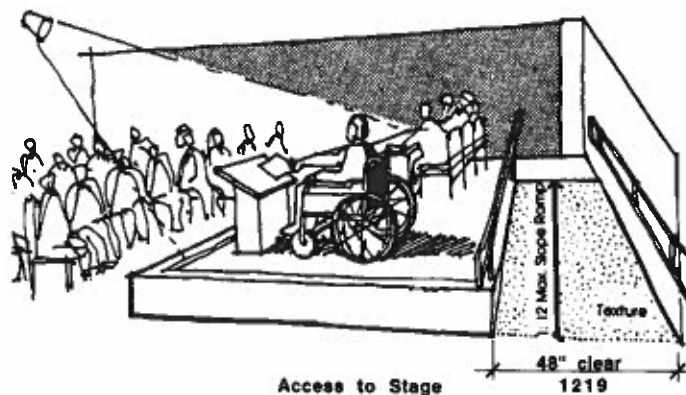
14.5.2 For other assembly areas, a permanently installed *assistive listening system*, or other supplementary wiring necessary to support a portable *assistive listening system* shall be provided. The minimum number of receivers to be provided shall be equal to 4% of the total number of seats, but not less than two receivers.

14.5.3 Placement of Listening Systems: If the listening system serves individual fixed seats, then such seats shall be located within a 50 foot (50' = 15m) viewing distance of, and including the stage or playing area, and shall have a complete view of the stage or playing area.

14.5.4 *Signage* shall be installed to notify patrons of the availability of a listening system and shall comply with 521 CMR 41.00: SIGNAGE.

14.6 ACCESS TO PERFORMING AREAS

Where access is provided to the stage from within the place of assembly, an *accessible route*, within the place of assembly, from the wheelchair seating locations, to the stage/performing area must be provided. See Fig. 14b. In addition, an *accessible route* that coincides with the route for performers must be provided to the backstage area.



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14.00: continued

14.6.1 Access to the stage may be by the following:

- a. a *ramp* complying with **521 CMR 24.00: RAMPS**
- b. a wheelchair lift complying with **521 CMR 28.12, Wheelchair Lifts**

14.7 BOX OFFICE TICKET COUNTERS AND CONCESSION STANDS

Shall comply with the following:

- a. Location: The counter shall be on an *accessible route*.
- b. Length: A portion of the counter or an auxiliary counter shall be at least 36 inches (36" = 914mm) in length.
- c. Height: The counter shall not exceed 36 inches (36" = 914mm) above the finish floor.
- d. *Clear Floor Area*: Provide *clear floor area* as defined in **521 CMR 5.00: DEFINITIONS**.
- e. Space Allowance and Reach Ranges: See **521 CMR 6.5, Forward Reach** and **521 CMR 6.6, Side Reach**.

14.8 DRESSING ROOMS

Where provided, shall comply with **521 CMR 33.00: DRESSING, FITTING AND CHANGING ROOMS**

14.9 SLOPE IN AUDITORIUMS/ASSEMBLY AREAS (Reserved)

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521 CMR 24.00: RAMPS

24.1 GENERAL

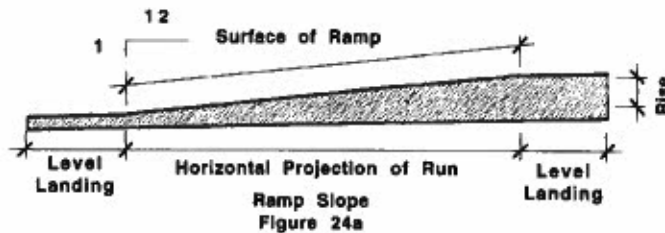
Any part of an *accessible route* with a slope greater than 1:20 (5%) shall be considered a *ramp* and shall comply with the requirements of 521 CMR 24.00

24.2 SLOPE AND RISE

Ramps shall have the least possible slope.

24.2.1 The least possible slope should be used for any ramp. The maximum slope of a *ramp* shall be 1:12 (8.3%). (There is no tolerance allowed on slope, Refer to **521 CMR 2.4.4d**)

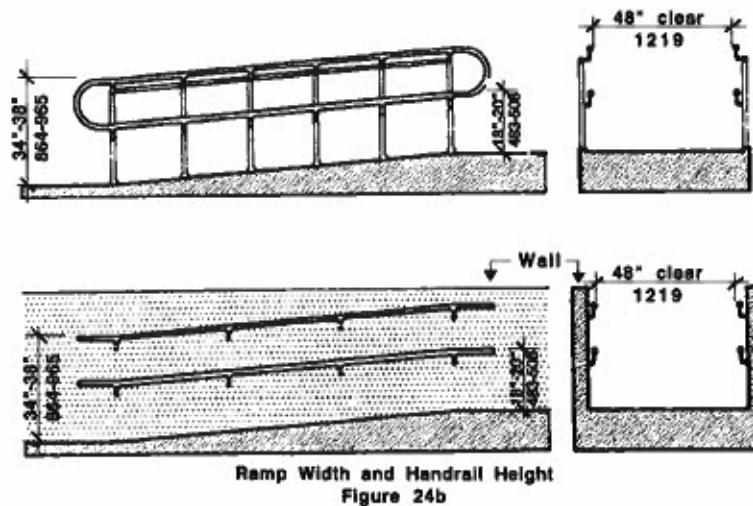
24.2.2 The maximum rise for any run shall be 30 inches (30" = 762mm). See **Fig. 24a**.



Exceptions: A slope between 1:10 (10%) and 1:12 (8.3%) is allowed for a single rise of a maximum three inches (3" = 76mm).

24.3 CLEAR WIDTH

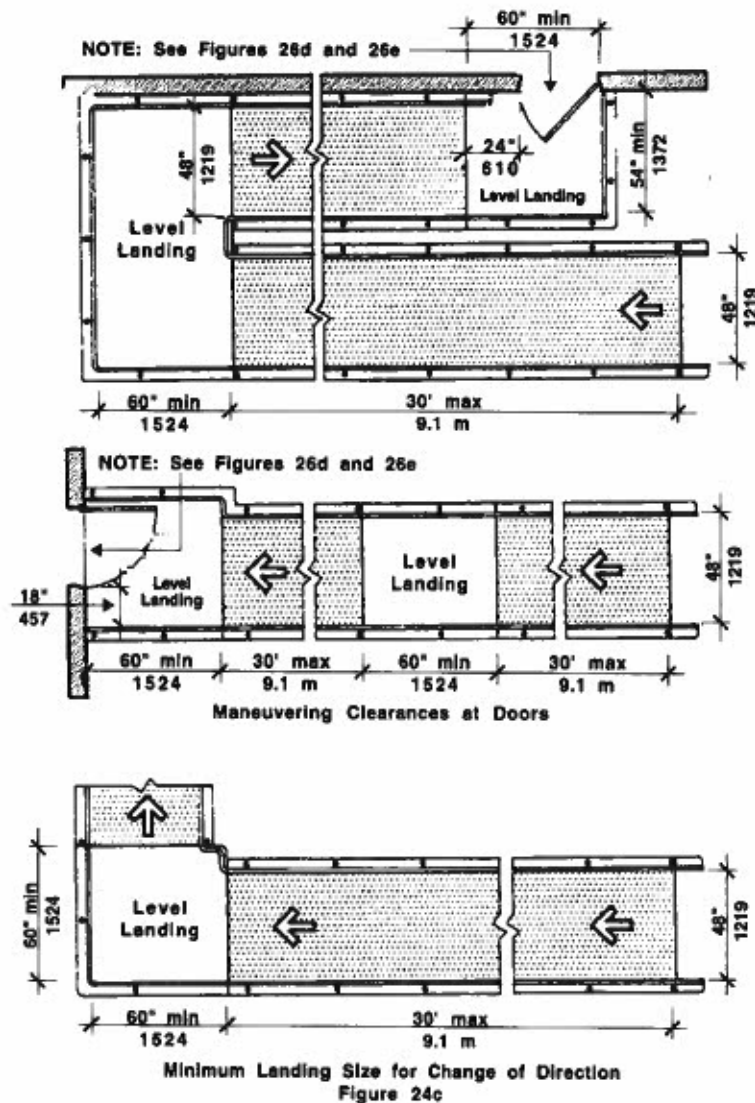
The minimum *clear* width of a *ramp* shall be 48 inches (48" = 1219mm), measured between the railings. See **Fig. 24b**.



24.4 LANDINGS

Ramps shall have landings for turning and resting. At a minimum, landings shall be located at the bottom and the top of each *ramp* and each *ramp* run, and whenever a *ramp* changes direction. The maximum length of a *ramp* run between landings shall not exceed 30 feet (30' = 9m). Landings shall have the following features: See **Fig. 24c**.

24.00: continued



24.4.1 General: Landings shall be *level* and unobstructed by projections and door swings, except as permitted by **521 CMR 24.4.6**.

24.4.2 Width: The landing shall be at least as wide as the *ramp* run leading to it.

24.4.3 Length: The landing length shall be a minimum of 60 inches (60" = 1524mm) *clear*.

24.4.5 Dimensions for turning: If *ramps* change direction at landings, the minimum landing size shall be 60 inches by 60 inches (60" by 60" = 1524mm by 1524mm). See **Fig. 24c**.

24.4.6 Doorways at Landings: If a doorway is located at a landing, then the *level* area in front of the doorway shall also comply with maneuvering clearances in **Fig. 26d and 26e**.

24.5 HANDRAILS

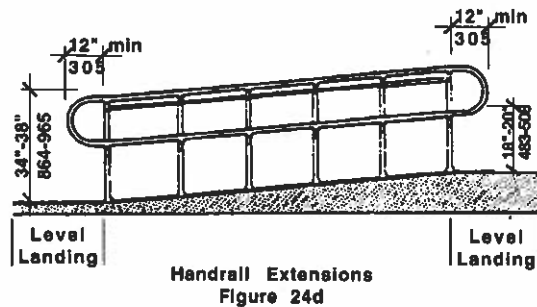
Handrails shall be provided at all *ramps*. Handrails shall have the following features:

24.5.1 Location: Handrails shall be provided along both sides of *ramp* segments.

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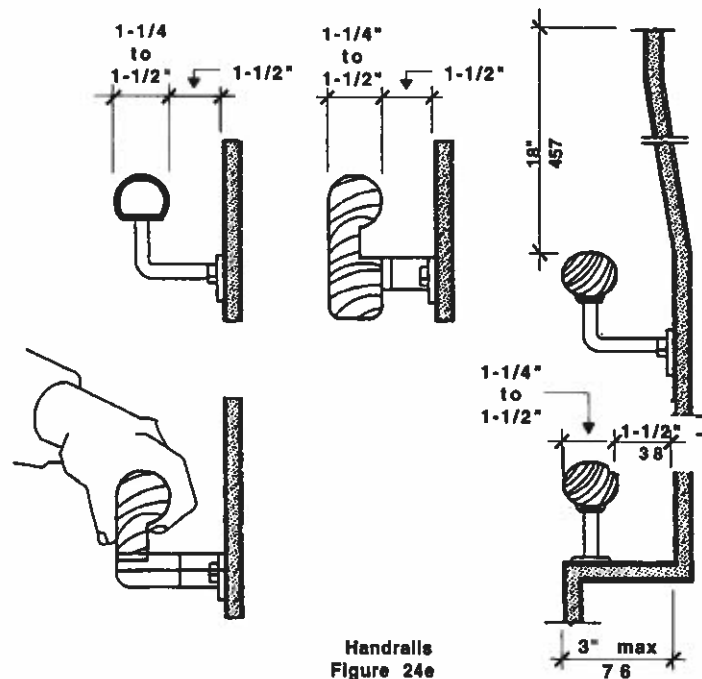
24.00: continued

- 24.5.2 **Heights:** Handrails shall be provided in pairs, one at a height between 34 inches and 38 inches ($34'' - 38'' = 864\text{mm} - 965\text{mm}$), and a lower one at a height between 18 and 20 inches ($18'' - 20'' = 457\text{mm} - 508\text{mm}$), measured vertically from the surface of the *ramp* to top of handrail.
- 24.5.3 **Continuous surface:** Handrails shall be continuous without interruption, except by doorways and openings, so that a hand can move from end to end without interruption.
- 24.5.4 **Extensions:** Handrails shall extend at least 12 inches ($12'' = 305\text{mm}$) beyond the top and bottom of the *ramp* and shall be parallel with the floor or ground surface (*See Fig. 24d*), except where the extension would cause a safety hazard.



- 24.5.5 **Size:** Handrails shall have a circular cross section with an outside diameter of $1\frac{1}{4}$ inches (32mm) minimum and two inches (51mm) maximum.
- 24.5.6 **Shape:** The handgrip portion of the handrail shall be round or oval in cross-section. *See Fig. 24e.*
- 24.5.7 **Surface:** The gripping surface shall be free of any sharp or abrasive *elements*.
- 24.5.8 **Clearance:** When a handrail is mounted adjacent to a wall, the *clear space* between the handrail and the wall shall be $1\frac{1}{2}$ inches ($1\frac{1}{2}'' = 38\text{mm}$). Handrails may be located in a wall recess if the recess is a maximum of three inches ($3'' = 76\text{mm}$) deep and extends at least 18 inches ($18'' = 457\text{mm}$) above the top of the rail. *See Fig. 24e.*

24.00: continued



24.5.9 End condition: Ends of handrails shall be either rounded or returned smoothly to floor, wall, or post.

24.5.10 Handrails shall not rotate within their fittings.

24.6 CROSS SLOPE

The *cross slope* of ramp surfaces shall be no greater than 1:50 (2%)

24.7 SURFACES

Ramp surfaces shall be stable, firm, and slip resistant. Ramps may be carpeted only if carpeting is installed in accordance with 521 CMR 29.3, Carpets.

24.8 EDGE PROTECTION

Ramps and landings with drop-offs shall have edge curbs, walls, railings, or projecting surfaces that prevent people from slipping off the ramp. Edge curbs shall be a minimum of two inches (2" = 51 mm) high.

24.9 OUTDOOR CONDITIONS

Outdoor ramps and their approaches shall be designed so that water will not accumulate on walking surfaces. If gratings are used to disperse water, they shall comply with 521 CMR 22.00: WALKWAYS.

24.10 CIRCULAR RAMPS

Circular ramps are not permitted, except with the approval of this Board.

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521 CMR 25.00: ENTRANCES

25.1 GENERAL

All public entrance(s) of a building or tenancy in a building shall be accessible. Public entrances are any entrances that are not solely service entrances, loading entrances, or entrances restricted to employee use only.

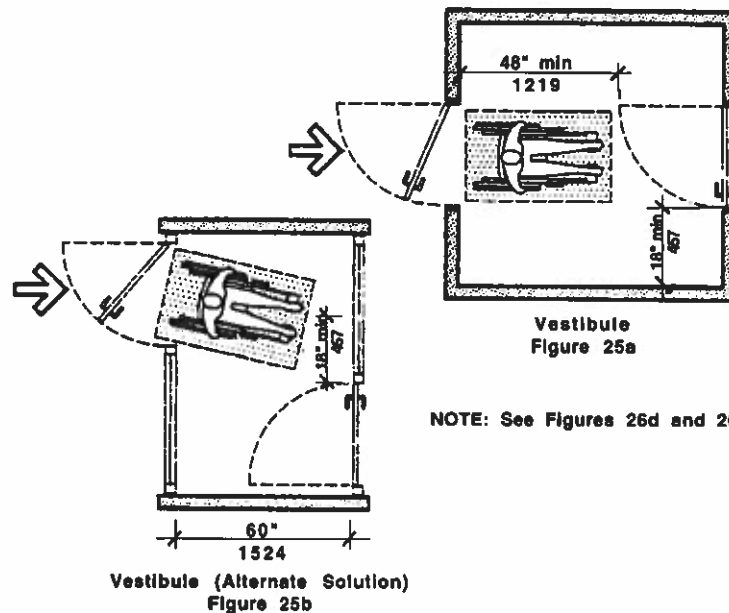
- 25.1.1 Service entrances: If the only entrance to a building, or tenancy in a facility, is a service entrance, that entrance shall be accessible.

25.2 APPROACH

The approach to an accessible entrance shall be a paved walk or ramp with a slip resistant surface, uninterrupted by steps. Entrance(s) shall have a level space on the interior and exterior of the entrance doors complying with Fig. 25a and 25b.

25.3 VESTIBULES

Between any two hinged or pivoted doors, there shall be a minimum of 48 inches (48" = 1219mm) plus the width of any door swinging into the space. See Fig. 25a and 25b.

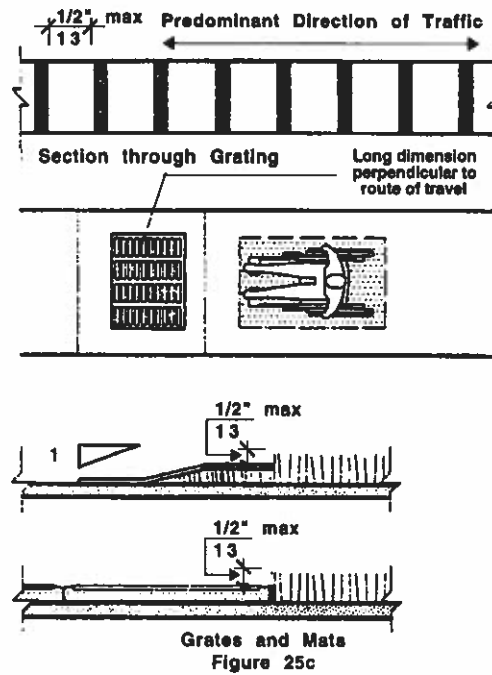


NOTE: See Figures 26d and 26e

25.4 MATS AND GRATES

Door mats $\frac{1}{2}$ inch ($\frac{1}{2}$ " = 13mm) thick or less shall be securely anchored at all edges to avoid tripping. Door mats between $\frac{1}{4}$ inch ($\frac{1}{4}$ " = 6mm) and $\frac{1}{2}$ inch ($\frac{1}{2}$ " = 13mm) thick must be secured with beveled edging that slopes no more than 1:2 (50%). Door mats thicker than $\frac{1}{2}$ inch ($\frac{1}{2}$ " = 13mm) shall be recessed. Grates shall have openings not exceeding $\frac{1}{2}$ inch ($\frac{1}{2}$ " = 13mm) in the path of travel. See Fig. 25c.

25.00: continued



25.5 PROTRUDING OBJECTS

Objects that protrude into entranceways, (suspended lights, signs, fixtures, door closers, etc.) shall comply with **521 CMR 20.6, Protruding Objects**.

25.6 SIGNAGE

Any *entrance/exit* of a *facility* not *accessible* by persons in wheelchairs shall have a sign clearly indicating the location of the *accessible entrance/exit*.