



DIVISION OF OCCUPATIONAL LICENSURE OFFICE OF PUBLIC SAFETY AND INSPECTIONS

Permitting Requirments

(Based on the 10th Edition of 780 CMR)

GOALS

- Understanding Permitting Requirements
- Mitigating missed applicant information

Note: All code sections referenced in this presentation come from the 10th Edition of 780 CMR. Some code sections are excerpts with bold and underlines added for presentation. You should consult the official versions of the Code for the authoritative language.



What are our Goals?

GOALS

- **What requires a permit**
- **Review the process and requirements of submitting a permit**
- **The requirements to approve a permit**

It should be noted that this document only reviews building permits as outlined in **780 CMR** and does not go in-depth into other laws, by-laws, rules, or specialized codes like electrical, plumbing, sheet metal, or other state agencies rules and regulations such as Mass DEP, and other such similar requirements.



When are Permits Required?

Per 780 CMR 105.1 Required:

- Construct, alter, repair, remove, or demolish a **building** or a **structure**.
- Change the use or occupancy of a building or structure.
- Install or alter any equipment or Life Safety Systems governed by 780 CMR.

There are exemptions listed in Base Code 780 CMR 105.2 and the Residential Code 780 CMR 51.00 R105.2. However, most work as described above will require a permit.



What does not need a Permit?

105.2 Work Exempt From Permit

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 ft.².

2. Fences not over seven feet high.

3. Oil derricks.

4. Retaining walls that are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.

5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons and the ratio of height to diameter or width is not greater than 2:1.

6. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.

7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

8. Temporary motion picture, television and theater stage sets and scenery.

9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, are not greater than 5,000 gallons and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

11. Swings and other playground equipment accessory to detached one- and two-family dwellings.

12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.

13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over five feet nine inches in height.

14. Greenhouses covered exclusively with plastic film. This exemption does not apply if the greenhouse is to be used for large assemblies of people or uses other than normally expected for this purpose.

15. Repair of any component or components of a fire protection system, where such does not affect system performance and compatibility. No permit pursuant to 780 CMR is required for routine or corrective maintenance.



What does not need a Permit?

105.2.1 Emergency Repairs

For **emergency repairs or replacements** under 780 CMR, work can begin immediately but the **permit application must be submitted the next business day.**



Do Repairs need Permits?

105.2.2 Repairs

Ordinary repairs don't require an application or notice be given, however ordinary repairs don't cover these items, and they require a permit:

- Substantial cutting away of all or a portion of a wall or partition.
- Cutting or removing any structural beam or load-bearing support.
- Removal or change of any required egress or altering parts of the structure affecting egress requirements.
- Mechanical Systems.
- Anything affecting public health or general safety covered by **780 CMR**.



What Documents are Needed for a Building Permit Application?

To apply for a permit:

- Permit Application 105.3
 - Construction Documents, Computations, and Specifications 107.1, 107.2
 - Statement of Special Inspections 107.2
 - Geotechnical Data 107.2
- Construction Control 107.6
- Other Data 107.2



What must be on a Permit Application?

105.3 Application for Permit

- A permit application must be submitted by the **owner or authorized agent** on a **form provided by the building official**.
- The application must be of **sufficient and accurate detail** to **describe** the project.
- Describe the property location where the work will occur, using a **legal description, street address, or similar clear identifying information**.
- State the intended **use** and **occupancy** of the proposed work.
- For state-licensed care facilities or residences, identify the licensing agency and applicable regulation (e.g., DDS, 115 CMR).



What must be on a Permit Application? (Cont.)

105.3 Application for Permit

- Construction documents and required information per Section 107.
- Identification of any additional building features required by a Massachusetts state agency that exceed 780 CMR requirements.
- The **valuation** of the proposed work.
 - The building official can require a detailed justification of the stated project valuation. Valuation is important for assessing permit fees and Architectural Access Board (521 CMR) thresholds. It is in the Building Officials powers to request a detailed breakdown of the costs if they feel the scope of work does not align with the cost.
 - This is also important for substantial improvements in floodplains.



Who is the Owner or Authorized Agent?

105.3 Application for Permit

- Be signed by the owner or authorized agent.

Who is the owner or Authorized agent? Per 202 Definitions an owner is:

- a) has legal title to any building or structure; or*
- b) has care charge or control of any building or structure in any capacity including but not limited to agent, executor, executrix, administrator, administration, trustee or guardian of the estate of the holder of legal title; or*
- c) lessee under a written letter agreement; or*
- d) mortgagee in possession; or*
- e) agent, trustee or other person appointed by the courts.*

Each such person is bound to comply with the provisions of 780 CMR.



Who Determines Someone is the Owner or Authorized Agent?

- It is within the Building Officials abilities to determine if these thresholds are met or require additional documents, affidavits, leases, agreements, or court orders.
- The owner may designate an authorized agent, including but not limited to a third party, designer, or contractor, to act on the owner's behalf.
- The building official may require an affidavit, signed by both the owner and the agent, confirming the agent's authority to act for the owner.
- Each such person is bound to comply with the provisions of 780 CMR.



Anything Else Required on the Permit Application?

105.3 Application for Permit

- Provide such other data and information as required by the building official in accordance with **780 CMR** like any variances received, like proof of a variance for a lift instead of an elevator from the Architectural Access Board (AAB).
- If applicable, include the registration number and information of Home Improvement Contractors (HIC) or subcontractors for residential contracting services.



What about Manufactured Buildings or Modular Homes?

107.2.8 Manufactured Buildings or Modular Homes

- Manufactured and Modular homes follow a different procedure. The document submittals for these are:
 1. Site specific plans and specifications.
 2. Plan Identification Number Assignment Form with BBRS number. This is to confirm plans have been approved by the Office of Public Safety and Inspections and shall include a stamp showing approval and signature.
 3. Plans shall be stamped on every page by a third-party inspection agency.
 4. Every page showing calculations by a registered design professional shall be provided with their stamp and signature.
 5. Energy compliance certificate.
 6. Set manuals are required to be on site at time of project set and shall be specific to the project.
Exception: If all connection details are provided on the plans then the set manual is not required.
 7. The Installer's information shall accompany the plan submittal package along with proof of approved certification from the manufacturer.
- In accordance with 780 CMR Chapter 110.R3.8.1.1 and 110.R5.1.3.1 a "*Homeowner exemption*" may not be utilized to receive a permit to install, erect, or oversee the field erection of manufactured buildings.



State Provided Applications

Links:

Non-state owned
building
applications

		The Commonwealth of Massachusetts Office of Public Safety and Inspections Massachusetts State Building Code (780 CMR) Building Permit Application for any Building other than a One- or Two-Family Dwelling	
(This Section For Official Use Only)			
Building Permit Number: _____	Date Applied: _____	Building Official: _____	
SECTION 1: LOCATION			
No. and Street _____	City / Town _____	Zip Code _____	Name of Building (if applicable) _____
Assessors Map # _____	Block # and/or Lot # _____		
SECTION 2: PROPOSED WORK			
Edition of MA State Code used _____ If New Construction check here ☐ or check all that apply in the two rows below			
Existing Building ☐	Repair ☐	Alteration ☐	Addition ☐ Demolition ☐ (Please fill out and submit Appendix 2)
Change of Use ☐	Change of Occupancy ☐	Other ☐ Specify: _____	
Are building plans and/or construction documents being supplied as part of this permit application? Yes ☐ No ☐			
Is an Independent Structural Engineering Peer Review required? Yes ☐ No ☐			
Brief Description of Proposed Work: _____			

SECTION 3: COMPLETE THIS SECTION IF EXISTING BUILDING UNDERGOING RENOVATION, ADDITION, OR CHANGE IN USE OR OCCUPANCY			
Check here if an Existing Building Investigation and Evaluation is enclosed (See 780 CMR 34) ☐			
Existing Use Group(s): _____		Proposed Use Group(s): _____	
SECTION 4: BUILDING HEIGHT AND AREA			
	Existing	Proposed	
No. of Floors/Stories (include basement levels) & Area Per Floor (sq. ft.)			
Total Area (sq. ft.) and Total Height (ft.)			
SECTION 5: USE GROUP (Check as applicable)			
A: Assembly A-1 ☐ A-2 ☐ Nightclub ☐ A-3 ☐ A-4 ☐ A-5 ☐ B: Business ☐ E: Educational ☐			
F: Factory F-1 ☐ F-2 ☐ H: High Hazard H-1 ☐ H-2 ☐ H-3 ☐ H-4 ☐ H-5 ☐			
I: Institutional I-1 ☐ I-2 ☐ I-3 ☐ I-4 ☐ M: Mercantile ☐ R: Residential R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐			
S: Storage S-1 ☐ S-2 ☐ U: Utility ☐ Special Use ☐ and please describe below: _____			
Special Use Description: _____			
SECTION 6: CONSTRUCTION TYPE (Check as applicable)			
IA ☐ IB ☐ IIA ☐ IIB ☐ IIIA ☐ IIIB ☐ IV ☐ VA ☐ VB ☐			
SECTION 7: SITE INFORMATION (refer to 780 CMR 105.3 for details on each item)			
Water Supply: Public ☐ Private ☐	Flood Zone Information: Check if outside Flood Zone ☐ or identify Zone: _____	Sewage Disposal: Indicate municipal ☐ or on site system ☐	Trench Permit: A trench will not be required ☐ or trench permit is enclosed ☐
Railroad right-of-way: Not Applicable ☐ or Consent to Build enclosed ☐		Hazards to Air Navigation: Is Structure within airport approach area? Yes ☐ or No ☐	MA Historic Commission Review Process: Is their review completed? Yes ☐ No ☐
SECTION 8: CONTENT OF CERTIFICATE OF OCCUPANCY			
Edition of Code: _____ Use Group(s): _____ Type of Construction: _____			
Does the building contain an Sprinkler System?: _____ Special Stipulations: _____			
Design Occupant Load per Floor and Assembly space: _____			

SECTION 9: PROPERTY OWNER AUTHORIZATION			
Name and Address of Property Owner _____			
Name (Print) _____	No. and Street _____	City/Town _____	Zip _____
Property Owner Contact Information: _____			
Title _____	Telephone No. (business) _____	Telephone No. (cell) _____	e-mail address _____
If applicable, the property owner hereby authorizes: _____			
Name _____	Street Address _____	City/Town _____	State _____ Zip _____
to apply for and act on the property owner's behalf, in all matters relative to work authorized by this building permit application.			
SECTION 10: CONSTRUCTION CONTROL (Please fill out Appendix 1)			
If a building is less than 35,000 cu. ft. of enclosed space and/or not under Construction Control then check here ☐ . Otherwise provide construction control forms (see section 107 in the code) as required.			
10.1 Registered Professional Responsible for Construction Control (the professional coordinating document submittals)			
Name (Registrant) _____	Telephone No. _____	e-mail address _____	Registration Number _____
Street Address _____	City/Town _____	State _____ Zip _____	Discipline _____ Expiration Date _____
10.2 General Contractor			
Company Name _____			
Name of Person Responsible for Construction _____		License No. and Type if Applicable _____	
Street Address _____	City/Town _____	State _____	Zip _____
Telephone No. (business) _____	Telephone No. (cell) _____	e-mail address _____	
SECTION 11: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152 § 25C(6))			
A Workers' Compensation Insurance Affidavit from the MA Department of Industrial Accidents must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the issuance of the building permit. Is a signed Affidavit submitted with this application? Yes ☐ No ☐			
SECTION 12: CONSTRUCTION COSTS AND PERMIT FEE			
Item	Estimated Costs: (Labor and Materials)	Total Construction Cost (from Item 6) = \$ _____	
1. Building	\$ _____	Building Permit Fee = Total Construction Cost x _____ (Insert here appropriate municipal factor) = \$ _____.	
2. Electrical	\$ _____	Note: Minimum fee = \$ _____ (contact municipality)	
3. Plumbing	\$ _____	Enclose check payable to _____ (contact municipality) and write check number here _____	
4. Mechanical (HVAC)	\$ _____		
5. Mechanical (Other)	\$ _____		
6. Total Cost	\$ _____		
SECTION 13: SIGNATURE OF BUILDING PERMIT APPLICANT			
By entering my name below, I hereby attest under the pains and penalties of perjury that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.			
Please print and sign name _____		Title _____	Telephone No. _____ Date _____
Street Address _____	City/Town _____	State _____ Zip _____	Email Address _____
Municipal Inspector to fill out this section upon application approval: _____			
Name _____		Date _____	



What other requirements are there?

107.1 General

- Permit applications must include **two or more sets of submittal documents**, including **construction documents, special inspection statements, geotechnical reports**, and other required data.
- **Construction documents must be prepared by a Registered Design Professional (RDP)** when required by statute.
- The **building official may require additional documents** prepared by an RDP when special conditions exist.
- **In-ground pool construction documents, calculations, and specifications must be prepared by an RDP.**

Exception:

- The building official may **waive construction document submittals** if the work does not require review for code compliance.
- This **waiver does not apply to in-ground pools.**



What should be on the Construction Documents?

107.2.1 Construction Documents

- Two Sets of Construction Documents that must be dimensioned and prepared on suitable material. Electronic submissions are permitted with **approval** from the **building official**.
- Documents must **clearly show** the **location, nature, and scope of work**.
- Plans must demonstrate **compliance with 780 CMR** and all applicable laws and regulations, as determined by the building official and include but not limited too:
 - Fire Protection System (107.2.2)
 - Means of Egress (107.2.3)
 - Exterior Wall Envelope (107.2.4)
 - Energy Compliance (107.2.5)
 - Site Plan (107.2.9)



What are the Fire Protection Systems Submission Requirements?

107.2.2 Fire Protection System Drawings and 901.2.2 Submittal Process

- The process establishes three tiers of minimum document submittal requirements. We will review **Tier 1** as it is relevant to the permit application submission phase.
- Applicants **may** submit additional documents, such as shop drawings, or Tier 2 drawings with the permit application.
- **Tier 1 – Construction Documents:**
 - Must be submitted before issuance of a building permit, in accordance with Section 107.
 - Must provide sufficient detail to fully describe each fire protection system covered by the permit.



Who makes the Tier 1 Fire Protection Systems Drawings?

901.2.2 Submittal Process (Cont.)

- A Registered Design Professional (RDP) must **compile** a **single Fire Protection Narrative document** describing the integrated operation of the identified systems and features.
- The coordinating RDP **is not required** to assume design responsibility for each system. The coordinating RDP is simply **coordinating** all the components into a single document.
- Design **responsibility** remains with the **Design Professional of Record** for **each individual** fire protection system.
- Report is broken into two parts, **Part A** and **Part B**.



What is in the Fire Protection Narrative?

901.2.2 Submittal process (Part A)

- The compiled narrative must include a summary of all listed systems that are part of the design.
- Each listed system must describe how they are integrated:
 - i. **Design methodology** for protecting the occupancy and hazards, in accordance with the code and applicable NFPA standards and,
 - ii. An **input/output matrix** of sequence of operations for all fire and life safety systems and operations, including integrated fire and life safety systems and,
 - iii. The **testing criteria** to be used for final system acceptance.



What is in the Fire Protection Narrative?

901.2.2 Submittal process (Part B)

- Further each system needs to provide a specific list of information.
- Below is a list of the systems, but it does NOT include the requirements for each system. That can be found in **901.2.2 (780 CMR)**

Part B - Individual System Information

1. Fire Department Access Roadways
2. Automatic Sprinkler System
3. Standpipe Systems.
4. Water Supply / Fire Pumps / Fire Department Connections.
5. Alternative Automatic Fire-Extinguishing Systems.
6. Fire Alarm and Detection Systems
7. Fire Command Center
8. Mass Notification System.
9. Carbon Monoxide Detection
10. Emergency Alarm Systems
11. Gas Detection Systems.
12. Emergency Responder Communication Coverage
13. Smoke Control Systems / Smoke & Heat Removal
14. Fire Extinguishers.



What Egress Components Must Be Shown in the Construction Documents?

107.2.3 Means of Egress

- Construction documents shall show in detail that the location, construction, size, and characteristics of all means of egress are in compliance with 780 CMR.
- In all occupancies except for R-2, R-3, and I-1, the construction documents must indicate the occupant load for each **floor, room, and space**.
- In Residential Use Groups, documents must show Emergency Escape and Rescue openings, where required.



What About Exterior Walls?

107.2.4 Exterior Wall Envelope

- Construction documents must describe, unless waived by the Building Official, the exterior wall envelope in sufficient detail to show compliance with **780 CMR**, including any required **fire-resistance ratings**.
- Documents **must** include:
 - Details of flashing
 - Dissimilar material intersections
 - Corners
 - End details
 - Control joints
 - Roof/eave/parapet intersections
 - Drainage
 - Water-resistive membranes
 - Opening details
- Manufacturer's installation instructions that provide supporting documentation that penetrations and openings maintain the weather resistance of the exterior wall envelope.
 - Supporting documentation must identify the tested wall system and the applicable test procedures, where required.



What About Energy Code?

107.2.5 Energy Compliance Submittal

- Construction documents submitted with a permit application must show compliance with:
 - 780 CMR 13.00 (Energy Efficiency)

OR

- 225 CMR 22.00 and 23.00, where the municipality has adopted the Stretch Energy Code or Specialized Stretch Energy Code.



What about Site Plan Requirements?

107.2.9 Site Plan or Plot Plan

- Permit applications must include a scaled site plan showing:
 - Location and size of new and existing structures.
 - Distances to lot lines.
 - Established street grades and proposed finished grades.
 - Flood hazard areas, floodways, and base flood elevations, where applicable.
 - Information based on an accurate boundary line survey.
- For demolition projects, the site plan must identify:
 - Structures to be demolished.
 - Existing structures and construction to remain.
- **The building official may waive or modify the site plan requirement if the scope is an alteration, repair, or when appropriate.**



Fire Safety Program

3301.3

- Construction documents and a work schedule must be submitted to the building official and fire code official per **780 CMR 1**.
- Documents must include the fire safety program required by 527 CMR 1.00, Chapter 16.
- The fire code official must approve the documents.
- The Fire Safety Program approval **CANNOT** delay the issuance of permit. It is not one of the criteria for permit approval
- Work cannot begin until approval is granted.
- **Actual text from 3301.3 for reference**
 - *Construction documents and a schedule for the work to be performed shall be submitted to the building official and the fire code official in accordance with **780 CMR 1**. The construction documents shall include the fire safety program, as required by Chapter 16 of 527 CMR 1.00, and shall be submitted to the fire code official for approval. Work shall not be performed until such construction documents are approved.*



What about Construction Control?

107.6.1

- Registered Design Professional (**RDP**) services are required for work constituting the practice of architecture or engineering under **M.G.L. c.112 §§60A** or **81D**, except where exemptions apply:
 - Less than 35,000 **Cubic Feet**
 - **One or two family dwelling** or **any associated accessory building**
 - **Exclusively Agricultural** buildings
 - Retaining walls less than 10'
 - **Minor Structures** that the **building official determines** are **minor in nature** and does not require a design professional.
- Exceptions include provisions under **M.G.L. c.143 §54A** and **M.G.L. c.112 §81R**.
 - When work is performed by **licensed trades** under **§81R**, **shop drawings** or **plans** documenting that work **do not need** an RDP seal or signature.
 - The building official **may** instead require an **RDP** to **review and approve shop** or **record drawings** for **general conformance** with the design concept.



Any other considerations?

107.1

- Where special conditions exist, a building official can require additional Construction Documents prepared by **Registered Design Professional (RDP)**
- The building official may waive construction document submittals if they are not required to be prepared by an RDP and are not necessary to verify code compliance.
 - This waiver **does not** apply to in-ground pools.



Who are design professionals?

107.1.1 Registered Design Professional

- When required by law, plans and specifications must bear the **seal** and **signature** of the **responsible Registered Design Professional**, in accordance with **M.G.L. c.143 §54A.**
- Refer to the **applicable licensing board** for policies on **electronic seals and signatures**. The **individual licensing board will dictate the acceptability** of the form the seal and signature comes in. These professions are regulated and defined by statute. **M.G.L. c. 112 §.60A** for Architecture and **M.G.L. c. 112 §.81D** for Engineers.
- RDP's applicable licensing boards handle disciplinary actions when needed, and all license complaints should be submitted to them

202 Definitions

[RB] Registered Design Professional

- *An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the Commonwealth.*



What About Approving or Denying a Permit?

105.3.1 Action on Application

- Within **30 days of filing**, the Building Official **must issue or deny** the permit in writing. These are the **only two actions** available.
- Failure to act may result in:
 - A complaint to the appointing authority or Building Official Certification Committee
 - An appeal to the Building Code Appeals Board.
 - Failure to act does not cause the permit to be approved.
- A permit may be denied only if:
 - The **application** does not comply with **780 CMR and applicable laws**
 - The **construction documents** do not comply with **780 CMR and applicable laws**.



What Requirements are Needed to Issue a Permit?

To Issue a Permit:

- Submitted Application and Construction Documents conform to 780 CMR and all **pertinent laws** under the building official's jurisdiction:
 - Zoning Approval (**105.3.1**)
 - Railroad Right of Way Approval (**105.3.1**)
 - Water Supply (**105.3.1**)
 - Debris Removal (**105.3.1**)
 - Workers Comp. Insurance (**105.3.1**)
 - Hazards to Air Navigation (**105.3.1**)
 - Coastal Dune Requirements (**105.3.1**)
 - Chapter 34 Letter (**Massachusetts Existing Building Code 10th Edition 104.2.2.1**)



What are Some of the Applicable Laws?

105.3.1 Action on Application

The following must also be satisfied prior to permit issuance:

1. *Zoning Approval ... M.G.L. c. 40A or St. 1956, c 665.* Before the permit is issued, zoning approval is needed.
2. *Railroad Right of Way Approval ... M.G.L. c. 40, § 54A.*
 - No permit may be issued for construction on a former railroad right-of-way without written consent or a determination of inapplicability from the **Secretary of the Department of Transportation.**
 - A former railroad right-of-way includes land previously owned or used by a railroad, either in fee (total ownership) or by easement.
3. *Water Supply ... M.G.L. c. 40, § 54.* Buildings requiring water must have an adequate water supply, provided by a municipal system, district, on-site well, or water company.



What are Some of the Applicable Laws?

105.3.1 Action on Application

4. *Debris Removal ... M.G.L. c. 40, § 54A.* The requirement that all debris from demolition, rehabilitation, renovation, or alteration is disposed of in a properly licensed facility.
5. *Workers Comp. Insurance ... M.G.L. c. 152, § 25C(6).* The building official must receive acceptable evidence of insurance coverage.
6. *Hazards to Air Navigation ... M.G.L. c. 90, § 35B.* Any structure built or added to within designated zones around an airport must be within height limitation established in Massachusetts General Laws.
7. *Construction in coastal dunes: in accordance with flood construction requirements of 780 CMR.* All construction within a coastal dune area must comply with **780 CMR**. This includes, but is not exclusive of, **Appendix G, Chapter 16, R322.4**



What about the Chapter 34 Letter

34.00 (Chapter 34) 104.2 Application for Permit

- For work under 780 CMR 34.00, a permit requires an investigation and evaluation of the existing building.
- The evaluation must assess impacts on:
 - Structural systems
 - Means of egress
 - Fire protection
 - Energy conservation and lighting
 - Hazardous materials
 - Accessibility
 - Ventilation
- The review must cover affected areas and, if necessary, the entire building and foundation.
- A written report, including findings and any proposed compliance alternatives, must be submitted to the building official.



What is not required for permit issuance?

- Other permits may be required outside of the building permit under **780 CMR**. These additional permits **cannot** delay or prevent issuance of the **building** permit. Some, but not all are listed below:
 - **Department of Conservation and Recreation (DCR)** - This includes if a project needs too access parkland road for construction, equipment installation, or other related reasons.
 - **Mass Endangered Species Act (MESA)** – Confirmation and review of mitigation plans for areas containing endangered species.
 - **Department of Environmental Protection (DEP)** - Including Wetlands, Public Water, Sewer/Septic, but includes a wide range of scopes.
 - **Massachusetts Water Resource Authority (MWRA)** - For projects occurring within a certain distance of MWRA pipe or facility.
 - **NFPA 241** – A document outlining the steps taken to make a construction site safe.



What about Fire Department Review?

107.3.1 Fire Department Review

- For permits involving fire protection systems (**780 CMR 4.00, 9.00, or the Massachusetts Existing Building Code 10th Edition**), construction documents **must be submitted** to the building official and forwarded to the fire department.
- *The fire department shall have ten working days after receiving the documents to complete its review. Upon the fire department's written request, the building official may grant one or more extensions up to a total review period maximum of 30 days.*
- **If no response is received within the timeframe**, the building official **may** deem the documents **compliant**.
- **If noncompliant**, the fire department **must notify the building official in writing**, citing **specific** code sections.
- Refer to **M.G.L. c.148 §28A**.



Residential Permitting - HIC

Residential Permitting follows the same general process as commercial, except for some minor variations for renovations and alterations .

R105.3 Application for Permit

... 8. If applicable, include the registration number and information of home improvement contractors or subcontractors for residential contracting services, in accordance with M.G.L. c. 142A, §§ 9(a) and 13.

Item 8 requires that

*Any individual or any company that solicits, bids on, or performs residential contracting as a contractor or subcontractor on an **existing one- to four-unit, owner-occupied primary residence** in Massachusetts must register as a home improvement contractor. ([Guidelines and Information for Contractors | Mass.gov](#))*

This is called a **Home improvement Contractor (HIC) Registration** This is not the same as a **Contractors Supervisors License (CSL)** and a project may need both. If a project requires both the HIC and CSL then they do not need to be held by the same person. An HIC is not needed for new construction.



What about the Homeowners exemption?

110.R5.1.3.1

- Homeowners performing work requiring a permit are exempt from construction supervisor licensing under 780 CMR 110.R5.
- If hiring others, the **homeowner** may obtain the permit without a CSL but must act as the **supervisor**.
- This exemption **does not apply** to **manufactured building** erection (780 CMR 110.R3).
- A **licensed construction supervisor** working for a homeowner **is responsible** for ensuring compliance with 780 CMR and manufacturer's requirements, **regardless** of who obtained the permit.

110.R5.1.2 Definitions

***Homeowner:** Person(s) who owns a parcel of land on which he or she resides or intends to reside, on which there is, or is intended to be, a one- or 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 home owner*



What about Construction Control?

A Quick Construction Control Document Review

(Based on the 10th Edition of 780 CMR)



What about Construction Control?

An initial construction control document, linked here: [link to initial construction control document](#), shall be submitted for **each** of the RDP on the project.

These are the forms required by the BBRS and must accompany the initial permit submission. They should be signed and sealed by the appropriate RDP.

They indicate the responsibilities of the RDP during construction including Review, Performance of Duties, and Site Progress Familiarity.

This document does not relieve the contractor of its responsibilities regarding **780 CMR 107**.



Initial Construction Control Document

To be submitted with the building permit application by a
Registered Design Professional
for work per the tenth edition of the
Massachusetts State Building Code, 780 CMR, Section 107

Project Title: _____ **Date:** _____

Property Address: _____

Project: Check (x) one or both as applicable: **New construction** **Existing Construction**

Project description:

I, _____ MA Registration Number: _____ Expiration date: _____, am a *registered design professional*, and I have prepared or directly supervised the preparation of all design plans, computations and specifications concerning:

Architectural	Structural	Mechanical
Fire Protection	Electrical	Other:

for the above named project and that to the best of my knowledge, information, and belief such plans, computations and specifications meet the applicable provisions of the Massachusetts State Building Code, (780 CMR), and accepted engineering practices for the proposed project. I understand and agree that I (or my designee) shall perform the necessary professional services and be present on the construction site on a regular and periodic basis to:

1. **Review**, for conformance to this code and the design concept, shop drawings, samples and other submittals by the contractor in accordance with the requirements of the construction documents.
2. **Perform** the duties for registered design professionals in 780 CMR Chapter 17, as applicable.
3. **Be present** at intervals appropriate to the stage of construction to become generally familiar with the progress and quality of the work and to determine if the work is being performed in a manner consistent with the approved construction documents and this code.

Nothing in this document relieves the contractor of its responsibility regarding the provisions of 780 CMR 107.

When required by the building official, I shall submit field/progress reports (see item 3.) together with pertinent comments, in a form acceptable to the building official.

Upon completion of the work, I shall submit to the building official a 'Final Construction Control Document'.

Enter in the space to the right a "wet" or electronic signature and seal:

Phone number: _____ **Email:** _____

<i>Building Official Use Only</i>		
Building Official Name:	Permit No.:	Date:

Note 1. Indicate with an 'x' project design plans, computations and specifications that you prepared or directly supervised. If 'other' is chosen, provide a description.

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What about Construction Control?

During Construction, the Construction Control Checklist is required. [link to construction control checklist](#)

The RDP or their designee is required to mark with an X that they reviewed the work for compliance with approved plans and specifications.

It requires inclusion of various NFPA test and acceptance documents.

The RDP must include field reports and related documentation, including a description in sufficient detail and location on the projects site, and submittal documents that pertain to the work inspected.



Construction Control Progress Checklist

To be submitted at completion of required site reviews for
*construction progress per the tenth edition of the
Massachusetts State Building Code, 780 CMR, Section 107*

Project Title: Date: Permit No.

Property Address:

I, MA Registration Number: Expiration date: am a *registered design professional* and I or my designee have observed the following work, and to the best of my knowledge, information, and belief the construction work indicated below has been performed in a manner consistent with the approved plans and specifications:

Required Site Review and Documentation for Portions or Phases of Construction ^{1A} (to be performed by the appropriate registered design professional or his/her designee or M.G.L.c 112 §81R contractor)				
Site Review and Documentation		X	Site Review and Documentation	X
Soil condition and analysis			Energy Efficiency Requirements	
Footings and Foundation, including Reinforcement and Foundation attachment			Fire Alarm Installation ²	
Concrete Floor and Under Floor			Fire Suppression Installation ³	
Lowest Floor Flood Elevation			Field Reports ⁵	
Structural Frame - wall/floor/roof			Carbon Monoxide Detection System ⁴	
Lath and Plaster/Gypsum			Seismic reinforcement	
Fire Resistant Wall/Partitions framing			Smoke Control Systems (Special Inspection per Sections 909.3 and 909.18.8)	
Fire Resistant Wall/Partitions finish attachments			Smoke and Heat Vents	
Above Ceiling inspection			Accessibility (521 CMR)	
Fire Blocking/Stopping System			Other:	
Emergency Lighting/Exit Signage				
Means of Egress Components			Special Inspections (Section 1704):	
Roofing, coping/System				
Venting Systems (kitchen and cleanouts, chemical, fume)				
Mechanical Systems				

1. Indicate with an 'x' the work you reviewed for compliance with the approved plans and specifications and describe in detail below.
2. Include NFPA 72 test and acceptance documentation
3. Include applicable NFPA 13, 13R, 13D, 14, 15, 17, 20, 241, etc. - test and acceptance documentation
4. Include NFPA 720 Record of Completion and Inspection and Test Form
5. Include field reports and related documentation
6. Nothing contained within construction control shall have the effect of waiving or limiting the building official's authority to enforce this code with respect to examination of the contract documents, including plans, computations and specifications, and field inspections.

Description of Construction Work Observed:

- a. *Describe* in sufficient detail the work (i.e. foundation steel reinforcing, kitchen vent system, etc.) and the location on the project site, and list if applicable, the submittal documents that pertain to the work which was inspected.

Enter in the space to the right a "wet" or electronic signature and seal:

Phone number: Email:

Building Official Name:	Date:	Building Official Use Only
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What about Construction Control?

At the completion of Construction, the Final Construction Control Document is required. [link to final construction control document](#)

This indicates the RDP has performed the necessary professional services on a regular and periodic basis.

And to the best of their knowledge, information, and belief the work proceeded in accordance to the requirements of 780 CMR and the design documents approved as part of the building permit.

This document does not relieve the contractor of its responsibilities regarding **780 CMR 107**



Final Construction Control Document
To be submitted at completion of construction by a
Registered Design Professional
*for work per the tenth edition of the
Massachusetts State Building Code, 780 CMR, Section 107*

Project Title: Date: Permit No.

Property Address:

Project: Check (x) one or both as applicable: **New construction** **Existing Construction**

Project description:

I MA Registration Number: Expiration date: , am a *registered design professional*, and I have prepared or directly supervised the preparation of all design plans, computations and specifications concerning:

Architectural
Fire Protection

Structural
Electrical

Mechanical
Other: Describe

for the above named project. I, or my designee, have performed the necessary professional services and was present at the construction site on a regular and periodic basis. To the best of my knowledge, information, and belief the work proceeded in accordance with the requirements of 780 CMR and the design documents approved as part of the building permit and that I or my designee:

1. **Have reviewed**, for conformance to this code and the design concept, shop drawings, samples and other submittals by the contractor in accordance with the requirements of the construction documents.

2. **Have performed** the duties for registered design professionals in 780 CMR Chapter 17, as applicable.

3. **Have been present** at intervals appropriate to the stage of construction to become generally familiar with the progress and quality of the work and to determine if the work was performed in a manner consistent with the construction documents and this code.

Nothing in this document relieves the contractor of its responsibility regarding the provisions of 780 CMR 107.

Enter in the space to the right a "wet" or electronic signature and seal:

Phone number: Email:

Building Official Use Only

Building Official Name: Permit No.: Date:

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What about Construction Control?

At the completion of Construction, the Contractor Letter is required. [link to contractor letter](#)

This indicates the Contractor has completed the work in substantial accord with the approved construction documents.

Pertinent deviations must be noted.

Submitted to the RDP. When requested by the Building Official it is submitted to the Building Official per **780 CMR 107.6.3**

Tenth Edition 780 CMR 107.6 Construction Control Document

Construction Contractor Services Certification Pursuant to Section 107.6.3

Name of Contractor: _____

If a Corporation, name of responsible Corporate Officer: _____

If a DBA or Partnership, name of individual: _____

I hereby certify that, to the best of my knowledge and belief, construction performed under permit number _____ issued on _____ has been completed in substantial accord with the approved construction documents, with all pertinent deviations specifically noted per Section 107.6.3 of the Massachusetts State Building Code (780 CMR), 10th Edition Base Volume.

Name of Project: _____

Address of Project: _____

List of Pertinent Deviations:

Print Name: _____

Signature: _____

Date: _____

Notarized by: _____

Standard Notary Statement:

This document shall be submitted to the *Responsible Registered Design Professional (RDP)* and, when requested, to the Building Official in accordance with 780 CMR section 107.6.3 (10th edition) at the completion of all construction projects performed pursuant to 780 CMR Section 107.6 *Control Construction*.



Wrap Up

- Permits are required for almost all work involving a building or structure, with very specific exemptions within the code.
- The building code is specific with what is required for submitting a permit building application and for issuing a building permit.
- If a permit meets the requirements of 780 CMR then it must be issued. It cannot be held pending other agency approvals.
- Projects requiring a registered design professional requires construction control. An initial form, provided by the BBRS, must be signed and sealed by the registered design professionals preparing or directly supervising the preparation of design plans, computations, and specifications for the project.



DIVISION OF OCCUPATIONAL LICENSURE OFFICE OF PUBLIC SAFETY AND INSPECTIONS

Questions & Discussion