

Tuesday April 4, 2016 Meeting with DPL Director Charles Borstel

The Federation formed several years ago to serve as a unified voice for building officials throughout the Commonwealth. The Federation is comprised of, and represents the members of the three regional inspectors' associations: the Massachusetts Building Commissioners and Inspectors Association, the Southeast Building Officials Association, the Building Officials of Western Massachusetts and the Metro West Building Official Association.

Points for discussion

- Chain of command: Who will local inspectors report to at the state level? Being outside the Department of Public Safety are we now out of the loop with FEMA, MEMA and other grant agencies for access to their sources of training and funds.
- Staffing levels: 7 state level building code related positions have been eliminated in the past 2 years. Recent reports indicate that the existing staff of state inspectors is overburdened and waiting times for local visits is increasing. What plans are there to replace staff responsible for code development and interpretation? Who do inspectors turn to for interpretation of code? Since 2014, I believe the BBRS has directed staff to pole local inspectors state wide as to the implementation and enforcement of MGL 148 section 26G, will this survey ever be conducted?
- Education: MGL 143 mandates training and 780 CMR prescribes CEUs for all Inspectors and CSL holders. The state fails to provide adequate opportunities for building inspector on going education. The "on Boarding" procedure presently being developed by the BBRS and Chief Inspector Robert Anderson is a small step in the right direction but the removal of the requirement for recognition as a "Certified Building Official" for licensing as a Building Commissioner/Inspector of Buildings lessens the prestige, authority and respect for the licensed position. Due to the volume and complexity of today's codes Inspector education must be increased and municipalities emphatically informed that local staffing levels be increased to handle the demands of the office and allow sufficient time for continuing education.
- Sanctity and Supremacy of the Building Code: 780 CMR, the state building code is the primary public safety code for all structures in the State of Mass. Coordination with and subordination of all other construction to the requirements of the building code is a necessity. One of the Governor's cited incentives in the reorganization of the Dept. of Public Safety was to streamline and simplify the permitting process and in doing so reduce the time and costs of permitting. The existence of subordinate codes which conflict with the Building Code or confuse the applicant only serve to delay permitting and increase cost.
Building Officials urge you and the Governor to support the current legislation making decisions of the Building Code Coordinating Council mandatory in all subordinate code adoption and amendment procedures.
One solution to coordinating construction codes is across the board sdoption of the International Code Council, ICC, family of codes. This assemblage of construction codes has been created to be coordinated and user friendly.
- Chapters 7, 9 &10: There has been an effort in recent years by the fire services to remove the requirements of 780 CMR Ch. 7 "Fire and Smoke Protection Features", Ch. 9 "Fire Protection Systems" and Ch. 10 "Means of Egress" from the building code to the fire code. These 3

chapters have been coordinated with and are dependent on the other chapters of the code. Removal of these chapters will add conflict and confusion to the permitting process.

- Funding of the BBRS and Education: A couple of years ago the Mass. Federation of Building Officials, MFBO, identified funding sources independent of legislative appropriation. One source currently existing is the mandated funding of education for inspectors of places of assembly serving alcohol, night clubs, as prescribed in the Acts of 2005 section 304. The education mandated in this act was provided circa 2006 & 07. The funding should still be available to continue this important program.

A second and on going source for operations of the BBRS, its staff, facilities and education of professional municipal inspectors is found in MGL 195 section 175. This section funds the DFS through an assessment to insurance companies. There can be no denial that Building Codes has an even greater effect on Insurance Company liabilities than simply fire prevention. Any deviation from the requirements the Building Code exposes an insurance company to a liability. Though it will take legislative action this is a valuable source of funding which should be pursued by the DPL through the Executive Office.