



Docket # 590

THE COMMONWEALTH OF MASSACHUSETTS
William Francis Galvin
Secretary of the Commonwealth

Regulation Filing *To be completed by filing agency*

CHAPTER NUMBER: 780 CMR 51.00

CHAPTER TITLE: Administraion for one and two family dwellings

AGENCY: State Board of Building Regulations and Standards

SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.*
Removes home improvement contractor regulations.

REGULATORY AUTHORITY: C. 802 of Acts of 1972, as amended and MGL C. 143 Sections 93-100

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x-25206

ADDRESS: 1 Ashburton Place, Boston, MA 02108

Compliance with M.G.L. c. 30A

EMERGENCY ADOPTION - *if this regulation is adopted as an emergency, state the nature of the emergency.*

PRIOR NOTIFICATION AND/OR APPROVAL - *If prior notification to and/or approval of the Governor, Legislature or others was required, list each notification, and/or approval and date, including notice to the Local Government Advisory Commission.*

DHCD and MMA

PUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period be filed with the Secretary of the Commonwealth, published in appropriate newspapers, and sent to persons to whom specific notice must be given at least 21 days prior to such hearing or comment period.*

Date of public hearing or comment period: BBRS Public Hearing on December 8, 2009

FISCAL EFFECT - Estimate the fiscal effect of the public and private sectors.

For the first and second year: _____

For the first five years: _____

No fiscal effect: None

SMALL BUSINESS IMPACT - State the impact of this regulation on small business. Include a description of reporting, record keeping and other compliance requirements as well as the appropriateness of performance versus design standards and whether this regulation duplicates or conflicts with any other regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.

None

CODE OF MASSACHUSETTS REGULATIONS INDEX - List key subjects that are relevant to this regulation:
Home improvement contractor regulations.

PROMULGATION - State the action taken by this regulation and its effect on existing provisions of the Code of Massachusetts Regulations (CMR) or repeal, replace or amend. List by CMR number:

Amends 780 CMR 5101, 5108, and 5110.

ATTESTATION - The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency. ATTEST:

SIGNATURE: [Signature] DATE: 1/13/10

Publication - To be completed by the Regulations Division

MASSACHUSETTS REGISTER NUMBER: 1149 DATE: 2/5/10

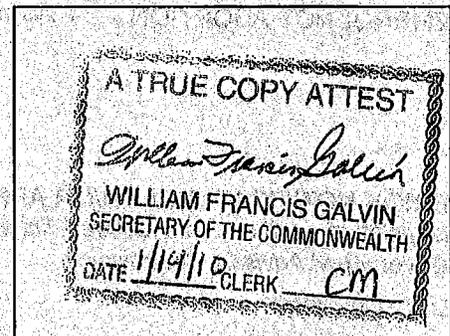
EFFECTIVE DATE: 2/5/10

CODE OF MASSACHUSETTS REGULATIONS

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780 CMR 51.00

ADMINISTRATION FOR SINGLE- AND TWO-FAMILY DWELLINGS

(Note: 780 CMR 51.00 is unique to Massachusetts)

780 CMR 5101 SCOPE

5101.1 Title. 780 CMR 51.00 through 99.00 (plus Referenced Standards, Regulations, Appendices and Index) shall be known as the Commonwealth of Massachusetts Building Code for One- and Two-Family Dwellings.

5101.2 Scope and Authority. 780 CMR 51.00 through 99.00 is promulgated under authority of M.G.L. c. 143, §§ 93 through 100 in accordance with the legislative intent to establish uniform design and construction regulations throughout the Commonwealth. Municipalities may not modify 780 CMR 51.00 through 99.00 or regulate in the subject areas reserved for the Board of Building Regulations and Standards (hereinafter all referred to as the "BBRS") unless such regulations, ordinances, bylaws or policies are promulgated in accordance with M.G.L. c. 143, §§ 96, 97 and/or 98 as applicable. The provisions of 780 CMR 51.00 through 99.00 shall apply to detached one- and two-family dwellings, not more than three stories in height with separate means of egress, and their accessory structures as follows:

1. The construction, reconstruction, alteration, enlargement, replacement, repair, demolition, removal, or movement and installation of equipment, the inspection of and issuance of and revocation of permits or licenses relative to detached one- and two-family dwellings;
2. The rehabilitation and maintenance of existing buildings;
3. The standards or requirements for materials to be used in connection therewith, including, but not limited to provisions for safety, ingress and egress, energy conservation and sanitary conditions;
4. The establishment of reasonable fees for inspections and the issuance of licenses to individuals engaged as construction supervisors;
5. The certification of inspectors of buildings, building commissioners and local inspectors;
6. Other duties and responsibilities as defined in 780 CMR 110, Special Regulations R1 through R7, as applicable.

5101.3 Application of References. Unless otherwise specifically provided for in 780 CMR 51.00 through 99.00, all references to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to

such chapter, section or provision of 780 CMR 51.00 through 99.00.

5101.4 Intent Code Remedial. 780 CMR 51.00 through 99.00 shall be construed to secure its expressed intent, which is to ensure public safety, health and welfare insofar as they are affected by building construction, through structural strength, adequate means of egress facilities, sanitary conditions, light and ventilation, energy conservation and fire safety; and, in general, to secure safety to life and property from all hazards incident to the design, construction, reconstruction, alteration, repair, demolition, removal, movement and/or use or occupancy of detached one- and two-family dwelling buildings, structures or premises.

5101.5 Specialized Codes. In accordance with M.G.L. c. 143, § 96, specialized codes, rules or regulations pertaining to building construction, reconstruction, alteration, repair or demolition, and inspection promulgated by, and under the authority of the various boards which have been authorized by the general court shall be incorporated into 780 CMR 51.00 through 99.00. Areas regulated by the specialized codes shall require that all such work performed is designed, installed and inspected in accordance with the specialized codes. For governing regulations addressing the approval, design, installation and maintenance of fossil-fuel-burning appliances, refer to the *Massachusetts Fuel Gas and Plumbing Codes* (248 CMR) for gas and the *Massachusetts Fire Prevention Regulations State Fire Code* (527 CMR) for oil. Applicable specialized codes, rules or regulations relating to building systems include, but are not limited to, those identified in 780 CMR 5101.5.1 through 5101.5.7 and those listed in 780 CMR 100.00.

5101.5.1 Electrical. *Massachusetts State Electrical Code* (527 CMR 12.00).

5101.5.2 Gas. *Massachusetts Fuel Gas Code* (248 CMR).

5101.5.3 Mechanical. *International Mechanical Code*.

5101.5.4 Plumbing. *Massachusetts State Plumbing Code*. (248 CMR).

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5101.5.5 Property Maintenance. *Massachusetts Sanitary Code (105 CMR).*

5101.5.6 Fire Prevention. *Massachusetts Fire Prevention Regulations (527 CMR).*

5101.5.7 Elevator. *Massachusetts State Elevator Code (524 CMR).*

5101.6 Referenced Standards. The standards referenced in 780 CMR 51.00 through 99.00 and listed in Appendix A shall be considered part of the requirements of 780 CMR 51.00 through 99.00 to the prescribed extent of each such reference. Where differences occur between provisions of 780 CMR 51.00 through 99.00 and referenced standards, the provisions of 780 CMR 51.00 through 99.00 shall apply. The administrative provisions of 780 CMR 51.00 through 99.00 shall apply to all standards referenced in Appendix A, other than the specialized codes listed in 780 CMR 5101.5.

Exception: Where enforcement of a provision of 780 CMR 51.00 through 99.00 would violate the conditions of a listing of a material, equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

780 CMR 5102 APPLICABILITY

5102.1 General. The provisions of 780 CMR 51.00 through 99.00 shall apply to all matters affecting or relating to detached one- and two-family dwellings as set forth in 780 CMR 5101 and shall apply with equal force to municipal, county, state authorities or established by the legislature and private detached one- and two-family dwellings, except where such detached one- and two-family dwellings are otherwise provided for by statute.

5102.2 Matters Not Provided For. Any requirements that are essential for the structural, fire or sanitary safety, or interior climate comfort of an existing or proposed detached one- and two-family dwelling, or for the safety of the occupants thereof, which are not specifically provided for by 780 CMR 51.00 through 99.00, shall be determined by the building official. The BBRS shall be notified by the building official in writing within seven working days of any action taken pursuant to 780 CMR 5102.

5102.3 Zoning Bylaw Restrictions. When the provisions in 780 CMR 51.00 through 99.00 specified for structural strength, adequate egress facilities, sanitary conditions, equipment, light and ventilation, energy conservation or fire safety conflict with the local zoning bylaws or ordinances, 780 CMR 51.00 through 99.00 shall control the construction or alteration of detached one- and two-family dwellings unless such bylaws or ordinances are promulgated in accordance with the provisions of M.G.L. c. 143, § 98.

5102.4 General Bylaw Restrictions. When the provisions herein specified for structural strength,

adequate egress facilities, sanitary conditions, equipment, light and ventilation, energy conservation or fire safety conflict with the local general bylaws or ordinances, 780 CMR 51.00 through 99.00 shall control the construction or alteration of detached one- and two-family dwellings unless such bylaws or ordinances are promulgated in accordance with the provisions of M.G.L. c. 143, § 98.

5102.5 Existing Buildings. Existing detached one- and two-family dwellings shall comply with the provisions of 780 CMR 5102, and all other applicable provisions of 780 CMR 51.00 through 99.00, including all applicable requirements of 780 CMR 93.00. Existing detached one- or two-family dwellings or their accessory buildings, or portions thereof, that have been damaged by fire, flood, impact or have suffered similar physical damage, shall not be reoccupied without approval from the building official.

5102.5.1 General. Unless specifically provided otherwise in 780 CMR 51.00 through 99.00, any detached one- and two-family dwelling shall meet and shall be presumed to meet the provisions of the applicable laws, codes, rules or regulations, bylaws or ordinances in effect at the time such detached one- and two-family dwelling was constructed or substantially altered and shall be allowed to continue to be occupied pursuant to its use and occupancy, provided that the detached one- and two-family dwelling shall be maintained in accordance with 780 CMR 5103.

5102.5.2 In cases which applicable codes, rules or regulations, bylaws or ordinances were not in use at the time of such construction or alteration, the provisions of 780 CMR 5103.0 shall apply.

5102.5.3 In cases where the provisions of 780 CMR 51.00 through 99.00 are less stringent than the applicable codes, rules or regulations, bylaws or ordinances at the time of such construction or substantial alteration, the applicable provisions of 780 CMR 51.00 through 99.00 shall apply, providing such application of these provisions does not result in danger to the public, as determined by the building official.

5102.5.4 Moved Structures. Detached one- and two-family dwellings moved into or within the jurisdiction shall comply with the provisions of 780 CMR 93.00.

780 CMR 5103 MAINTENANCE

5103.1 General. All detached one- and two-family dwellings and all parts thereof, both existing and new, and all systems and equipment therein that are regulated by 780 CMR 51.00 through 99.00 shall be maintained in a safe, operable and sanitary condition. All service equipment, means of egress, devices and safeguards that are required by

5107.3 Review by the Commissioner of Public Safety. The Commissioner of the Commonwealth of Massachusetts, Department of Public Safety shall establish districts which shall be supervised by a state inspector of the Division of Inspections. The Commissioner may review, on his own initiative, or on the application of any state inspector, any action or refusal or failure of action by any building official, the result of which does not comply with the uniform implementation of 780 CMR 51.00 through 99.00; and may reverse, modify or annul, in whole or in part, such action except with respect to the specialized codes, provided that an order or action of the Commissioner shall not reverse, modify, annul or contravene any order, action, determination, interpretation or any decision by the BBRS or the State Building Code Appeals Board.

5107.4 Reports. The state inspector shall file with the BBRS reports of his periodic reviews and recommendations for improvements of building inspection practices. The format and due dates for these reports shall be determined by the BBRS.

780 CMR 5108 RULES AND REGULATIONS

5108.1 Rule-making Authority. Under authority granted by St. 1984, c. 348, as amended, the BBRS is empowered in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations, and to interpret and implement the provisions of 780 CMR 51.00 through 99.00 to secure the intent thereof.

5108.2 Amendments and Promulgation of Rules. In accordance with the provisions of M.G.L. c. 143, § 97, any person may propose amendments to 780 CMR 51.00 through 99.00. Public hearings shall be held as specified in said law, and at such other times and places as the BBRS may determine, to consider petitions for such amendments. Amendments adopted by the BBRS shall be binding and have the full force and effect in all cities and towns.

5108.3 Activities Requiring Licenses, Registration or Certification. See Special Regulations 780 CMR 110.R1 through R7, as applicable, for the special regulation relating to such license, registration and/or certification.

5108.3.1 Testing Laboratories. When a testing laboratory, branch laboratory and/or project laboratory is engaged to test concrete and/or concrete materials for use in detached one- and two-family dwellings, said laboratory shall be licensed by the BBRS in accordance with 780 CMR 51.00 through 99.00 and Special Regulation 780 CMR 110.R1: *Concrete Testing Laboratories Licensing*.

5108.3.2 Field Technicians. When a person is engaged in the activities of field testing of

concrete for use in detached one- or two-family dwellings and/or controlled materials, such person shall be licensed by the BBRS in accordance with Special Regulation 780 CMR 110.R2: *Concrete Testing Personnel Licensing*.

5108.3.3 Manufactured Buildings. No individual, organization or firm shall be engaged in the construction of manufactured buildings for use in the Commonwealth of Massachusetts or shall act as a third-party inspection agency (TPIA) or a dealer of said manufactured buildings unless approved to construct same or act in such capacity by the BBRS in accordance with Special Regulation 780 CMR 110.R3: *Manufactured Buildings, Building Components and Mobile Homes*.

5108.3.4 Native Lumber. No individual, organization or firm shall engage in the production of native lumber for use in detached one- or two-family dwellings within the Commonwealth of Massachusetts unless registered by the BBRS in accordance with 780 CMR 51.00 through 99.00 and Special Regulation 780 CMR 110.R4, The Rules and Regulations Controlling the Use of Native Lumber.

5108.3.5 Licensing of Construction Supervisors.

5108.3.5.1 Except for those structures governed by Construction Control as identified in the Commonwealth of Massachusetts Base Building Code (780 CMR 1.00, 780 CMR 116.00), no individual shall be engaged in directly supervising persons engaged in construction, reconstruction, alteration, repair, removal or demolition involving any activity regulated by any provision of 780 CMR 51.00 through 99.00, unless said individual is licensed in accordance with 780 CMR 110.R5: *Construction Supervisors*.

No person shall be engaged in the supervision of the field erection of a manufactured building unless such person is licensed in accordance with Special Regulation 780 CMR 110.R5: *Construction Supervisors*.

Exception: Any homeowner performing work for which a building permit is required shall be exempt from the licensing provisions of 780 CMR 5108.3.5, provided that if a homeowner engages a person(s) for hire to do such work, that such homeowner shall act as supervisor. This exception shall not apply to the field erection of manufactured buildings constructed pursuant to 780 CMR 51.00 through 99.00 and Special Regulation 780 CMR 110.R3. For the purposes of 780 CMR 5108.3.5, a "homeowner" is defined as follows: 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 homeowner.

Note: Any licensed construction supervisor who contracts to do work for a homeowner shall be responsible for performing said work in accordance with 780 CMR 51.00 through 99.00, Special Regulation 780 CMR 110.R5 and all referenced standards and/or manufacturer's recommendations, whether or not the licensed contractor secured the permit for said work.

5108.3.5.2 Exemptions from Construction Supervisor License Requirement. A construction supervisor's license is not required for:

1. The erection of signs, the erection of tents, construction of swimming pools, insulating of the building thermal envelope and the insulating of other systems or portions thereof, required by 780 CMR;
2. Projects which are subject to "construction control" (see 780 CMR 2.00 for definition of "Construction control");
3. Agricultural buildings which are not open to the public or otherwise made available for public use;
4. Massachusetts-registered engineers and Massachusetts-registered architects (collectively referred to in 780 CMR 51.00 as "registered design professionals"), provided such engineers and/or architects comply with the Construction Supervisor oversight requirements set forth in Special Regulation 780 CMR 110.R5 generally and 780 CMR 5116.0, as applicable; and
5. The practice of any trade licensed by agencies of the Commonwealth, provided that any such work is within the scope of said license, including, but not limited to, wiring, plumbing, gas fitting, fire protection systems, pipefitting, HVAC and refrigeration equipment.

5108.3.5.3 Municipal Construction Licensing. No municipality shall be prohibited from requiring a license for those individuals engaged in directly supervising persons engaged in construction, reconstruction, alteration, repair, removal or demolition in those categories of buildings and structures for which the BBRs does not require a license, provided

that those municipalities which have established licensing requirements for construction supervisors prior to January 1, 1975, may maintain their existing licensing requirements.

5108.3.6 Certification of Inspectors of Buildings, Building Commissioners and Local Inspectors. Except as allowed for conditional appointees, no individual shall perform the duties of municipal inspectors of buildings, building commissioners or local inspectors unless certified by the BBRs as set forth in Special Regulation 780 CMR 110.R7.

5108.4 Enforcement. Whoever violates the provisions of 780 CMR 5108 or any rules and regulations promulgated hereunder, or who falsifies or counterfeits a license, registration or certification issued by the BBRs, or who fraudulently issues or accepts such a license, registration or certification shall be punished as provided in 780 CMR 5118 or shall be subject to any other penalty provided for by law.

780 CMR 5109 APPROVAL

5109.1 Approved Materials and Equipment. All materials, equipment and devices subject to approval by the building official shall be constructed and installed in accordance with such approval.

5109.2 Used Materials and Equipment. Used materials, equipment and devices which meet the minimum requirements of 780 CMR 51.00 through 99.00 for new materials, equipment and devices shall be permitted; however, the building official may require satisfactory proof that such materials, equipment and devices have been reconditioned, tested, and/or placed in good and proper working condition prior to approval.

5109.3 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of 780 CMR 51.00 through 99.00, the building official shall have the authority to grant modifications for individual cases, provided the building official shall first find that special individual reason makes the strict letter of 780 CMR 51.00 through 99.00 impractical and the modification is in compliance with the intent and purpose of 780 CMR 51.00 through 99.00 and that such modification does not lessen health, life, fire safety or structural requirements. The details of actions granting modifications shall be recorded and entered in the files of the building department. A building official may seek assistance from the District State Building Inspector for action under 780 CMR 5109. The

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provisions of 780 CMR 5109 shall not apply to the specialized codes.

5109.3.1 Areas Prone to Flooding. The building official shall not grant modifications to any provision related to areas prone to flooding as established by 780 CMR 51.00 through 99.00 without the granting of a variance to such provisions by the BBRB Building Code Appeals Board as defined in 780 CMR 5122.

5109.4 Alternative Materials and Equipment.

5109.4.1 General. The provisions of 780 CMR 51.00 through 99.00 are not intended to limit the appropriate use or installation of materials, appliances, equipment or methods of design or construction not specifically prescribed by 780 CMR 51.00 through 99.00, provided that any such alternative has been approved. Alternative materials, appliances, equipment or methods of design or construction shall be approved when the building official is provided acceptable proof and has determined that said alternative is satisfactory and complies with the intent of the provisions of 780 CMR 51.00 through 99.00, and that said alternative is, for the purpose intended, at least the equivalent of that prescribed in 780 CMR 51.00 through 99.00 in quality, strength, effectiveness, fire resistance, durability and safety. Compliance with specific performance-based provisions of 780 CMR, in lieu of a prescriptive requirement, shall also be permitted as an alternate.

5109.4.2 Evidence Submitted. The building official may require that evidence or proof be submitted to substantiate any claims that may be made regarding the proposed alternate.

5109.4.3 Tests. Determination of acceptance shall be based on design or test methods or other such standards approved by the BBRB. In the alternative, where the BBRB has not provided specific approvals, the building official may accept, as supporting data to assist in this determination, duly authenticated engineering reports, formal reports from nationally acknowledged testing/listing laboratories, reports from other accredited sources. The costs of all tests, reports and investigations required under these provisions shall be borne by the applicant.

5109.4.4 Approval by the Construction Materials Safety Board. The building official may refer such matters to the Construction Materials Safety Board in accordance with 780 CMR 5123 for approval.

780 CMR 5110 APPLICATION FOR PERMIT

5110.1 Permit Application. It shall be unlawful to construct, reconstruct, alter, repair, remove or demolish a detached one-and two-family dwelling; or to install or alter any equipment for which a provision is made or the installation of which is

regulated by 780 CMR 51.00 through 99.00 without first filing a written application with the building official and obtaining the required building permit and all other required permits therefore.

5110.2 Temporary Structures and Uses.

5110.2.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

5110.2.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, light, ventilation and sanitary requirements of 780 CMR 51.00 through 99.00 as necessary to ensure the public health, safety and general welfare.

5110.2.3 Termination of Approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

5110.3 Exemptions. A building permit is not required for the following activities. Such exemption, however, shall not exempt the activity from any review or permit that may be required pursuant to other laws, bylaws, rules and regulations of other jurisdictions (e.g., zoning, conservation, etc.).

1. One-story detached accessory buildings used as tool or storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (12 m²).
2. Fences six feet (1829 mm) in height or less.
3. Retaining walls that, in the opinion of the building official, are not a threat to the public safety, health or welfare and which retain less than four feet (1220 mm) of unbalanced fill.
4. Ordinary repairs as defined in 780 CMR 52.00: *Repairs, ordinary* shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system or other work affecting public health or general safety.
5. Greenhouses: A building permit or notice to the building official is not required for the construction of greenhouses covered exclusively with plastic film (in accordance with St. 1983, c. 671. This exemption does not apply if the greenhouse is to be used for large assemblies of

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people or uses other than normally expected for this purpose).

6. Painting, papering, tiling, carpeting, countertops and similar finish work.

7. Swings and other playground equipment accessory to a one- or two-family dwelling.

8. Window awnings nine square feet (0.8361 m²) or less in area supported by an exterior wall.

5110.4 Form of Application. Applicants shall submit requests for building permits only on the uniform building permit application form contained in Appendix 780 CMR 120.P or on a form that has been approved by the BBRB for such purpose. The application for a permit shall be accompanied by the required fee as prescribed in 780 CMR 5114.

5110.5 By Whom Application is Made. Application for a permit shall be made by the owner or lessee of the detached one- or two-family dwelling or agent of either. If application is made other than by the owner, the written authorization of the owner shall accompany the application. Such written authorization shall be signed by the owner and shall include a statement of ownership and shall identify the owner's authorized agent, or shall grant permission to the lessee to apply for the permit. The full names and addresses of the owner, lessee, applicant and the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application.

5110.6 Recognition of Laws, Rules and Regulations. The securing of a building permit by the owner, or the owner's authorized agent, to construct, reconstruct, alter, repair, demolish, remove, in stall equipment or change the use or occupancy of a detached one- or two-family dwelling shall not be construed to relieve or otherwise limit the duties and responsibilities of the licensed, registered or certified individual or firm under the rules and regulations governing the issuance of such license registration or certification.

5110.7 Construction Documents. The application for a permit shall be accompanied by not less than three sets of construction documents. The building official is permitted to waive or modify the requirements for filing construction documents when the building official determines that the scope of the work is of a minor nature. When the quality of the materials is essential for conformity to 780 CMR 51.00 through 99.00, specific information shall be given to establish such quality, and 780 CMR 51.00 through 99.00 shall not be cited, or the term "legal" or its equivalent used as a substitute for specific information.

When such application for permit includes fire

protection systems or portions thereof, the building official shall cause one set of construction documents filed pursuant to 780 CMR 5110.7 to be transmitted simultaneously to the head of the local fire department for his file, review and approval of the fire protection system items specified in 780 CMR 5313 and/or 780 CMR 93.00 as applicable. The head of the local fire department shall within ten working days from the date of receipt by him, approve or disapprove such construction documents. If the head of the local fire department disapproves such construction documents, he or she shall notify the building official (refer to M.G.L. c. 148, § 28A) in writing citing the relevant sections of noncompliance with 780 CMR or the sections of the referenced standards of Appendix A. Upon the request of the head of the local fire department, the building official may grant one or more extensions of time for such review provided, however, that the total review by said head of the local fire department shall not exceed 30 calendar days (the same concurrent 30-day period afforded building department review). If such approval, disapproval or request for extension of time is not received by the building official within said ten working days, the building official may deem the fire protection construction documents implicitly approved by the head of the local fire department.

Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work will conform to the provisions of 780 CMR 51.00 through 99.00 and relevant laws, ordinances, rules and regulations, as determined by the building official.

At a minimum, construction documents shall include the following:

1. Site plan;
2. Foundation plan and details (as necessary);
3. Floor plans (including basement and attic levels, if applicable); floor plans shall include location of all required fire protection systems and heating systems storage areas.
4. Exterior building elevations;
5. Framing plans and/or building section(s) adequately depicting structural systems;
6. Schedules, legends and/or details adequately depicting doors, windows and related material installations; and
7. Energy conservation information.