

**An Ordinance Adopting the Maine Uniform Building and Energy Code with  
Amendments as the Building Code of the Town of Hebron.**

Enacted March 18, 2006

Amended March 24, 2007

Amended xxxx xx, 2011

Adopted  
3/17/11

This Ordinance is intended to replace and repeal all prior ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

Be it ordained by the Selectboard of the Town of Hebron as follows:

**I. ADOPTION OF BUILDING CODE**

That a certain document, designated as Maine Uniform Building and Energy Code (MUBEC), with the deletions, alterations, additions, insertions and changes, if any, prescribed in Sections II and III of this Ordinance is hereby adopted as the Building Code of the Town of Hebron in the State of Maine; for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing for the standards for conditions essential to ensure that structures are safe, sanitary and fit for occupation and providing for the issuance of permits, collection of fees and facilitation of inspections.

A. Definition. "Maine Uniform Building and Energy Code" (MUBEC) includes:

1. International Building Code, 2009 edition
2. International Existing Building Code, 2009 edition
3. International Residential Code, 2009 edition
4. International Energy Conservation Code, 2009 edition
5. ASTM E 1465 06 Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings, published by the ASTM International
6. ASHRAE Standard 62.1 – 2007 Ventilation for Acceptable Indoor Air Quality, published by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.
7. ASHRAE Standard 62.2 – 2007 Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.
8. ASHRAE Standard 90.1 – 2007 Energy Standard for Buildings Except Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.

## **II. Laws in conflict with Maine Uniform Building and Energy Code.**

A. To the extent that provisions of the MUBEC conflict with the following provisions of law found in the Maine Revised Statutes, those provisions of the MUBEC are not applicable and may not be enforced:

1. Fire safety codes and standards. Fire safety codes and standards adopted pursuant to Title 25, sections 2452 and 2465;
2. Electrical standards. Electrical standards adopted pursuant to Title 32, section 1153-A;
3. Plumbing code. The plumbing code adopted pursuant to Title 32, section 3403-B;
4. Boiler and pressure vessel standards. Boiler and pressure vessel standards adopted pursuant to Title 32, section 15104-A; and
5. Elevator standards. Elevator standards adopted pursuant to Title 32, section 15201.

## **III Amendments**

A. **Deletions from Maine Uniform Building and Energy Code.** The following standards which are part of Maine Uniform Building and Energy Code are deleted for their use as a part of the Building Code of the Town of Hebron:

1. International Existing Building Code, 2009 edition
2. International Energy Conservation Code, 2009 edition
3. ASTM E 1465 06 Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings, published by the ASTM International
4. ASHRAE Standard 62.1 – 2007 Ventilation for Acceptable Indoor Air Quality, published by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.
5. ASHRAE Standard 62.2 – 2007 Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.
6. ASHRAE Standard 90.1 – 2007 Energy Standard for Buildings Except Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.

**B. Deletions from the 2009 International Residential Code.** The following sections or portions thereof are hereby deleted from the 2009 International Residential Code for one- and two- family dwellings for its use as a part of the Building Code of the Town of Hebron.

1. Section R103
2. Table R403.1
3. Tables R404.1.1(2), R404.1.1(3) and R404.1.1(4)
4. Table R502.5(1)
5. The 3/8 and 7/16 thickness values from Tables R602.3(3) and R602.3(4)
6. Tables R802.5.1(1) through R802.5.1(6)

**C. Alterations to the 2009 International Residential Code.** The following sections or portions thereof are hereby added to, changed or replaced in the 2009 International Residential Code for one- and two- family dwellings for its use as a part of the Building Code of the Town of Hebron.

1. Change the floor area square footage in S 105.2, Building, paragraph 1, from 200 square feet to 100 square feet.
2. Replace section R105.5 with the following:

**R105.5 Expiration.** Every permit issued can expire automatically due to either inactivity or duration.

**R105.5.1 Expiration for inactivity.** Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the work in commenced. The Building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**R105.5.2 Expiration for duration.** Every permit issued shall become invalid unless the work authorized by such permit is completed within two years after its issuance. The building official is authorized to grant, in writing, one or more renewals, for a one-year period. The renewal shall be requested in writing and justifiable cause demonstrated.

3. Add the following as Section R105.10:

**R105.10 Amendments.** Every permit issued can be amended. The building official is authorized to issue a new permit reflecting the amendments. The new permit will retain the effective date of the original permit. The amendment shall be requested in writing on the same form referred to in section R105.3, and said request shall include reference to the previously issued permit.

4. Replace Section R108.2 with the following:

**R108.2 Payment of Fees.** All fees are payable by cash or check, issued to the Town of Hebron. Fees must be paid in full at the time the permit is issued. A permit shall not be valid until the fees prescribed by law have been paid. If an extension, renewal, or amendment to a permit is requested, it will not be valid until the additional fee has been paid.

**R108.2.1 Setting of Fees.** The Board of Selectman of the Town of Hebron is authorized to set all fees for all permits required under this Code.

**R108.2.2 Publication of Fees.** The Town of Hebron shall maintain a list of all fees for all permits required under this code, and make such list available upon request.

5. Replace Section R113.3 and 113.4 with the following:

**R113.3 Prosecution of violation.** If the notice of violation is not complied with in the time specified by such notice, the building official is authorized to issue a summons on behalf of the Town of Hebron. The summons will describe the violation and assess a fine against the responsible person for failure to cure the violation. The fine will be \$100 per day per violation, to be assessed from the date the notice of violation was issued to the date the violation is cured.

**R113.3.1 Liability for fines.** Any person responsible for a violation as defined in this subsection is liable for the fines assessed by the building official by summons, including, but not limited to, a landowner, a landowner's agent, or a contractor.

**R113.3.2 Appeal.** If the person receiving a summons from the building official wishes to appeal the summons, the person or his or her representative must do so in writing to the selectmen of the Town of Hebron within thirty (30) days of the date the summons was issued. The Selectmen will schedule the appeal for hearing at the next Selectman's Meeting, or at a different time not to exceed

sixty (60) days after submission of the appeal. The only issues under review by the selectmen would be whether or not there was a violation as defined in this subsection, and if so, what date the violation was cured. The daily fine rate and the date the violation began are not subject to appeal.

**R113.4 Civil Penalties.** If the person receiving a summons does not cure the violation, or does cure the violation but refuses to pay the assessed fines, that person shall be subject to the penalties prescribed in Title 30-A, Section 4452 of the Maine Revised Statutes.

6. Replace the definition of "Manufactured Home" under R202 with the following:

**Manufactured Home.** The definition of "manufactured home" in Title 30-A M.R.S.A. Section 4358 (1)(A) is hereby incorporated by reference as the definition of manufactured home for the purposes of this code. In addition, a manufactured home under this code must be at least 14 feet in width, have a pitched roof with a minimum slope of 2 over 12, and have siding that is residential in appearance.

7. Add the following values to Table R301.2(1):
  - a. Ground snow load= 80 psf
  - b. Wind speed=90 mph
  - c. Frost line depth=4'6"
  - d. Ice shield underlayment requirement=yes

8. Replace R403.1.1 with the following:

**R403.1.1 Minimum size.** Spread footings shall be at least 10 inches in thickness. Footing projections shall be at least 4 inches and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table 401.4.1. Footings for wood foundations shall be in accordance with the details set forth in section R403.2 and figures R403.1(2) and R403.1 (3).

9. Remove all options other than 70 psf for ground snow load in the following tables:
  - a. R502.3.3(1), R502.3.3(2) and R502.5(1)
  - b. R603.3.2(2) through R603.3.2(31)
  - c. R603.6(1) through R603.6(24)
  - d. R611.8(2) through R611.8(8)
  - e. R613.5(1) through R613.5(2) and R613.10
  - f. R802.5.1(3) through R802.5.1(9)

- g. R804.3.1.1(9)
- h. R804.3.2.1(1) through R804.3.2.1(3)
- i. R804.3.2.4, R804.3.3.2, R804.3.3.3 and R804.3.3.4(2)

10. Remove all options other than 20 psf for dead load in the following tables:  
a. R802.5.1(7) and R802.5.1(8)

11. In lieu of having a Professional Engineer design rafter or joist spans, the "Maximum Span Calculator for Wood Joists & Rafters" spreadsheet program currently available on the internet at the American Wood Council's website, [awc.org](http://awc.org), may be used to calculate rafter or joist spans for snow loads of 80psf. To use the cited website a printout of the data must be provided and the results must be reproducible by the Building Official of the Town of Hebron.

12. Add the following as Appendix R

**Appendix R- Construction Waste Disposal.** All new construction of structures with over 800 square feet of floor space shall also require that the contractor/owner provide a "roll-off" dumpster or similar container to dispose of all construction related debris. The cost of the dumpster shall be borne by said contractor or owner. Said debris shall not be deposited at or transferred to the Town of Hebron Transfer Station.

#### IV. General Information

- A. **Amendments.** Amendments or changes to the Building Code of the Town of Hebron must be made at the annual town meeting or a special town meeting after due notice of said meeting.
- B. **Effective Date.** This Ordinance shall take effect upon its passage.
- C. **Change of use or occupancy.** Any building not used as a dwelling or any building not occupied as a dwelling at the time this ordinance is passed shall come under the provisions of this Ordinance if it is to be used as a dwelling after its passage.
- D. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Code is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.