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**Resolve**  
123rd Legislature  
First Regular Session

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**Chapter 46**  
**S.P. 214 - L.D. 677**

**Resolve, Directing the Development of a Building Code  
and Building Rehabilitation Code Implementation Plan**

**Sec. 1 Maine building codes implementation plan. Resolved:** That the Executive Department, State Planning Office, with assistance from the Office of the State Fire Marshal, the Department of Economic and Community Development, the Department of Professional and Financial Regulation and the Maine Historic Preservation Commission, collectively referred to in this resolve as "the agencies," shall develop a plan for implementing the Maine Model Building Code and the International Existing Building Code; and be it further

**Sec. 2 Duties. Resolved:** That in the development of the plan, the agencies shall consider the following:

1. What agency should provide oversight and administration of the codes;
2. How code updates should be handled;
3. Outreach, communication and technical assistance to municipalities;
4. Training and certification of code officers, architects and builders;
5. Enforcement and appeal procedures;
6. Estimated costs to implement mandatory codes;
7. Projected costs for code administration;
8. Funding options for initial implementation and ongoing administration;
9. Identification of overlap between model codes and codes and standards listed in the Maine Revised Statutes, Title 10, section 9703;
10. Guidance to municipalities regarding overlap between codes;
11. If rulemaking or statutory changes are needed to facilitate certain kinds of development, such as development of historic properties;
12. Phase-in dates for code adoption by service center communities, nonservice center communities with codes and towns adopting codes for the first time;

13. Identification of the advantages and disadvantages of maintaining the current state fire code, the NFPA 1, Uniform Fire Code, 2003 Edition, and the advantages and disadvantages of changing to the International Fire Code;

14. Identification of measures that allow for preserving the artistic and architectural integrity of historic structures without unreasonable risk to life and safety; and

15. Funding or incentives to put codes in place; and be it further

**Sec. 3 Public participation. Resolved:** That in developing the plan the agencies shall solicit input from interested parties, including, but not limited to, other state agencies, the Maine Municipal Association, groups representing Maine building officials and inspectors, builders, architects, engineers, real estate developers and public safety officials; and be it further

**Sec. 4 Completion date; report. Resolved:** That the agencies shall complete the development of the implementation plan by January 15, 2008. The report must include a recommended implementation schedule. The Executive Department, State Planning Office shall report to the Joint Standing Committee on Business, Research and Economic Development by February 15, 2008 with the results of the implementation plan. The Joint Standing Committee on Business, Research and Economic Development is authorized to submit legislation relating to the report to the Second Regular Session of the 123rd Legislature.

Effective September 20, 2007