



**CONSTRUCTION AND
BARRIER FREE
PERMITTING**

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SFMO

Review & Enforcement of State Fire & Life Safety Codes.
And 55 adopted NFPA codes

Review for Federal ADA and MHR (Maine Human
Rights)

No enforcement.

~~We **do not review** for the building code~~

CONSTRUCTION PERMITS

- Title 25, §2448; Construction Permit, when required
- Title 5 § 4594-G Barrier Free Permits, when required

WHAT REQUIRES A STATE CONSTRUCTION PERMIT?

Regardless of cost or size the following occupancies requires a Construction & Barrier Free Permit

- (1) State, municipal or county purposes;
- (2) Education;
- (3) Health care, residential care, nursing homes or any facility licensed by the Department of Health and Human Services;
- (4) Public assembly;
- (5) A hotel, motel, inn or rooming or lodging house;
- (6) A restaurant;
- (7) Business occupancy of more than 3,000 square feet or more than one story; or
- (8) Mercantile occupancy of more than 3,000 square feet or more than one story.

When Construction Permit Is Required

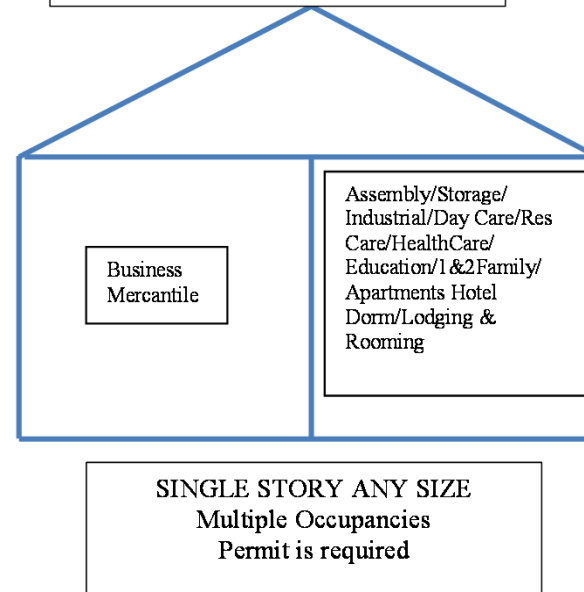
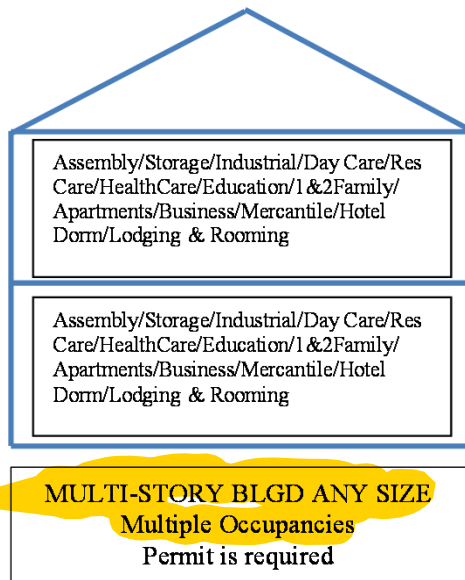
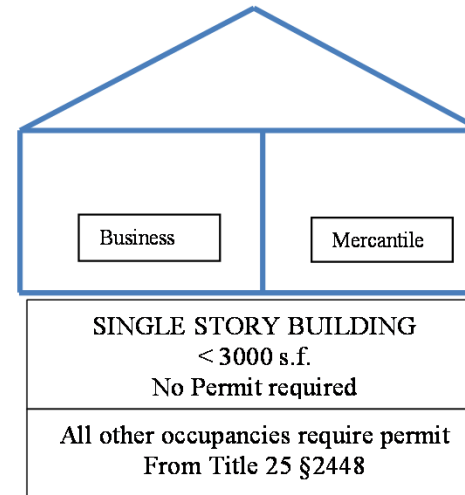
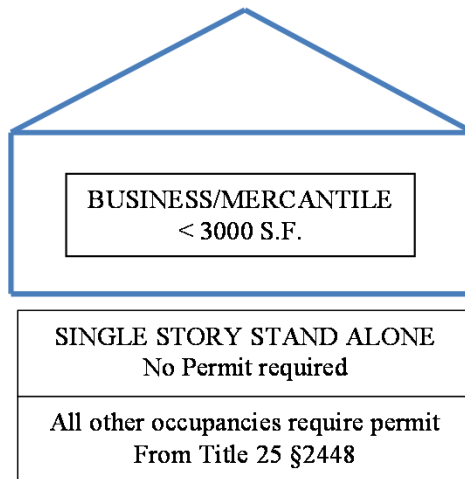
- All New Construction of the previous Occupancy Types.
- Alterations, Including but not limited to, Reconfiguration of the space, Adding or removal of Doors, Walls, Building of Stairs, or Ramps.. Changing parts of a means of egress
- New Additions
- Change of Occupancy Type.
- Installation Kitchen Suppression Systems
- Fire Alarm Installations
- Sprinkler Systems Require Sprinkler Permits

What does not require a Construction Permit

Not part of Multiple Occupancies

- A Stand Alone Storage Occupancy
- A Stand Alone Industrial Occupancy
- One and Two Family Dwellings.
- Privately Owned Apartment Buildings
- Repairs (Painting, New Trim Work, Replacement of items in the like.)

Examples



WHEN IN DOUBT

- Contact our office. (Code Enforcement, the owner or builder, or the Design Professional)
- Send an email with a drawing & description of use.
- We will reply with decision for required permitting

BARRIER FREE REVIEW

FMO authorized by

MHR ACT

State of Maine Statute TITLE 5 §4594

*TO CONDUCT MANDATORY & VOLUNTARY PLAN REVIEWS AND ISSUE
BARRIER FREE PERMITES FOR NEW CONSTRUCTION AND ALTERATIONS*

FMO does not enforce ADA

MHRA requires town inspection of completed buildings for compliance with plans certified by FMO or Design Professional.

ALTERATIONS

As New Construction

- Alterations if the cost of the alteration is 75% or more of the replacement cost of the completed facility (New Construction Per MHRA)
- Alteration of more than 80% of Space is new construction. (New Construction per FMO criteria)

CERTIFICATION

- Any project where the cost of Construction or Alterations are at least \$75,000 the builder must obtain Certification from a Design Professional. (MHRA)
- Note* Under TITLE 32 §226 Design Professional required for any project \$50,000 or more.

PERMITS

- Barrier Free Permit requires application for a Construction Permit (unless the local municipality performs their own life safety reviews) i.e.. Portland, Gorham, Ellsworth, Sanford/Springvale
- Barrier Free permit is issued in conjunction with a construction permit
- These are in addition to any required Local permits

BARRIER FREE REVIEW STANDARDS

- 2010 ADA Standards
- MHRA TITLE 5 §4594

REVIEW

- Parking
- Accessible Routes (Including Doors, Ramps, Stairs, Walks, Lifts...)
- Accessible Entrances
- Seating
- Restrooms
- Signage
- Other Accessible Elements (Signage, water coolers...)

When is Barrier Free Permits Required?

For All New Construction of:

- (1) State, municipal or county purposes; TITLE II ADA 2010
- (2) Education;
- (3) Health care, residential care, nursing homes or any facility licensed by the Department of Health and Human Services;
- (4) Public assembly;
- (5) A hotel, motel, inn or rooming or lodging house;
- (6) A restaurant;
- (7) Business occupancy of more than 3,000 square feet or more than one story; or
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When is Barrier Free Permits Required? Cont.

- Alterations Of a place of public accommodations or Commercial Facility
- Altered Existing elements, Spaces, Common areas or Primary Function areas.
- To provide to the maximum extent feasible.
- Disproportionality; Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area.

CONTACT INFO

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