

35-A §121. MODEL CODE

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(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

(WHOLE SECTION TEXT REPEALED 12/1/10 by T. 35-A, §121, sub-§3)

(WHOLE SECTION TEXT EFFECTIVE UNTIL 12/1/10)

1. Development; rules. The commission shall adopt by rule a model building energy code, including a ventilation code, that is consistent with any other model building codes adopted by the State and with the building energy standards established in Title 10, section 1415-C, subsection 3 and section 1415-D. The commission shall ensure that the model code is not inconsistent with any other applicable state code or standard, including, but not limited to, any fire safety code, plumbing code, oil and solid fuel equipment standard, propane and natural gas equipment standard or boiler and pressure vessel standard.

Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

[2003, c. 645, §6 (NEW) .]

2. Model code. After the effective date of rules adopted pursuant to subsection 1, a municipality may not adopt a building energy code other than the model building energy code or an amended version of the model building energy code. For purposes of this subsection, "amended version of the model energy building code" means a version of the code that does not include certain parts or portions of the code or that creates new exemptions from its requirements but does not include a version of the code that includes modifications to any standard established in the code. Nothing in this section requires a municipality to adopt a building energy code. A municipality that has a building energy code in effect prior to the effective date of the rules may continue to keep that code, but if the municipality replaces its energy code it must adopt the model building energy code or an amended version of the model energy building code in accordance with this subsection.

[2005, c. 350, §15 (AMD) .]

3. (WHOLE SECTION TEXT EFFECTIVE UNTIL 12/1/10) Repeal. This section is repealed December 1, 2010.

[2009, c. 261, Pt. A, §15 (AMD) .]

SECTION HISTORY

2003, c. 645, §6 (NEW). 2005, c. 350, §15 (AMD). 2007, c. 699, §19 (AMD). 2009, c. 261, Pt. A, §15 (AMD).

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