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An Act To Clarify the Limits of the Maine Uniform Building and Energy Code

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §9722, sub-§6, ¶J, as enacted by PL 2007, c. 699, §6, is amended to read:

J. In the adoption and amendment of the Maine Uniform Building and Energy Code, ensure that nontraditional or experimental construction, including but not limited to straw bale and earth berm construction, is permissible under the code; and

Sec. 2. 10 MRSA §9722, sub-§6, ¶K, as enacted by PL 2007, c. 699, §6, is amended to read:

K. In the adoption and amendment of the Maine Uniform Building and Energy Code, ensure that building materials from local sawmills, including but not limited to nongraded lumber, are permissible under the code; and

Sec. 3. 10 MRSA §9722, sub-§6, ¶L is enacted to read:

L. No later than July 1, 2010, adopt, amend and maintain an appendix to the Maine Uniform Building and Energy Code that contains energy conservation and efficiency requirements that are based on established national voluntary efficiency standards that exceed the energy code requirements established in the Maine Uniform Building and Energy Code. The appendix must be made available for voluntary adoption by any municipality. The board must maintain a list of municipalities that have voluntarily adopted the appendix to the Maine Uniform Building and Energy Code on its publicly accessible website.

Sec. 4. 10 MRSA §9724, sub-§1, as enacted by PL 2007, c. 699, §6, is amended to read:

1. Limitations on home rule authority. This chapter provides express limitations on municipal home rule authority. Beginning July 1, 2010, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 2,000 residents and that has adopted any building code by August 1, 2008. Beginning July 1, 2012, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 2,000 residents and that has not adopted any building code by August 1, 2008. The Maine Uniform Building and Energy Code must be enforced through inspections that comply with Title 25, section 2373. Notwithstanding this section, a municipality may adopt and enforce an appendix to the Maine Uniform Building and Energy Code pursuant to section 9722, subsection 6, paragraph L that contains energy standards that exceed the energy conservation and efficiency requirements established by the board.

SUMMARY

This bill amends the laws governing the Maine Uniform Building and Energy Code to allow a municipality to voluntarily adopt and enforce an appendix to the code, the so-called "stretch energy code," that contains energy standards that exceed the energy conservation and efficiency requirements established by the code. This bill requires the Technical Building Codes and Standards Board within the Department of Public Safety to adopt, amend and maintain no later than July 1, 2010 an appendix to the code that contains energy conservation and efficiency requirements based on established national voluntary efficiency standards that exceed the energy requirements of the code. The bill provides that the appendix must be made available for voluntary adoption by any municipality interested in adopting standards and that the board must maintain a list of municipalities that have voluntarily adopted the appendix to the code on the board's publicly accessible website.