



# MASSACHUSETTS Energy Code Technical Support

## Changes for Existing and Historic Buildings

### Background

Revisions to the 8<sup>th</sup> Edition of the Massachusetts energy code include some significant updates for existing buildings. While changes to the actual requirements and stringency of the code for existing buildings are relatively minor, the change to the overall structure of the code is significant. These changes are part of a larger scheme of updates to the International Code Council (ICC) family of model codes that serve as the basis for the code in Massachusetts.

The existing buildings chapter (Chapter 34) was eliminated from the International Building Code (IBC) and replaced with a simple reference to the International Existing Building Code (IEBC). The definition of “historic building” was revised in the IEBC, the International Energy Conservation Code (IECC) and the International Property Maintenance Code (IPMC), and the way the code is applied to historic buildings in the IECC was updated as well.

In the IECC, a new chapter was added for both the residential and commercial energy codes that compiles all existing building provisions into a single, more logically organized location. Previous versions of the energy code did not make a clear distinction between repairs, alterations, additions and changes of occupancy even though the code could be applied somewhat differently in these different situations.

It is also important to note that the new Stretch Code requirements are not mandatory for existing buildings; any work done to existing buildings is treated exactly the same in Stretch Code communities and base code communities.

### The Existing Buildings Chapter (Chapter 5)

This new chapter makes the code more concise and enforceable for existing buildings. It is divided into sections, each devoted to a different existing building activity:

Section C502/R502: Additions

Section C503/R503: Alterations

Section C504/R504: Repairs

Section C505/R505: Change of Occupancy or Use





MASSACHUSETTS

# Energy Code Technical Support

These sections allow requirements for additions, alterations, repairs and changes of occupancy/use to be clearly distinguished from each other, and they allow for the code requirements to be clearly tailored to the realities of these different activities. These distinctions are reinforced through revised definitions in "Chapter 2: Definitions".

Importantly, this allows for a clearer distinction between repairs and alterations. Previously, repairs were generally subject to the code (although some repairs were specifically exempted), but the fact that compliance with the code was impractical or infeasible for many repairs resulted in confusion for compliance and enforcement. In the revised language, repairs are exempted from the code. Further, some activities (such as roof repairs or glass replacements for windows) that may be difficult to classify are clearly identified as repairs.

Of note, the existing building requirements apply only to the portions of a building that are being modified and do not trigger modifications to other portions.

## Historic Buildings

For historic buildings, the changes go beyond just the structure of the code. The definition of "historic building" itself has been revised, and the way that the code applies to historic buildings has been modified.

### Structural Changes

Like the rest of the existing buildings code sections, the historic buildings code sections have been moved from Chapter 1 to Chapter 5. In the previous version of the code, the definition of historic building was stated in the body of the code. Now "historic building" is clearly defined in Chapter 2.

### Definition

The new definition of historic building is now aligned with the definitions in the IEBC and the IPMC and is provided as a list for greater clarity. The following types of buildings qualify as historic:

- Buildings that are listed or certified as eligible for listing in the National Register of Historic Places
- Buildings designated as historic under the applicable state or local law
- Buildings certified as a contributing resource within a National Register listed, state-designated or locally designated historic district

### Application

The most significant change is how the energy code applies to historic buildings. Previously, historic buildings enjoyed a blanket exemption from the energy code. In fact, although few jurisdictions allowed it, a loophole in the language exempted even additions to historic buildings from the energy code.

Historic buildings are still protected, but the blanket exemption has been lifted. The revised requirements are found in R501.6 (residential) and C501.6 (commercial) and only exempts historic buildings from those provisions that would cause damage to the historic character of the building. Additionally, the exemption is contingent upon the submission of a report (to the code official signed by a registered design professional, the State Historic Preservation Officer or the local preservation authority) that details how compliance with the provision would damage the historic character of the building. It is important to note that this report merely documents the basis for the exemption – it is not an application for the exemption.