



BOSTON INSPECTIONAL SERVICES DEPARTMENT

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THOMAS M. MENINO

Mayor

KEVIN J. JOYCE

Commissioner

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Number: 85-1Date: Sept. 25, 1985

Subject:CONSTRUCTION OF BASEMENT APARTMENTS

Determination:

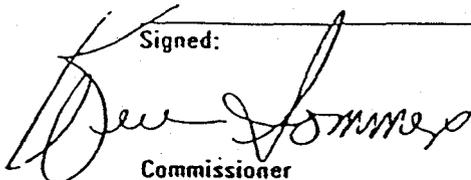
This is to make clear the Department's policy with respect to permits for the construction of basement apartments.

1. Effective immediately all plans and all approvals for basement apartments must meet specific code requirements as follows:
 - a. Definition of a basement apartment and a story as found in Article 2, Section 200 of the Massachusetts State Building Code, to wit:

Basement: That portion of a building which is partly below and partly above grade and having at least one-half ($\frac{1}{2}$) its height above grade.

Story: The lowermost story entirely above the grade plane.
 - b. Building Code 780 CMR, Chapter 802, Article 8, Section 872 with respect to waterproofing and floor proofing.
 - c. State Sanitary Code Requirements, Chapter 105, C.M.R. 410, regulation 402 (Grade Level), to wit:

No room or area in a dwelling may be used for habitation if more than one-half of its floor-to-ceiling height is below the average grade of the adjoining grade and is subject to chronic dampness.

Signed:

Commissioner
Inspectional Services

d. Massachusetts State Building Code, Section 872.4 and 872.4.1 with regard to wood framing for basement partitions, to wit:

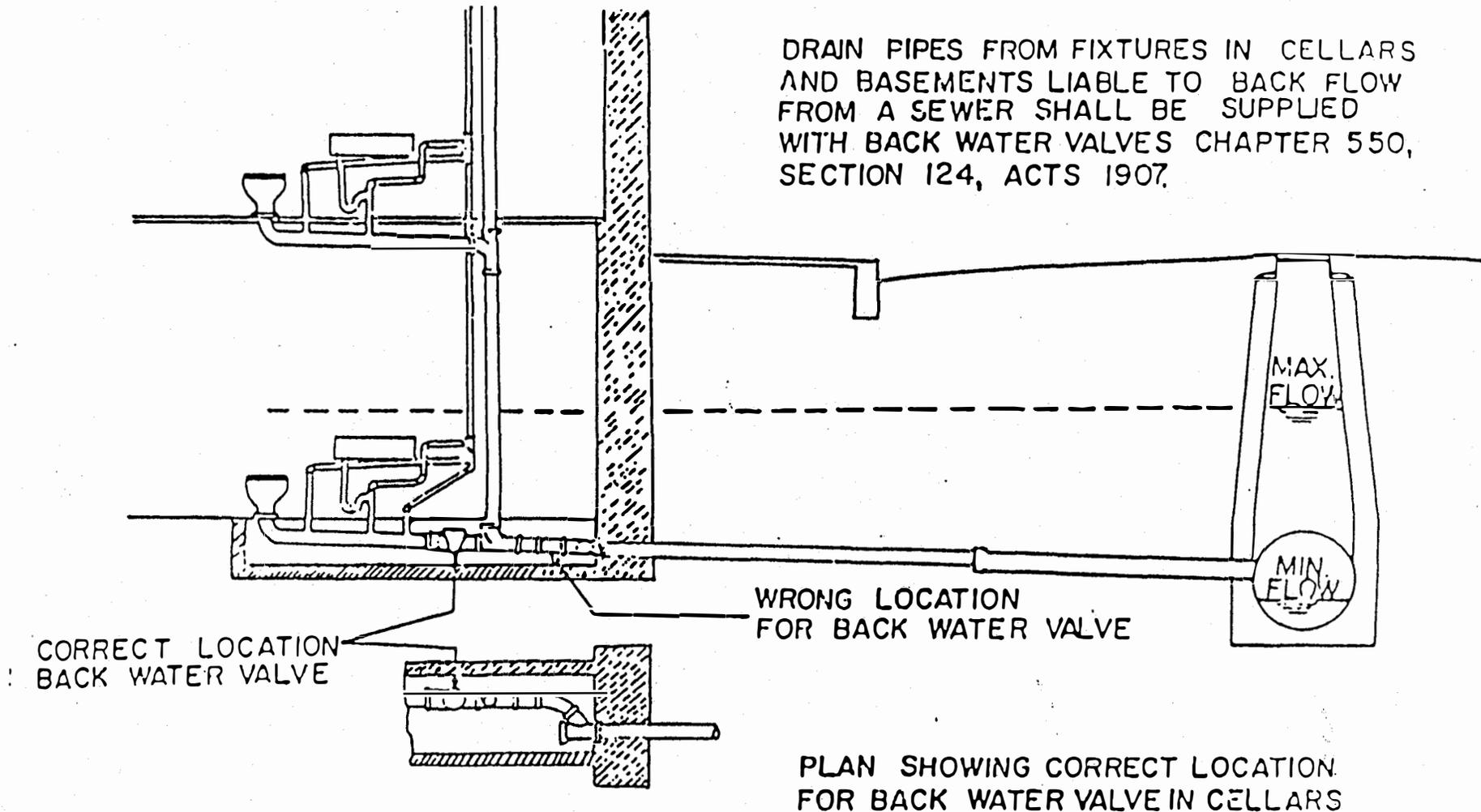
1. The floor member shall be free and clear of knots and shall be pressure treated.
2. One half inches by three quarter inches kerfs shall be run on the bottom of the "shoe" across the grain every 24 inches as a weep or vent.

2. STATE PLUMBING CODE REQUIREMENTS

248 CMR, Section 2.09(4) A backwater valve shall be installed in a branch of the building drain which receives the discharge from a fixture or group of fixtures that in the opinion of the Inspector of Plumbing is subject to reverse front or back pressure. All fixtures that are more than two feet below the grade of the street under which the main sewer serving the building is located shall be considered subject to reverse flow or backpressure. All backwater valves shall be located as shown in the attached diagram.

3. In certain cases the Department may accept an affidavit signed by both the owner and the licensed builder or the licensed architect that all the above conditions have been met.
4. When the permit is issued for construction which includes basement apartments or rooms used for habitation, the permit shall so state the conditions. Any affidavits and certificates of warranty required per this bulletin shall be attached to the permit.
5. Use of the affidavit and the required certification shall be solely at the discretion of the Commissioner of Inspectional Services.

DRAIN PIPES FROM FIXTURES IN CELLARS
AND BASEMENTS LIABLE TO BACK FLOW
FROM A SEWER SHALL BE SUPPLIED
WITH BACK WATER VALVES CHAPTER 550,
SECTION 124, ACTS 1907.



Number: 86 - 1Date: January 13, 1986**Subject:**

Depositing Concrete in Cold Weather

Determination:

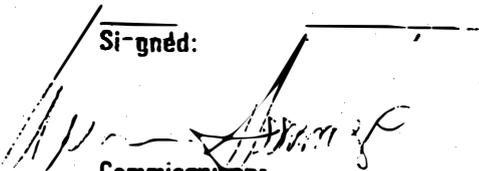
The Department of Inspectional Services intends that during the cold weather months every precaution be taken to assure that use of concrete in buildings is done under optimum safety conditions.

To this end, and in accordance with Section 108.6 of the State Building Code, the following procedures is to take effect immediately:

1. When depositing concrete in freezing or near freezing temperature the concrete shall be maintained at a temperature of not less than 50 degrees Fahrenheit nor more than 120 degrees Fahrenheit. The temperature of the concrete shall be maintained at not less than fifty degrees Fahrenheit for at least seventy two hours after placing.
2. When necessary, concrete materials shall be heated before mixing.
3. Dependence shall not be placed on salt or other chemicals for the prevention of freezing.
4. Adequate equipment shall be provided for heating the concrete materials and protecting the concrete during freezing or near freezing weather. All concrete materials and all reinforcement forms, and the ground with which the concrete is to come in contact, shall be free from frost. No frozen materials or materials containing ice shall be used.
5. The building inspector in each district shall have authority to enforce this regulation

WS/mjd

Signed: _____


Commissioner
Inspectional Services

December 1985
Per Commissioner's Bulletin
85-4; 85-5

PROCEDURE FOR OBTAINING A DEMOLITION OF FOUNDATION PERMIT IN ADVANCE OF A BUILDING PERMIT

Our department's aim is to issue a full building permit, one that includes all the work. If demolition is necessary or if the foundation has to be done quickly, these too, should be included in the full permit.

However, in many cases this is not possible. The applicant might need to do demolition first to see whether or not existing members are safe or that the job is complicated and will take a long time to review but the foundation permit is absolutely essential before the full permit is granted.

The department is prepared to issue partial permits for foundations or for demolition if the applicant's situation is such that not issuing the demolition or foundation permit in advance would cause great harm and financial loss.

The following procedures MUST be followed in order to receive a demolition or foundation permit in advance of the full building permit. First the applicant must arrange to see either the Commissioner or the Assistant Commissioner and explain why the applicant needs to have either a demolition or foundation permit in advance of the full building permit.

DEMOLITION PERMIT REQUEST

1. If approval is given, a completed description of the demolition necessary must be approved and the application made for a demolition permit. The applicant must also have applied for the full building permit. In some cases, where the demolition is largely for the purpose of making exploration, for drawing up plans to determine the full extent of rebuilding necessary or to comply with an order to make the building safe, this requirement may be waived.
2. Following application the applicant must contact the Commissioner's office. The applicant will be required to sign an agreement guaranteeing that the Massachusetts State Building Code and the City of Boston Zoning Code will be followed and will do only

- the work stated in the demolition permit. the applicant must also file a bond, an irrevocable letter of credit, or a certified check made out of the City of Boston in the amount of the total cost of demolition is for an amount exceeding 1 million dollars in which case the surety to be deposited must be for half the total cost. This surety makes it possible for the City of Boston to take immediate action in case the applicant exceeds the terms of the permit, violates the Massachusetts State Building Code, the City of Boston Zoning Code or the terms of the agreement.
3. For all demolition permits, the applicant must also get a permit from the Boston Fire Department in account with Article VII, Section 7.02 of the Fire Prevention Code. These permits can be obtained from the Office of the Fire Marshall, 115 Southampton Street, Boston.
 4. All applicants for a demolition permit must submit proof that they have engaged a rodent exterminator so that effective action will be taken before, during and after the demolition in order to assure that rodents disturbed by the work will be eliminated and not pose a menace to the neighborhood.
 5. When the agreement has been signed and the surety deposited, the permit can be issued. The surety is held in a "surety safe" by the Business Manager. Once the full building permit is issued, or the demolition permit is signed off final on the back by the inspector, the surety will be returned.

FOUNDATION PERMIT REQUESTS

1. The applicant must file for a full building permit. The applicant should then visit the Commissioner's office to discuss the need for a separate permit.
2. The applicant must show his plans and description of the foundation to be excavated and built. The applicant must also demonstrate that the construction of the foundation and the proposed building will not be in violation of the City of Boston Zoning Code (or show that a variance from the City of Boston Zoning Code has been granted).
3. Following the above two steps, the applicant will be required to sign an agreement guaranteeing to follow the Massachusetts State Building Code and will do only the work stated in the foundation permit. The applicant must also file either a bond, an irrevocable letter of credit or a certified check made out to the City of Boston in the amount of the foundation or an amount to be determined for larger

jobs. This surety makes it possible for the City to take immediate action in case the applicant exceeds the terms of the permit, violates the Massachusetts State Building Code, the City of Boston Zoning Code or the terms of the agreement.

4. The applicant must then go to the Plan Review Unit with a copy of the agreement and file for a foundation permit. In filing for a foundation permit, the applicant must also show "stamped" foundation plans, a site plan, tentative zoning approval, water and sewer approval, and public works approval where required. In the case of large projects the applicant will need an affidavit from a structural engineer.
5. All applicants for a foundation permit must submit proof that they have engaged a rodent exterminator so that effective action will be taken before, during, and after the foundation in order to assure that rodents disturbed by the work will be eliminated and not pose a menace to the neighborhood.
6. When the agreement has been signed and the surety deposited, the plans will be reviewed by the Plan Review Unit for compliance with the Massachusetts State Building Code prior to the permit issuance. This unit will then issue the foundation permit. The surety is held in a "surety safe" by the Business Manager. Once the full building permit is issued, the surety will be returned.

Revised 8/88

/jeg

FOUNDATION PERMIT AGREEMENT FORM

WHEREAS, the City of Boston Department of Inspectional Services has a policy of maintaining the unit of its permit process in order to more adequately control the issuance of permits and protect the interest of the City of Boston; and

WHEREAS, the applicant as stated herein requests a foundation permit for the premises as stated herein in advance of receiving its full building permit; and

WHEREAS, the applicant agrees to all the terms and conditions contained in this agreement which serves as the basis for issuance of said permit and further agrees that if the Inspectional Services Department determines that any provisions of this agreement are violated that it may, at its sole discretion, terminate any and all permits issued under this agreement and require forfeiture of the required surety in order to correct any and all deficiencies.

NAME OF
BUILDING/OWNER _____

ADDRESS _____ PHONE _____
(include City/Town and Zip)

ADDRESS OF PREMISES FOR WHICH PERMIT IS SOUGHT WARD

It is therefore agreed between the Department of Inspectional Services and the above named applicant that the building/owner may proceed with foundation prior to the issuance of full building permit provided.

1. That granting of the foundation permit shall be in strict conformance with the drawing submitted and approved by the Department and shall have received tentative zoning approval.
2. The applicant has filed full plans for a final building permit or will do so before _____

Foundation Permit Agreement
Page 2 of 2

3. That an acceptable surety of performance bond, letter of credit, certified check, (circle one) in the amount of \$ _____ be posted to the City of Boston prior to the issuance of any foundation permit which shall:
 - a. Assure compliance with the filing date as hereinbefore indicated.
 - b. Assure that funds will be available to the City of Boston to remedy any action of the applicant and/or his agents which violates the terms of this agreement. The issuance of the permit or any provisions of the State Building Code.
4. That the applicant understands that as a condition of the issuance of the foundation permit he may be required to submit site plans, receive approvals from the Water and Sewer Commission, the Department of Public Works and the Boston Fire Department, as well as the submission of a structural affidavit from the structural engineer with regard to design.
5. That in the event of the failure of the applicant and/or his agents to perform any of the items in this agreement notwithstanding will be revoked forthwith.
6. That all foundation work done under this agreement and pursuant to the permit to be issued shall be done at the risk of builder/owner in accordance with Section 114.8 of the State Building Code.
7. That upon issuance of a full and final building permit for the premises as stated herein by the applicant that the surety provided under this agreement will be terminated.

AGREED THIS _____ DAY OF _____ 19____ BY
THE PARTIES

Commissioner
Inspectional Services Department

Applicant Signature

(Print Full Name/Title)

PERMIT BOND

KNOWN ALL MEN BY THESE PRESENTS, that we _____,

as Principal, and _____,

a _____, Corporation, with its principal office in

_____, as Surety, are holden and stand firmly bound unto the City of Boston, as Obligee, in the penal sum of

_____, \$ _____ to the payment of which to the said City of Boston, we hereby jointly and severally bind ourselves, our successors and assigns, heirs, executors and administrators, firmly by these presents.

The condition of the obligation is such that the above bounden Principal has received or hereafter shall receive a Demolition or Foundation Permit for the premises located at

_____ from the Inspectional Services Department of the City of Boston, and shall faithfully discharge and perform every duty and requirement imposed by statute, ordinance or regulation, conform to all directions received and agreements entered into with Inspectional Services Department of the City of Boston relating to the work done under such permit. If the above bounded Principal shall exceed the terms of the demolition or foundation permit, violate the State Building Code, the demolition/foundation permit or agreement or any other applicable rule, regulation, law or ordinance, the Surety hereinbefore mentioned shall be liable to the city of Boston, and its Department of Inspectional Services may rectify such violation.

Upon the issuance to the Principal a full and final building permit, this obligation shall be void, otherwise to remain in full force and effect.

Provided however, the term of this bond shall not exceed one year from the date of execution, except as to such liability of the Principal as may have accrued prior to the expiration of said one year period.

Further provided however, in the event of default on the part of the Principal, the Obligee shall notify the Surety within ninety days after the Obligee shall have knowledge of such default, and provided further that no suit action, or proceedings shall be brought against the Surety, hereunder, unless the same be instituted within one year after the date of expiration of this bond.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Obligee named herein.

Signed, sealed and delivered this _____ day of _____,

19____,

PRINCIPAL:

By: _____

SURETY:

By: _____

Attorney-In-Fact

December 1985
Per Commissioner's Bulletin
85-4; 85-5

PROCEDURE FOR OBTAINING A DEMOLITION OF FOUNDATION PERMIT IN ADVANCE OF A BUILDING PERMIT

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6. When the agreement has been signed and the surety deposited, the plans will be reviewed by the Plan Review Unit for compliance with the Massachusetts State Building Code prior to the permit issuance. This unit will then issue the foundation permit. The surety is held in a "surety safe" by the Business Manager. Once the full building permit is issued, the surety will be returned.

Revised 8/88

/jeg

FOUNDATION PERMIT AGREEMENT FORM

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WHEREAS, the applicant as stated herein requests a foundation permit for the premises as stated herein in advance of receiving its full building permit; and

WHEREAS, the applicant agrees to all the terms and conditions contained in this agreement which serves as the basis for issuance of said permit and further agrees that if the Inspectional Services Department determines that any provisions of this agreement are violated that it may, at its sole discretion, terminate any and all permits issued under this agreement and require forfeiture of the required surety in order to correct any and all deficiencies.

NAME OF
BUILDING/OWNER _____

ADDRESS _____ PHONE _____
(include City/Town and Zip)

ADDRESS OF PREMISES FOR WHICH PERMIT IS SOUGHT _____ WARD _____

It is therefore agreed between the Department of Inspectional Services and the above named applicant that the building/owner may proceed with foundation prior to the issuance of full building permit provided.

1. That granting of the foundation permit shall be in strict conformance with the drawing submitted and approved by the Department and shall have received tentative zoning approval.
2. The applicant has filed full plans for a final building permit or will do so before _____

Foundation Permit Agreement
Page 2 of 2

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 - a. Assure compliance with the filing date as herein before indicated.
 - b. Assure that funds will be available to the City of Boston to remedy any action of the applicant and/or his agents which violates the terms of this agreement. The issuance of the permit or any provisions of the State Building Code.
4. That the applicant understands that as a condition of the issuance of the foundation permit he may be required to submit site plans, receive approvals from the Water and Sewer Commission, the Department of Public Works and the Boston Fire Department, as well as the submission of a structural affidavit from the structural engineer with regard to design.
5. That in the event of the failure of the applicant and/or his agents to perform any of the items in this agreement notwithstanding will be revoked forthwith.
6. That all foundation work done under this agreement and pursuant to the permit to be issued shall be done at the risk of builder/owner in accordance with Section 114.8 of the State Building Code.
7. That upon issuance of a full and final building permit for the premises as stated herein by the applicant that the surety provided under this agreement will be terminated.

AGREED THIS _____ DAY OF _____ 19____ BY
THE PARTIES

Commissioner
Inspectional Services Department

Applicant Signature

(Print Full Name/Title)

PERMIT BOND

KNOWN ALL MEN BY THESE PRESENTS, that we _____,

as Principal, and _____,

a _____, Corporation, with its principal office in

_____, as Surety, are holden and stand firmly bound unto the City of Boston, as Obligee, in the penal sum of

_____, \$ _____ to the payment of which to the said City of Boston, we hereby jointly and severally bind ourselves, our successors and assigns, heirs, executors and administrators, firmly by these presents.

The condition of the obligation is such that the above bounden Principal has received or hereafter shall receive a Demolition or Foundation Permit for the premises located at

_____ from the Inspectional Services Department of the City of Boston, and shall faithfully discharge and perform every duty and requirement imposed by statute, ordinance or regulation, conform to all directions received and agreements entered into with Inspectional Services Department of the City of Boston relating to the work done under such permit. If the above bounded Principal shall exceed the terms of the demolition or foundation permit, violate the State Building Code, the demolition/foundation permit or agreement or any other applicable rule, regulation, law or ordinance, the Surety hereinbefore mentioned shall be liable to the city of Boston, and its Department of Inspectional Services may rectify such violation.

Upon the issuance to the Principal a full and final building permit, this obligation shall be void, otherwise to remain in full force and effect.

Provided however, the term of this bond shall not exceed one year from the date of execution, except as to such liability of the Principal as may have accrued prior to the expiration of said one year period.

Further provided however, in the event of default on the part of the Principal, the Obligee shall notify the Surety within ninety days after the Obligee shall have knowledge of such default, and provided further that no suit action, or proceedings shall be brought against the Surety, hereunder, unless the same be instituted within one year after the date of expiration of this bond.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Obligee named herein.

Signed, sealed and delivered this _____ day of _____,

19 _____.

PRINCIPAL:

By: _____

SURETY:

By: _____

Attorney-In-Fact

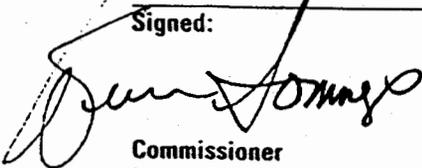
Number: 86-2Date: April 14, 1986

Subject: _____

Legalization of Occupancy

- Determination:**
1. Effective April 15, 1986 there is hereby established an Administrative Committee on Legal Occupancy within the Department of Inspectional Services. The Committee will have as its primary duty the examination of applications to legalize occupancy when application is made under 3 (a) (3) as explained below and shall make decisions on these applications which shall become the official record of the Department for such occupancies.
 2. The Committee shall be composed of the Deputy Commissioner, an Asst. Commissioner, a member of the Zoning unit, a member of the Plan review Division and others as appointed by the Commissioner. The Committee shall meet weekly to review all applications to legalize occupancy and shall, upon receipt of the applicant's documentation, act within two weeks of the date of receipt of the applicant's application and documentation.
 3. The procedure to be followed by the Committee shall be as follows:
 - a. When an applicant before the Department is shown that there is a discrepancy in the legal occupancy as shown by Department records, the applicant must be apprised of the following choices:
 1. If the proposed occupancy does conform to the Boston Zoning Code, file an application to change occupancy.
 2. If the proposed occupancy does not conform to the Boston Zoning Code, file the necessary applications to go before the Zoning Board of Appeals in order to effect a change in occupancy, or

Signed: _____


Commissioner
Inspectional Services

3. If the proposed occupancy was, in the opinion of the applicant, in existence before passage of the current zoning ordinance (December 31, 1964), and thus a non-conforming use, the applicant may then file to have the occupancy validated through the administrative process.
- b. When an applicant decides to file under the administrative process, 3(a) 3 above, he or she must file an application to legalize occupancy and must submit documentation to substantiate that the occupancy claimed was in effect prior to December 31, 1964.

The Committee shall consider documentation as presented by the applicant such as, but not limited to, the following:

1. City of Boston tax bills issued for the location prior to December 31, 1964 which may show the existing occupancy.
 2. Copies of utility bills issued prior to December 31, 1964 which shows occupancy or refer to it by indicating the number of meters, etc.
 3. Affidavits by prior owners as to the occupancy prior to December 31, 1964.
 4. Affidavits by abutting property owners and others who have knowledge of the fact that the property in question was occupied as shown prior to December 31, 1964.
 5. Legal documents such as deeds, title searches, mortgages, leases, appraisals, abatements, insurance policies, licenses, permit application, etc. that show occupancy prior to December 31, 1964.
- c. The Committee shall also review the following Departmental records in considering the legalization of occupancy:
1. Existing building jacket.
 2. Assessor's records.
 3. Use and occupancy records.
 4. Egress records.
 5. Building inspector's field inspection report.

- d. The Committee shall, at its weekly meeting, consider the evidence and make its decision on the appropriate forms. Its decision must be reviewed by the Commissioner who will have final approval. The decision document will then be issued to the applicant and a copy put into the building jacket.
 - e. If the applicant does not agree with the decision of the Committee or the Commissioner, he or she may appeal the decision to the Zoning Board of Appeals under provisions of Section 8, Chapter 665 of the Acts of 1956 as amended.
4. The Committee may use such forms and procedures as necessary to speedily effect the decision affecting legalization of the occupancy. The decision should be rendered with-in two weeks after the applicant has made formal application and submitted the necessary documentation. The Committee shall keep a record of its meetings and the decisions reached.
 5. The Committee shall be empowered to make its own rules of operation and shall receive the cooperation of affected divisions within the Department to carry out its work. A copy of the Committee's rules or operation shall be made available to members of the Department and the general public.
 6. The applicant shall be sent a copy of the Committee's decision by registered mail as quickly as possible.
 7. Commissioner's Bulletin # 86-2 with respect to single family dwellings remains in effect.
 8. All employees responsible for applications for legalization of occupancy shall see that a full explanation of these procedures are made available to the general public.

Number: 86-3Date: April 14, 1986**Subject:**Fair Cost of construction - PERMIT FEES**Determination:**

1. The building permit fee for all building permits except for razing a structure to grade shall be based on the fair cost of construction and shall, in general, be calculated on a square foot basis.
2. The fair cost of construction shall include all construction costs, including site preparation and utility connections, but excludes the cost of the land or existing structure, architectural and engineering fees, profit, finance charges, and any fees paid to the Inspectional Services Department.
3. In residential buildings the cost shall include all bathroom fixtures and kitchen cabinets, including all appliances except refrigerators. The cost of refrigerators shall be included in all rental residential buildings.
4. When the application for a permit is filed, the estimated cost of construction shall be entered on the application. Before the application is issued a final determination of the cost will be made by the Commissioner or his designee. The Commissioner may require copies of contracts and other information in order to determine the actual cost.
5. If an application is to be refused and an Board of Appeal hearing is required, the Commissioner may accept a partial fee of \$300.00 (See Policy Statement 86-6)

Signed:
Commissioner
Inspectional Services

6. In the attached cost table are listed costs per square foot for new construction, additions and total rehabilitation and renovation. This table shall be used by the Department as a basic guide to estimate the cost of construction. The figures are taken from "Building Construction Cost Data" published by R. S. Means Company, Inc. The cost table will be updated yearly. If the actual cost of construction differs from the cost arrived at by using the cost table, the Commissioner may require justification as to any difference. In any event the Commissioner shall make the final decision as to the fair cost.
7. If the application is for partial rehabilitation or renovation, the cost of construction will be determined by the Commissioner or his designee. The same procedure shall apply to one and two family homes. In addition, construction date as noted in item 4 above may also be required.
8. In addition, the Commissioner reserves the right to review final completed costs on all construction prior to the issuance of an Occupancy Permit and may require a detailed listing of final costs as necessary.

COST PER SQUARE FOOT
New Buildings, Additions & Total Rehab
Jan, 1986

(Please Note: These figures include the City Cost index for Boston)

	New &	Total
	Additions	Rehab
Apartments, 1 to 3 stories	42.75	33.90
Apartments, 4 to 7 stories	53.85	45.44
Apartments, 8 stories & above	59.73	51.32
Auditoriums	71.82	50.61
Automotive Sales	45.44	35.88
Banks	99.18	79.18
Churches	65.67	52.92
Clubs, Country	63.74	53.08
Clubs, Social	62.75	45.61
Clubs, Y.M.C.A.	67.37	52.31
Colleges		
Classrooms & Administrative	86.93	66.16
Colleges		
Science, Engineering & Labs	101.60	74.68
Colleges		
Student Unions	93.63	67.31

COST PER SQUARE FOOT
New Buildings, Additions & Total Rehab
Jan, 1986

	New &	Total
	Additions	Rehab
Community Centers	67.97	55.50
Court Houses	90.78	73.80
Department Stores	40.11	30.06
Dormitories, 1 to 3 stories	64.68	48.46
Dormitories, 4 to 8 stories	83.41	71.71
Factories	34.29	23.68
Fire Stations	69.84	51.93
Fraternity Houses	61.93	51.87
Funeral Homes	62.04	49.35
Garages, Commercial	46.82	29.56
Garages, Municipal	49.73	31.82
Garages, Parking	21.38	17.09
Gymnasiums	60.44	44.95
Hospitals	121.99	99.24
Housing for the Elderly	60.34	48.03
Housing, Public (low-rise)	50.66	36.43
Ice Skating Rinks	48.25	34.51

COST PER SQUARE FOOT
New Buildings, Additions & Total Rehab
Jan, 1986

	 New &	 Total
	 Additions	 Rehab
Jails	 124.18	 111.00
Libraries	 76.44	 62.42
Medical Clinics	 73.69	 59.79
Medical Offices	 69.57	 55.22
Motels	 54.62	 52.59
Nursing Homes	 73.41	 56.65
Offices, 1 to 4 stories	 58.63	 45.33
Offices, 5 to 10 stories	 62.81	 51.32
Offices, 11 stories & above	 77.59	 56.16
Police Stations	 97.21	 74.13
Post Offices	 73.41	 60.94
Power Plants	 483.56	 291.24
Religious Education	 54.35	 46.16
Research Laboratories	 95.56	 64.24
Restaurants	 86.16	 65.56
Retail Stores	 42.09	 30.49
Schools, Elementary	 63.91	 51.87

COST PER SQUARE FOOT
New Buildings, Additions & Total Rehab
Jan, 1986

	New &	Total
	Additions	Rehab
Schools, Middle	63.69	54.57
Schools, Senior High	62.64	53.74
Schools, Vocational	60.50	44.89
Sports Arenas	49.62	39.40
Supermarkets	41.49	36.05
Swimming Pools	71.60	-----
Telephone Exchanges	109.52	80.00
Terminals, Bus	48.25	36.43
Theaters	58.52	46.10
Town Halls & Municipal Bldgs	70.01	55.72
Warehouses	27.91	20.06
Warehouses & Offices	30.50	23.79

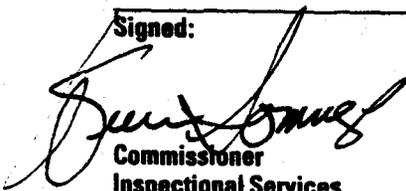
Number: 86-4Date: April 14, 1986**Subject:**The Use of CPVC pipes for wet sprinkler use**Determination:**

1) The Department of Inspectional Services has determined, in accordance with the National Fire Protection Association Codes and Standards National Fire Codes 1985, that the use of chlorinated polyvinyl chloride (CPVC) pipe and fittings is acceptable in specified instances for use as piping for wet sprinkler installation. NFPA Code and Standards National Fire Code 1985 NFPA 13 Chapter 3-1.1.5 states "other types of pipe or tube may be used, but only those investigated and listed for this service by a testing and inspection laboratory." Underwriter's Laboratories incorporated has approved a PVC pipe to be allowed for use on wet sprinkler systems.

However, in order for a sprinkler contractor to use the PVC pipe some basic limitations must be adhered to prior and during the installation. These limitations must be checked for during any inspection and be strictly adhered to in order for the PVC pipe to be used in any installation. These are the limitations that must be followed in order to use PVC pipe:

A. CPVC pipe and fittings are intended for use in sprinkler systems in the following types of occupancies:

1. Residential occupancies as defined in the Standard Sprinkler Systems in One and Two family dwellings, NFPA 13.
2. Light Hazard Occupancies are defined in the Standard for Installation of Sprinkler Systems NFPA 13.

Signed:
Commissioner
Inspectional Services

B. protection should be provided for CPCV pipe and fittings. The minimum protection shall consist of one layer of 3/8 inch gypsum wallboard, or acoustical ceiling panels classified as to surface burning characteristics, or 1/2 inch plywood soffits. For residential occupancies defined in NFPA 13D, the minimum protection may consist of one layer of 1/2 inch plywood.

C. CPVC pipe and fittings are intended for installation in areas having a maximum ambient temperature of 120 degrees fahrenheit.

D. CPVC piping is intended for use in wet sprinkler systems only.

E. CPVC piping is intended for use in interior applications only.

F. CPVC piping is intended for use with sprinklers having a temperature rating not exceeding the ordinary rating as defined in NFPA 13.

G. CPVC piping requires special requirements for hanger spacing, assembly of pipe and fittings, pipe and sprinkler restraint and location.

H. CPVC piping requires special procedures for field acceptance testing.

I. CPVC piping and fittings incorporate different friction loss characteristics.

J. CPVC piping is not suitable for use in combustible concealed spaces where sprinklers are required, as referenced in NFPA 13.

2) Requirements for Pipe Markings

Each length of pipe must be marked with the following:

1. Listee's name or identifying symbol
2. Type of pipe, "CPVC"
3. Size, pressure rating (175 P.S.I.) and temperature rating (120 degree Fahrenheit)
4. Standard dimensional ratio (SDR 13.5)
5. Material designation.
6. Date, shift, and extruder code of manufacture.

The packing for the brand of piping and fittings approved, at this time, includes the marking which states "Install Pipe and Fittings in accordance with installation instructions (see instructions inside packaging)." A copy of the installation instructions is provided inside the packaging. All installation must be completed according to the installation instructions.

3) Fitting Requirements

Each fitting must be marked with the following:

1. Listee's name or identifying symbol
2. Size of fitting
3. Material designation
4. Year of manufacture.

4) Important Notice:

ALL PIPING USED MUST BE APPROVED BY UNDERWRITER'S LABORATORY OR
FACTORY MUTUAL LABORATORY

Number: 86-5

Date: December 10, 1986

Revised April 1, 1988

Effective April 1, 1988

Subject:

**Subject: Fast Track Permitting Procedures
For Commercial Office Buildings**

Determination:

1. Under the authority of the Massachusetts State Building Code, Section 108.6 and Boston City Code, Ordinance of 1981, Chapter 19, the attached procedures are adopted effective this date.
2. These "Fast Track Permitting Procedures for Commercial Buildings" are, as stated, adopted in order to facilitate the permitting process for tenant alterations in new or existing commercial office buildings which do not require zoning, occupancy or substantial alterations to the building structure.

Signed:

Thomas J. McNicholas
Thomas McNicholas
Commissioner

Procedure: Fast Track Permitting Procedures
Commercial Office Buildings

PURPOSE: The purpose of this program is to facilitate the acceleration of the approval of building permit applications for tenant alterations in new or existing commercial office buildings. The Fast Track program can be used where there is no change of use and no change to the building dimensions or lot size as originally permitted under the zoning ordinance or any variance therefrom and no substantial alterations to the building structure. This program will allow the City to keep pace with commercial office building development and renovation while requiring increase on site observation or inspection to determine adherence to the applicable.

For the purposes of this program, the following definitions will apply:

COMMERCIAL OFFICE BUILDING: A building whose principal use, is for business use, as defined by Section 204.1 of the Massachusetts State Building Code.

TENANT ALTERATIONS: Work performed in order to render a leased space suitable for occupancy in accordance with the plans and specifications.

PROCEDURE:

Applicant shall submit an application form BD2/BD2A properly completed, signed, and stamped "FAST TRACK", accompanied by the following seven (7) items:

1. A check for the permit fee, certified if over \$200.00.
2. Two sets complete plans and specifications, including layout of sprinkler heads.
3. A letter from the building owner or authorized agent, indicating owner's approval of the plans.
4. A signed affidavit from the inspection architect or engineer registered in Massachusetts or, his authorized representative (approved by the Commissioner ISD), indicating that he will visit the work site at least once per week until the job is complete to determine that the construction is being performed in accordance with the plans and codes, and maintain a log of the visits and comments resulting therefrom. The inspection architects or engineer shall be independent from the architect/engineer of record and their firm or employer.

5. Affidavits signed by the architect(s) or engineer(s) of record registered in Massachusetts, all other professional design consulting engineers associated with the project, i.e., mechanical, electrical, etc., stating that to the best of their knowledge and belief: (a) the plans conform to the Massachusetts State Building Codes, and Boston Zoning Code, and all other applicable codes, laws and regulations: (b) the proposed work does not constitute a substantial alteration of the existing building structure: (c) the proposed work does not involve a change of use, as defined in the Boston Zoning Code and Massachusetts State Building Code: (d) the structural alterations and floor loading shown on the plans comply with applicable fire codes and that if required, the installation of fire alarms, smoke detectors, etc. have been or will be provided and indicated on the plans and specifications in accordance with the codes.
6. The name, address, day and night time phone number of the licensed builder who will be in charge of the work on site.
7. A performance bond, letter of credit or certified check in the amount of twice the building permit fee shall be required from the owner prior to the issuance of a fast track permit. This bond is to protect the City in the event that the owner or tenant occupies the space before an occupancy permit is issued by the Department. A model bond form is attached as part of the Appendix. Letters of credit or certified checks may be made out to the City of Boston. Upon issuance of Certificate of Occupancy for the work authorized under the "Fast Track" permit, the bond, letter of credit or certified check shall be returned to the owner.

The front counter person who processes an application under the Fast Track Building Permit Program will use the Required Items Check List (copy attached) to insure that all necessary requirements of the application process have been met. An application for the Fast Track Program will not be accepted unless all seven items are submitted. The completeness of the plans and specifications can only be verified by the plans examiner assigned to review the plans.

The applicant will be notified within seven (7) working days after receipt of all required documents that the Building Permit is ready to be issued. Upon the issuance of the permit, work may be commence.

After the permit is issued, the Department may review the plans in detail. If any code violations are discovered in the plans or in the course of construction, the Department will require them to be corrected.

When the work is complete, the licensed builder or owner's representative shall file an application for a Certificate of Use and Occupancy for the space.

The application for a Certificate of Use and Occupancy shall be accompanied by a check for the fee, certified if over \$200.00, and an affidavit signed by the inspection architect or engineer or his authorized representative, that he has visited the site at least once per week during the entire duration of the work and that, to the best of his knowledge and belief, the work was completed (except for minor punch list items), in accordance with the plans submitted with the building permit application, or modified as approved by him, and the completed work is in compliance with all applicable codes, laws and regulations.

Prior to issuance of the Certificate of Use and Occupancy, the work will be inspected by a representative of the Inspectional Services Department to determine if it meets the terms of the permit and conforms to the code. If any code violations are found they will have to be corrected before the Certificate is issued.

The Certificate of Use and Occupancy will be issued, subject to the correction of code violations, within fifteen days of the filing of the application for a Certificate of Use and Occupancy.

FAST TRACK PERMITTING PROCEDURE

IMPORTANT NOTICE

This notice is to remind all Fast Track Permit Applicants that nothing in this procedure eliminates the requirement that a permit must be issued, approved plans be on the site and yellow building card displayed on the site prior to the start up of any construction activity. All the required sub-contractors must also obtain the necessary permits.

Failure to secure a building permit prior to starting construction shall result in the filing of a violation against the property for building without a permit and the assessment of a double fee upon issuance of the required permit.

The Fast Track Permitting Procedure has been implemented to provide speedy approval of permit applications. There is no excuse for starting construction of a Fast Track project without a permit.

All required Fire Department permits must be applied for prior to receiving the Certificate of Occupancy.

FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

REQUIRED ITEMS CHECK LIST

Application Date: _____ NUMBER: _____

- 1. Fast Track Permit Fee _____
- 2. Two complete sets of plans & Specifications... _____
- 3. Building owner letter of approval _____
- 4. Inspection Affidavit _____
- 5. Design Affidavit:
 - a. Architect or engineer _____
 - b. _____ _____
 - c. _____ _____
 - d. _____ _____
 - e. _____ _____
 - f. _____ _____
 - g. *Owner _____
 - h. Tenant _____
 - i. Builder _____
- 6. Builder contact information _____
- 7. Fast Track Building Bond _____

*Building Owner or owner of the work (i.e. tenant)?

-
- 8. Final Inspection Affidavit (to be submitted with application for Certificate of Use and Occupancy)

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FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

BUILDING CONTACT INFORMATION

Builder Name _____ License No. _____

Address _____

Home Address _____

Day Time Phone No. _____

Night Time Phone No. _____

Alternate Contact Person _____

Alternate Address _____

Alternate Day Phone No. _____

Alternate Night Phone No. _____

FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

INSPECTION AFFIDAVIT

The Inspectional Services Commissioner:

Re: (Address)

(Ward (Application No.)

I certify that I shall make at least one site visit per week from start to completion of construction of the referenced project to observe compliance with the State Building Code and other applicable codes and regulations and the approved plans. In addition, I will make a report of my visits and findings.

If the construction cost of this project is \$950,000.00 or greater, I will have a representative in my employ on site, as outlined in Commissioner's Bulletin 87-1, during construction operations. She/He will maintain a daily log of construction activities and report any discrepancies or problems to me for my action or for my reporting to the Inspectional Services Department.

Architect or Engineer Name: _____

Company Name: _____

Address: _____

Mass. Registration Number: _____

Date: _____

Then personally appeared the above named _____
and made oath that the above statement by him is true.

Before me,

My commission expires _____

FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

DESIGN AFFIDAVIT (ARCHITECT/ENGINEER)

To the Inspectional Services Commissioner:

Re: (Address) _____

(Ward) _____

(Application No.) _____

I certify that to the best of my knowledge, information and belief: (a) the plans conform to the Massachusetts State Building Cods, and Boston Zoning Code, and all other applicable codes, laws and regulations; (b) the proposed work does not constitute a substantial alteration of an existing building; (c) the proposed work does not involve a change of use, as defined in the Boston Zoning Code and Massachusetts State Building Code; (d) the structural alterations and floor loading shown on the plans comply with the Massachusetts State Building Code; (e) the plans conform with applicable fire codes and that if required, the installation of fire alarms, smoke detectors, etc. have been or will be provided and indicated on the plans and specifications in accordance with the code.

Engineer Name: _____

Company Name: _____

Address: _____

Mass. Registration Number: _____

Date: _____

Then personally appeared the above named _____
and made oath that the above statement by him is true.

Before me,

Notary Public

My commission expires _____

FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

DESIGN AFFIDAVIT (CONSULTING ENGINEER)

To the Inspectional Services Commissioner:

Re: (Address) _____
(Ward) _____ (Application No.) _____

I certify that to the best of my knowledge, information and belief: (a) the plans conform to the Massachusetts State Building Code, and Boston Zoning Code, and all other applicable codes, laws and regulation; (b) the proposed work does not constitute a substantial alteration of an existing building; (c) the proposed work does not involve a change of use, as defined in the Boston Zoning Code and Massachusetts State Building Cods; (d) the structural alterations and floor loading shown on the plans comply with the Massachusetts State Building Code; (e) the plans conform with applicable fire codes and that if required, the installation of fire alarms, smoke detectors, etc. have been or will be provided and indicated on the plans specifications in accordance with the code.

Engineer Name: _____

Company Name: _____

Address: _____

Mass. Registration Number: _____

Date: _____

Then personally appeared the above named _____
and made oath that the above statement by him is true.

Before me,

Notary Public

My commission expires _____

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1/87

FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

DESIGN AFFIDAVIT (OWNER)

To the Inspectional Service Commissioner:

Re: (Address) _____

(Ward) _____

I certify that to the best of my knowledge, information and belief: (a) the proposed work does not constitute a substantial alteration of an existing building; (b) the proposed work does not involve a change of use, as defined in the Boston Zoning Code and Massachusetts State Building Code; (c) that if any violations of the building code, zoning code, or other applicable codes, laws and regulations were discovered, the owner and/or tenant at his own expense and without recourse to the city or any of its agencies, will correct or will have corrected any such violations prior to the issuance of any required occupancy permits.

Owner Name: _____

Company Name: _____

Address: _____

Date: _____

Then personally appeared the above named _____
and made oath that the above statement by him is true.

Before me,

Notary Public

My commission expires

FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

DESIGN AFFIDAVIT (TENANT)

To the Inspectional Services Commissioner:

Re: (Address) _____
(WARD) (Application No.) _____

I certify that to the best of my knowledge, information and belief: (a) the proposed work does not constitute a substantial alteration of an existing building; (b) the proposed work does not involve a change of use, as defined in the Boston Zoning Code and Massachusetts State Building Code; (c) that if any violations of the building code, zoning code, or other applicable codes, laws and regulations are discovered, the owner and or tenant at his own expense and without recourse to the city or any of its agencies, will correct or will have corrected any such violations prior to the issuance of the required occupancy permits.

Tenant Name: _____

Company Name: _____

Address: _____

Date: _____

Than personally appeared the above named _____
and made oath that the above statement by his is true.

Before me,

Notary Public

My commission expires _____

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1/87

FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

DESIGN AFFIDAVIT (BUILDER)

To the Inspectional Services Commissioner:

Re: (Address)

(Ward)

(Application No.)

I certify that to the best of my knowledge, information and belief: (a) the proposed work does not constitute a substantial alteration of an existing building; (b) the proposed work does not involve a change of use, as defined in the Boston Zoning Code and Massachusetts State Building Code; (c) that as license holder I will be responsible for the execution of all work in accordance with the approved construction documents, and for the execution and control of all methods of construction in a safe and satisfactory manner in accordance with all applicable local, state and federal statutes and regulations; (d) I will be fully and completely responsible for all work for which I have received this permit from the Inspectional Services Department of the City of Boston, and I will be responsible for seeing that all work is done pursuant to the State Building Code.

Builder Name: _____

Company Name: _____

Address: _____

License Number: _____ Class: _____ Expires: _____

Date: _____

Then personally appeared the above named _____
and made oath that the above statement by him is true.

Before me,

Notary Public

My commission expires _____

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1/87

FAST TRACK BUILDING PERMIT PROGRAM
FOR COMMERCIAL OFFICE BUILDINGS

FINAL INSPECTION AFFIDAVIT

To the Inspectional Services Commissioner:

Re: (Address) _____

(Ward) _____

(Application No.) _____

I certify that I have inspected the work associated with the reference project having visited the site at least once a week throughout the construction period. To the best of my knowledge, information, and belief the work conforms with the permit and plans approved by the Inspection Services Department and with the provisions of the Massachusetts State Building Code and other pertinent laws and ordinances.

Architect or Engineer Name: _____

Company Name: _____

Address: _____

Mass Registration Number: _____

Date: _____

Then personally appeared the above named _____
and made oath that the above statement by him is true.

Before me,

Notary Public

My commission expires _____

FAST-TRACK BUILDING PERMIT BOND

KNOWN ALL MEN BY THESE PRESENTS, that we _____,
as principal, and _____
a corporation organized and existing under the laws of the State of
_____, and duly authorized to transact surety
business in the Commonwealth of Massachusetts, as Surety, are
holden and stand firmly bound unto the City of Boston, as Oblige, in the penal sum of
_____, (\$ _____)

for the payment of which to the said City of Boston, we hereby jointly and severly bind ourselves, our successors and assigns, heirs, executors, and administrators, firmly by these presents.

WHEREAS, the above bounden Principal has received or hereafter shall receive a Building Permit from the Inspectional Services Department of the City of Boston, to perform tenant alterations in a commercial office building located at:

Boston, Massachusetts.

AND WEREAS, upon completion of said alterations, the Principal, or his representative, shall file an application with the City of Boston for a Certificate of Use and Occupancy for said premises.

AND WHEREAS, if the Principal occupies said premises prior to the issuance of a Certificate of Use and Occupancy, he is subject to increased fees equal to double the amount which would otherwise be charged for the Building Permit; to avoid default, said fees to be due and payable within thirty days from the date the Principal receives written notification from the Inspectional Services Department that said increased fees are due.

NEW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall pay, when due, any fees incurred by him as a result of failure to obtain said Certificate of Use and Occupancy, then this obligation shall be null and void; otherwise to remain in full force and effect.

PROVIDED HOWEVER, the term of this bond shall not exceed one year from the date of execution, unless extended by continuation certificate of Surety.

FURTHER PROVIDED, HOWEVER, in the event of default on the part of the Principal, the Oblige shall notify the Surety within ninety days after the Oblige shall have knowledge of such default, and provided further that no suit, action, or proceedings shall be brought against the Surety, hereunder, unless the same be instituted within one year after the date of expiration or this

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FAST-TRACK BUILDING PERMIT BOND
(continued)

FURTHER PROVIDED, HOWEVER, that the aggregate liability of the Surety for any and all defaults of the Principal hereunder shall not exceed the penalty of the bond.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Obligee named herein.

Signed, sealed and delivered this ____ day of _____, 19.

ATTEST OF WITNESS:

PRINCIPAL:

By: _____

SURETY:

By: _____

SURETY:

Number: 86 - 6Date: December 15, 1986

Subject:

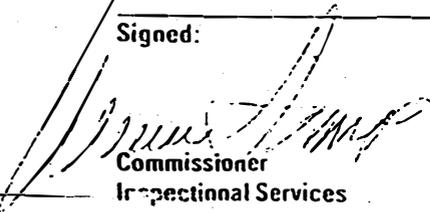
Calculation of Permit Fees, Definition of Fair Cost of Construction and Application of Penalty Fees.

Determination:

1. This Bulletin is issued pursuant to Section 108.6 of the Massachusetts State Building Code and implementing in detail that portion of the Boston Code or Ordinances dealing with building permits, Title 14, Section 450 as amended.

This Bulletin replaces Bulletin # 86-3 of April 14, 1986 and is designed to clarify established procedures with respect to the calculation of permit fees and penalties that may result from underestimation of the estimated cost of a building permit.

2. The building permit fee for all building permits, except for the demolition of a structure to grade, shall be based on the fair cost of construction and shall, in general, be reviewed on a square foot basis. The Department of Inspectional Services shall rely generally on the Annual Edition of "Building Construction Cost Data" as published by R. S. Means. The final determination of fair cost shall, however, be made by the Commissioner of the Department of Inspectional Services who may require of the applicant submission of detailed estimates, contracts and similar data in order to determine a fair cost based on actual construction cost.
3. For purposes of the building permit, the fair cost shall include all construction costs, including site preparation and utility connections but excludes the cost of the land or existing structure, architectural and engineering fees, profit, finance charges and any fees paid to the Department or to any other City agency with respect to particular approvals necessary for the construction.

Signed:
Commissioner
Inspectional Services

Calculation of Permit Fees
Page 2

4. The cost of construction shall also include the construction cost of the mechanical elements of the construction, i.e. electrical, plumbing, HVAC, elevators. While separate fees and permits are required for certain of these elements, the fees are not based on the cost of construction as such and therefore must be included in the overall cost on the building permit.
5. Construction shall also include the cost of painting, pointing finishing, etc. when integral to the construction and shall include, as well, carpeting which requires an approved fire rating.
6. In residential buildings, the cost shall also include all bathroom fixtures and kitchen cabinets, including all appliances except refrigerators.
7. When a building permit is filed the estimated cost of construction shall be entered on the application and shall be determined as indicated. The estimated cost may be changed by the applicant at any time. It is the responsibility of the applicant, however, to submit these changes before the issuance of the certificate of occupancy or before the completion of construction. It should be noted that the ultimate responsibility with respect to this Bulletin is the owner of record and the term "applicant" is meant to include the owner of record.
8. In the case of new buildings or buildings being substantially rehabilitated or renovated and where a certificate of occupancy is required, the latter will not be issued until the applicant submits, in addition to all other requirements, an up to date statement of the actual cost of construction. If the result exceeds the original estimate, then the applicant will pay an up-dated version of the permit fee for any increase.
9. For other building permits, i.e. demolition, remodeling, rehabilitation or renovation, for which a certificate of occupancy may not be required, the applicant must submit a statement of any change in the estimated cost of construction within thirty days of project completion and shall at that time pay an additional fee on the Building Permit.
10. It should be expressly understood that the issuance of a building permit containing an estimated cost of construction does not constitute approval of the amount stated as representing the final cost of construction.

Calculation of Permit
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11. It is the responsibility of the owner of record to submit any increases in the estimated fair cost of construction before the certificate of occupancy is issued. But in any event the final adjustment with respect to the actual cost of construction must be submitted to the Department within thirty (30) days from the issuance of the certificate of occupancy; or in the event that no occupancy permit is required the grace period shall be thirty days from the completion of construction.
12. Should it be determined at any time after the thirty days that the estimated cost has been exceeded without a change ~~having been submitted or~~ that the estimated cost figure has been understated on the permit, the Department of Inspectional Services shall assess, in accordance with Title 14, Section 450, Clause 103b of Boston City Ordinance a double fee based on the fee that should have been paid respecting the final cost of construction.
13. When a double fee is assessed as indicated in # 12 above, it shall be calculated in the following manner:
 - a. A permit fee based on the actual cost of construction shall be established using the current fee schedule.
 - b. The resultant fee shall then be doubled and the fee previously paid shall be deducted from the former figure. The result shall be the fee owed to the Department and shall be paid forthwith.
 - c. If the fee is not paid, the Department may then proceed with such necessary court action as authorized by law.
 - d. If the permit fee calculated in "a" above is less than \$ 200 over the original fee or less than 10 per cent over the original fee, whichever is less, then the double fee shall not be assessed and the applicant shall pay only an increased fee based on the difference.