

State Issues Guidance for Building Officials COVID-19

On Tuesday, March 17, the state Office of Public Safety and Inspections issued the following guidance for local building officials relative to the state of emergency declared by Gov. Baker.

Due to the outbreak of the 2019 novel Coronavirus (COVID-19), some municipalities have instituted mitigation measures to prevent the spread of COVID-19. We have heard actions taken included but not limited to, closing municipal offices for a period of days. Some Municipal building officials (inspectors) have reached out to the Office of Public Safety and Inspections staff seeking guidance with identifying options that would satisfy the inspector's responsibilities in connection to administering and enforcing the state building code.

Given that the COVID-19 has been recognized as a public health situation, inspectors should seek guidance from their local Health Department to identify best practices to utilize when performing their duties. Currently, some best practices include wearing eye protection, and gloves, avoid touching one's face, and frequent hand washing. More information is available using the following link: <https://www.mass.gov/resource/information-on-the-outbreak-of-coronavirus-disease-2019-covid-19>.

Because COVID-19 poses a higher-risk to individuals residing in nursing homes, hospitals and to those with underlying health conditions or weakened immune system, inspectors should consider postponing nonessential inspections for buildings occupied by these populations. Given the situation, the stewards serving these populations primarily focused on patient care. The attention supervisors would give to an inspection would only take away from the care they are provided to a vulnerable population.

For situations involving building inspections for purposes of achieving compliance with the state building code, Sections 110.3, R110.3, “the building official shall make the inspections within two business days after notification.” Should an inspector be dealing with restrictions from their employer, which impedes completing inspections as prescribed in the code, or have situations involving the property or other risky conditions related to COVID-19, the state building code does provide an alternative. The inspector has the authority to accept reports from an approved subject matter expert per building code sections 104.4 and R104.4. Utilizing subject matter experts, and the appropriateness as to the use of these provisions, in any situation, is at the inspector’s discretion.

Lastly, District State Building Inspectors are available to provide inspectors guidance and to help identify resources. Should you have difficulty connecting with the inspector assigned to your community, I am happy to help connect you with them if you call me at 617-826-5236 or email dan.p.walsh@mass.gov.

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