

DOL Welcomes New Deputy Commissioner



TJ Lacey–New Deputy Commissioner of Public Safety

TJ comes to us from MassDOT where he served as Deputy Registrar for the Registry of Motor Vehicles for the past six years. Prior to joining the Commonwealth, TJ had an extensive career in the Broadband business working for Comcast Corporation leading large operations and customer service teams. TJ graduated from Suffolk University with a degree in Political Science. He also served as an elected Town Councilor for 18 years in his hometown of Weymouth where he raised his three children with his wife Michele. TJ is excited to be part of the DOL team and looks forward to supporting the agency’s transformation efforts working to improve the employee and customer experience.



Daniel Kilburn, Engineering Supervisor graduated from high school in Castle Rock, Colorado, and is a veteran of the U.S. Navy where he served shipboard working in propulsion engineering as a Machinist Mate 2nd Class and is also a veteran of the Massachusetts National Guard where he was a Cavalry Scout with Troop A of the 1st Squadron, 110th Cavalry in Hudson. After the military, Dan worked in several Massachusetts power plants and worked his way up through the engineering licenses to become a First Class Engineer in 2002, before becoming a Chief Engineer and Operations Manager in two major power companies with plants in the state.

Dan began his journey in public service in 2012 when he joined the Department of Public Safety in the Boiler and Pressure Vessel Group. Dan was promoted to supervisor the following year. In 2017 when The Department of Public Safety merged with the Division of Professional Licensure, Dan continued to lead the Engineering Inspectors as they continued to license hoisting engineers, pipefitters, refrigeration technicians, sprinkler fitters, and amusement industry professionals.

New Hires



Michael Rose joined the Office of Public Safety and Inspections on August 14th of 2023 as a District Engineering Inspector. Mike began his construction career in the early 90's working for a heavy civil site development contractor that specialized in the installation and repair of underground utilities. Mike also spent many years working on projects involving Environmental remediation of contaminated sites. Mike has worked on projects of all sizes and has held every position possible within the heavy civil construction industry.

Mike is also a former Sergeant in the United States Marine Corps Reserve and holds a bachelor's degree in criminal justice.

Mike believes his strengths lie on the heavy side of construction with expertise and vast experience on all hoisting equipment and operations. Mike has seen and done

a lot in the private sector and looks forward to giving back to the residents of Massachusetts as a public servant. Mike looks forward to continuing his education and expanding his knowledge as a district engineering inspector.



Stanley Lamb Growing up large transport trucks and heavy earth moving machinery fascinated me. My first full time job at the age of 19 was a class A truck driver after completing a training course at New England Tractor Trailer Training School. Using carpentry skills taught by my grandfather, and mechanical skills taught by my father, I have held many different titles for companies in the Construction, Aggregate, and Tree businesses.

My career in public service with the Commonwealth of Massachusetts began in January of 2020 for MassDOT in the Traffic Data Collection Department. With years of prior engineering experience, accepting the position as a District Engineering Inspector in 2023 was a great fit. I'm looking forward to learning from and being guided by senior Inspectors while bettering myself with the enforcement of

Massachusetts laws and regulations that pertain to our jurisdiction.



10th Edition of the Code Update

The 10th edition of the State Building Code, 780 CMR, has been approved to move on to the next step of the process, which is the Public Hearing. The Board of Building Regulations and Standards voted to hold 3 public hearings over a three-week span, in Boston, Springfield, and a virtual hearing (with written comments accepted through the week after the last hearing). These meetings are scheduled for the following Wednesdays, February 14th, February 21st, and February 28th. The first week will be in Boston, the second week will be virtual, and the third week will be in Springfield.

Details and the Notice of Hearing can be found here, [download \(mass.gov\)](#)

A copy of the draft 10th edition may be found here:

<https://www.mass.gov/doc/bbrs-10th-edition-amendment-process/download>

OPSI Engineering is partnering with the DLS to provide the following training,

Jackies Law, presented by OPSI Engineering 520 CMR 6.00.

Trench Safety presented by DLS (Steve Dagle and Ed MacKeil)

OPSI Engineering offers Hoisting Enforcement 520 CMR 14.00.

At these locations and dates below.

February 29, 2024, from 9 AM to noon at the North Shore Community College Danvers campus in the Math and Science Bldg. This venue is limited to 75 people.

March 13, 2024, from 9 AM to noon at Springfield Technical Community College in the B2 Auditorium. This venue is limited to 245 people.

March 15, 2024, from 9 AM to noon at Cape Cod Community College.





MAURA HEALEY
GOVERNOR

KIM DRISCOLL

LIEUTENANT Governor

YVONNE HAO
SECRETARY, HOUSING
AND ECONOMIC
DEVELOPMENT

LAYLA R. D'EMILIA
UNDERSECRETARY,
CONSUMER AFFAIRS AND
BUSINESS REGULATION

**SARAH R.
WILKINSON**
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

COMMONWEALTH OF MASSACHUSETTS
Division of Occupational Licensure
Office of Public Safety and
Inspections
1000 Washington Street, Suite 710
Boston, Massachusetts 02118

OFFICIAL GUIDANCE

To: Building Officials

From: The Board of Building Regulations and Standards

Date: May 9, 2023

Re: Guidance for Temporary Occupancy Permit requests

The Board of Building Regulations and Standards (“BBRS”) has become aware that there has been a recent increase in requests for Building Officials to approve requests for Temporary Occupancy Permits to utilize existing buildings, such as hotels, for lengthier occupancy (generally changing an occupancy classification from R-1 to R-2). Recognizing the important role of Building Officials in reviewing these matters, the BBRS has voted to provide this guidance document to ensure Building Officials understand the applicable code provisions which exist to allow these types of Temporary Uses, typically for 6 months/180 days while a more extensive code evaluation is performed.

A Building Official has the authority to issue a Temporary Certificate of Occupancy for temporary structures and uses by virtue of 780 CMR, section 108.1. “*General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.*” There is no requirement for a

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State of Emergency to first be declared nor is there a requirement to change the Use of the structure.

While relying on a current Certificate of Inspection for the existing occupancy, the Building Official must ensure that conformance with the benchmarks in Section 108 of 780 CMR and 2015 International Existing Building Code, **Section 1001.2.2** are present, and the occupants' stay exceeding 30 days in an R-1 building occupancy classification will not pose additional risks. While this guidance refers to R1 to R2 use changes specifically, the analysis can be applied more broadly when reviewing any request for a Temporary Certificate of Occupancy pending a change of use determination.

Section 1001.2.2 Change of occupancy classification or group. Where the occupancy classification of a building changes, the provisions of Sections 1002 through 1012 shall apply. This includes a change of occupancy classification and a change to another group within an occupancy classification.

Below is a copy of the 9th edition of the State Building Code where strict adherence to sections 108.1 through 108.4 allows for the temporary use of a building **without the need to generate a permanent Certificate of Occupancy through a change of use from R-1 to an R-2.**

SECTION 108 TEMPORARY STRUCTURES AND USES

108.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

108.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of 780 CMR as necessary to ensure public health, safety, and general welfare.

108.3 Fire Department Review. Temporary structures and uses shall be approved by the building official in consultation with the head of the local fire department.

108.4 Termination of Approval. The building official is authorized to terminate for cause and with written notice such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

780 CMR includes that all structures or portions of structures shall be classified with respect to occupancy in one or more of the groups listed in this below. Base Code is 2015 International Building Code with Massachusetts Amendments.

Base Code includes **Section 310.3 Residential Group R-1.** Residential Group R-1 occupancies containing **sleeping units** where the occupants are primarily **transient** in nature, including Hotels, Motels, and **Congregate living facilities (transient)** with more than 10 Occupants.

Base Code also include Section **310.4 Residential Group R-2.** Residential Group R-2 occupancies containing sleeping units or more than two dwelling units where the occupants **are primarily permanent in nature**, including **Congregate living facilities (nontransient)** with more than 16 occupants, Hotels (nontransient), and Motels (nontransient).

Base Code definition; **TRANSIENT.** Occupancy of a dwelling unit or sleeping unit for not more than 30 days.

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Base Code **Chapter 34, IEBC CHANGE OF OCCUPANCY**. A change in the use of the building or a portion of a building. A change of occupancy shall include any change of occupancy classification, any change

from one group to another group within an occupancy classification or **any change in use within a group for a specific occupancy classification**.

IEBC Section 104.2.2.1 Building evaluation. The *code official* is authorized to require an *existing building* to be investigated and evaluated by a registered design professional based on the circumstances agreed upon at the preliminary meeting. The design professional shall notify the *code official* if any potential nonconformance with the provisions of this code is identified.

110.7 Periodic Inspections. The building official shall inspect periodically existing buildings and structures and parts thereof in accordance with Table 110 entitled Schedule for Periodic Inspections of Existing Buildings. Such buildings shall not be occupied or continue to be occupied without a valid certificate of inspection...

Table 110: Schedule for Periodic Inspection of Existing Buildings for R-1 and R-2 occupancies.

R-1, Hotels, motels... One year.

R-2, Dormitories and R 2 Congregate Living... One year.

IEBC Change of Occupancy Classification.

The Word on Licensing

Dear Licensee,

Please see the attached Advisory on Digital Licenses that went into effect on August 1, 2023. (Included below) As the advisory indicates, carrying a digital license is deemed the equivalent of carrying a hard copy license, and will satisfy the requirement to carry a license at all times.

Effective immediately, the Office of Public Safety and Inspections will no longer be printing and mailing hard copy licenses. Digital licenses will be available through the Office of Public Safety and Inspections (“OPSI”) License Verification Site (mylicense.com). Please read the [job aid](#) for step-by-step guidance for how to view/print an Office of Public Safety and Inspections (OPSI) License.

If you have any questions, please contact us at opsi-info@mass.gov.



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
1000 Washington Street, Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY, CONSUMER
AFFAIRS AND BUSINESS
REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Effective August 1, 2023

This policy relates to all licenses regulated by the Bureau of Pipefitters, Refrigerator Technicians, and Sprinkler Fitters, the Board of Building Regulations and Standards, the Board of Elevator Examiners, and Hoisting Engineer licenses issued by the Office of Public Safety and Inspections (“OPSI”) Engineering Division.

1. Licensees engaged in the practice of a licensed occupation regulated by the above boards, bureau, or OPSI are required by regulation to carry a license at all times. Licensees may carry a Digital License to meet this requirement as long as all of the specifications of this Advisory are met. **Please read the [job aid](#) for step-by-step guidance for how to view/print an Office of Public Safety and Inspections (OPSI) License.**
2. Carrying a Digital License is deemed the equivalent of carrying a Hard Copy License. A Digital License or a Hard Copy of your license must be furnished for inspection immediately upon request by a duly authorized individual. Please note that the OPSI License Verification Site (mylicense.com) now contains a digital version of your license that previously was mailed to you.
3. For verification purposes a Digital License may consist of the following:
 - a. **Digital Photo of Electronic License:** A “Digital Photo (electronic version)” of your license, generated by the OPSI License Verification Site mylicense.com;
 - b. **Online License Verification:** You may verify your license in real time by logging into your MLO account and showing the digital license to the authorized individual (you must have internet access);
 - c. **Online Public License Verification:** You may verify your license in real time by accessing the OPSI’s public online

license verification system, the OPSI License Verification Site, at mylicense.com upon the inspector's request (you must have internet access). You must also produce a government-issued photo identification with this option; or

- d. Screenshot of Online License Verification: A previously saved screenshot of your online verification from the public online license verification system, furnished for inspection together with a government-issued photo identification.
4. Any form of a license described above must include the license number and an expiration date that has not passed and must be furnished for inspection immediately upon request by a duly authorized individual.
5. Individuals may print a hard copy of their license from the OPSI License Verification Site (mylicense.com) and maintain that hard copy on their person.

TO SEE PAST ISSUES OF CODEWORD CLICK HERE

[Codeword Newsletter Recent Editions | Mass.gov](#)

Do you have a topic you would like to see covered? Questions? Comments? Please send your ideas and comments to your District State Building Inspector. District Maps and contacts can be found here.

[download \(mass.gov\)](#)

OR

You can email us here, at our email address,
BBRS-MA@mass.gov

Other email addresses for you!

The Building Code Appeals Board, BCAB-MA@mass.gov

The Building Official Certification Committee, BOCC-MA@mass.gov

Questions about the Home Improvement Contractor program?

Check out the website: <https://www.mass.gov/home-improvement-contractor-registration-and-renewal>

or email questions to Estee Ormont at estee.ormont@mass.gov.

Check to see if your work requires a Home Improvement Registration or a Contractor Supervisor License or both? [download \(mass.gov\)](#)

REGISTER AND RENEW AN HIC

[Home Improvement Contractor Registration and Renewal | Mass.gov](#)

Helpful Links:

What is a Building Official's statutory authority to enforce?

Your authority is found in Chapter 143 Section 3 of the Massachusetts General Laws, available here:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter143>

Links to Building Officials' Associations

[Massachusetts Building Commissioners & Inspectors Association \(mbcia.org\)](#)

[New England Building Officials Education Association \(neboea.org\)](#)

[Building Official - Mass. Federation of Building Officials \(mfbo.org\)](#)

[SEMBOA](#)

[Building Officials of Western Massachusetts - Home \(wildapricot.org\)](#)

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