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Lee Urban - Director of Planning and Development
Jeanie Bourke - Inspection Division Services Director

August 3, 2007

Becker Structural Engineers, INC
75 York Street
Portland, ME 04101

RE: Bayside Village Waiver Request – 110 Marginal Way – CBL: 442 A001

Dear Mr. Becker,

Thank you for your request for waiver received June 29, 2007. The proposed project is a 5 story structure with Parking, Mercantile and Residential Uses. The request is to utilize the 2006 version of the International Building Code (IBC) for the structural design. The following are the facts:

1. The City of Portland is currently working under the IBC 2003. State Law does not allow the City to adopt the IBC 2006.
2. The Seismic Spectral Values used for the seismic design of buildings have been updated in the 2006 Edition of the IBC Code. The updated values based on the 2004 Edition of the National Earthquake Hazard Reduction Program (NEHRP) for recommendations for Seismic Regulations and FEMA supersedes the 1998 version, which is the basis of the 2003 Edition of the IBC.
3. These guidelines are based on newer, more recent data provided by the United States Geological Survey (USGS), and represent the latest science and data in the structural engineering field.
4. The portions of IBC 2006 that are less restrictive than the IBC 2003 are the Seismic requirements. The other portions of Chapter 16, IBC 2006 are either procedural modifications or are generally more restrictive than the requirements of the IBC 2003.
5. For this specific project the Seismic Design Category has been reduced to "C" from "D", affecting the detailing requirements of multiple building systems.

The Waiver Request is approved to utilize the IBC 2006 for seismic design on the above mentioned project by this office, based on the latest scientific research, and the inability of the City to adopt this code.

Yours truly,

Jeanie Bourke
Inspections Division Director