

Planning Lunches at Noon (PLAN) Monthly Webinar Series

Welcome to the August 2026 PLAN Webinar!

“Changes to Planning, Zoning, and Building Code Laws in 2026”

Check out OPD’s [Planning and Zoning Training webpage](#) for:

- Slides and recording of past PLAN Webinars and conferences
- Planning Board and Zoning Board 101 slides and recordings
- Planning Board and Zoning Board Handbooks
- Optional Tests and Certificates

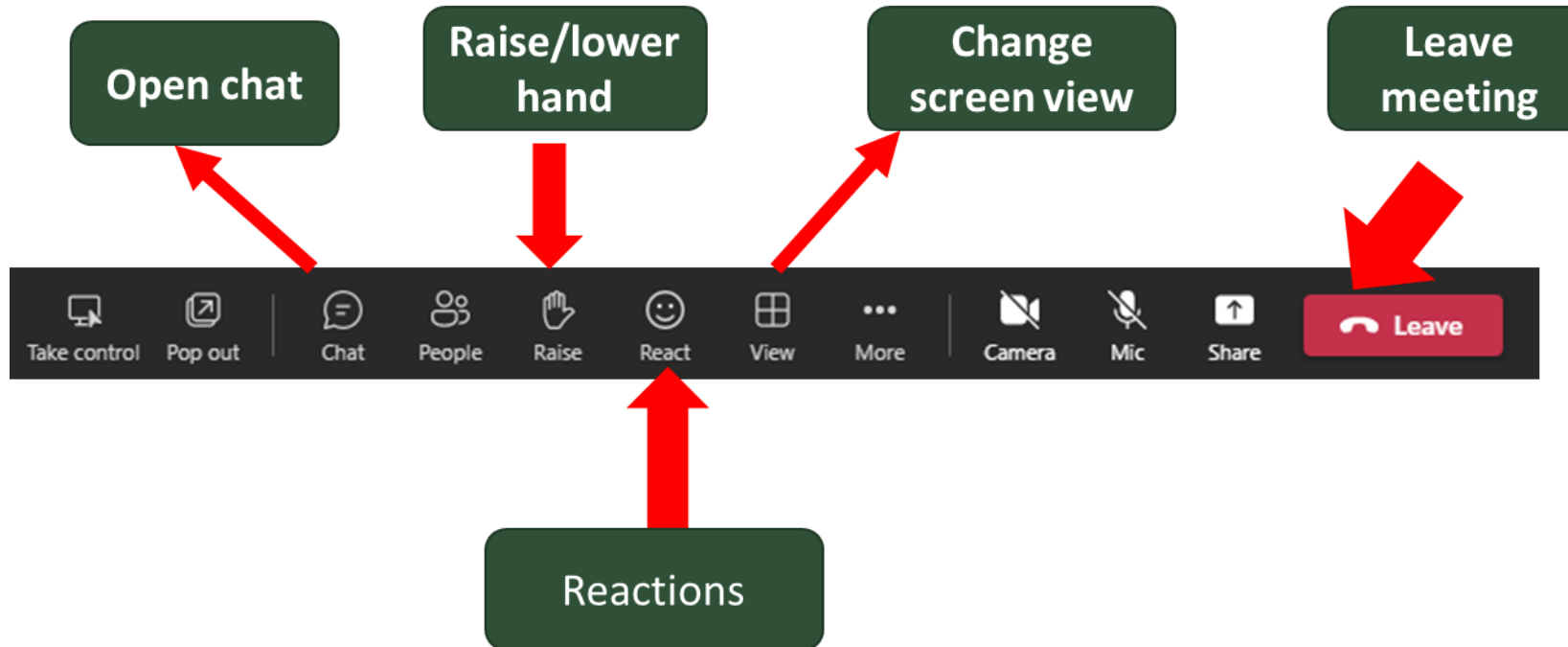
Changes to Planning, Zoning, and Building Code Laws in 2026

Office of Planning and Development
NH Department of Business and Economic Affairs

August 20, 2026

How To Participate

- ▶ For questions, type them into the chat box
- ▶ We will do our best to answer all questions by the end of the webinar



Speakers

Noah Hodgetts

NH Department of Business & Economic Affairs
Office of Planning and Development, Principal Planner

Michael Hagan, MCP, CBO, CFM

City of Keene
Building Division Manager



New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

2026 PLANNING & ZONING STATUTE CHANGES

2026 Planning and Zoning Bills Signed Into Law

- HB244: Transfer Of Building Code/Building Official References From Planning & Zoning Statutes to RSA 155-A
- HB1010: Multi-Family In Commercial District Law Updates
- HB1079: Structures Existing Prior to July 1, 2025 Converted To An ADU
- HB1093: Charter Schools Government Land Use Exemption
- HB1103: 79-E for Conversion of Commercial/Industrial to Residential, Housing Opportunity Zone Updates
- HB1161: TIF District Advisory Board Changed to Optional
- HB1195: Zoning Requirements For Home-Based Childcare and Childcare Centers
- HB1246: Recusal Of Planning Board Members Who Also Serve on a Zoning Board of Adjustment
- HB1468: Flood Resilience Master Plan Chapter
- HB1588: Multi-Family In Commercial District Law Changes
- SB440: C-PACER District Governing Body Adoption Option
- SB564: Prohibition on Capping Dead End Road Length, Allowing for Utilities in Open Space Subdivisions and Buffers
- SB592: Planning For Habitat Strongholds & Wildlife Corridors

HB 244 - updating and recodifying the municipal enforcement of the building and fire code

- Doesn't make any substantive changes to any planning or zoning statutes
- Moves all references to local enforcement of the state building code, building code board of appeals, and building officials from the planning and zoning statutes to RSA 155-A.
- Building officials/inspectors and building code board of appeals will no longer be considered local land use boards under RSA 673:1, III and V; and RSA 672:7
- Replaces ZBA authority in RSA 674:13 to issue building permits when hearing appeals of landowners on a mapped-street location on the official map with the authority to "remove the prohibition on a building permit."
- Separates out power for zoning/code enforcement officer to enforce zoning ordinances and land use regulations in RSA 676:15 – 17-b from building official authority to enforce building code under RSA 155-A:7
- **Repeals and moves the following RSAs to 155:A**
 - **RSA 673:1, III and V**
 - **RSA 673:3, IV**
 - **RSA 673:22, II**
 - **RSA 674:34**
 - **RSA 674:52-a**
 - **RSA 676:11**
 - **RSA 676:13**



Effective Date: July 1, 2026
(Signed July 15, 2026)

HB 1010 – relative to multi-family residential development on commercially zoned land (continued)

- RSA 674:80, I: Clarifies that a municipality shall allow “multi-family dwelling units” as defined in RSA 674:43, I where adequate infrastructure is present, on commercially-zoned land
 - Multi-family dwelling is defined as a structure containing 3 or more dwelling units
- RSA 674:80, III: Expands the reasons that a municipality doesn’t have to allow multi-family dwellings in commercial zoning districts that also permit industrial and manufacturing uses to include potential effects which maybe incompatible with residential use including dust, glare, vibration in addition to air, noise, odor, or transportation impacts.
 - Doesn’t require the presence of an industrial or manufacturing use in the commercial-industrial zoning district, for a municipality to restrict or prohibit multi-family dwelling units



Effective Date: July 1, 2026 (Signed July 15, 2026)

HB 1010 – relative to multi-family residential development on commercially zoned land (clarifies)

- RSA 674:80, I: Clarifies how planning boards should assess where adequate road infrastructure, water infrastructure, and sewage infrastructure is present when evaluating applications for multi-family dwelling units on commercially zoned land:
 - (a) road infrastructure: requires a traffic impact study to ascertain the ability of existing road infrastructure in the vicinity of the project to accommodate increased vehicular traffic, the availability of sidewalks, and infrastructure to ensure pedestrian safety.
 - (b) water infrastructure: requires an applicant to receive permission from the owner of a public water system to connect to the system or, in the absence of a public water system, develop a water supply in accordance with RSA 482-B and RSA 485 as applicable.
 - (c) sewage infrastructure: requires the applicant receive permission from the operator of a public sewer within the boundary prescribed by RSA 147:8 or as negotiated between the applicant and operator to connect to the system.
- All three types of infrastructure including public sewer need to be available in order to meet the definition of “adequate infrastructure” or the applicant is responsible for installing the infrastructure in accordance with state and local regulations.
- RSA 674:80, II: Clarifies that a planning board may deny an application for multi-family dwellings in a commercial district if the planning board determines that:
 - (a) The volume of traffic is not supported by the road design at the conclusion of construction, or the development's layout and design do not ensure pedestrian safety;
 - (b) The applicant is unable to secure a source of water or the owner of an abutting well is able to demonstrate that their well will be unable to meet existing demand; or
 - (c) The applicant is unable to dispose of wastewater and sewage in accordance with regulations.



Effective Date: July 1, 2026 (Signed July 15, 2026)

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HB 1079 - allowing accessory dwelling units to be built within or attached to certain non-conforming structures

- Removes confusing language from the definition of “attached unit” and “detached unit” in RSA 674:71, II-III
 - “Attached unit” means a unit that is within or attached to the principal dwelling unit
 - “Detached unit” means a unit that is neither within nor physically connected to the principal dwelling unit
- Clarifies meaning of RSA 674:72, XI which requires a municipality to allow ADUs to be converted from existing structures, including but not limited to detached garages, regardless of whether such structures violate current dimensional requirements for setbacks or lot coverage.
 - Defines “existing structure” as a structure existing on or before July 1, 2025
- Any structure containing an ADU approved and built after July 1, 2025 which complies with the zoning dimensional requirements when it was approved, shall receive protection from future zoning changes in accordance with RSA 674:39, II, provided the structure meets the time periods for reaching active and substantial development in RSA 674:39, I(a) (3 years) and substantial completion in RSA 674:39, I (7 years)
 - Vesting protection only applies to zoning and has no effect on any requirements about how long a building permit may be used before it expires.
- If an existing structure built prior to July 1, 2025 does not comply with current dimensional requirements for setbacks and lot coverage, a municipality may determine eligibility for placement of an accessory dwelling unit within the existing structure by requiring the applicant for the building permit to demonstrate either:
 - (1) The existing structure qualifies as a preexisting, nonconforming structure in accordance with 674:19 or the local zoning regulation’s definition for non-conforming structure and is exempt from applicable dimensional requirements for setbacks and lot coverage
 - (2) The existing structure received a prior zoning approval or determination that it was exempt from the current dimensional requirements for setbacks and lot coverage.
- An existing structure converted to an ADU shall not constitute a change of use under RSA 674:19 or any local zoning regulations, which would cause the existing structure to lose its status as a preexisting non-conforming structure.



Effective Date:
August 31, 2026

HB 1093 – relative to public charter schools and governmental land use exemptions

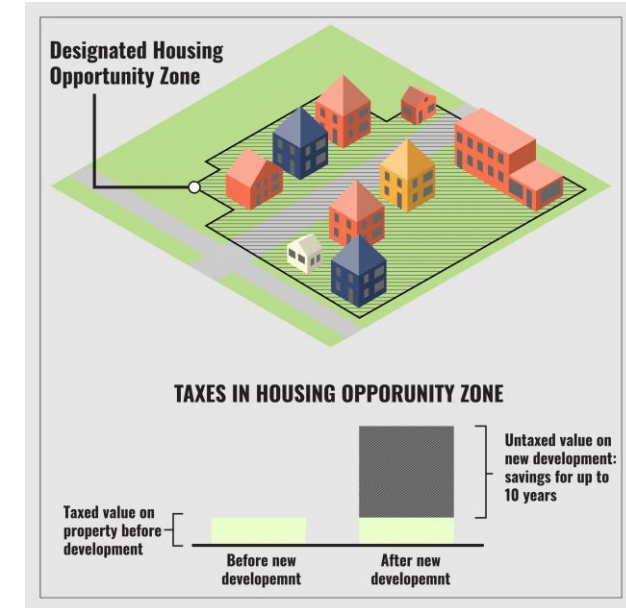
- Amends RSA 194-B:3, I(a) to require charter schools to have the same rights as public schools including treatment as a governmental land use under RSA 674:54
- Amends 674:54, I – II to provide charter schools the same exemptions from having to comply with local zoning as other governmental land uses

Effective Date: August 4, 2026



HB1103 - allowing municipalities to utilize community revitalization tax relief credit on a wider variety of properties and structures

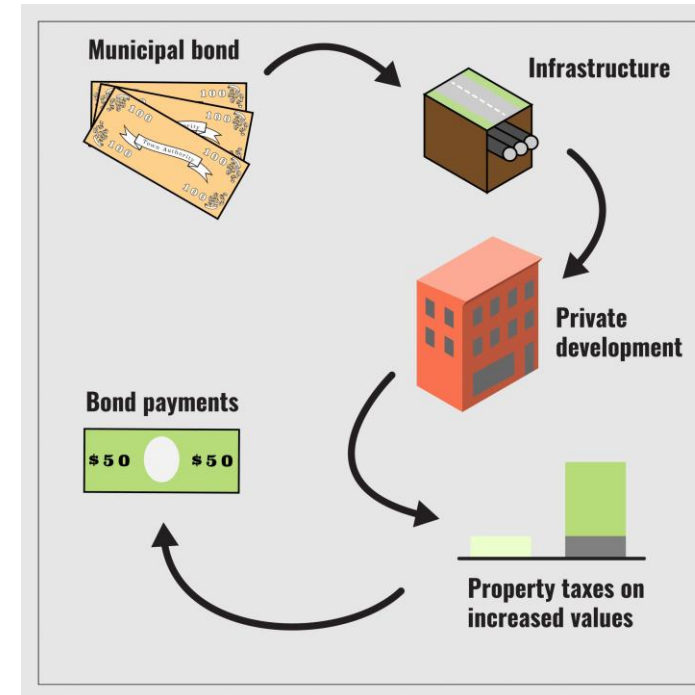
- Amends RSA 79-E:4-d to give municipalities the option of using RSA 79-E Community Revitalization Tax Relief for conversion of buildings and spaces being used for commercial or industrial use to residential use in addition to allowing for use of 79-E for conversion of underutilized office space to residential use
- Amends 79-E:4-c to allow for 79-E tax relief for construction of new housing units for up to 7 years if no workforce housing is created or up to 15 years, if workforce housing is created.
 - Municipality may impose further affordability requirements for units in a Housing Opportunity Zone seeking 79-E tax relief, but they are no longer required.
 - Tax relief period begins upon issuance of the certification of occupancy or completion of construction of new housing units(s).
- The local legislative body would need to vote to adopt each new section of 79-E separately in accordance with RSA 79-E:3, even if the municipality already has adopted traditional 79-E.



Effective Date: August 31, 2026

HB1161 - removing the requirement for municipalities to have an advisory board for development districts

- Amends RSA 162-K:14, I to make creation of an advisory board which oversees each Tax Increment Financing (TIF) development district optional.
- Previously, the legislative body was required to create an advisory board for each TIF development district in the municipality.



Effective Date: July 21, 2026

HB 1195 - relative to municipal zoning requirements for child day care providers

- Amends RSA 674:16, VI to require **family and group family childcares for up to 12 children to be allowed by right as an accessory use in the primary structure or existing accessory structure on lots where residential uses are permitted if the family childcare complies with DHHS licensing requirements (He-C 4002).**
- RSA 674:16, VI continues to exempt family and group family childcares from being subject to local site plan review in any zone where a residential use is permitted.
- **New Section RSA 674:81 - Requires childcare centers** including group child day centers, infant and toddler programs, night care programs, preschool programs, school-age programs, and small group child day care centers as defined in RSA 170-E:2, IV(c-i) to:
 - Be allowed by right on commercially zoned land as long as the center complies with DHHS childcare licensing regulations (He-C 4002)
 - Be allowed by right on commercial/industrial zoned land if the childcare center is for the exclusive use of employees of a business located in that zone
 - Be exempt from site plan review if the childcare center will have a licensed capacity of 30 or fewer children

Effective Date: July 1, 2026 (Signed July 2, 2026)



HB1246 – relative to planning board members serving on other local boards

- Mirrors 2025 HB 92, which required a member sitting on a Planning Board and ZBA to recuse themselves from voting on matters in their capacity as a ZBA member, previously decided by or pending before the Planning Board
- Amends RSA 673:7, I for Planning Board members also serving on a Zoning Board Of Adjustment
- Planning Board members who also serve on a ZBA shall recuse themselves from voting on any matter previously decided by that board in a quasi-judicial capacity in which the member participated as a voting member
- This has the effect of prohibiting a planning board member who also sits on the ZBA from voting twice on the same matter, thus avoiding overlapping influence in local land-use decisions.



Effective Date: June 21, 2026

HB1468 - relative to a flood resilience section in municipal master plans

- Amends RSA 674:2, III by adding a flood resilience section to the list of optional master plan chapters a Planning Board may adopt.
- Flood resilience section is in addition to the existing optional natural hazards and coastal management sections, which also reference flooding.
- RSA 674:2, III (q) defines a flood resilience section as identifying existing and potential flood risks affecting the municipality, including but not limited to riverine flooding, stormwater runoff, culverts, drainage systems, erosion-prone areas, and areas subject to repeated flood damage, and which establishes goals and recommendations for reducing flood-related risks to public safety, property, municipal infrastructure, evacuation routes, and emergency access.



Effective Date: August 18, 2026



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HB 1588 – relative to the regulation of accessory parking for vehicles by local legislative bodies and multifamily housing within commercial districts by municipalities; establishing special assessment districts...

- Amends RSA 674:16, VII to prohibit municipalities from requiring 1 residential parking space per unit to be garaged
- Amends RSA 674:80, V to clarify that multi-family dwelling units shall be allowed as a matter of right in commercial zoning districts
- Amends 674:80, V to clarify that a municipality may subject applications for multi-family dwellings in commercial zoning districts to site plan review
- Adds new language to RSA 674:80, V to limit the type of regulation of multi-family dwelling units in commercial districts existing, created, or expanded after July 1, 2026, municipalities may impose/enforce to **frontage, setbacks, and height requirements**; provided that such requirements shall not differ from what is allowed for commercial development.
 - *While municipal zoning regulations are clearly limited to frontage, setbacks, and height requirements; the law is silent on what a planning board may or may not regulate using its site plan review powers. RSA 674:43-44 (site plan review statutes were not amended).*
- Enforcement of applicable state fire, building, and other requirements under RSA 153, RSA 155-A, and RSA 485-A remains allowed.
- Adds 674:80, VI: A municipality shall allow pre-existing nonconforming structures to be converted to multi-family dwelling units or mixed use provided that the structure's envelope is not altered to further violate zoning district dimensional requirements.
- **Adds 674:80, VII: Requires reimbursement of reasonable attorney's fees to the owner of commercially zoned land, if the owner brings suit and is improperly denied an application for a multi-family dwelling or if the owner was subjected to requirements not allowed under this statute (i.e. regulations that go beyond frontage, setbacks, and height).**



Effective Date: September 13, 2026 (Signed July 15, 2026)

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SB440 – relative to the adoption of energy efficient and clean energy districts by municipalities

- Amends RSA 53-F:1 VII definition of “Municipality” to clarify that unincorporated places may adopt Commercial Property Assessed Clean Energy and Resiliency (“C-PACER”) energy efficient and clean energy districts
- Amends RSA 53-F:2, II to provide an option for the governing body in a non-charter town or village district to adopt C-PACER and establish a C-PACER district in the municipality instead of the question on adoption being required to be voted on by the legislative body
 - The governing body must hold at least one public hearing prior to voting on adoption, and notice the public hearing according with RSA 53-F, II
- Adds RSA 53-F:2, VI which states that non-charter towns or village districts may vote to prohibit the establishment of new C-PACER districts or dissolve any existing districts. All agreements entered into with property owners and related legal obligations created prior to the vote of the municipality or village district to dissolve a district shall remain in effect.
- For more information on C-PACER see the [Business Finance Authority C-PACER website](#)



Effective Date: July 02, 2026

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SB564 – Prohibiting certain municipal development restrictions

- Creates RSA 674:21-b:
 - I. Prohibits municipalities from limiting road length if the road complies with the state fire code
 - II. Removes the ability for municipalities to cap the number of housing units on dead-end roads and streets unless such cap is in compliance with the state fire code and NFPA standard 1141 (<100 units requires one fire apparatus access route, 100 – 600 units requires 2 access routes).
 - III. Requires municipality to permit the placement of utilities defined as including septic systems, wells, electric distribution, drainage structures, stormwater management structures, and other utilities, within or along any designated buffer areas, including but not limited to perimeter buffers, residential buffers, setbacks, and open space areas of a subdivision or lot.
 - Doesn't require placement of utilities in wetlands as defined in RSA 482-A:2, X and protected shoreland as defined in RSA 483-B:4, XV.
 - IV. Requires a CUP or special exception for placement of utilities or improvements appurtenant to any utility, within or along wetland buffers or conservation areas of a subdivision or lot
 - There is conflicting language which says that utilities in “conservation areas” of subdivisions shall be subject to a CUP or special exception, but that “open space areas” of a subdivision shall permit placement of utilities
- RSA 674:21-b, V also adds a retroactive requirement that municipalities shall not impose additional restrictions or requirements regarding building or lot size for affected properties before the effective date of April 1, 2027. This language is confusing as laws can't be retroactively applicable.
- RSA 674 21-b, VI states: Nothing in this section shall be construed to otherwise limit the authority of municipalities to enforce generally applicable health, safety, environmental, or building standards; to conduct planning board and conservation commission review; or to impose reasonable conditions necessary to ensure compliance with the state fire code, RSA 483-B, or as otherwise required by state law.



Effective Date:
April 1, 2027

SB592 - enabling regional, conservation, and energy resource planning for habitat strongholds and wildlife corridors and creating a commission to study transferring ownership of the Winnepesaukee River Basin program to an alternative authority.

- Adds responsibilities for habitat strongholds and wildlife corridors to RPC responsibilities in RSA 36:45 and RSA 36:47
- Amends RSA 36-A:2 requiring municipal conservation commissions to include an inventory of habitat strongholds and wildlife corridors in their Natural Resource Inventory (NRI)
- Amends RSA 36-A:2 to prohibit Inventory of Habitat Strongholds and Wildlife Corridors for being utilized as the basis for municipal zoning or planning purposes
 - No language in the planning and zoning statutes has been amended to implement this change
- Creates a commission to study transferring ownership of the Winnepesaukee River Basin Program (DES owned sewer system through several Lakes Region communities) program to an alternative authority which supports municipalities served by the WRBP, which will meet until November 1, 2026



Effective Date: Section 5&6 Effective 07/15/2026;
Remainder Effective 09/13/2026

BEA

New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

2025–2026 NEW HAMPSHIRE LEGISLATIVE UPDATE

for State Building Code

Recent legislative changes affecting building officials,
fire officials, municipalities, designers,
and the construction industry.



AUGUST 20, 2026
ONLINE PRESENTATION



IN COLLABORATION WITH
Office of Planning and Development
Department of Business and Economic Affairs
State of New Hampshire



**LIVE FREE.
WORK SMART.
BUILD STRONG.**



2025–2026 LEGISLATIVE UPDATE



Laws passed in 2025 became effective on **July 1, 2026**.



The State Legislature made the **largest changes** to New Hampshire's State Building Code Administration and Enforcement laws in **more than twenty years**.



CODE
ADOPTION



MUNICIPAL AUTHORITY
& ENFORCEMENT



ADMINISTRATION &
INNOVATION IN PROCESS



2025–2026 LEGISLATIVE UPDATE

Bills Passed by the Legislature

BILL	SUBJECT	SIGNED
SB 188	Third-Party Inspections	July 15, 2025
HB 428	State Building Code Administration	August 1, 2025
HB 244	Municipal Enforcement	July 15, 2026 <i>Introduced in 2025</i>
SB 94	Municipal Technical Amendments	May 27, 2026
HB 1159	2024 State Building Code	May 8, 2026
HB 1681	Innovative Housing	July 15, 2026
HB 1555	State Fire Marshal Authority	July 2, 2026
SB 494	State Fire Code	May 28, 2026



OTHER 2026 BILLS SENT TO INTERIM STUDY

HB 1652, HB 1004, HB 1271



LEGISLATIVE TIMELINE

2025–2027 Implementation Schedule



2025

2026

2027



July 15, 2025

SB 188

Third-Party Inspections
Effective



July 1, 2026

★ Major Implementation Date ★

- HB 428
- HB 244
- HB 1159
- SB 94



July 27, 2026

SB 494

Fire Code Updates



July 1, 2027

HB 1555

Fire Marshal Authority



SB 188 (2025)

— *Third-Party Plan Review & Inspection*



Purpose

Formalizes the use of third-party plan review and inspections within New Hampshire law.
“Approved agency”



The law defines an approved agency as an authorized individual or entity performing building-code inspection services and construction-document review as an alternative to local government review. Examples can include engineers, architects, and ICC-certified building officials.



“APPROVED AGENCY”

Third-party services



Qualifications are outlined
in RSA and BCRB amendment.



Documentation is important.



There is a collaborative document
and checklist prepared by
NHMA and NHBOA.



IMPLEMENTATION



✓ Contracts



✓ Oversight



✓ Record keeping



✓ Municipal responsibility remains



✓ Require Fee Reductions
40% for Plan Review and
40% for Inspections.



HB 428, SB 94 & HB 244

They overlap heavily — but they are not redundant



HB 428

ADMINISTRATION

Reorganizes the State Building Code framework.



SB 94

UNIFORMITY

Addresses municipal technical amendments.



HB 244

ENFORCEMENT

Updates municipal administration and enforcement.

HB 428

Relative to the State Building Code



Moves administrative enforcement sections of New Hampshire RSA state building code statutes.



The bill reorganizes portions of state law in 67X and 47:22 series and moves administrative provisions into RSA 155-A, and establishes a more uniform process for municipal administration.



It also set the framework later refined by SB 94 regarding local technical amendments.



Key Language Change #1 — STATEWIDE CODE



RSA 155-A:3, VII establishes that the State Building Code applies statewide *“without further local modification”*, except where specifically permitted by statute.



It then prohibits a municipality from adopting or enforcing an ordinance, rule, or regulation that amends, overrides, deviates from, or addresses a subject included within the State Building Code, except where otherwise authorized.



KEY LANGUAGE CHANGE #2 — MUNICIPAL ENFORCEMENT



HB 428 specifically moves the existing authority for municipalities to establish a **local enforcement agency** to enforce the State Building Code.



It also specifies that the building official can review construction documents, issue permits, perform inspections, and issue certificates of occupancy where adopted locally.



HB 428 **preserves and clarifies** local authority to enforce the State Building Code.



RSA THAT WERE REPEALED AND REPLACED



RSA 674:51

Removes authority to adopt less stringent technical amendments.



RSA 47:22

Cities prohibited from adopting conflicting technical regulations.



RSA 155-A:2

Creates prohibition on future municipal amendments.



HB 244

Updating & Recodifying Municipal Enforcement



Purpose

HB 244 takes the concepts developed in HB 428 and more fully places municipal building-code administration and enforcement into **RSA 155-A**.



Moves municipal enforcement authority from RSA 674 into RSA 155-A, placing building code administration in the chapter governing the State Building Code.

Signed into law effective July 1, 2026.



Key Changes

- Building Official authority relocated
- Board of Appeals provisions relocated
- Municipal enforcement clarified
- Administrative statutes modernized



KEY LANGUAGE CHANGE

One of the clearest provisions states that municipalities with an enforcement mechanism shall:

“Enforce and comply fully with the state building code without further local modification”



The statute also prohibits local ordinances, rules, or regulations that amend, override, or deviate from the State Building Code unless specifically permitted by statute.



MANCHESTER, NEW HAMPSHIRE

ANOTHER SIGNIFICANT CHANGE — APPEALS

HB 244 clarifies the appeals process.



An appeal may be based on a claim that:

- The code has been **incorrectly interpreted**.
- The provisions of the code **do not fully apply**.
- An **equally good or better** form of construction is proposed.



Important: A local board of appeals does not have the authority to simply waive requirements of the State Building Code or State Fire Code.



Existing Local Boards

Municipalities with an established board of appeals may continue to use that board.



No Local Board

Where a municipality does not have a board of appeals, appeals are heard by the **State Building Code Review Board**, rather than establishing a new local appeal process.



NASHUA, NEW HAMPSHIRE

RSA CHANGES

Moves 67x to 155A:

HB 244 relocates core building-code enforcement provisions from RSA 67x into **RSA 155-A**.



Building Official



Board of Appeals



Permit authority



Inspection authority



Enforcement authority



All consolidated
into

RSA 155-A



SB 94

Repealing Municipal Amendments to Technical Requirements

RSA 155-A:3, II



Purpose

Creates a uniform statewide building, fire, and energy code by eliminating the ability of municipalities to adopt new technical amendments.



This provision ensures consistent minimum standards across all municipalities, strengthens safety and resilience, and reduces duplication and confusion.



PORTSMOUTH, NEW HAMPSHIRE

SB 94

Repealing Municipal Amendments to Technical Requirements



Key Changes

- **No technical** amendments.
- Existing amendments only if they were **confirmed**, or start over with a **new ordinance**
- Municipal **enforcement** remains



Plain-English takeaway

Administrative amendments remain possible; technical amendments do not.

-This distinction is important. **RSA 155-A:3** still reserves municipal authority over permitting, fees, certificates of occupancy, and other administrative functions, subject to the statutory confirmation requirements.



Effective
July 1, 2026



KEENE, NEW HAMPSHIRE



SB 94

Repealing Municipal Amendments to Technical Requirements



Municipal Implementation

- ✓ Review existing ordinances for **outdated** technical amendments
- ✓ Verify existing **administrative** amendments
- ✓ Update **references**
- ✓ Coordinate with **legal counsel**



Work with the
State Building Code Review Board
to have your ordinance confirmed.



Effective
July 1, 2026



LEBANON, NEW HAMPSHIRE

HB1159

State Building Code Update With NH Amendments to 2024 codes



Purpose

Updates New Hampshire's State Building Code to the **2024 editions** of the I-Codes while retaining the **2018 IECC** and **2023 NEC**. The bill preserves the concurrent-use transition period to ease implementation.



The statutory definition changes the referenced editions from 2021 to 2024 for:

- IBC → 2024
- IMC → 2024
- IEBC → 2024
- ISPSC → 2024
- IPC → 2024
- IRC → 2024

But it continues to specify:

- IECC → 2018
- NEC → 2023



It also changes the cutoff for BCRB-reviewed amendments incorporated into the State Building Code from April 11 to **October 10, 2025**.



BUILDING A SAFER, STRONGER NEW HAMPSHIRE

KEY TAKEAWAYS



RSA CHANGES

Updates RSA 155-A



ADOPTS NEW CODE EDITIONS

Adopts new code editions with amendments.



MAINTAINS THE 6-MONTH CONCURRENCY

Maintains the 6-month concurrency.



2023 NEC AND 2018 IECC SCOPING WITH NEW AMENDMENTS

2023 NEC and 2018 IECC scoping with new amendments.



NEW HAMPSHIRE

HB1681

"Innovative Housing Structures" *Tiny Houses, Tiny Houses on Wheels & Yurts*



Purpose

- Creates a framework for innovative housing, including, tiny houses, tiny houses on wheels and yurts, while allowing qualified ICC-certified residential building inspectors to perform certain off-site inspections.



These types of structures are only allowed in districts the municipalities allow for them.



KEY LANGUAGE CONCEPT



The legislation deliberately treats these as “**innovative housing structures**” and creates a pathway for construction and inspection that can include off-site construction rather than forcing every structure into a conventional site-built process.



Amendments are in the works at the **state building code review board** level as well as guidance documents from the **state Fire Marshals Office**.



This approach supports flexibility and innovation in housing while maintaining safety, consistency, and code compliance through qualified inspections and clear guidance.

HB1555

Administration & Enforcement of the State Fire Code



Purpose

- Clarifies State Fire Marshal authority.
- Appeals.
- Alternative materials.
- Code modifications.
- Statewide consistency.



Key Provisions

- **NO** concurrency period for Fire Codes



Important Note



Ensures consistent administration and enforcement of the State Fire Code across New Hampshire.



1. APPEALS FROM THE LOCAL FIRE CHIEF



New **RSA 153:8-a, III** makes the State Fire Marshal responsible for hearing appeals from decisions issued by a local fire chief or authorized subordinate under RSA 154:2, II. The statute specifically says:

“ The review of the state fire marshal shall be *de novo*.



That means the SFM isn't merely reviewing the local record for procedural error; the SFM can consider the matter anew, including relevant evidence.



The SFM may affirm, modify, or reverse the decision.



An aggrieved party may then appeal the SFM decision to the Building Code Review Board.



Provides a clear, statewide appeals process with de novo review by the State Fire Marshal and further appeal rights to the Building Code Review Board.



2. ALTERNATIVE MATERIALS / MODIFICATIONS



HB 1555 adds **RSA 155-A:7, VI**, giving the State Fire Marshal statewide authority to approve or disapprove alternative materials, designs, construction methods, equipment, and code modifications to the State Building Code.



This is Building Code authority given to the State Fire Marshal—not merely Fire Code authority.



That deserves emphasis because it is probably one of the provisions municipal building officials will have the most questions about.



**EFFECTIVE
JULY 1, 2027**



Ensures consistent application of alternative materials, designs, methods, equipment, and code modifications across all municipalities in New Hampshire.



ALTERNATIVE MATERIALS

ALTERNATIVE DESIGNS

**ALTERNATIVE METHODS
& EQUIPMENT**

**STATEWIDE AUTHORITY.
CONSISTENCY. SAFETY. FLEXIBILITY.**

SB494

TOOK EFFECT
JULY 27, 2026

- State Fire Code



Purpose

- Updates the State Fire Codes.
- **RSA 153:1, VI-a** changes:
 - **NFPA 101**: 2021 → **2024**
 - **NFPA 1**: 2021 → **2024**



Modernizes fire reporting
and investigations.



Clarifies Fire Marshal
responsibilities.



Stronger codes. Better reporting. Greater accountability. Safer communities.

ALL THREE OF THE BILLS

WERE SENT TO INTERIM STUDY COMMITTEE.



HB1004

Exempting certain dwelling units from automatic sprinkler system requirements



HB1652

relative to expedited permitting and third-party inspections for residential and minor home improvements un \$100K



HB1271

Relative to third-party code review and inspection services for building permits

- Instant Solar Permitting
- SolarAPP+
- Third-party review
- Future implementation



These bills are under study to explore efficiency, safety, flexibility, and innovation in New Hampshire's building and permitting processes.



KEY TAKEAWAYS



- New Hampshire has adopted the most significant building code legislation in decades.



- The focus is on **statewide consistency**, **modernized administration**, and **clearer enforcement authority**.



- Municipalities should review ordinances, update procedures, train staff, and communicate these changes to the public.



- Success will depend on consistent implementation and continued collaboration between building officials, fire officials, designers, contractors, and state agencies.



Working together to build a safer, stronger, and more resilient New Hampshire.

Contact Information

Noah Hodgetts

Principal Planner

NH Department of Business & Economic Affairs

Noah.D.Hodgetts@livefree.nh.gov, (603) 271-2157

Michael Hagan, MCP, CBO, CFM

City of Keene

Building Division Manager

mhagan@keenenh.gov



New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

Q&A

THANK YOU