

CITY OF CONCORD

In the year of our Lord two thousand and fifteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 26, Building Regulations; Article 26-16, Fire Prevention Code and Article 26-18, Life Safety Code

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 26, Building Regulations; Article 26-16, Fire Prevention Code by amending Section 26-16-1, Fire Prevention Code Adopted, by revising it as follows:

The International Fire Code/~~2009~~[2006] as amended by this Article, is hereby adopted and together with this Article shall be known as the Fire Prevention Code of the City of Concord.

SECTION II: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 26, Building Regulations; Article 26-16, Fire Prevention Code by amending Section 26-16-3, Amendments to the International Fire Code/2006, by revising the title, introductory paragraph and paragraphs (b), (f), (j), (n), (o) and (r), deleting (k) (q), (r) and (t), and relettering paragraphs (l), (m), (n), (o), (p) and (s) as follows:

26-16-3 – Amendments to the International Fire Code/~~2009~~[2006]

The following amendments are hereby made to the International Fire Code/~~2009~~[2006] as adopted by Section 26-16-1:

(b) Amend Section “**102.10** [~~102.9~~] Conflicting provisions” by adding the following second sentence to the single paragraph in that Section:

“Where conflict exists between this Fire Prevention Code and Article 26-18 Life Safety Code of this Ordinance, the greatest restriction or requirement shall prevail.”

(f) Delete Section “109.2 Notice of violation” including Subsections 109.2.1 “Service” through “109.2.4 Unauthorized Tampering” in their entirety and insert in place thereof the following Sections:

“109.2 Violations: Whenever a violation of this Fire Prevention Code occurs or is alleged to occur, any person may file a written complaint. Such complaint stating fully the cause and basis thereof, shall be filed with and recorded by the *Fire* Code Official. Upon being informed of a

possible violation or upon personal initiative, the *Fire* Code Official may make or cause to be made an investigation of the alleged violation. If the *Fire* Code Official determines that there is a violation, the *Fire* Code Official may issue an order to the person responsible for the violation as provided for in RSA 676:17-a that the violator cease and desist or otherwise abate said violation or may give notice as provided for in RSA 676:17-b informing the person responsible that a violation exists and ordering that the violator abate said violation within a reasonable time determined by the *Fire* Code Official. If after such notice and order such violation has not been abated within the time specified, the *Fire* Code Official may institute injunction, abatement, or other appropriate action as provided for in RSA ~~676:15~~ [76:15], to enjoin, abate or remove said violation, or may issue a summons as provided for in RSA 676:17, or may issue a citation as provided for in RSA 676:17-b, or any combination of the three.”

(j) [Insert the additional new Section “112 Emergency access, security locking systems” as follows:

~~“112 Emergency access, security locking systems: A person shall not sell, occupy, or permit another to occupy any newly constructed building or sell an existing building that does not have installed an approved key box system. The Code Administrator shall not issue a Certificate of Change of Occupancy for an existing building until an approved key box system has been installed. This section shall not apply to residential dwellings containing less than four (4) dwelling units.”~~

~~“112.1 Key box: The key box shall be of a UL type approved by the Fire Chief. It shall be installed in a location approved by the Fire Chief and shall contain the following:~~

- ~~(1) Keys to locked points of egress whether on the interior or exterior of such buildings.~~
- ~~(2) The keys to locked mechanical equipment rooms.~~
- ~~(3) The keys to locked electrical rooms.~~
- ~~(4) Keys to elevator controls.~~
- ~~(5) Keys to other areas as directed by the Fire Chief or his designee.”~~

~~“112.2 Affected occupancies: Key boxes shall be required in the following occupancies:~~

- ~~Buildings with monitored fire alarm systems.~~
- ~~Assembly uses.~~
- ~~Education uses (excluding day care centers with 12 or fewer children in residential occupancy).~~
- ~~Healthcare uses.~~
- ~~Detention and correctional facilities.~~
- ~~Hotels, motels and dormitories.~~
- ~~Apartment buildings (greater than 3 tenant spaces).~~
- ~~Lodging and rooming houses.~~
- ~~Residential board and care homes.~~
- ~~Mercantile uses.~~
- ~~Business uses.~~
- ~~Industrial uses.~~
- ~~Storage uses.~~

~~High rise buildings.
or as per Fire Alarm System Regulations.”}~~

- (k) [~~Substitute the following definition for “Code Official” in Section “PM 202.0 General Definitions”:~~

~~“Code Official: The City Manager or the City Manager’s designee.”}~~

- (j) Insert the additional new Section “503.1.4 Designation” as follows:

“503.1.4 Designation: The **Fire** Code Official shall establish minimum acceptable standards for fire lanes and shall designate locations for both public and private fire lanes. The fire lanes so designated shall be listed in a schedule and maintained on file in the City Clerk’s Office in accordance Title II, Traffic Code, Article 18, Parking Section 18-1-15, Fire Lanes, of the Concord Code of Ordinances. The owner of property encumbered by a fire lane shall post and maintain signs and roadway markings approved by the **Fire** Code Official.”

- (k) Insert the additional new section “506.1 Emergency access, security locking systems” as follows:

“506.1 Emergency access, security locking systems: A person shall not sell, occupy, or permit another to occupy any newly constructed building or sell an existing building that does not have installed an approved key box system. The Code Administrator shall not issue a Certificate of Change of Occupancy for an existing building until an approved key box system has been installed. This section shall not apply to residential dwellings containing less than four (4) dwelling units.”

“Key box: The key box shall be of a UL type approved by the Fire Chief. It shall be installed in a location approved by the Fire Chief and shall contain the following:

- (1) Keys to locked points of egress whether on the interior or exterior of such buildings.
- (2) The keys to locked mechanical equipment rooms.
- (3) The keys to locked electrical rooms.
- (4) Keys to elevator controls.
- (5) Keys to other areas as directed by the Fire Chief or his designee.”

“Affected occupancies: Key boxes shall be required in the following occupancies:

Buildings with monitored fire alarm systems.
Assembly uses.
Education uses (excluding day care centers with 12 or fewer children in residential occupancy).
Healthcare uses.
Detention and correctional facilities.
Hotels, motels and dormitories.
Apartment buildings (greater than 3 tenant spaces).
Lodging and rooming houses.

Residential board and care homes.
Mercantile uses.
Business uses.
Industrial uses.
Storage uses.
High rise buildings.
or as per Fire Alarm System Regulations.”

- (~~lm~~) Insert the additional new Sections “603.5.3 Nonflue-connected stoves and space heaters” and “603.5.4 Gravity oil supply tanks” as follows:

“603.5.3 Nonflue-connected stoves and space heaters: A permit system in accordance with RSA 31:60-a is hereby established to be administered under the direction of the *Fire* Code Official. A permit shall be required for the use of any nonflue-connected space heater in any building intended for use as an occupied dwelling unit. No person shall use, or allow to be used, a nonflue-connected liquid or solid fuel space heater in any multifamily dwelling unit.”

“603.5.4 Gravity oil supply tanks: Gravity oil supply tanks installed in any stove or space heater shall be metal and shall not exceed one three gallon tank.”

- (~~mH~~) Insert the additional new Sections “**901.10** [~~901.2~~] Alarm systems”, “**901.10.1** [~~901.2.1~~] Alarm Regulations,” “**901.10.2** [~~901.2.2~~] Alarm monitoring location,” and “**901.10.3** [~~901.2.3~~] Waivers” as follows:

“**901.10** [~~901.2~~] Alarm systems.”

“**901.10.1** [~~901.2.1~~] Rules and regulations. The *Fire* Code Official is authorized to issue rules and regulations for the installation, modification, addition, renovation, removal, disabling, operation, or maintenance of any private fire alarm system. These regulations shall address: reliability; ease of operation and understanding of the private system; compatibility with Fire Department operations and equipment; protection of consumers with regard to system quality; reduction of needless alarms; design parameters; connection to Municipal Fire Alarm circuit or central station monitoring location.”

“**901.10.2** [~~901.2.2~~] Connections. Any person who fails to connect a private fire alarm system to the alarm monitoring location as required by this Ordinance (Section) or a person who connects a private fire alarm system to the municipal fire alarm system without having obtained the permission of the *Fire* Code Official or who alters a system so that it no longer complies with regulations issued pursuant to this section shall be deemed to be in violation of this Ordinance.”

“**901.10.3** [~~901.2.3~~] Waivers. The *Fire* Code Official may waive the requirements or portions of the requirements if in the *Fire* Code Official’s sole discretion the *Fire* Code Official finds that unusual conditions exist that make the installation connection impracticable.”

(no) Amend Section “**903.2.13** [903.2.15] Other required suppression systems, by adding “Section 2204 Dispensing Operations” to Table **903.2.11.6** [903.2.15] Additional Required Fire *Suppression* [-Extinguishing] Systems.”

(op) Insert the additional new Section “2204.5 Dispensing operation suppression requirements” as follows:

“2204.5 Dispensing operations fire extinguisher system requirements: A fixed-fire-extinguisher system shall be installed to cover the entire fuel dispensing area to the satisfaction of the *Fire* Code Official. The system shall be capable of being activated both manually and automatically. The manual triggering devices shall be in a remote location not more than seventy-five feet (75’) from the dispensers. The system shall be designed and installed so that activation shall automatically cut off power to the pump dispensing devices, and shall include monitoring devices showing the condition of the system at all times.”

(eq) Section “3304.1 General” by adding a second sentence after the first and only sentence as follows:

~~“The storage of explosive materials and blasting agents is prohibited within the restricted area described in Title III, Building and Housing Code, Chapter 26, Building Regulations, Article 26-7, Fire Limits, Section 26-7-2, Additional Restricted Area Established, of the Concord Code of Ordinances.”~~

(f) Delete Section “**3404.2.9.6.1** [3404.2.9.5.1] Locations where above ground storage tanks are prohibited” in its entirety and insert in its place the following:

~~“**3404.2.9.6.1** [3404.2.9.5.1] Locations where above ground storage tanks are prohibited. The storage of flammable liquids in outside above ground tanks is prohibited within the restricted area described in Title III, Building and Housing Code, Chapter 26, Building Regulations, Article 26-7, Fire Limits, Section 26-7-2, Additional Restricted Area Established, of the Concord Code of Ordinances.”~~

(ps) Add the following new definition at the end of Section “3802.1 Definitions” as follows:

“Liquefied petroleum gas equipment: All containers, apparatus, piping, and equipment, except utility distribution piping system, required for the storage and handling of liquefied petroleum gas. Gas consuming appliances shall not be considered as liquefied petroleum gas equipment.

(t) Add the following sentences at the end of Section “3804.2 Maximum capacity within established limits”:

~~“Bulk storage of liquefied petroleum gas is prohibited within the restricted area described in Title III, Building and Housing Codes, Chapter 26, Building Regulations, Article 26-7; Fire Limits, Section 26-7-2, Additional Restricted Area Established, or the Concord Code of Ordinances.”~~

SECTION III: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 26, Building Regulations; Article 26-18, Life Safety Code by amending Section 26-18-1, Life Safety Code Adopted, by revising it as follows:

The NFPA 101 Life Safety Code/[2003] **2009** as amended by this Article, is hereby adopted and together with this Article, shall be known as the Life Safety Code of the City of Concord.

SECTION IV: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 26, Building Regulations; Article 26-18, Life Safety Code by creating a new Article 26-18-3, Amendments to the Life Safety Code/2009, as follows:

The following amendments are hereby made to the Life Safety Code/2009 as adopted by Section 26-18-1:

(a) Section 14.7.2.3 and Section 15.7.2.3 of NFPA 101 shall be amended to read as follows:

“Emergency egress and relocation drills shall be conducted as follows:

(1) At least one emergency egress and relocation drill shall be conducted every month the facility is in session, including summer school;

a. Exception No. 1: In climates where the weather is severe, the monthly emergency egress and relocation drills shall be permitted to be deferred provided that the required number of emergency egress and relocation drills is achieved and at least 4 are conducted before the drills are deferred; and

b. Exception No.2: With the approval of the local fire official and in concert with RSA 189:64, no more than 2 of the required emergency egress and relocation drills may be eliminated and replaced by drills that test emergency response to hazards such as earthquakes, hurricanes, floods, bomb threats, and domestic terrorism. No required emergency egress and relocation drills shall be replaced by hazard drills unless an emergency response plan is submitted to the local fire official and the New Hampshire Office of Emergency Management;

(2) All occupants of the building shall participate in the drill; and

(3) One additional emergency egress and relocation drill, other than for educational occupancies that are open on a year-round basis, shall be required within the first 30 days of operation”.

(b) Section 14.3.2.4 and Section 15.3.2.4 of NFPA 101 shall be amended by adding the following:

(7) “Dispensers installed over carpeted floors in non-sprinklered rooms and spaces shall be permitted, provided that there is an impervious, non-combustible surface of at least two feet

by two feet in size installed directly below each dispenser that has been permanently affixed to the floor of the structure”.

(c) Section 18.3.2.6(5) of NFPA 101 shall be amended to read as follows:

(5) “Not more than an aggregate of 10 gal (37.8L) of alcohol-based rub solution or 1135 oz (32.2 kg) of Level I aerosols, or a combination of liquids and level I aerosols not to exceed, in total, the equivalent of 10 gal (37.8L) or 1135 oz (32.2 kg), shall be in use outside of a storage cabinet in a single smoke compartment except as otherwise provided in 18.3.2.6(6)”.

(d) Section 18.3.2.6(6) of NFPA 101 shall be amended to insert a new section 18.3.2.6(6) and renumber the existing sections 18.3.2.6(6) through 18.3.2.6(8) accordingly as sections 18.3.2.6(7) through 18.3.2.6(9), to read as follows:

(6) “One dispenser complying with 18.3.2.6(2) or (3) per room and located in that room shall not be included in the aggregate quantity addressed in 18.3.2.6(5)”.

(e) Section 19.3.2.6(5) of NFPA 101 shall be amended to read as follows:

(5) “Not more than an aggregate of 10 gal (37.8L) of alcohol-based rub solution or 1135 oz (32.2 kg) of Level I aerosols, or a combination of liquids and level I aerosols not to exceed, in total, the equivalent of 10 gal (37.8L) or 1135 oz (32.2 kg), shall be in use outside of a storage cabinet in a single smoke compartment except as otherwise provided in 19.3.2.6(6)”.

(f) Section 19.3.2.6(6) of NFPA 101 shall be amended to insert a new section 19.3.2.6(6) and renumber the existing sections 19.3.2.6(6) through 19.3.2.6(8) accordingly as sections 19.3.2.6(7) through 19.3.2.6(9), to read as follows:

(6) “One dispenser complying with 18.3.2.6(2) or (3) per room and located in that room shall not be included in the aggregate quantity addressed in 19.3.2.6(5)”.

(g) Section 24.2.5.1 of NFPA 101 shall be amended to read as follows:

(1) “Section 24.2.5.1 Stairs ramps, guards and handrails shall be in accordance with 7.2.2 for stairs, 7.2.2.4 for guards and 7.2.5 for ramps, as modified by 24.2.5.1.1 through 24.2.5.1.7.”

(h) Section 24.2.5 of NFPA 101 shall be amended to insert new sections 24.2.5.1.4, 24.2.5.1.5, 24.2.5.1.6 and 24.2.5.1.7 to read as follows:

(1) “Section 24.2.5.1.4 Riser heights not exceeding 209 mm (8 1/4 in) and tread depths of not less than 229mm (9 in.) shall be permitted for stairs in new construction;”

(2) “Section 24.2.5.1.5 Porches, balconies or raised floor surfaces located more than 762 mm (30 in.) above the floor or grade below shall have guards not less than 914mm (36 in.)

in height. Open sides of stairs with a total rise of more than 762mm (30 in.) above the floor or grade below shall have a guard not less than 864mm (34 in.) in height measured vertically from the nose of the treads;”

(3) “Section 24.2.5.1.6 Handrails shall be permitted to be on one side of the stairs in new construction when the stair width is 965mm (38 in.);” and

(4) “Section 24.2.5.1.7 New handrails shall be installed to provide a clearance of not less than 2 ¼ inches (57mm) between the handrail and the wall to which it is fastened.”

(i) Section 24.3.4.3 of NFPA 101 shall be amended to insert new section 24.3.4.4 to read as follows:

(1) “Section 24.3.4.3 Exception. When housing up to 3 outsiders in rental rooms, section 24.3.4.1 (1), (2) and (3) shall apply and smoke alarms shall be interconnected 120 volts electrically powered with battery back up”.

(j) Section 30.2.2.3.1 and Section 31.2.2.3.1 of NFPA 101 shall be amended to insert the following exception:

(1) “Exception: Within any individual dwelling unit stairs complying with Section 24.2.5.1 as amended shall be permitted.”

(k) Section 36.4.4.4.3.2 of NFPA 101 shall be amended, by removing the section.

(l) Section 24.3.5.1 of NFPA 101 shall be amended to insert the following exception:

“24.3.5.1 Exception: Detached one and 2-family dwellings are exempt from the automatic fire sprinkler requirements as set forth in 24.3.5.1”.

SECTION V: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 26, Building Regulations; Article 26-18, Life Safety Code by renumbering (1) Section 26-18-3, Inspections, to 26-18-4; (2) Section 26-18-4, Review of Plans, to 26-18-5; (3) 26-18-5, Means of Appeals, to 26-18-6, (4) 26-18-6, Violations, to 26-18-7; (5) Section 26-18-7, Penalties, to 26-18-8, (6) Section 26-18-8, Unlawful Continuance, to Section 26-18-9; (6) Section 26-18-9, Disregard of Notice, to Section 26-18-10; (7) Section 26-18-10, Conflict of Provisions, to Section 26-18-11.

SECTION VI: This ordinance shall take effect upon its passage.

Explanation: Matter added to the current ordinance appears in ***bold italics***.
Matter removed from the current ordinance appears in [brackets and ~~struck through~~].