

CITY ORDINANCE - CHAPTER 5

ARTICLE IX: INTERNATIONAL FIRE CODE, 2006

The International Fire Code, 2006 Edition as published by the International Code Council, is hereby adopted as **Chapter 5, Article IX**, of the ordinances of the City of Portsmouth, New Hampshire, subject to the following amendments, additions and deletions:

SECTION 101 GENERAL

Insert in blank space:

101.1 Title: “the City of Portsmouth, New Hampshire”

SECTION 102 APPLICABILITY

Add new subsections to read as follows:

102.6.1 Specific electrical code reference. Wherever this Code references the *International Electric Code* the reader shall substitute that reference with the *National Electric Code*, NFPA 70 as adopted by the State of New Hampshire.

102.6.2 Specific gas code reference. Wherever this Code references the *International Fuel Gas Code* the reader shall substitute that reference with the *National Fuel Gas Code*, NFPA 54.

Change section title to read as follows:

SECTION 103 BUREAU OF FIRE PREVENTION

Change subsection to read as follows:

103.1 General. The Bureau of Fire Prevention and Control is hereby created within the City of Portsmouth, New Hampshire Fire Department. It shall be the duty and responsibility of the Fire Chief, the Fire Marshal, or any duly authorized representative, to enforce the provisions of this Code. The designated enforcement officer of this Code shall be referred to as the fire code official.

Add new sentence to end of subsection to read as follows:

103.3 Deputies. “Deputy officials shall include but not be limited to: the Deputy Fire Chief, Fire Prevention/Safety Officer, Fire Marshal, all Fire Officers, Chief Building Inspector, Assistant Building Inspector, Electrical Inspector, Plumbing/Mechanical Inspector, Public Works Director or City Engineer.”

SECTION 105 PERMITS

Change subsections to read as follows:

105.1.1 Permits required. All permits required by this Code, or any other ordinance or state law shall be obtained through the Building Inspection Department or Fire Prevention Bureau. Issued permits shall be kept on the premise designated therein at all times and shall be subject to inspection by the fire code official.

105.2 Application. Application for permits shall be made to the Building Inspection Department or Fire Prevention Bureau on the appropriate form provided. Applications for permits shall be accompanied by construction documents as required by the fire code official for evaluation of the application.

Change subsections to read as follows:

105.2.3 Time limitation of application. An application for a permit shall be deemed to have been abandoned one year after the date of filing, unless such application has been diligently prosecuted or a permit has been issued, except that the fire code official shall grant one (1) extension of time not exceeding twelve (12) months if there is reasonable cause and only when requested in writing prior to the application expiration date.

Change subsections to read as follows:

105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed, revoked or for such a period of time as specified on the permit. Construction/installation permits issued shall become invalid if the authorized work is not commenced within one year after issuance of the permit, or if the authorized work is suspended or abandoned for a period of one year after the time of commencing work

105.3.2 Extensions. The fire code official shall grant one (1) extension of time not exceeding twelve (12) months, if there is reasonable cause and only when requested in writing prior to the expiration date. Said extension will only be authorized when it does not conflict with any Federal, State, Local Laws or Ordinances.

105.4.6 Retention of construction documents. The fire code official shall mark-up one (1) set of plans with the necessary comments. This set shall become the official permit plan set. It is the responsibility of the permit holder to transfer these comments to whatever medium he/she wishes. The permit holder is responsible for complying with the comments as shown on the official permit construction documents kept by the fire code official.

105.6 Required operational permits. Permits shall be required by the fire code official in accordance with Sections 105.6.1 through 105.6.3.

105.6.1 Open Burning. The City of Portsmouth Fire Department shall issue open burning permits under the requirements of City Ordinance Chapter 5, Section 5:409.

105.6.2 Places of Public Assembly. The City of Portsmouth Fire Department shall issue places of public assembly permits under the requirements of State RSA 155:17 and 155:18.

105.6.3 Pyrotechnic special effects material or performances. The City of Portsmouth Fire Department shall issue permits for the outdoor display of 1.3G fireworks. Refer to Section 3308 (as amended) of this Code and State RSA 160-B for further requirements of outdoor fireworks displays. Pursuant to State RSA 153:5, the State Fire Code, Part Saf-C 6018 and Part Saf-C 6019, any person engaged in the discharge of proximate audience pyrotechnic displays shall be licensed and obtain a permit from the State Fire Marshal.

Delete ~~subsections 105.6.4 through 105.6.46~~ without substitution.

Change subsections to read as follows:

105.7 Required fire system construction permits. Permits shall be required by the code official in accordance with Sections 105.7.1 through 105.7.3.

105.7.1 Automatic fire-extinguishing systems including fire pumps. Applications for fixed fire-extinguishing systems may be obtained from the fire prevention bureau or the city building inspection department.

105.7.2 Fire alarm systems. Applications for fire alarm systems may be obtained from the fire prevention bureau or the city building inspection department.

105.7.3 Standpipe systems. Applications for standpipe systems may be obtained from the fire prevention bureau or the city building inspection department.

Delete ~~subsections 105.7.4 through 105.7.13~~ without substitution.

SECTION 108 BOARD OF APPEALS

Add sentence to end of subsection to read as follows:

108.1 Board of appeals established. Refer to Appendix A of this Code and Chapter 12 of the Portsmouth City Ordinances (International Building Code) for the establishment of the Board of Appeals.

SECTION 109 VIOLATIONS

Change subsection to read as follows:

109.3 Violations penalties. Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this Code, shall be subject to the penalty provisions prescribed by RSA 155-A:8. Each day that the violation continues shall be deemed a separate offense. Reference New Hampshire RSA's 625:8 I(c), 651:2 IV(a) and 676:17 for further penalty provisions.

SECTION 307 OPEN BURNING

Change subsections to read as follows:

307.1 General All open burning shall conform to all applicable State Laws (RSA 227-L) and Administrative Rules of the NH Department of Resources and Economic Development, Division of Forests and Lands and any other Federal, State, Local laws or ordinances which are applicable.

307.2 Permit required. Open burning shall be allowed after obtaining a permit from the Fire Department and paying the appropriate fee as set forth by the City of Portsmouth, NH.

Delete subsections ~~307.2.1 through 307.5~~ without substitution.

SECTION 503 FIRE APPARATUS ACCESS ROADS

Add new subsection to read as follows:

503.7 Fire Lanes. Fire lanes shall be maintained in areas so posted. All fire lanes shall conform to Chapter 7, Article XV, of the City Ordinances; *Vehicles, Traffic & Parking: Emergency Lanes.*

SECTION 609 COMMERCIAL KITCHEN HOODS

Change subsection to read as follows:

[M] 609.1 General. Commercial kitchen exhaust hoods shall comply with the requirements of the *International Mechanical Code* and NFPA 96, *Ventilation Control and Fire Protection of Commercial Cooking Operations.*

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

Change subsection to read as follows with exception remaining unchanged:

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section and as required by NFPA 101.

Add new item 4 to subsection:

903.2.6 Group M.

4. A Group M occupancy greater than 4800 sf and used for the display and sale of upholstered furniture.

Change subsection to read as follows, with exceptions remaining unchanged:

903.4.1 Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station, auxiliary fire alarm system or proprietary supervising station as defined in NFPA 72 or, when approved by the building or fire official shall sound an audible and visual signal at a constantly attended location.

SECTION 905 STANDPIPE SYSTEMS

Add new subsection to read as follows:

905.12 Treads. Threads provided for fire department connections to standpipe systems shall be compatible with equipment used by the Portsmouth Fire Department. Hand line hose threads for 2-1/2" diameter hose shall be National Standard thread. Hand line hose threads for 1-1/2" or 1-3/4" diameter hose shall be Iron Pipe thread.

SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

Add new sentence to end of first paragraph in subsection.

907.2 Where required. "A manual, automatic or combination manual and automatic fire alarm system shall also be provided in accordance with NFPA 101."

Edit subsection as follows:

907.2.1 Group A.

Delete Exception without substitution.

Edit subsection as follows:

907.2.2 Group B.

Delete Exception without substitution.

Edit subsection as follows:

907.2.3 Group E.

Delete Exception 3 without substitution.

Edit subsection as follows:

907.2.4 Group F.

Delete Exception without substitution.

Edit subsection as follows:

907.2.6. Group I.

Delete Exception without substitution.

Edit subsection as follows:

907.2.6.1 Group I-1.

Delete Exception 1 without substitution.

Edit subsection as follows:

907.2.6.2 Group I-2.

Delete Exceptions 1 and 2 without substitution.

Edit subsection as follows:

907.2.6.3.3 Smoke detectors.

Delete Exceptions 2 and 3 without substitution.

Edit subsection as follows:

907.2.7 Group M.

Delete Exceptions 1 and 2 without substitution.

Edit subsection as follows:

907.2.8.1 Manual fire alarm system.

Delete Exception 2 without substitution.

Change subsection to read as follows with exception remaining unchanged:

907.2.8.2 Automatic fire alarm system. System smoke detectors shall be installed in all common spaces and in means of egress components such as exit access corridors, exit enclosure stairs and basements and shall be installed to provide coverage based on the manufacturers listing for the device.

Change subsection to read as follows:

907.2.9 Group R-2. A manual and automatic fire alarm system shall be installed and maintained in all Group R-2 occupancies where any dwelling unit is located three or more stories above the lowest level of exit discharge; or where any dwelling unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit; or when said building contain more than 11 dwelling units.

Exceptions:

1. *This exception remains unchanged.*
2. *Delete this exception without substitution.*
3. *This exception remains unchanged.*

Add new subsection to read as follows:

907.2.9.1 Smoke detector coverage. System smoke detectors shall be installed in all common spaces and in means of egress components such as exit access corridors, exit enclosure stairs and basements and shall be installed to provide coverage based on the manufacturers listing for the device.

Add new item 4 to end of subsection:

907.2.10.1.1 Group R-1.

4. In all exit access corridors, all exit enclosure stairs and in common areas on each floor level, including basements, when the building is not equipped with an automatic fire alarm system. Single-or multiple-station smoke detectors in common areas shall be interconnected but shall not be interconnected with guest room smoke detectors.

Add new item 4 to end of subsection:

907.2.10.1.2 Groups R-2, R-3, R-4, and I-1.

4. In all exit access corridors, all exit enclosure stairs and in common areas on each floor level, including basements, when the building is not equipped with an automatic fire alarm system. Single-or multiple-station smoke detectors in common areas shall be interconnected but shall not be interconnected with dwelling unit smoke detectors. In some Group R-2 or R-3 occupancies, as determined by the fire official, additional single-or multiple-station smoke detectors may be required in the basement, interconnected with a dwelling unit(s) detector(s).

Add new subsection to read as follows:

907.2.10.1.4 Groups E, I-2 and I-4. Single-or multiple-station smoke detectors shall be installed and maintained on all stories and all sleeping rooms of Group E day care

facilities, Group I-2 child care facilities, Group I-4 day care facilities and Group I-4 child care facilities as defined in Section 202.

Exception: Single-or multiple-station smoke detectors shall not be required when the building is equipped with an automatic fire alarm system with smoke detection in all sleeping rooms.

Add new subsection to read as follows:

907.2.10.3.1 Smoke detector circuits. Smoke detectors in individual units shall be wired to a branch circuit containing lighting loads of the dwelling unit or guestroom. Smoke detectors in common spaces shall be wired to a circuit used for common habitable space lighting. All smoke detectors shall be wired ahead of any switch on the circuit. The electric panel shall be clearly labeled as to which circuit the smoke detectors are wired.

Add new subsection to read as follows:

907.3.2.3.1 Smoke detector circuits. Where interconnected smoke detectors are provided they shall be wired to a branch circuit containing lighting loads of the dwelling unit or guestroom. Smoke detectors in common spaces shall be wired to a circuit used for common habitable space lighting. All smoke detectors shall be wired ahead of any switch on the circuit. The electric panel shall be clearly labeled as to which circuit the smoke detectors are wired.

Change subsection to read as follows with exceptions remaining unchanged:

907.15 Monitoring. Fire alarm systems required by this chapter or the *International Building Code* shall be monitored by an approved supervising station or by a Auxiliary Fire Alarm System in accordance with NFPA 72.

CHAPTER 10 MEANS OF EGRESS

Delete all sections within this chapter and replace with the following subsections:

SECTION 1001 ADMINISTRATION

Change subsections to read as follows:

1001.1 General. The provisions of the *Life Safety Code*, NFPA 101, shall govern the minimum means of egress requirements in all new and existing buildings and structures.

Exception: The provisions of [B] Section 1007, *Accessible Means of Egress* as written in this code, shall apply to new construction.

1001.2 Minimum requirements. It shall be unlawful to alter a building or structure in a manner that will reduce the number of exits or the capacity of the means of egress to less than required by the code referenced in Section 1001.1.

SECTION 1410 ACCESS FOR FIREFIGHTING

Change subsection to read as follows:

1410.1 Site access and hydrant operation. When roads are created or extended during the construction of new developments and subdivisions, adequate site access for emergency vehicles shall be maintained at all times during construction. The fire department will be the determining agency when evaluating the adequacy of site access. As construction progresses, water hydrants required by the site plan shall be installed, activated, tested and maintained with adequate hydrant access as determined by the fire department. The City of Portsmouth reserves the right to “call” the site bond at any time during construction, when the owner refuses to provide adequate site access and water supply, as deemed necessary by the fire department, for the protection of life and property.

SECTION 2301 GENERAL

2301.1 Scope. *Delete in item 4, the reference to ~~NFPA-230~~ and replace with NFPA 1.*

SECTION 2308 RACK STORAGE

2308.4 Column protection. *Delete the reference to ~~NFPA-230~~ and replace with NFPA 1.*

SECTION 2310 SPECIALTY STORAGE

2310.1 General. *Delete the reference to ~~NFPA-230~~ and replace with NFPA 1.*

SECTION 2501 GENERAL

2501.1 Scope. *Delete the reference to ~~NFPA-230~~ and replace with NFPA 1.*

SECTION 3301 GENERAL

Amend subsection as follows:

3301.1.3 Fireworks. *Delete exception 4 with remainder of subsection unchanged.*

Change subsection to read as follows:

3301.2.4.1 Blasting. Blasting operations are regulated in Chapter 5, Article VII, Section 5:702 of the Portsmouth City Ordinances. Refer to this ordinance for additional blasting regulations and the permitting process.

SECTION 3308 FIREWORKS DISPLAYS

Add sentences to end of subsections to read as follows:

3308.1 General. The display, sale and discharge of 1.4G fireworks is prohibited within the City of Portsmouth, NH. The display and discharge of 1.3G fireworks shall meet the requirements of all Federal, State, Local Laws, Ordinances and Administrative Rules.

3308.2.1 Outdoor displays. Application for fireworks displays shall be made in writing at least 15 working days in advance of the date of the display or discharge of 1.3G fireworks, on the current version of the State of NH approved form. The discharge of fireworks shall be lawful under the terms and conditions approved. Approval granted hereunder shall not be transferable, nor shall any approval be extended beyond the dates set out therein.

Delete following subsection without substitution:

~~**3308.11 Retail display and sale.**~~

SECTION 3404 STORAGE

3404.3.3.9 Idle combustible pallets. *Delete the reference to NFPA 230 and replace with NFPA 1.*

CHAPTER 45 REFERENCED STANDARDS

Insert the following Codes and Standards:

New Hampshire State Building Code

Department of Safety
33 Hazen Drive Drive
Concord, NH 03305
(603) 271-3294
bldgcodebrd@dos.nh.gov

New Hampshire Architectural Barrier Free Design Code

Governor's Commission on Disability
57 Regional Drive
Concord, NH 03301-8518
(603) 271-2773
1-800-852-3405 (NH)
<http://www.nh.gov/disability/abcommittee.html>

New Hampshire Energy Code
Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429
(603) 271-2431
www.puc.nh.gov/index.htm
puc@puc.nh.gov

New Hampshire Elevator Law, RSA 157-B
NH Labor Department
Boiler & Elevator Division
PO Box 2076
Concord, NH 03302-2076
(603) 271-6294
www.labor.state.nh.us/boilers.asp

Amend in the NFPA Section the following referenced Standards:

Change 13-02 to 13-07 Design & Installation of Sprinkler Systems

Change 13D-02 to 13D-07 Design & Installation of Sprinkler Systems in 1 & 2 Family Dwellings

Change 13R-02 to 13R-07 Design & Installation of Sprinkler Systems in Residential Occupancies 4 Stories in Height or Less

Change 30-03 to 30-08 Flammable and Combustible Liquids Code

Change 30A-03 to 30A-08 Code for Motor Fuel-dispensing Facilities and Repair Garages

Change 30B-02 to 30B-07 Manufacture and Storage of Aerosol Products

Change 31-01 to 31-06 Installation of Oil-Burning Equipment

Change 58-04 to 58-08 Liquefied Petroleum Gas Code

Change 72-02 to 72-07 National Fire Alarm Code

Change 211-03 to 211-06 Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances

Change 230-03 to 01-06 Uniform Fire Code

Change 409-01 to 409-04 Aircraft Hangers

Insert in the NFPA Section the following referenced Codes and Standards:

54-09 National Fuel Gas Code

70-08 National Electric Code

96-08 Ventilation Control and Fire Protection of Commercial Cooking Operations

APPENDIX A - BOARD OF APPEALS

*Appendix A **is** adopted as part of this ordinance subject to the following amendments:*

Delete all subsections and replace with the following subsection to read as follows:

SECTION A101 GENERAL

A101.1 Scope. Refer to City Ordinance Chapter 12, Part 1, Appendix B as amended, (City Building Code), for the establishment of the Board of Appeals.

APPENDIX B – FIRE-FLOW REQUIREMENTS FOR BUILDINGS

*Appendix B **is** adopted as part of this ordinance without amendments.*

APPENDIX C – FIRE HYDRANT LOCATIONS AND DISTRIBUTION

*Appendix C is **not** adopted as part of this ordinance. New water hydrant locations are regulated through the City Planning / Site Development process.*

APPENDIX D - FIRE APPARATUS ACCESS ROADS

*Appendix D is **not** adopted as part of this ordinance.*

APPENDIX E – HAZARD CATEGORIES

*Appendix E **is** adopted as part of this ordinance without amendments.*

APPENDIX F – HAZARD RANKING

*Appendix F **is** adopted as part of this ordinance without amendments.*

APPENDIX G – CRYOGENIC FLUIDS-WEIGHT AND VOLUME EQUIVALENTS

*Appendix G **is** adopted as part of this ordinance without amendments.*

ADOPTED 20 Oct 2009