

**FIRE PREVENTION CODE**

**OF**

**VERMONT**

**ISSUED BY**

**DEPARTMENT OF LABOR & INDUSTRY**

**1975**



## VERMONT FIRE PREVENTION CODE

### SECTION 1. TITLE

These regulations are adopted pursuant to Title 21 V.S.A., Chapter 3, Sections 252 and 252, and shall be known and cited as the Fire Prevention Code of the State of Vermont.

### SECTION 2. INTENT OF CODE

It is the intent of this code to prescribe regulations consistent with nationally recognized good practice for the safeguarding of life and property from the hazards of fire and explosion arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises.

### SECTION 3. SCOPE

(a) This code shall apply to all public buildings and to all storage, handling, and use of hazardous substances, materials, and devices.

(b) The provisions of this code shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this code shall be permitted to continue where in the opinion of the Commissioner the exceptions do not constitute a distinct hazard to life or property.

(c) Nothing contained in this code shall be construed as applying to the transportation of any article or thing shipped under the jurisdiction of and in compliance with the regulations prescribed by the United States Department of Transportation, nor as applying to the military forces of the United States.

(d) Nothing contained in this code shall be construed to prevent the enforcement of other laws which prescribe more restrictive limitations.

### SECTION 4. DEFINITIONS

(a) As used in the Vermont Fire Prevention Code:

(1) "Addition" means any extension or enlargement of a building.

(2) "Alteration" means a change or rearrangement in the structural parts of a building, or a change in required window or exit facilities, or in the building service equipment regulated by this code.

- (3) "Approved" means approved by the Commissioner.
- (4) "Authority having jurisdiction" means the Commissioner.
- (5) "Building" means public building as defined under Title 18, V.S.A., Chapter 25, Section 1301.

(6) "Building service equipment" is the mechanical, electrical, plumbing and elevator equipment, including piping, wiring, fixtures, and other accessories which constitute the sanitation, lighting, heating, ventilating, air conditioning, fire extinguishing, and transportation facilities provided or required in a building.

(7) "Commissioner" means the Commissioner of Labor and Industry or his authorized representative.

(8) "Repair" means the renewal, replacement, or reinforcement of any existing part of a building, in keeping with its existing type of construction, arrangement of parts and occupancy, for maintenance purposes, including replacements and reinforcements because of fire damage and damage caused by the force of objects and the elements against a building.

(9) "Repair, minor" is the renewal or replacement of any part of a building in keeping with the existing type of construction, arrangement of parts, and occupancy of the building for maintenance purposes when the structural parts of the building are not affected.

(10) The word "owner" shall mean a person who has under his control or ownership a public building or premises.

(b) When terms are not defined in this section and are defined in the adopted National Safety Standards, they shall have the meaning ascribed to them in such Standards.

(c) Where terms are not defined under the provisions of this code or under the provisions of the adopted National Safety Standards, they shall have ascribed to them their ordinary accepted meanings or such as the context herein may imply.

#### SECTION 5. ADOPTION OF NATIONAL SAFETY STANDARDS

There is hereby adopted by the Commissioner for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the following nationally recognized safety standards, being particularly the specified edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of

which standards one copy is on file in the Office of the Secretary of State and the same are hereby adopted and incorporated as fully as if set out at length herein.

(1) Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped - American Standards Association Specification A117.1, dated 1961.

(2) Standard for the Installation of Portable Fire Extinguishers - National Fire Protection Association Standard, Number 10, 1973 Edition.

(3) Maintenance and Use of Portable Fire Extinguishers - National Fire Protection Association Standard Number 10A, 1973 Edition.

(4) Standard for Foam Extinguishing Systems - National Fire Protection Association Standard Number 11, 1973 Edition.

(5) Standard on Carbon Dioxide Extinguishing Systems - National Fire Protection Association Standard Number 12, 1973 Edition.

(6) Standard for the Installation of Sprinkler Systems - National Fire Protection Association Standard Number 13, 1973 Edition.

(7) Standard for the Installation of Standpipe and Hose Systems - National Fire Protection Association Standard Number 14, 1973 Edition.

(8) Standard for Water Spray Fixed Systems for Fire Protection - National Fire Protection Association Standard Number 15, 1973 Edition.

(9) Standard for the Installation of Foam-Water Sprinkler Systems and Foam-Water Spray Systems - National Fire Protection Association Standard Number 16, 1968 Edition.

(10) Standard for Dry Chemical Extinguishing Systems - National Fire Protection Association Standard Number 17, 1973 Edition.

(11) Standard for Water Tanks for Private Fire Protection - National Fire Protection Association Standard Number 22, 1971 Edition.

(12) Flammable and Combustible Liquids Code - National Fire Protection Association Standard Number 30, 1973 Edition.

Storage of Gasoline

I. Interior Storage

A. As it pertains to: Dwellings, Hotels, Motels, Camps, Office, Educational, Institutional, Mercantile, Retail Stores and Farms.

1. No storage is allowed anywhere inside above units.

2. Exception - That which is required for maintenance, which shall not exceed a total of ten gallons.

3. It shall not be stored in areas inhabited by occupants or the public, nor shall it be within the basement, or above the ground floor.

B. Container:

1. Such Flammable Fluid shall be stored in approved closed metal containers or safety cans.

2. The maximum contents of any portable container shall be five gallons.

C. Labels and color of container:

1. The receptacle shall be painted red and labeled as to contents in a contrasting color with letters of a permanent type and at least 1/2 inch in height.

II. Exterior Storage

A. No storage over ten gallons is allowed except in a tank conforming to National Fire Protection Association Standards.

B. All National Fire Protection Association requirements must be met.

1. Exception - The minimum allowable distance to any building or property line shall be forty feet.

If N.F.P.A. requires a greater distance, the greater distance shall prevail.

- (13) Standard for the Installation of Oil Burning Equipment - National Fire Protection Association Standard Number 31, 1972 Edition.
- (14) Standard for Drycleaning Plants - National Fire Protection Association Standard Number 32, 1972 Edition.
- (15) Standard for Spray Finishing Using Flammable and Combustible Materials - National Fire Protection Association Standard Number 33, 1973 Edition.
- (16) Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines - National Fire Protection Association Standard Number 37, 1970 Edition.
- (17) Retail and Wholesale Lumber Storage Yards - National Fire Protection Association Standard Number 47, 1973 Edition.
- (18) Standard for Bulk Oxygen Systems at Consumer Sites - National Fire Protection Association Standard Number 50, 1973 Edition.
- (19) Standard for Gaseous Hydrogen Systems at Consumer Sites - National Fire Protection Association Standard Number 50A, 1973 Edition.
- (20) Standard for Liquefied Hydrogen Systems at Consumer Sites - National Fire Protection Association Standard Number 50B, 1973 Edition.
- (21) Standard for the Installation and Operation of Oxygen-Fuel Gas Systems for Welding and Cutting - National Fire Protection Association Standard Number 51, 1973 Edition.
- (22) Standard for the Installation of Gas Appliances and Gas Piping - National Fire Protection Association Standard Number 54, 1969 Edition.
- (23) Standard for the Installation of Gas Piping and Gas Equipment on Industrial Premises and Certain Other Premises - National Fire Protection Association Standard Number 54A, 1969 Edition.
- (24) Standard for the Use of Inhalation Anesthetics - National Fire Protection Association Standard Number 56A, 1973 Edition.
- (25) Safety Standard for Hospital Laboratories - National Fire Protection Association Standard Number 56C, 1973 Edition.

(26) Standard for Hyperbaric Facilities - National Fire Protection Association Standard Number 56D, 1970 Edition.

(27) Standard for Nonflammable Medical Gas Systems - National Fire Protection Association Standard Number 56F, 1973 Edition.

(28) Standard for Fumigation - National Fire Protection Association Standard Number 57, 1973 Edition.

(29) Standard for the Storage and Handling of Liquefied Petroleum Gases - National Fire Protection Association Standard Number 58, 1972 Edition.

(30) Standard for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants - National Fire Protection Association Standard Number 59, 1968 Edition.

(31) Standard for the Production, Storage, and Handling of Liquefied Natural Gas - National Fire Protection Association Standard Number 59A, 1972 Edition.

(32) Standard for the Prevention of Fire and Dust Explosions in Grain Elevators and Bulk Grain Handling Facilities - National Fire Protection Association Standard Number 61B, 1973 Edition.

(33) Standard for the Prevention of Dust Explosions in Flour and Feed Mills - National Fire Protection Association Standard Number 61C, 1973 Edition.

(34) National Electrical Code - National Fire Protection Association Standard Number 70, 1975 Edition.

(35) Standard for the Installation, Maintenance, and Use of Central Station Protective Signaling Systems for Guard, Fire Alarm and Supervisory Service - National Fire Protection Association Standard Number 71, 1972 Edition.

(36) Standard for the Installation, Maintenance and Use of Local Protective Signaling Systems for Watchman, Fire Alarm and Supervisory Service - National Fire Protection Association Standard Number 72A, 1972 Edition.

(37) Standard for the Installation, Maintenance and Use of Auxiliary Protective Signaling Systems for Fire Alarm Service - National Fire Protection Association Standard Number 72B, 1972 Edition.

(38) Standard for the Installation, Maintenance and Use of Remote Station Protective Signaling Systems - National Fire Protection Association Standard Number 72C, 1972 Edition.

(39) Standard for the Installation, Maintenance and Use of Proprietary Protective Signaling Systems for Watchman, Fire Alarm and Supervisory Service - National Fire Protection Association Standard Number 72D, 1973 Edition.

(40) Standard for the Installation, Maintenance and Use of Public Fire Service Communications - National Fire Protection Association Standard Number 73, 1973 Edition.

(41) Standard for Household Fire Warning Equipment - National Fire Protection Association Standard Number 74, 1972 Edition.

(42) Standard for the Protection of Electronic Computer/Data Processing Equipment - National Fire Protection Association Standard Number 75, 1972 Edition.

(43) Standard for Essential Electrical Systems for Health Care Facilities - National Fire Protection Association Standard Number 76A, 1973 Edition.

(44) Lightning Protection Code, National Fire Protection Association Standard Number 78, 1968 Edition.

(45) Standard for Fire Doors and Windows - National Fire Protection Association Standard Number 80, 1973 Edition.

(46) Standard for Incinerators and Rubbish Handling - National Fire Protection Association Standard Number 82, 1972 Edition.

(47) Standard for Prevention of Furnace Explosion in Fuel Oil and Natural Gas-fired Watertube Boiler-Furnaces - National Fire Protection Association Standard Number 85, 1973 Edition.

(48) Standard for Prevention of Furnace Explosions in Natural Gas-fired Multiple Burner Boiler-Furnaces - National Fire Protection Association Standard Number 85B, 1973 Edition.

(49) Standard for Prevention of Furnace Explosions in Fuel Oil-fired Multiple Burner Boiler-Furnaces - National Fire Protection Association Standard Number 85D, 1973 Edition.

(50) Standard for Prevention of Furnace Explosions in Pulverized Coal-fired Multiple Burner Boiler-Furnaces - National Fire Protection Association Standard Number 85E, 1973 Edition.

(51) Standard for Ovens and Furnaces - National Fire Protection Association Standard Number 86A, 1973 Edition.

- (52) Standard for Industrial Furnaces - National Fire Protection Association Standard Number 86B, 1973 Edition.
- (53) Standard for Parking Structures - National Fire Protection Association Standard Number 88A, 1973 Edition.
- (54) Standard for Repair Garages - National Fire Protection Association Standard Number 88B, 1973 Edition.
- (55) Manual on Clearances for Heat Producing Appliances - National Fire Protection Association Standard Number 89M, 1971 Edition.
- (56) Standard for the Installation of Air Conditioning and Ventilating Systems - National Fire Protection Association Standard Number 90A, 1973 Edition.
- (57) Standard for the Installation of Warm Air Heating and Air Conditioning Systems - National Fire Protection Association Standard Number 90B, 1973 Edition.
- (58) Standard for Blower and Exhaust Systems - National Fire Protection Association Standard Number 91, 1973 Edition.
- (59) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment - National Fire Protection Association Standard Number 96, 1973 Edition.
- (60) Code for Life Safety from Fire in Buildings and Structures - National Fire Protection Association Standard Number 101, 1973 Edition.
- (61) Standard for Tents, Grandstands, and Air-Supported Structures Used for Place of Assembly - National Fire Protection Association Standard Number 102, 1972 Edition.
- (62) Manual on Roof Coverings - National Fire Protection Association Standard Number 203M, 1970 Edition.
- (63) Guide for Smoke and Heat Venting - National Fire Protection Association Standard Number 204, 1968 Edition.
- (64) Guide on Building Areas and Heights - National Fire Protection Association Standard Number 206M, 1970 Edition.
- (65) Standard for Chimneys, Fireplaces, and Venting Systems - National Fire Protection Association Standard Number 211, 1972 Edition.
- (66) Standard Types of Building Construction - National Fire Protection Association Standard Number 220, 1961 Edition.

(67) Homes and Camps in Forest Areas - National Fire Protection Association Standard Number 224, 1972 Edition.

(68) Standard for Indoor General Storage - National Fire Protection Association Standard Number 231, 1972 Edition.

(69) Standard for Storage of Cellular Rubber and Plastics Materials - National Fire Protection Association Standard Number 231B, 1968 Edition.

(70) Standard for Rack Storage of Materials - National Fire Protection Association Standard Number 231C, 1973 Edition.

(71) Standard for the Protection of Records - National Fire Protection Association Standard Number 232, 1970 Edition.

(72) Standard for Safeguarding Building Construction and Demolition Operations - National Fire Protection Association Standard Number 241, 1973 Edition.

(73) Standard Methods of Fire Tests of Building Construction and Materials - National Fire Protection Association Standard Number 251, 1972 Edition.

(74) Method of Test of Surface Burning Characteristics of Building Materials - National Fire Protection Association Standard Number 255, 1972 Edition.

(75) Fire Protection Standard for Marinas and Boatyards - National Fire Protection Association Standard Number 303, 1969 Edition.

(76) Standard on Basic Classification of Flammable and Combustible Liquids - National Fire Protection Association Standard Number 321, 1973 Edition.

(77) Standard Procedures for Cleaning or Safeguarding Small Tanks and Containers - National Fire Protection Association Standard Number 327, 1970 Edition.

(78) Standard for Tank Vehicles for Flammable and Combustible Liquids - National Fire Protection Association Standard Number 385, 1971 Edition.

(79) Standard for Portable Shipping Tanks - National Fire Protection Association Standard Number 386, 1970 Edition.

(80) Standard for Flammable and Combustible Liquids on Farms and Isolated Construction Projects - National Fire Protection Association Standard Number 395, 1972 Edition.

(81) Standard for Aircraft Fuel Servicing - National Fire Protection Association Standard Number 407, 1973 Edition.

(82) Standard on Aircraft Hangars - National Fire Protection Association Standard Number 409, 1973 Edition.

(83) Standard on Aircraft Fueling Ramp Drainage - National Fire Protection Association Standard Number 415, 1973 Edition.

(84) Standard on Airport Terminal Buildings - National Fire Protection Association Standard Number 416, 1973 Edition.

(85) Code for the Storage of Ammonium Nitrate - National Fire Protection Association Standard Number 490, 1970 Edition.

(86) Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents - National Fire Protection Association Standard Number 492, 1968 Edition.

(87) Code for the Manufacture, Transportation, Storage, and Use of Explosive Materials - National Fire Protection Association Standard Number 495, 1973 Edition.

(88) Standard for Mobile Home Parks - National Fire Protection Association Standard Number 501A, 1973 Edition.

(89) Standard for Motor Freight Terminals - National Fire Protection Association Standard Number 513, 1973 Edition.

(90) Standard for the Prevention of Dust Explosions in the Plastics Industry - National Fire Protection Association Standard Number 654, 1970 Edition.

(91) Standard for the Prevention of Dust Explosions in Woodworking and Wood Flour Manufacturing Plants - National Fire Protection Association Standard Number 664, 1971 Edition.

(92) Standard Methods of Fire Tests for Flame Resistant Textiles and Films - National Fire Protection Association Standard Number 701, 1969 Edition.

(93) Fire Protection Practice for Facilities Handling Radioactive Materials - National Fire Protection Association Standard Number 801, 1970 Edition.

(94) American National Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks - ANSI A17.1-1971 and A17.1a-1972.

## SECTION 6. REFERENCE DOCUMENTS

(a) This code includes as a part of its provisions the following reference documents to provide detailed technical information regarding materials, equipment, and methods of structural design when necessary to ensure compliance with the performance requirements of this code.

(1) Underwriters' Laboratories, Inc. - Fire Protection Equipment List, 1973 Edition as amended.

(2) Underwriters' Laboratories, Inc. - Building Materials Directory, 1973 Edition as amended.

(3) Underwriters' Laboratories, Inc. - Fire Resistance Index, 1973 Edition as amended.

(4) Underwriters' Laboratories, Inc. - Gas and Oil Equipment List, 1972 Edition as amended.

(5) American Insurance Association - National Building Code, 1967 Edition.

(6) Factory Mutual Engineering Corporation - Factory Mutual Approval Guide, 1973 Edition.

(7) Sheet Metal and Air Conditioning Contractors' National Association, Inc. - Fire Damper Guide for Air Handling Systems, 1972 Edition.

(b) In the case of any conflict between the provisions of this code and those of any reference document, the provisions of this code will always take precedence.

## SECTION 7. ANNUAL HEARING

Annually, on or before December 1, a hearing shall be conducted by the Commissioner pursuant to the Administrative Procedures Act for the purpose of amending, or adopting newly amended sections of the appropriate sections of the National Fire Protection Association Standards or such other sections of this code as the Commissioner deems appropriate.

## SECTION 8. INDEPENDENT SECTIONS: VALIDITY OR CONSTITUTIONALITY

Each section of this code and every part of each section is an independent section and the holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause does not affect the validity or constitutionality of any other section or part thereof.

## SECTION 9. POWERS OF THE COMMISSIONER

The Commissioner may:

(a) Enter any public building or premises at any reasonable time for the purpose of administering or enforcing this code.

(b) Cause a written notice to be delivered to the owner of any property directing him to correct any condition where, in the opinion of the Commissioner, that condition constitutes a violation of this code.

(c) Order the owner to stop work on the building or premise if it is proceeding in contravention of this code or if it is deemed to be in an unsafe condition.

(d) Direct that tests of materials, devices, or structural assemblies be made, or sufficient evidence or proof be submitted, at the expense of the owner, where such evidence or proof is necessary to determine whether the material, device, or construction meets the requirements of this code.

(e) Revoke or refuse to issue an approval where in the opinion of the Commissioner the results of tests referred to in subsection (d) are not satisfactory.

(f) Order the removal of any building or equipment erected or placed in violation of this code.

## SECTION 10. RESPONSIBILITY OF THE OWNER

Neither the granting of an approval of the drawings and specifications nor inspections made by the Commissioner shall in any way relieve the owner of such public building or premises from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of this code.

## SECTION 11. DUTIES OF THE OWNERS

Every owner of property shall:

(a) Permit the Commissioner to enter any public building or premises at any reasonable time for the purpose of administering or enforcing this code.

(b) Obtain approval of drawings and specifications from the Commissioner for all construction or major alteration of public buildings or premises prior to starting work on the building site.

(c) Give written notice to the Commissioner thirty days prior to desired occupancy or use of the building or premises described in the plans and specifications approved by the Commissioner.

(d) Obtain an occupancy approval from the Commissioner prior to any:

(1) Occupancy of a building or part thereof after construction or alteration of that building or part, or

(2) Use of any plant or equipment on the premises, or

(3) Change in the class of occupancy of any building or part thereof.

(e) Provide for adequate fire lanes for all public buildings, pumping sites and hydrants. The adequacy of such lanes shall be determined by local fire authorities in cooperation with the Commissioner. Enforcement action under this section may be delegated to local fire authorities by the Commissioner.

#### SECTION 12. DRAWINGS AND SPECIFICATIONS, WHEN REQUIRED

Where this code is applicable under Section 3 and before a building or facility or an addition to a building or facility is constructed or erected, and before a building or facility is altered or relocated, or building equipment is installed therein, drawings and specifications relating to the work and equipment under consideration shall be prepared in conformity with Section 14 of this code and be submitted to the Commissioner for inspection, except that no drawings or specifications need be filed for minor repairs.

#### SECTION 13. DRAWINGS AND SPECIFICATIONS, WHEN AND WHERE TO FILE

Prior to beginning the construction or erection of any building for which drawings and specifications are required under Section 12 of this code, the owner thereof or his agent shall submit not less than two copies of said drawings and specifications to the Commissioner of Labor and Industry, Montpelier, Vermont, for approval.

#### SECTION 14. DRAWINGS AND SPECIFICATIONS TO BE ADEQUATE

(a) Drawings required under Section 12 shall be drawn to scale and shall be sufficiently clear, comprehensive, detailed and legible when submitted to the Commissioner so that, together with any accompanying specifications and data, a person who is competent in such matters can readily determine whether or not the proposed building, addition, or alteration, and all proposed building equipment will conform in safety to all applicable provisions of this code.

(b) The live loads used in the design of the building shall be tabulated on the drawings for all work to which such drawings apply.

(c) Plans and specifications required under Section 12 shall include provision for fire lanes as required under Section 11.

#### SECTION 15. DRAWINGS AND SPECIFICATIONS, REQUIRED EVIDENCE OF RESPONSIBILITY

Drawings and specifications when submitted for inspection as required under Section 12, shall bear the identification of the person primarily responsible for their preparation and for the provisions for safety shown therein.

#### SECTION 16. DRAWINGS AND SPECIFICATIONS, INSPECTION OF

(a) The Commissioner shall examine drawings and specifications for compliance with this code when they are submitted to him for approval, and he shall reply in writing to the owner within sixty days from date of receipt of the submission.

(b) Drawings and specifications certified by a registered architect or professional engineer who prepared the same as conforming to the requirements of this code pertaining to design loads, stresses, strength and stability, or other requirements involving technical analysis, need be examined by the Commissioner only to the extent necessary to determine conformity of such drawings and specifications with other requirements of this code.

#### SECTION 17. DRAWINGS AND SPECIFICATIONS, APPROVAL OF

(a) When the Commissioner finds that the drawings and specifications submitted to him for approval under Section 12 conform to the applicable provisions of this code, he shall endorse or stamp such drawings and specifications as approved by the Commissioner.

(b) Nothing in this code shall be construed to prevent the Commissioner from issuing a conditional approval for the construction of part of a building or structure before the entire drawings and specifications of said building or structure have been submitted or approved, provided adequate information and detailed statements have been submitted for the same and have been found to comply with this code.

(c) Every approval issued is conditioned upon:

(1) Construction being started within six months from the issue date of the approval.

(2) Construction not being discontinued or suspended for a period of more than one year.

SECTION 18. DRAWINGS AND SPECIFICATIONS, REVOCATION OF APPROVAL OF

The Commissioner may revoke an approval issued if any violation of this code is found upon inspection or in case there has been any false statement or misrepresentation as to a material fact in the drawings and specifications on which the approval was based.

SECTION 19. DRAWINGS AND SPECIFICATIONS, APPROVED SET REQUIRED

(a) One set of drawings and specifications approved under Section 17 shall be returned to the owner and shall be kept at the site of the work for which the drawings and specifications were approved and shall be available for reference by the Commissioner at all times during working hours while such work is in progress.

(b) The Commissioner shall stamp or endorse additional sets of drawings and specifications which have been approved by him, in addition to the two sets required under Section 13, when so requested by the owner or his agent.

SECTION 20. DRAWINGS AND SPECIFICATIONS, CONFORMITY TO

The construction, erection, and alteration of a building, and any addition thereto, and the equipment and maintenance thereof shall conform to required drawings and specifications which have been approved by the Commissioner, except for minor deviations which do not involve a violation of this code.

SECTION 21. SPECIAL SUPERVISION, WHERE REQUIRED

Where, in the opinion of the Commissioner, the work covered by approved drawings and specifications involves construction or equipment which is hazardous or complex or for other good reason requires special or expert supervision, the Commissioner may require the architect who signed such drawings and specifications or professional engineer who affixed his seal thereto, or made the plans and computations for such work, to provide special inspection of the work involved and to certify upon completion that the work is done in substantial conformity with the approved drawings and specifications as they relate to safety. Where such architect or professional engineer is not available, another architect or professional engineer, or other qualified person shall perform the required special inspection.

## SECTION 22. INSPECTION

If the drawings and specifications for the erection, construction, repair, alteration, relocating, or equipment of a building are subject to inspection by the Commissioner, under Section 12, he shall make or cause to be made such inspections, investigations, and determinations as are necessary to determine whether or not the work which has been performed and the installations which have been made are in conformity with the approved drawings and specifications relating thereto, except to the extent special supervision is provided under Section 21.

## SECTION 23. LIABILITY FOR DAMAGES

The code shall not be construed to hold the Commissioner responsible for any damage to persons or property by reason of the inspection or reinspection authorized herein or failure to inspect or reinspect or the approval of drawings and specifications as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

## SECTION 24. PENALTIES

Every person who fails to comply with any provisions of this code or who fails to carry out an order made under this code or any condition attached to an approval or to which an approval is subject is guilty of an offense and shall be subject to prosecution as provided for in Title 21 V.S.A., Chapter 3, Section 210.

## SECTION 25. CONFIDENTIAL INFORMATION

Any information necessarily required by the Commissioner which shall be of a confidential, proprietary or trade secret nature, shall be treated as confidential when so identified.

## SECTION 26. EFFECTIVE DATE OF AMENDMENTS

Amendments to this code shall take effect from December 23, 1974, and shall not be retroactive except when conditions exist which are a distinct hazard to life or property or the existing conditions constitute a violation of other laws which prescribe more restrictive limitations.

LOUIS LAVIN  
Commissioner  
Department of Labor & Industry