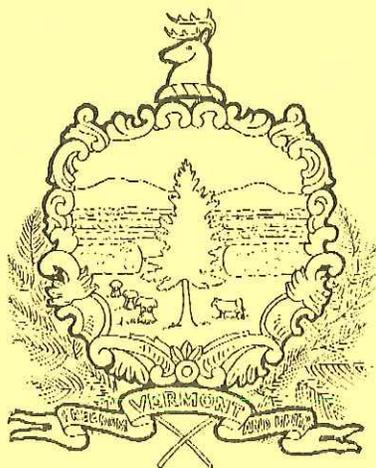


STATE OF VERMONT



1989 VERMONT FIRE PREVENTION AND BUILDING CODE

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Governor

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Department of Labor and Industry

State of Vermont
Vermont Fire Prevention and Building Code

Table of Contents

SECTION 1	TITLE	1
SECTION 2	INTENT OF CODE	1
SECTION 3	SCOPE AND CONSTRUCTION	1
SECTION 4	APPLICATION FOR A CONSTRUCTION PERMIT	2
SECTION 5	FEES FOR A CONSTRUCTION PERMIT	2
SECTION 6	USE AND OCCUPANCY PERMIT	3
SECTION 7	RESPONSIBILITY OF THE OWNER	3
SECTION 8	DUTIES OF THE OWNER	3
SECTION 9	POWERS OF THE COMMISSIONER OF LABOR AND INDUSTRY	4
SECTION 10	ADOPTION OF NATIONALLY RECOGNIZED SAFETY STANDARDS	4
SECTION 11	VARIANCE PROCEDURE	17
SECTION 12	REQUEST FOR RECONSIDERATION	18
SECTION 13	ADVISORY BOARD	18
SECTION 14	MUNICIPAL ENFORCEMENT AND COORDINATION	18
SECTION 15	EFFECTIVE DATES	19
APPENDIX 1	Minimum Snow Load Map	
APPENDIX 2	Definitions	
ATTACHMENT 1	Examples That Should Be Included in Plans and and Specifications	
ATTACHMENT 2	Construction Permit Application	

Note: These rules should be read in conjunction with: The BOCA National Building Code, 1987 edition and its 1988 supplement; The BOCA National Fire Prevention Code, 1987 edition and its 1988 supplement; and, The Life Safety Code, 1988 edition.

State of Vermont

Vermont Fire Prevention and Building Code 1989

SECTION 1. TITLE

These rules are adopted under 21 V.S.A. Sections 252 and 262 and shall be known and cited as the *1989 Vermont Fire Prevention and Building Code*.

SECTION 2. INTENT OF CODE

It is the intent of this *Code* to make rules regarding the construction of buildings, maintenance and operation of premises, and prevention of fires and removal of fire hazards and to prescribe standards necessary to protect the public, employees and property against harm arising out of or likely to arise out of fire.

SECTION 3. SCOPE AND CONSTRUCTION

(a) The *1989 Vermont Fire Prevention and Building Code* shall apply and control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all public buildings and premises and to all manufacturing, storage, handling, transportation and use of hazardous, explosive and flammable petroleum products. For purposes of this *Code*, the words public building, premise, structure, or any part thereof, shall be construed to be the same as that prescribed for "public building" in Title 21 V.S.A. Sec. 251(a) and "condominium" as prescribed in Title 21 V.S.A. Sec. 251(d). The definitions for "public building" and "condominium" are included in Appendix 2.

(b) The *1989 Vermont Fire Prevention and Building Code* shall apply to new and existing buildings, premises, and their use, occupancy and maintenance except that existing or new buildings, premises and their use, occupancy and maintenance not in strict compliance with the material terms of this *Code* shall be permitted when, in the opinion of the Commissioner of Labor and Industry or a duly authorized representative, the exceptions do not constitute a distinct hazard to life or property.

(c) Nothing contained in the *1989 Vermont Fire Prevention and Building 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, or the Vermont Agency of Transportation with respect to placarding, nor as applying to the military forces of the United States.

(d) Nothing contained herein shall be construed to limit the authority of the Commissioner of Labor and Industry to establish priorities for enforcing these rules based on the relative risks to persons and property from fire of particular types of premises.

(e) In the event any part or provision of this *Code* is held to be illegal, this shall not have the effect of making void or illegal any of the other parts or provisions of this *Code*.

SECTION 4. APPLICATION FOR A CONSTRUCTION PERMIT

(a) Before a building or premise or an addition to a building or premise is constructed or erected, and before a building or premise is altered or relocated, or building equipment is installed therein, a construction permit shall be obtained from the Commissioner or a duly authorized representative. To obtain a construction permit an application for a construction permit shall be submitted to the Commissioner or a duly authorized representative. Plans and specifications relating to the work and equipment under consideration shall accompany the application unless specifically waived by the Commissioner or a duly authorized representative, based on the size, use, occupancy or complexity of the work. No plans or specifications need to be submitted for minor repairs. Applications for a construction permit are available from any office of the Department of Labor and Industry. An application form is included in Attachment 2.

(b) Plans required under this *Code* shall be drawn to scale and shall be sufficiently clear, comprehensive, detailed and legible when submitted to the Commissioner or a duly authorized representative 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 to this *Code*. Examples of information that should be included in the plans and specifications are included in Attachment 1.

(c) An application for a construction permit shall be determined to be complete prior to assignment for review.

(d) The Commissioner or a duly authorized representative shall review the application for a construction permit and the plans and specifications where applicable and shall issue or deny the application within a reasonable time after filing. The Commissioner or a duly authorized representative may require additional information before issuing or denying the application for a construction permit and may issue a conditional construction permit under specified terms and conditions. Conditions of the permit or reasons for denial of the permit shall be transmitted to the applicant in writing.

(e) The Commissioner or a duly authorized representative may provide consultation or preliminary plan review for proposed construction when deemed warranted by the significance or complexity of the project.

(f) The construction permit shall be posted on the site of operations in a conspicuous place open to public view during the entire time of construction and until completion of the project.

(g) Any information necessarily required by the Commissioner or a duly authorized representative which is identified as confidential, proprietary or trade secret, shall be so treated.

SECTION 5. FEES FOR A CONSTRUCTION PERMIT

(a) A properly completed application submitted for a construction permit shall be accompanied by the appropriate fee as established according to Title 21 V.S.A. Sec. 252(c). The application for a construction permit including plans and specifications will not be reviewed until the appropriate fee has been paid.

(b) The fee due based on the total valuation of the construction work to be done is \$3.00 per each \$1,000.00 of construction valuation.

(c) For purposes of assisting the Commissioner or a duly authorized representative in determining the validity of estimated valuation, reference may be made to the BOCA Building Valuation Data Report published by the Building Officials and Code Administrators (BOCA) International, Inc.

(d) No fee shall be charged for the benefit of the state if the municipality in which the building or structure is located has assumed responsibility for reviewing and approving construction plans and drawings pursuant to 21 V.S.A. Sec. 256.

(e) In the case of abandonment or discontinuance of a building project involving a construction permit fee greater than \$150 the construction permit fee may be refunded upon written request to the Commissioner, prorated on construction work, services, reviews, and inspections conducted prior to such abandonment.

SECTION 6. USE AND OCCUPANCY PERMIT

(a) A building or structure hereafter erected shall not be used or occupied in whole or in part until a permit for use and occupancy shall have been issued by the Commissioner or a duly authorized representative.

(b) A building or structure hereafter enlarged, extended or altered to change from one use group to another or to a different use within the same use group in whole or in part, and a building or structure hereafter altered for which a permit for use and occupancy has not been heretofore issued, shall not be occupied or used until the permit shall have been issued by the Commissioner or a duly authorized representative.

(c) Before a use and occupancy permit is issued:

- 1) A final inspection shall be conducted by the Commissioner or duly authorized representative and the results shall be given to the owner in writing, or;
- 2) At the discretion of the Commissioner or a duly authorized representative, a Completion Certificate shall be filed by the owner or a duly authorized representative certifying that the construction work was completed in accordance with the approved plans and specifications.

(d) Before a use and occupancy permit is issued, a building or structure and the building systems installed therein shall be in substantial compliance with all other codes administered by the Department of Labor and Industry.

(e) The Commissioner or a duly authorized representative may issue a temporary use and occupancy permit for a building or structure, or part thereof, before the entire work covered by the construction permit shall have been completed, providing that such portion or portions may be occupied safely prior to full completion of the

building or structure without endangering life or public welfare.

(f) The Commissioner or a duly authorized representative may issue a temporary use and occupancy permit, and assign dates for abatement of violations noted at the time of the final inspection provided that such violations do not endanger the public safety.

(g) The owner or a duly authorized representative shall provide written notice to the Commissioner or a duly authorized representative fifteen days prior to the desired use and occupancy of the building or structure.

(h) The Use and Occupancy Permit shall be posted on the site of operation in a conspicuous place open to public view.

SECTION 7. RESPONSIBILITY OF THE OWNER

Neither the issuance of a construction permit nor inspections made by the Commissioner or a duly authorized representative shall in any way relieve the owner of the public building or premise from full responsibility for having the work performed in accordance with requirements of this *Code*.

SECTION 8. DUTIES OF THE OWNER

The owner of the building or structure, or a duly authorized representative shall:

(a) Not build or maintain or cause to be built or maintained any public building or premise which is unsafe or is likely to be unsafe to persons or property.

(b) Observe these rules on all public buildings or premises under his/her control.

(c) Allow the Commissioner or a duly authorized representative to enter any public buildings or premises at any reasonable time for the purpose of administering or enforcing this *Code*.

(d) Obtain a construction permit from the Commissioner or a duly authorized representative for all construction under Section 4(a) of this *Code* for public buildings or premises prior to starting work at the building site.

(e) Obtain use and occupancy approval from the Commissioner or a duly authorized representative 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 building plant or equipment on the premises, or
- 3) Change in the use and occupancy of any building or part thereof.

SECTION 9. POWERS OF THE COMMISSIONER OF LABOR AND INDUSTRY

The Commissioner of Labor and Industry or a duly authorized representative may:

(a) Enter any public building or premise for the purpose of administering or enforcing this *Code*.

(b) In accordance with the provisions of 21 V.S.A Sec. 253, order a building or premise or any part of it closed until any unsafe condition or violation of this *Code* is corrected. Where appropriate the Commissioner may order the demolition, removal, or fencing of any unsafe building or premise.

(c) 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 or a duly authorized representative, that condition constitutes a violation of this *Code*.

(d) Order the owner to stop work on the building or premise if it is proceeding in contravention of this *Code* or if it considered unsafe.

(e) 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 the evidence or proof is necessary to determine

whether the material, device or construction meets the requirements of this *Code*.

(f) Revoke, amend, or refuse to issue a permit where, in the opinion of the Commissioner or a duly authorized representative, the results of tests referred to in subsection (e) of this section are not satisfactory.

(g) Order the removal of any building or equipment erected or placed in violation of this *Code*.

(h) Conduct investigations and inspections of any existing public building or premise in response to any complaint regarding safety to the public.

(i) Conduct routine, random, or regular inspections of public buildings or premises based on the relative risk to persons and property from fire of particular types of premises.

(j) Pursuant to 21 V.S.A Sec. 256, enter into agreements with municipalities to enforce this *Code*.

SECTION 10. ADOPTION OF NATIONALLY RECOGNIZED SAFETY STANDARDS

(a) The Commissioner of Labor and Industry, for the purpose of making rules regarding the construction of buildings, maintenance and operation of premises, prevention of fires, removal of fire hazards, and prescribing standards necessary to protect the public, employees, and property against harm arising out of or likely to arise out of fire, adopts the following nationally recognized safety standards:

- 1) The BOCA National Building Code, 1987 edition and its 1988 Supplement (herein after noted as the BOCA Building Code), except as amended, altered, deleted or added to in this Section, shall apply to all construction, additions and alterations to all public buildings, and also to structural conditions hazardous to life in all existing public buildings. To meet the individual needs of Vermont, the BOCA Building Code is amended as follows:

Note: These rules should be read in conjunction with: The BOCA National Building Code, 1987 edition and its 1988 supplement; The BOCA National Fire Prevention Code, 1987 edition and its 1988 supplement; and, The Life Safety Code, 1988.

- delete - Section 100. Scope
- delete - Section 101. Applicability
- delete and replace as follows
 - Section 103.2. Change in use

103.2 Change in Use: A change in use or occupancy without structural alterations shall be subject to the provisions of the Life Safety Code.

- delete - Section 103.4. Rehabilitation
- delete and replace as follows
 - Section 108.1 Professional, Architectural, and Engineering Services, when required

108.1 Architectural and Engineering Services, when required: Acceptance or rejection by the Department of plans or specifications submitted for review is not intended to imply compliance or non-compliance with Vermont licensing laws (26 V.S.A. Chapter 3 and 26 V.S.A. Chapter 20). Where required by the size, height, use or complexity of the project and where needed to insure the public safety, the Commissioner or a duly authorized representative, may require that plans or engineering details be submitted by a licensed professional engineer or architect.

Examples of projects that may require plans to be submitted by a licensed professional engineer or architect include;

- a) hospitals,
- b) schools,
- c) jails, or
- d) public utilities.

Examples of projects that may require engineering details to be submitted by a licensed professional engineer include;

- 1) projects where mechanical systems carry hazardous materials,
- 2) multi-story projects of steel and concrete construction, or
- 3) canopies supported by a single column.

These projects are listed solely as examples and are in no way intended to limit the Commissioner's authority to request that a licensed professional engineer or architect submit more detailed plans where needed to insure the public safety.

- delete - Section 109.1 Code Official
- delete - Section 109.2 Appointment
- delete - Section 109.3 Organization
- delete - Section 109.4 Deputy
- delete - Section 110.6 Rule making authority

- delete and replace as follows

- **Section 111.5 Plans and Specifications**

111.5 Plans and specifications: The application for the permit shall be accompanied by at least one copy of the specifications and plans drawn to scale, with sufficient clarity and detail dimensions to show the nature and character of the work to be performed. Additional copies of specifications and plans shall be submitted upon request of the Commissioner or a duly authorized representative.

- delete - **Section 111.6.1 Private sewage disposal system**

- delete - **Section 112.5 Approved plans**

- delete - **Section 114.3 New construction and alteration**

- delete - **Section 114.3.1 Fee schedule**

- delete - **Section 114.4 Accounting**

- delete - **Section 114.5 Refunds**

- delete - **Section 115.2 Required inspections**

- delete - **Section 115.3 Final inspections**

- delete - **Section 117.4 Violation penalties**

- delete - **Section 118.2 Unlawful continuance**

- delete - **Section 120.2 Examination and record of damaged structure**

- delete - **Section 122.4 Periodic inspections**

- delete - **Section 123 Board of Survey**

- delete - **Section 124 Means of Appeal**

- delete and replace as follows

- **Section 201 Mezzanines**

201 Mezzanines: An intermediate level between the floor and the ceiling of any room or space and covering not more than one third of the floor area of the room or space in which it is located.

- delete and replace as follows

- **Section 304.1.1 Day care facilities**

304.1.1 Day care facilities: A day care facility which provides care for more than twelve persons more than two years of age for less than 24 hours per day, is not otherwise classified as I-2, and where children less than two years of age are cared for on the first story, shall be classified as Use Group E.

- delete and replace as follows

- **Section 307.3.1 Child care facility**

307.3.1 Child care facility: A child care facility which accommodates more than five children less than two years of age shall be classified as Use Group I-2.

- delete and replace as follows

- Section 309.4.1 Child care facilities

309.4.1 Child care facilities: A child care facility which accommodates twelve or fewer children, is not otherwise classified as I-2 and, where children less than two years of age are cared for on the first story shall be classified as Use Group R-3.

- amend in part

- Table 401 Fire resistance ratings of structure elements

Table 401 Fire resistance ratings of structure elements

Replace the "0" hour fire rating requirement with a "1" hour fire rating requirement on line 8, tenant spaces, for construction types 2C, 3B and 5B and add "Note j. Structural members supporting fire resistance rated tenant separations in buildings of types 2C, 3B, or 5B construction shall not be required to be fire resistance rated unless required by other provisions of this Code."

- delete and replace as follows

- Section 512 Physically handicapped and aged

512 Physically handicapped and aged: Barrier Free access to Public Buildings shall be provided for as required in the *State of Vermont Rules Governing Access to Public Buildings and Facilities by Persons with Physical Disabilities – effective 8/17/88*.

- delete and replace as follows

- Section 605.2 Area limit

605.2 Area: The aggregate area of a mezzanine or mezzanines within a room or space shall not exceed one-third of the area of that room or space.

- delete - Section 623 Radio and television towers

- delete - Section 624 Radio and television antenna

- delete - Section 625 Swimming pools

- delete - Article 7 Interior Environmental Requirements

- new Section added

- Section 1004.1.1 Alternate Water Sprinkler Systems

1004.1.1 Alternate Water Sprinkler Systems: Water sprinkler systems for existing buildings requiring sprinkler protection due to a change in use or alterations, that are of Use Group classification E, I-1, I-2 Child Care Facility, and R-1, and are designed for less than 30 occupants, and buildings of Use Group Classification R-2 and R-3 not greater than 4 stories in height may install the water sprinkler system in accordance with NFPA 13R, 1988 edition.

- new Section added

- Section 1004.3.1

1004.3.1 Effective July 1, 1991, the required fire sprinkler system plans, calculations, design, installation and testing shall be accomplished by a person passing the examination for Level III certification for automatic sprinkler system layout from The National Institute for Certification in Engineering Technologies.

- add new Section

- Section 1005.3.1

Section 1005.3.1 Effective July 1, 1991, limited area fire sprinkler systems plans, calculations, design, installation and testing shall be accomplished by a person passing the examination for Level II certification for automatic sprinkler system layout from the National Institute for Certification in Engineering Technologies.

- delete and replace as follows

- Section 1021.2 Where fire extinguishers are required

1021.2 Where fire extinguishers are required: Portable fire extinguishers shall be selected, installed, located, inspected and maintained in accordance with NFPA 10 listed in Appendix A, in all buildings and structures subject to this Code.

- delete and replace as follows

- Section 1111.2 Ground snow loads

1111.2 Ground snow loads: Ground snow loads to be used in determining the design snow loads for roofs are given on the map indicated as Appendix 1.

- add new section

- Section 1111.4.1 Minimum snow load

1111.4.1 Minimum snow load: The resultant flat roof snow load of p_f shall not be less than 40 psf.

- delete - Section 2103 Rat proofing

- delete and replace as follows

- Section 2500.2 Mechanical code

2500.2 Mechanical code: All mechanical equipment and systems shall be constructed, installed and maintained in accordance with the BOCA Mechanical Code, Articles 2,3,4,6,8,9,10,11,12, 14,15 & 20.

- add new section

- Section 2500.3 Commercial cooking equipment

2500.3 Commercial cooking equipment: All kitchen exhaust systems for commercial cooking equipment shall be constructed, installed and maintained in accordance with NFPA 96 (1987 Edition) Standard for the Installation of Equipment for the Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment.

- add new section

- section 2500.4 Installation of fuel gas systems

2500.4 Installation of fuel gas systems: All fuel gas systems shall be designed, constructed, installed and maintained in accordance with BOCA Mechanical Code Article 8. The provisions of NFPA 54, 1988 edition shall apply when the provisions of BOCA Mechanical Code Article 8 does not specifically cover conditions and operations.

- add new section

- Section 2500.4.1 Fuel gas installation

2500.4.1 Fuel gas installation: Effective July 1, 1991, all fuel gas installations, repair and maintenance governed by this *Code* shall be accomplished by persons who have successfully completed the American Gas Association course of study including "The Fundamentals of Combustion, Gas Appliance Venting, Electricity, Gas Controls, and Gas Appliances."

- delete and replace as follows

- Section 2600.2 Referenced standard

2600.2 Referenced standard: The construction, alteration, maintenance, operation, inspections, and test of elevators, escalators, dumb-waiters, moving walks, material lifts, wheelchair lifts and stairway chair lifts shall conform to (ASME) ANSI A17.1. All references in this and other sections of this *Code* to (ASME) ANSI A17.1 listed in Appendix A shall be for the 1987 edition.

- delete - Section 2602.5.3 Manlifts

- delete and replace as follows

- Section 2605 Existing installations

2605 Existing installations: All existing installations shall be constructed, altered, maintained, operated, inspected, and tested in accordance with (ASME) ANSI A17.3 1986 edition. For elevators installed prior to January 1, 1956, the effective date for compliance with this Section shall be July 1, 1991.

- delete - Section 2613 Manlifts

- delete - Section 2614 Industrial lifts and loading ramps

- delete - Section 2615 Automotive lifts

- delete - Section 2616.3 Machinery guards

- delete and replace as follows

- Section 2700.1 Electrical wiring scope

2700.1 Electrical wiring scope: The provisions of this article shall control the design and construction of all new installations of electrical conductors, equipment and systems in buildings or structures; and all alterations to existing wiring system therein to insure safety. All such installations shall conform to the provisions of NFPA 70, The National Electrical Code, as adopted by the Electricians' Licensing Board.

- delete - Section 2701.2.8 Illumination for toilets and
bathrooms
- delete - Section 2704.3 Annual permit
- delete - Section 2704.4 Annual records
- delete and replace as follows
 - Article 28 Plumbing systems

Article 28. Plumbing systems: The design and installation of plumbing systems shall be in accordance with the rules adopted by the Plumbers Examining Board.

- delete - Article 29 Signs
- delete - Section 3002.2 - Unsafe equipment; Section 3003.3 - Unsafe construction equipment; Section 3010.4 - Pedestrian walkways; Section 3011 - Removal of waste materials; Section 3013.4 - Guardrails; Section 3014 - Scaffolds; Section 3015 - Hoists; Section 3016.2 - Ladders; Section 3018.3 - Steam boilers; Section 3019 - Health Hazards; and, Section 3021 - Sanitation

Note: Where required, safety at building and construction sites shall be in accordance with the rules for occupational safety and health, adopted by the Department of Labor and Industry (VOSHA).

- delete and replace as follows
 - Article 31 Energy Conservation

Article 31. Energy Conservation: New publicly funded buildings, paid for in whole or in part with federal, state, or municipal monies, shall be constructed to meet the standards for exterior envelope design contained in *Energy Conservation in New Building Design* published by the American Society of Heating, Refrigeration and Air Conditioning Engineers (A.S.H.R.A.E 90-80) 1980, unless, as a condition of some other state or local permit, more stringent standards are required.

All plans for new publicly funded buildings shall contain an express certification that these standards will be met.

- delete and replace as follows
 - Section 3200.1 Scope

3200.1 Scope: The commissioner may choose to apply the provisions of this Article to alterations, additions, or changes to existing buildings, without full compliance with the provisions of the *Vermont Fire Prevention and Building Code of 1989* when, in the opinion of the Commissioner there is not a distinct hazard to life or property. Unless the Commissioner expressly authorizes the application of the Article, all other provisions of the *Vermont Fire Prevention and Building Code of 1989* must be met.

- delete in part and replace as follows
 - Appendix A

NFPA #10 Portable Fire Extinguishers 1988 edition

- delete in part and replace as follows
 - Appendix A

NFPA #11 Low Expansion Foam and Combined Agent Systems 1988 edition.

- delete in part and replace as follows
 - Appendix A

NFPA #12 Carbon Dioxide Extinguishing Systems 1988 edition.

SECTION 10.
ADOPTION OF NATIONALLY
RECOGNIZED SAFETY STAND-
DARDS - continued

2) The BOCA National Fire Prevention Code, 1987 edition and its 1988 Supplement (hereinafter noted as the BOCA Fire Prevention Code), except as amended, altered, deleted or added to in this section shall apply to the storage, handling or use of materials and to conditions hazardous to life and property in all new and existing buildings. To meet the individual needs of Vermont, the BOCA Fire Prevention Code is amended as follows:

- | | |
|--|--|
| - delete - Section F100.1 | Title |
| - delete - Section F101 | Applicability |
| - delete - Section F102.2 | Inspections |
| - delete - Section F102.3 | Investigation of Fires |
| - delete - Section F102.4 | Fire Records |
| - delete - Section F104 | Means of Appeal |
| - delete - Section F105.3.2 | Unlawful continuance |
| - delete - Section F105.5 | Failure to correct violations |
| - delete - Section F105.5.1 | Penalty for violations |
| - delete - Section F301 | Open Burning |
| - delete - Section F303.2 | Permit required for removing paint |
| - delete - Section F305.2 | Permit required for storage of materials |
| - delete - Section F308.2.1 | Unauthorized seal removal |
| - delete and replace as follows | |
| - Section F309.2 | Hood Systems Suppression |
| F309.2 Hood Systems Suppression: Each existing required commercial kitchen exhaust hood and duct system shall be protected with an approved automatic fire suppression system installed in accordance with NFPA 96 (1987 edition). | |
| - delete in part | |
| - Section F400.2 | Application of other codes
... plumbing ... |

- delete - Section F1400.2 Permit required for fumigation and thermal insecticide fogging
- delete - Article 16 Oil and gas production
- delete and replace as follows
 - Section F1801.1 General fab areas

F1801.1 General fab areas: Fab areas in buildings and structures of new construction and those buildings and structures with a change of use group classification shall comply with the requirements of the building code listed in Appendix A for H.P.M. use facilities.

- delete and replace as follows
 - Section F1804.1 Existing buildings

F1804.1 Existing Buildings: When there are alterations or modifications to existing fab areas, transportation shall not be permitted in a means of egress unless the means of egress complies with Section F1804.2 through F1804.3 and Section 603.2 of the building code listed in Appendix A for H.P.M. use facilities.

- add new section
 - Section F1904.10 Automatic fire suppression

F1904.10 Automatic Fire Suppression: An approved automatic suppression system shall be provided to protect all self-service fuel dispensing areas.

- delete - Section F2100.2 Permit required for junkyards
- delete - Section F2200.2 Permit required for welding operations
- delete - Section F2300.2 Permit required for storage of combustible fibers
- delete - Section F2500.2 Permit required for cryogenic liquids
- delete - Section F2600.2. Permit required for explosives
- delete - Section F2600.2.1 Prohibited permits for explosives
- delete - Section F2600.3 Bond required for blasting
- delete - Section F2700.2 Permit required for fireworks

- add new section

- **Section F2800.1.1 Storage of flammable liquids on farms and construction projects and handling leakage from underground storage tanks**

F2800.1.1 Storage of flammable liquids on farms and construction projects and handling leakage from underground storage tanks: The Provisions of NFPA 329, 1987 edition and NFPA 395, 1988 edition shall apply when the provisions of this article do not specifically cover conditions and operations.

- delete - **Section F2900.2 Permit required for hazardous materials**

- delete and replace as follows

- **Section F3000.3 Record of installation**

F3000.3 Record of installation: Installers shall maintain a record of all installations for which a permit is not required by Section F-3000.2 (but not including replacing of portable cylinders) and have it available for inspection by the Code official.

- add new section

- **Section F3000.5 Installation of LP gas**

F3000.5 Installation of LP gas: Effective July 1, 1991, all LP gas installation, repair and maintenance governed by this *Code* shall be completed by persons who have successfully completed a related course of study sponsored by the National Propane Gas Association and has received the certification for installation and service technician from Murray State University.

- delete in part and replace as follows

- **Appendix A**

NFPA 54 National Fuel Gas Code 1988 edition

**SECTION 10.
ADOPTION OF NATIONALLY
RECOGNIZED SAFETY STANDARDS - continued**

3) NFPA 101, The Code for Safety to Life from Fire in Buildings and Structures 1988 edition (hereinafter noted as the Life Safety Code), except as amended, altered, deleted or added to in this Section shall apply to all conditions affecting safety to life in new and existing public buildings and shall apply to the change of use of existing buildings. To meet the individual needs of Vermont, the Life Safety Code is amended as follows:

- delete in part and replace as follows

-Section 7-7.1.1

Exception

7-7.1.1 Exception. NFPA 13R 1988 edition, may be used in facilities having less than 30 occupants as required in Chapters 11, 17, 20 and 21, and may be used where buildings are not greater than four stories in height as required in Chapters 18,19, 22.

- delete and replace as follows

- Section 7-7.1.2

Limited Area Sprinklers.

7-7.1.2 Limited Area Sprinklers. Sprinkler piping serving not more than six sprinklers for any isolated hazardous area may be connected directly to a domestic water supply system having a capacity sufficient to provide 0.15 gallon per minute per square foot of floor area throughout the entire enclosed area. Shut off valves shall not be permitted in the sprinkler system piping.

- delete in part

- Table 10-7.1.6.1

Height and Construction Limits for day care centers for type "III (200)" and "V(000)"

Delete the "1" designation under "1" stories for age group "0 through 5"

- delete and replace as follows

- Section 10-8.1.1.2

Group day care home.

10-8.1.1.2 Group day care home. The requirements detailed in Section 10-8 are based on a minimum staff to client ratio of two staff for up to 12 children with no more than 5 children under age two.

- delete in part
 - Table 11-7.1.6.1**Height and Construction Limits for day care centers for type "III (200)" and "V(000)"**

Delete the "+" designation under "1" stories for age group "0 through 5"

- delete in part
 - Section 17-3.4.4**Detection, exception**
- delete and replace as follows
 - Section 20-3.1.1 exception

20-3.1.1 exception: In buildings three stories or less in height, protected throughout by an approved automatic sprinkler system installed in accordance with Section 20-3.5.1, unprotected vertical openings are permitted.

- delete and replace as follows
 - Section 22-1.1.1 One and two family dwellings

22-1.1.1 One and two family dwellings. This chapter establishes life safety requirements for all one- and two-family dwellings. One- and two-family dwellings include buildings containing not more than two dwelling units in which each living unit is occupied by members of a single family with no more than six outsiders, if any, accommodated in rented rooms.

- delete in part and replace as follows
 - Appendix B

NFPA #68 1988 Guide for Venting of Deflagrations.

SECTION 10.

ADOPTION OF NATIONALLY RECOGNIZED SAFETY STANDARDS - continued

(b) The term "Fire Official," "Code Official," "Authority Having Jurisdiction" and all similar terms used in the BOCA Building Code, the BOCA Fire Prevention Code and the Life Safety Code, shall mean the Commissioner of Labor and Industry or duly authorized representative. If the Commissioner of Labor and Industry has assigned responsibility for municipal enforcement pursuant to 21 V.S.A. Section 256, those similar terms shall be the qualified official(s) appointed by the municipality to enforce the rules and standards of this code.

(c) The deletion of certain articles and Sections of the BOCA Building Code, the BOCA Fire Prevention Code and the Life Safety Code has been necessary to ensure consistency with existing regulatory authority. The failure to incorporate these codes in their entirety should not be construed to minimize the value of these Codes as effective standards with current technology.

(d) The application of the BOCA Building Code, the BOCA Fire Prevention Code and the Life Safety Code has been designed to minimize conflicts between the Codes, however, where conflicts occur between the Codes in the areas of egress, fire protection systems and similar Life Safety requirements, the standards of the Life Safety Code shall apply; and where conflicts occur between the Codes in the area of fire resistive construction, height and area limitations, and similar building construction requirements, the standards of the BOCA Building Code shall apply.

(e) Provisions and appendices which are referred to in the adopted Articles, Sections and Chapters including the BOCA Mechanical Code, 1987 edition and its 1988 supplement, shall be utilized to the extent necessary to effectuate the purpose of the adopted Articles, Sections and Chapters. References in this *Code* to the BOCA Building, Fire Prevention and Mechanical Codes shall be to the 1987 edition and its 1988 supplement.

SECTION 11.

VARIANCE PROCEDURE

(a) The owner or a duly authorized representative may ask for a variance from the requirements of this *Code* as it applies to a public building or premise, by submitting a request in writing to the Commissioner of Labor and Industry.

(b) The owner or a duly authorized representative shall submit the following when requesting a variance:

- 1) Evidence that the proposed or existing building or premise is not in compliance with the *Code*. A variance request will not be considered until plan review or inspection procedures have been completed by the Commissioner or a duly authorized representative.
- 2) Evidence that strict compliance with the *Code* could entail practical difficulty, unnecessary hardship or is otherwise unwarranted.
- 3) Evidence that the alternative proposed in lieu of the *Code* will provide equal protection of the public safety as provided by this *Code*. Properly completed evaluations in accordance with Article 32 of the BOCA Building Code or NFPA 101M of the National Fire Protection Association are examples of supporting evidence.

(c) The Commissioner may establish a Variance Review Panel consisting of Department staff to review variance requests, pertaining to 21 V.S.A. Section 252(e).

(d) The Commissioner shall notify the applicant in writing whether the variance request has been granted or denied and of any conditions attached thereto.

(e) A request for a variance relating to access to a public building for the physically handicapped shall be referred for decision to the Architectural Barrier Compliance Board established under Title 21 V.S.A. Sections 271-277.

SECTION 12. REQUEST FOR RECONSIDERATION

(a) The owner or a duly authorized representative may request a reconsideration by the Commissioner where the applicant claims that the true intent of the *Code* or rules have been incorrectly interpreted or the provisions of the *Code* do not fully apply.

(b) The applicant shall submit in writing the precise issue to be reconsidered, relevant plans, specifications, documents or any other arguments no later than 15 (fifteen) days after receiving written notification from the Department that violations of the *Code* exist.

(c) The Commissioner shall issue a written decision within 30 days after receipt of the request for reconsideration.

(d) A request for reconsideration shall in no way relieve a person from complying with this *Code* or any abatement previously set by the Department unless the Commissioner expressly authorizes an extension of abatement pending review of the request for reconsideration.

SECTION 13. ADVISORY BOARD

(a) Any person may request an interpretation of the application of this *Code* by the Department as it applies to using alternative or better means of construction, or materials or equipment, by making a request in writing to the Commissioner of Labor and Industry.

(b) The Commissioner of Labor and Industry may convene an Advisory Board to advise the Commissioner on technical matters pertaining to the interpretation.

(c) The Advisory Board shall consist of five members, one of whom shall be designated chairman by the Commissioner. Each member shall be appointed by and serve at the pleasure of the Commissioner; one member shall be a licensed professional engineer, one shall be a licensed architect, one shall be experienced in building construction and one shall be an experienced fire service officer. The fifth member shall represent the Fire Prevention Division and supply support for the Advisory Board.

(d) A member of the Board shall not pass on any question in which that member is engaged as contractor or material dealer, or in the preparation of plans or specifications, or in which the member has any personal interest.

(e) Nothing contained in this section shall be construed to limit the authority of the Commissioner of Labor and Industry to grant or deny variances or exemptions pursuant to 21 V.S.A. Sec. 252 (e) and these rules.

SECTION 14. MUNICIPAL ENFORCEMENT AND COORDINATION

(a) The Commissioner may assign the responsibility for the enforcement of all or part of these rules to a municipality which meets the qualifications established in 21 V.S.A. Sec. 256.

(b) Where, pursuant to 21 V.S.A. Sec 256, a municipality assumes responsibility for the enforcement of all or a part of these rules that would be subject to a fee for a construction permit (see Section 5) then the municipality may establish and collect reasonable fees for its own use and no fee for a construction permit will be charged for the benefit of the State.

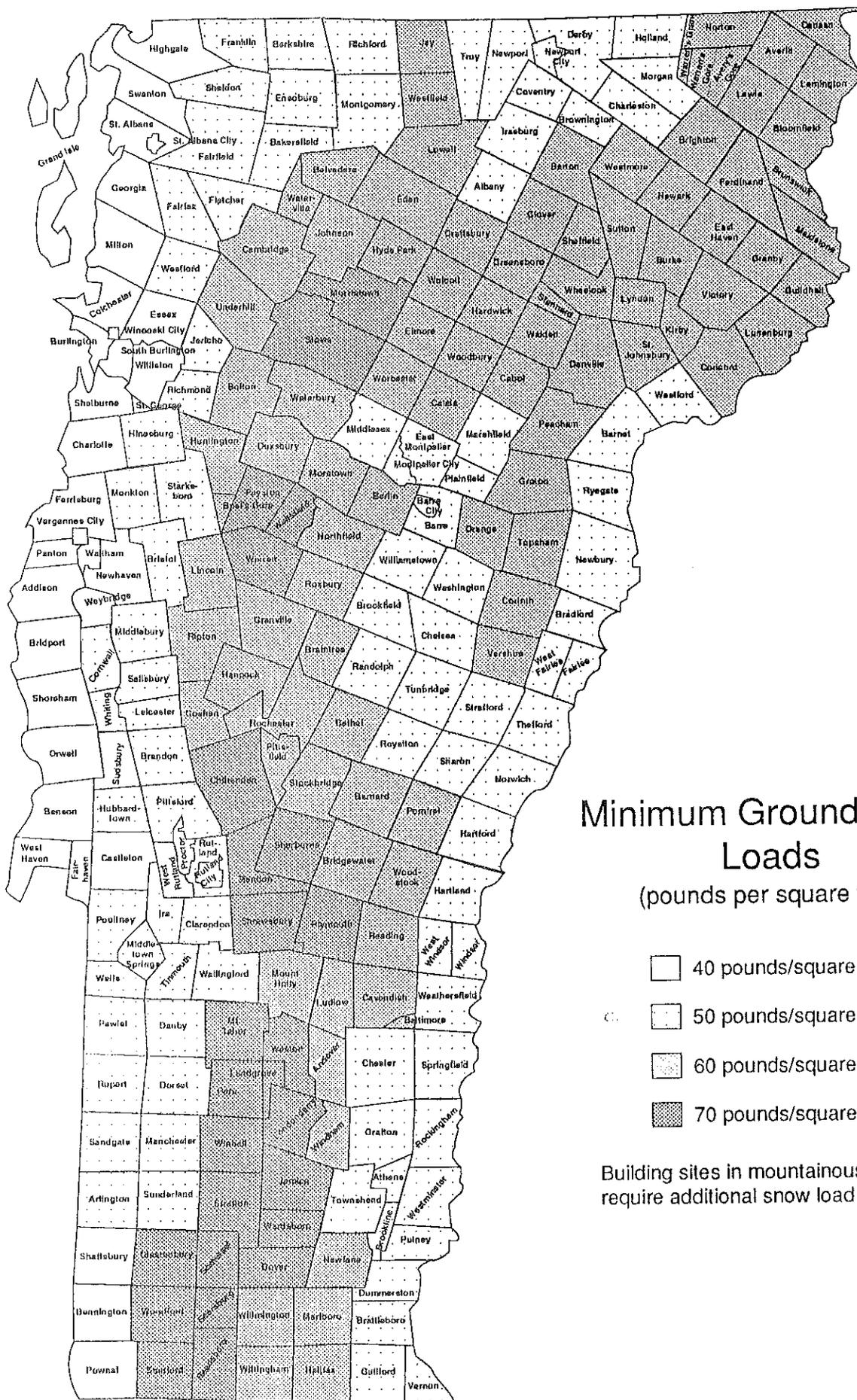
(c) The Commissioner may require information from any municipality regarding building permits issued by the municipality.

(d) A fire prevention and building code adopted by any municipality shall be consistent with the standards adopted in Section 10 of these rules.

SECTION 15. EFFECTIVE DATES

The 1983 Fire Prevention and Building Code of the State of Vermont shall be repealed upon the effective date of these rules.

These rules shall take effect September 1, 1989 and shall be known as the 1989 Vermont Fire Prevention and Building Code. Any building or premise upon which construction or renovation was begun within two years prior to the effective date of this *Code* or for which plans, drawings or specifications were approved within three months of the effective date of this *Code* and which was in compliance with the 1983 Vermont Fire Prevention and Building Code shall be considered to be in compliance with the requirements for new construction under the 1989 Vermont Fire Prevention and Building Code. After completion such buildings or premises shall be maintained under the requirements for existing buildings under the 1989 Vermont Fire Prevention and Building Code.



Minimum Ground Snow Loads

(pounds per square foot)

-  40 pounds/square foot
-  50 pounds/square foot
-  60 pounds/square foot
-  70 pounds/square foot

Building sites in mountainous areas may require additional snow load design.

APPENDIX II

21 V.S.A. § 251a.

(a) As used in this subchapter "public building" means buildings owned or occupied by public utilities, hospitals, schools, houses of worship, convalescent centers and homes for the aged, infirm or disabled, nurseries, kindergartens and day cares; buildings in which people are employed, or occasionally enter as part of their employment or are entertained, including private clubs and societies; cooperatives and condominiums; buildings in which people rent accommodations, whether overnight or for a longer term; restaurants, retail outlets, offices or office buildings, hotels, tents or other structures for public assembly, including outdoor assembly, such as grandstands; buildings owned or occupied by the state of Vermont, a county, a municipality, a village or any public entity, including but not limited to a school or fire district. Use of any portion of a building in a manner described in this subsection shall make the entire building a "public building" for purposes of this subsection. "Public building" does not include an owner-occupied single family residence or an owner-occupied farm, unless used for a purpose described in this subsection or a family residence registered as a day care home under chapter 34, subchapter 3 of Title 33.

21 V.S.A. § 251d.

(d) Any condominium or multiple dwelling using a common roof, or row houses so-called, whether any units are owned or leased or rented, shall be subject to the rules promulgated under this chapter.

ATTACHMENT I

Examples of information that should be included in the plans and specifications.

SITE PLANS SHOWING:

- Building location
- Distance from other nearby buildings
- Building dimensions
- Fire department access

COMPLETE CONSTRUCTION DRAWINGS SHOWING:

- Building construction (new and existing - all levels)
- Exterior view of the building
- Foundation information including strength of concrete
- Wall, Floor and Ceiling construction
 - including cross sections and fire ratings
- New and existing doors (construction, location, size, swing and rating)
- New and existing windows (location, clear opening, size and dimensions)
- Fire extinguisher locations and types
- Occupant loads
- Heating System Information
 - (including type, name and model of heating units)
- Exit signs - Egress lighting
- Stair details and construction
- Structural data (including roof and floor live loads)
- Fire stopping - Draft stopping
- Ventilation systems including kitchen hood exhaust systems
- Interior finish fire ratings
- Details indicating barrier free design for the physically disabled

PLANS MUST ALSO BE SUBMITTED FOR:

- Electrical systems
- Sprinkler and other suppression systems
- Fire alarm and detection systems

WORK NOTICES MUST ALSO BE SUBMITTED FOR:

- All electrical work
- All plumbing work



State of Vermont
 Department of Labor and Industry
 Fire Prevention Division

Main Office - 120 State Street • Office Located at 7 Court St. • Montpelier, VT 05602 Phone (802) 828-2106
 Regional Offices 269 North Main Street • Rutland, VT 05701 • Phone (802) 773-5867
 Box 280 • Office Located at 40 Clinton St. • Springfield, VT 05156 • Phone (802) 885-5586
 7 Ambrose Place • Burlington, VT 05401 • Phone (802) 658-2199

CONSTRUCTION PERMIT APPLICATION

Building Site Information

Fill Out All Requested Information to Facilltate Review

Name _____
 Address _____
 Zip _____

Owner Information

Name _____
 Address _____
 Zip _____

Occupancy Information

Describe Proposed Occupancy In Detail _____

 _____ BOCA Occupancy _____
 RESIDENTIAL OCCUPANCY - Number of Units _____ Number of Units Having Handicapped Access _____

Construction Information

Type of Construction									
Noncombustible			Noncombustible/Combustible			Combustible (Wood Frame)			
Type 1		Type 2			Type 3		Type 4	Type 5	
Protected		Protected		Unprotected	Protected	Unprotected	Heavy Timber	Protected	Unprotected
1A	1B	2A	2B	2C	3A	3B	4	5A	5B
Type of Construction _____									
Total Square Footage of Largest Story: _____									
Number of Stories: _____				Total Square Footage: _____					

Proposed Fire Protection Systems

Fire Alarm: Manual Automatic Smoke Detectors
 Sprinkler: Complete Limited None
 Standpipe: Yes No Other: _____

Water Supply Information

Public Water Supply: Yes No GPM _____ PSI _____
 Public Sewer: Yes No

