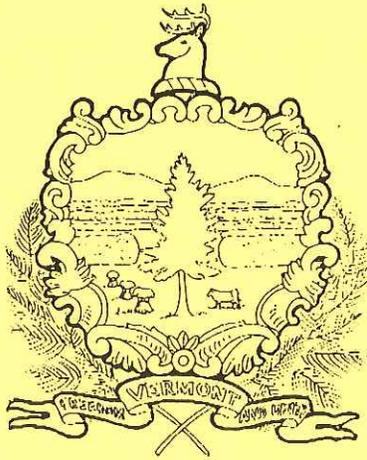


STATE OF VERMONT



**1994
VERMONT FIRE PREVENTION
AND BUILDING CODE**

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STATE OF VERMONT

1994 VERMONT FIRE PREVENTION AND BUILDING CODE

as prescribed in Title 21 V.S.A.

Section 1. Title

These rules are adopted under 21 V.S.A. Sections 252, 254 and 262 and shall be known and cited as the 1994 Vermont Fire Prevention and Building Code. Any reference in these rules and standards to the Vermont Fire Prevention and Building Code shall be to the 1994 edition.

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 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, premises, 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"

Sec. 251(d). The definitions for "public building" and "condominium" are included in Appendix 2.

(b) The 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 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 premises or an addition to a building or premises 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) An application for a construction permit for the installation of an aboveground or underground storage tank, or a pre-engineered chemical fire suppression system shall be reviewed by the Commissioner or a duly authorized representative. The applicant shall be notified only when violations are noted.

(f) 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.

(g) 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.

(h) 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 \$4.75 per each \$1,000.00 of construction valuation. When an inspection is required due to the change in use of a public building the minimum fee shall be \$25.00. (Fees established by Legislature effective May 1, 1992)

(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.

(1) In addition to those criteria established in Section 6(b) a place of assembly which changes ownership, or increases the occupant load,

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.

(3) An aboveground or underground storage tank less than 2,000 gallon capacity, installed in accordance with this Code, or a pre-engineered chemical fire suppression system installed in accordance with this Code, may be used prior to obtaining a use and occupancy permit.

(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 the requirements of this Code.

Section 8. Duties of the Owner/Tenant

The owner of the building or structure, or a duly authorized representative of the owner, or the tenant in those spaces under control of the tenant shall:

(a) Not build or maintain or cause to be built or maintained any

public building or premises 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 premises.

(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, the condition constitutes a violation of this Code.

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

(k) Pursuant to 21 V.S.A. Sec. 254(c) assess an administrative penalty for each violation of 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 (hereinafter 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 NFPA Fire Prevention Code, 1992 edition; and, The Life Safety Code, 1994 edition.

~~-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 Rulemaking 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 detailed 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."

-new section added - Section 502.2.1 Water Supply
502.2.1 Water Supply: Street frontage increase shall only be

allowed to modify the area limits of Table 501 when the water supply for fire protection is available in a quantity and rate of flow as determined by NFPA 1231 Suburban and Rural Firefighting (1989 Edition). Chapter 5 shall be used in determining the minimum water supply quantity and flow rate and Chapter 6 for the water supply source.

-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 Limit: 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
Section 1004.3.1 Effective July 1, 1991, the required fire sprinkler system plans, calculations, design, installation and acceptance 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.

Exception: Installation and acceptance testing may be accomplished by a person passing the examination for, or completing, an approved sprinkler apprenticeship program or meeting the testing requirements of the National Assessment Institute.

-new Section added - Section 1005.3.1
1005.3.1 Effective July 1, 1991, limited area fire sprinkler systems plans, calculations, design, installation and acceptance 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.

Exception: Installation and acceptance testing may be accomplished by persons meeting the qualifications established by

1004.3.1 and by persons demonstrating competency and experience in the installation and testing of fire sprinkler systems as acceptable to the Commissioner or a duly authorized representative.

-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 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 psf 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 2,3,4,8,9,10,11,12,14,15 & 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 do 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."

Section 2600.2 Reference Standard
2600.2 Reference 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 all sections of (ASME) ANSI A17.1 which contains requirements relative to fire safety and/or barrier free access. 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 all sections of (ASME) ANSI A17.3 1986 edition which contains requirements relative to fire safety and/or barrier free access. 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 systems 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;

- delete -
Section 3019 - Health Hazards
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.

(2) The NFPA 1, Fire Prevention Code, 1992 Edition (hereinafter noted as the NFPA 1 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 NFPA 1 Fire Prevention Code is amended as follows:

- delete and replace as follows -
Section 1-7 Board of Appeals

1-7 Board of Appeals: Requests for a variance from the requirements of this Code, for reconsideration of the interpretation of this Code or for interpretation of alternative or better means of compliance shall be made and processed in accordance with Sections 11, 12 and 13 of the Vermont Fire Prevention and Building Code.

-delete and replace as follows - 1-9.5 Periodic Inspection and Test
1-9.5.1 Periodic Inspection and Test: Inspections and field tests of fire suppression, alarm, detection and any other fire protection systems, devices and equipment shall be conducted for the owner by a technically qualified person as herein required. A written inspection report shall be filed with the code official upon completion of each inspection.

1-9.5.2 Proof of Inspection: Proof of inspection, approved by the Department, shall be affixed by a technically qualified person to the control panel or control valve of the fire protection system after the required inspection has been completed as evidence of that inspection. The proof of inspection fee for fire suppression, alarm, detection and any other fire protection systems shall be \$10.00.

1-9.5.3 Technically qualified person: Periodic inspection and test of fire protection systems as required by 1-9 shall be conducted by a technically qualified person as listed below:

- a. For fire alarm and detection systems - an electrician appropriately licensed under 26 V.S.A. Chapter 15.
- b. For fire sprinkler systems, standpipes, and fire pumps - those persons meeting the qualifications of:
 - (1) Passing the examination for Level II or III certification for automatic sprinkler system layout from the National Institute for Certification in Engineering Technologies (NICET); or
 - (2) passing the examination for, or completing, an approved sprinkler apprenticeship program; or
 - (3) passing the examination given by the National Assessment Institute; or
 - (4) demonstrating competency and experience in the installation and testing of fire sprinkler systems as acceptable to the Commissioner or a duly authorized representative prior to December 31, 1995.
- c. For fire suppression systems other than fire sprinkler systems - those persons passing the appropriate examination for fire suppression from the National Institute for Certificate in Engineering Technologies, persons certified

through similar programs and persons demonstrating competency and experience in the testing of fire suppression system through training by the manufacturer of such systems, as acceptable to the Commissioner or a duly authorized representative.

-add new Section 1-9.6.1

Inspection and tests

Section 1-9.6.1 Inspection and tests: Inspection and tests of fire protection systems by technically qualified persons as required by Section 1-9.5 shall be conducted at least annually and cover all intervals of testing frequency for the system. Annual testing by a technically qualified person does not relieve the owner of the responsibility of maintenance, inspection and testing at more frequent intervals as required by Section 1-9.6

Exception: Suppression systems other than fire sprinkler systems shall be inspected and tested by technically qualified persons at least every 6 months.

- delete and replace as follows -

Section 1-9.10 Elevator Testing

1-9.10 Elevator Testing: All elevators equipped with firefighter service shall be subject to a monthly operation with a written record of the findings made and kept on the premises as required by ASME/ANSI A17.1, Safety Code for Elevators and Escalators, Rule 1206.7 (101:31-1.3.10)

-delete - Sections 1-11.1 and 1-11.2
Duties and Powers of the Incident Commander

-delete in part - Section 1-15.16 permits; Subsection (c) Bonfires and Outdoor Rubbish Fires

-add new Subsections - Subsection 1-16.1

(k) Design and Installation of Automatic Sprinkler Systems

(l) Installation of Propane and Natural Gas Systems

-add Section 1-16.7.2 Fire Sprinkler Installations

1-16.7.2 Fire Sprinkler

Installations: Effective July 1, 1991, the required fire sprinkler system plans, calculations, design, installation and acceptance 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.

Exception 1: Installation and acceptance testing may be accomplished by a person passing the examination for, or completing, an approved sprinkler apprenticeship program or meeting the testing requirements of the National Assessment Institute.

-add Section - 1-16.7.3 Limited Area Fire Sprinkler Installation

1-16.7.3 Limited Area Fire Sprinkler

Installation: Limited area (three sprinkler heads or greater) fire sprinkler systems plans, calculations, design, installation and acceptance 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.

Exception: Installation and acceptance testing may be accomplished by persons meeting the qualifications established by 1-16.7.2 and by persons demonstrating competency and experience in the installation and testing of fire sprinkler systems as acceptable to the Commissioner or a duly authorized representative.

-add Section - Section 1-16.7.4 Fuel Gas Installation

1-16.7.4 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."

-add Section - 1-16.7.5 Installation of LP Gas

1-16.7.5 Installation of LP Gas: All LP gas installation, repair and maintenance governed by this Code shall be completed by persons who have successfully completed Sections 1, 4, 6 and 7 of the National Propane Gas Association's Certified Employee Training Program (CETP). Persons involved with Propane delivery, plant operations and transfer system operations shall complete Sections 1, 2, 3 or 5 of CETP as appropriate.

- add new Section 1-16.7.6 Installation of Propane Gas, Limited Certification

1-16.7.6 Installation of LP GAS, Limited Certification: All persons who have successfully completed the American Gas Association course of study including "The Fundamentals of

Combustion, Gas Appliances Venting, Electricity, Gas Controls and Gas Appliances" and have completed Sections 1 (Basic Principle and Practices) and Section 4 (Distribution System Operations) of the CETP course, shall be deemed qualified to install propane gas equipment and related piping as may be accomplished without making new connections to an existing, charged, propane gas system. Notification of such work shall be made in advance to the supplying propane company.

-add Section - Section 1-16.7.7 Installation of Natural Gas, Limited Certification

Section 1-16.7.7 Installation of Natural Gas, Limited Certification: All persons who have successfully completed Sections 1, 4, 6 and 7 of the National Propane Gas Association, Certified Employee Training Program (CETP), and have completed the sections on Fundamentals of Combustion, Piping and Pressures of the American Gas Association's Course shall be deemed qualified to install natural gas equipment and related piping as may be accomplished without making new connections to an existing, charged, natural gas system. Notification of such work shall be made in advance to the supplying natural gas company.

-delete and replace as follows -
Section 1-16.11 Renewal of Certificate

Section 1-16.11 Renewal of Certificate: Applications for renewal of a certificate of fitness shall be filed with the authority having jurisdiction on forms provided by the authority having jurisdiction and shall include documentation of having completed 8 hours of related instruction during

the previous certificate period.

-add new Exception 2 - Section 3-2.1.1 **Electrical:**

Exception 2: Existing installations within residential dwelling units shall be in accordance with NFPA 73, Residential Electrical Code.

-delete Sections 3-4.1; 3-4.2, 3-4.3, 3-4.4., 3-4.5 and 3-4.6 - Open Outdoor fires

-delete Section 3-11.5 - Transportation of Combustible Waste

-delete and replace as follows -
Section 7-2.2 Water Supply
Section 7-2.2 Water Supply:
Sprinkler piping serving not more than six sprinklers for any isolated hazardous area may be connected directly to 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 sprinkler system piping.

- replace the reference in Section 7-6 from NFPA 13A to indicate NFPA 25.

-delete and replace as follows -
Section 22-2.1.2 Application
Section 22-2.1.2 Application: This section and NFPA 30A, Automatic and Marine Service Station Code (1993 edition) shall apply to all new and existing automotive and marine service stations, service stations located inside buildings, and any other facilities for dispensing liquid motor fuel.

-add new Section 22-2.2.4.1.2 Fire Resistant Tanks

Section 22-2.2.4.1.2 Fire Resistant Tanks: All aboveground tanks storing Class I liquids shall be fire resistant tanks which shall comply with the following:

(a) The construction that provides the required fire resistant protection shall prevent release of liquid, failure of the supporting structure, and impairment of venting for a period of not less than 2 hours when tested using the fire exposure environment described in UL 2085. *Outline of Investigation for Insulated Aboveground Tanks for Flammable and Combustible Liquids*, or equivalent test procedure.

(b) There shall be no openings except those necessary for access to, inspection of, filling, emptying, and venting of the tank. All openings shall be located in the top of the tank.

(c) Each fire resistant tank shall be suitably anchored to withstand uplifting by groundwater or flooding, including when the tank is empty.

(d) Each fire resistant tank shall be resistant to damage from impact of a motor vehicle or shall be protected by suitable collision barriers.

(e) Vent pipes that are provided for normal tank venting shall terminate at least 12 feet (3.6m) above ground level.

(f) Paragraph 2-3.5.7 of NFPA 30 shall not be used to reduce the size of the emergency vent.

Exception: Tanks regulated as a bulk plant or terminal, or tanks at farms and isolated construction

sites in accordance with NFPA 395.

-delete and replace - Section 22-2.2.4.2.2 Exception No. 1: All distances may be reduced by 50 percent if tanks are fire resistant tanks in accordance with 22-2.2.4.1.2 or are installed in vaults in accordance 22-2.2.4.4.

-delete Section 22-2.2.4.2.2 Exception 2.

- delete Section 22-2.8.3.5 Commercial Dispensing

-add section-

Section 22-2.8.4.8 Automatic Fire Suppression
22-2.8.4.8 Automatic Fire Suppression: An approved automatic suppression system shall be provided to protect all attended and unattended self-service fuel dispensing areas where Class 1 flammable liquids are dispensed. Where full service and self-service dispensing is conducted under a common canopy, or Class 1 flammable liquids and other fuels are dispensed in a common area, all dispensing units shall be protected with the fire suppression systems.

-delete and replace 22-2.8.5.1 Unattended Self-Service Stations
Section 22-2.8.5.1 Unattended Self-Service Stations: Liquid motor fuel dispensing facilities intended for fleet operations and controlled or limited use involving a specific group(s) of users, with or without an attendant, not open to the general motoring public, used by persons, owners or employees of companies, fleets, commercial, industrial, governmental and manufacturing establishments to dispense liquids used as motor fuels into the fuel tanks of motor

vehicles or self propelled boats used in connection with their business. If an attendant is present at the dispensing facility, he or she shall comply with the provisions of Section 22-2.8.4. All unattended self service stations shall be in compliance with NFPA 30A.

-add new Section 22-2.8.5.4.1 Training Requirements

Section 22-2.8.5.4.1 Training Requirements: When a person or employee of a company, fleet, commercial, industrial, governmental or manufacturing establishment dispenses fuel for a motor vehicle used in connection with their business at the site of the business the employer shall be responsible for training the person(s) dispensing fuel. Where the fuels are dispensed at an unattended private service station not owned or operated by the employer, the owner or operator of the private service station shall be responsible for training the person(s) who directly receives cards or keys for access from the owner. The owner/operator shall in addition post informational signs explaining the requirements of subsections 1, 2 and 3 of this section.

The training shall include as a minimum:

- (1) The proper operation of the dispensing equipment;
- (2) the location of emergency remote system shutoff(s) which must be accessible;
- (3) emergency response procedures to follow in the event of a leak, discharge or fire; and

(4) documentation of training must be kept on file and made available to the authority having jurisdiction upon request.

- delete and replace as follows

Section 22-2.8.5.7 Emergency Notification

22-2.8.5.7 Emergency Notification:

When an unattended self-service station is open or available for use during any period of time when the location or property is not manned by other persons, access to a readily identifiable emergency phone or alarm system communicating directly with local emergency responders or a central public or private emergency dispatch center shall be installed and accessible.

-add new section 22-2.8.9.1

Identification Signs

22-2.8.9.1 - Identification Signs:

Identification signs identifying the type of motor fuel, such as Gasoline, Kerosene or Diesel Fuel, shall be conspicuously posted on each side of the flammable or combustible fuel dispenser device at least 3 feet above the bottom of the dispensing device.

-add new section 22-2.8.10 Lighting

22-2.8.10 Lighting: Adequate

lighting shall be provided for all fuel dispensing locations.

-delete and replace as follows-

Section 28-1.1.1 Application

28-1.1.1 Application: All flammable and combustible liquids covered by this Chapter shall comply with the requirements of this Chapter and the 1993 edition of NFPA 30, Flammable and Combustible Liquids Code.

-delete and replace as follows -

Section 28-2.1.1 Tank Design and Construction

28-2.1.1 Tank Design and

Construction: Tanks shall be designed and built in accordance with the 1993 edition of NFPA 30.

-add new section 28-2.1.3 Temporary Installation

28-2.1.3 Temporary Installation

Mobile or temporary installations used or operated as a fixed facility shall meet the requirements for a fixed installation in accordance with this Code and the 1993 edition of NFPA 30.

-add new Section 28-2.3.3.4

Underground Tank Repair

28-2.3.3.4 Underground Tank Repair:

Approval for all underground storage tank repairs will be subject to compliance with applicable sections of the Regulations of the Vermont Department of Environmental Conservation, Underground Storage Tank Program.

-add Section 28-2.10.3 Underground Piping

28-2.10.3 Underground Piping: All

new or replacement underground piping, including fittings and connections, shall be designed and constructed in accordance with the following:

(a) The piping is made of fiberglass reinforced plastic listed by Underwriters Laboratories or Underwriters Laboratories of Canada.

(b) Where piping is made of steel any portion of the piping that is in contact with the ground shall be cathodically protected in accordance with NFPA 30 Section 2-4.3.

(c) Other approved alternative methods.

Section 28-2.10.4 - All new

underground piping, including fittings, connectors and submersible pumps, shall be equipped with one of the following methods of secondary containment.

(a) Double-Wall Pipe. Double-wall pipe may be constructed of fiberglass-reinforced plastic in accordance with Section 28-2.10.3(a). Double-wall pipe shall be installed in accordance with manufacturer's recommendations.

(b) Synthetic Liner. Synthetic trench liners shall have a permeability rate to the regulated substance stored equal to or less than 1×10^{-6} cm/sec and shall be compatible with environment and substance stored. Such liners shall be installed with a slope to the sump or other suitable receiver of at least one-quarter of an inch per foot and in accordance with manufacturer's recommendations.

-delete and replace as follows
section 28-4.1 Operations
28-4.1 Operations: This section applies to operations involving the use or handling of liquids either as a principal or incidental activity, except as covered elsewhere by this Chapter or the 1993 Edition of NFPA 30 or other NFPA standards.

-delete and replace as follows
section 30-1.1.2
Section 30-1.1.2 Plans for fixed (stationary) installations of LP gas utilizing storage containers of over 2,000 gallons (7.6 m³) individual water capacity or with aggregate water capacity exceeding 4,000 gallons (15.1m³), or with any size containers involving LP gas liquid transfer from one container to another, shall be submitted to the authority having jurisdiction and

receive a construction permit in accordance with the Code. Mobile or temporary installations used or operated as a fixed installation shall meet the requirements of a fixed installation.

-add - Section 30-1.1.2.1 Record of Installation
30-1.1.2.1 Record of Installation: Installers shall maintain a record of all installations for which a permit is not required by Section 30-1.1.2.1 (but not including replacing of portable cylinders) and have it available for inspection by the Code official.

-replace the reference in 43-1.1:

From NFPA 13, 13D and 13R, 1991 edition to the 1994 edition; NFPA 14, 1990 edition to the 1993 edition; NFPA 30, 1990 edition to the 1993 edition; NFPA 30A, 1990 edition to the 1993 edition; NFPA 72 and 72E, 1990 edition to the 1993 edition; NFPA 96 1991 edition to the 1994 edition; NFPA 110, 1988 edition to the 1993 edition; NFPA 241, 1989 edition, to the 1993 edition; NFPA 256, 1987 edition to the 1993 edition; NFPA 260, 1989 edition to the 1994 edition; NFPA 261, 1989 edition to the 1994 edition.

-add new reference NFPA 2001, 1994 edition

3) NFPA 101, The Code for Safety to Life from Fire in Buildings and Structures 1994 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 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 and replace as follows -
Section 1-6.2:
Section 1-6.2 Occupancy During Construction:

(a) Buildings or portions of buildings shall be permitted to be occupied during renovations, alterations or repair only when all means of egress and all fire protection features are in place and continuously maintained for the portion occupied.

(b) Buildings or portions of buildings shall not be permitted to be occupied during new construction and during major renovation work, where occupants have been relocated, for buildings classified under Chapters 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, and 23.

(c) Buildings or portions of buildings shall be permitted to be occupied during new construction, and during major renovation work, where occupants have been relocated, for buildings classified under Chapters 10, 11, 21, 24, 25, 26, 27, 28, 29 only when the following items are completed, in place and properly maintained.

1. Fire detection and alarm systems.
2. Fire sprinkler and fire suppression systems.
3. Permanent heating systems.
4. All means of egress from the occupied area.
5. Fire department access to

the building.

6. Electrical wiring within the occupied area.
7. All LP gas cylinders and similar flammable and hazardous materials are removed from the building.

-add new Section 5-2.2.5.4 Outside Stairs Roofs

5-2.2.5.4 Outside Stairs Roofs: Outside stairs shall be protected from the accumulation of snow and ice by a roof.

Exception: Existing outside stairs where it is demonstrated to the satisfaction of the authority having jurisdiction that any snow and ice accumulation is promptly removed.

-add new Section 5-2.8.4.1 Fire Escape Roofs

5-2.8.4.1 Fire Escape Roofs: Fire escapes serving more than 10 occupants shall be protected from accumulation of snow and ice by a roof.

Exception: Existing fire escapes where it is demonstrated to the satisfaction of the authority having jurisdiction that any snow and ice accumulations is promptly removed.

-add new Exception 2 - Section 7-

1.2 Electrical Exception 2: Existing installations within residential dwelling units shall be in accordance with NFPA 73, Residential Electrical Code.

-delete and replace as follows -
Section 7-4.2

7-4.2 Except as modified herein, new elevators, escalators, dumbwaiters, and moving walks shall be installed in accordance with the requirements

of all sections of ANSI/ASME A17.1, Safety Code for Elevators and Escalators which contains requirements relative to fire safety and/or barrier free access.

-delete and replace as follows -
Section 7-4.3

7-4.3 Except as modified herein, existing elevators, escalators, dumbwaiters, and moving walks shall conform to the requirements of all sections of ANSI/ASME A17.3 Safety Code for Existing Elevators and Escalators which contains requirements relative to fire safety and/or barrier free access.

-delete and replace as follows -
Section 7-7.1.2 Limited Area Sprinklers

7-7.1.2 Limited Areas Sprinklers: Sprinkler piping serving not more than six sprinklers for any isolated hazardous area may be connected directly to 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 sprinkler system piping.

-add new section 8-3.4.1.2
8-3.4.1.2 The required fire alarm system shall be electrically wired as a Class A system.

-delete and replace as follows -
Section 10-1.4.5

10-1.4.5 Adult day care shall include any building or portion thereof used for nonsleeping purposes for less than 24 hours per day to house four or more adults requiring care, maintenance, and supervision by other than their relative(s), including all facilities licensed for that purpose

by the State. Clients shall be ambulatory or semiambulatory and shall not be bedridden. They shall not exhibit behavior that is harmful to themselves or others.

- delete in part Section 10-3.6, Exception No. 4. Interior Corridors

-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".

-add new section - Section 12-3.4.1.3

12-3.4.1.3 The required fire alarm system shall be electrically wired as a Class A system.

-add new section - Section 12-6.3.4.6

12-6.3.4.6 The required fire alarm system shall be electrically wired as a Class A system.

-add new section - Section 14-3.4.1.4

14-3.4.1.4 The required fire alarm system shall be electrically wired as a Class A system.

-add new section - Section 17-3.4.4.1 Detection

17-3.4.4.1 **Detection:** A corridor smoke detection system in accordance with Section 7-6 shall be provided.

Exception: Buildings protected throughout by an approved supervised automatic sprinkler system installed in accordance with 16-3.5.1.

-add new section - 18.3.4.4.3
Battery Backup

18.3.4.4.3 Battery Backup: Smoke detectors installed in accordance with this section shall receive power from a battery when the building electrical system power is interrupted.

-add new section - 19-3.4.4.3
Battery Backup

19-3.4.4.3 Battery Backup: Smoke detectors installed in accordance with this section shall receive power from a battery when the building electrical system power is interrupted.

Exception: previously approved and installed smoke detectors.

-add new section - Section 20-3.3.5
Battery Backup

20-3.3.5 Battery Backup: Smoke detectors installed in accordance with this section shall receive power from a battery when the building electrical system power is interrupted.

Exception: previously approved and installed smoke detectors.

-add new section - Section 21-3.3.2
Battery Backup

21-3.3.2 Battery Backup: Smoke detectors installed in accordance with this section shall receive power from a battery when the building electrical system power is interrupted.

Exception: previously approved and installed smoke detectors.

-delete in part and replace -
Section 22-1.3 Definitions
22-1.3 Residential Board and Care Occupancy: A building or part thereof that is used for lodging and boarding of four or more residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services and including all facilities licensed for such purposes by the State.

-add new section - 22-3.3.4.9
Battery Backup

22-3.3.4.9 Battery Backup: Smoke detectors installed in accordance with this section shall receive power from a battery when the building electrical system power is interrupted.

-delete in part and replace -
Section 23-1.3 Definitions
23-1.3 Residential Board and Care Occupancy: A building or part thereof that is used for lodging and boarding of four or more residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services and including all facilities licensed for such purposes by the State.

-add new section - Section 23-
3.3.4.7 Battery Backup

23-3.3.4.7 Battery Backup: Smoke detectors installed in accordance with this section shall receive power from a battery when the building electrical system power is interrupted.

Exception: previously approved and installed smoke detectors.

-add new section 30-8.3.1.1 to read:
30-8.3.1.1 The required fire alarm

system shall be electrically wired as a four wire return loop system (Class A)

(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. Section 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 or 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 municipalities which meet 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

These rules shall take effect January 11, 1995 and shall be known as the 1994 Vermont Fire Prevention and Building Code. Any building or premises upon which construction or renovation was begun within two years prior to the effective date of this Code or for which plans, drawings or specification were approved within three months of the effective date of this Code and which was in compliance with the 1989 Vermont Fire Prevention and Building Code shall be considered to be in compliance with the requirements for new construction under the 1994 Vermont Fire Prevention and Building Code. After completion such buildings or premise shall be maintained under the requirements for existing buildings under the 1994 Vermont Fire Prevention and Building Code.

Appendix I - Asbestos

The Vermont Department of Health regulates the removal of asbestos containing materials, as well as the training for persons who remove asbestos containing materials, in the Vermont regulations for Asbestos Control. For additional information, contact the Vermont Department of Health, Division of Environmental Health (1-800-439-8550).

Appendix II - Definition of a Public Building

2 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, 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 county, 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.

Appendix III - Emergency Notification

The Vermont Division of Emergency Management is the central notification point for obtaining state assistance and response in the event of a hazardous material incident. To notify the Vermont Division of Emergency Management of a hazardous material or other emergency call 1-800-641-5005, 24 hours a day.

Appendix IV - Underground Storage Tanks

The Agency of Natural Resources, Department of Environmental Conservation (DEC) regulates petroleum and chemical Underground Storage Tanks (USTs) that are 10 percent or more beneath the surface of the ground. All USTs are required to be registered with the Agency except for: (a) Tanks less than 1100 gallons containing fuel oil (#2-#6) which is used for on premises heating and domestic hot

water, and (b) farm and residential tanks less than 1100 gallons containing motor fuel which is used for noncommercial purposes. In addition, certain registered USTs are required to have permits for their operation and are subject to other operational standards. All USTs are subject to closure (removal) requirements upon being taken permanently out of service. For additional information contact the Vermont DEC at (802)241-3888.

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

CONSTRUCTION PERMIT APPLICATION

State of Vermont
Fire Prevention Division



Main Office Location at National Life Ins. Company (802)828-2106 Fax (802)828-2748
 Mailing Address - National Life Office Building, Drawer 20, Montpelier - 05620-3401
 430 ASA Bloomer Bldg., Merchants Row, Rutland-05701 (802)786-5867 Fax (802) 786-5872
 380 River St. N Springfield, P.O., Box 280-Springfield - 05156 (802)886-2712 Fax (802)886-2719
 19 Commerce St. - Williston - 05495 (802)658-2199 Fax (802)863-7410

DEPARTMENT
OF LABOR
& INDUSTRY

Building Site Information *Fill out all Requested Information to Facilitate Review*

Name _____
 Location _____
 _____ Zip _____

Owner Information

Name _____
 Address _____
 _____ Zip _____

Occupancy and Construction Information

BOCA Occupancy Code _____ NFPA 901 Code _____
 Describe Proposed use _____
 Describe Construction _____

Circle Type of Construction

Noncombustible (Concrete - Steel)			Noncombustible/ Combustible (Masonry -Wood)			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

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

RESIDENTIAL OCCUPANCY - Number of Units _____ Number of Units Having Handicapped Access _____
 Public Water Supply: Yes No GMP _____ PSI _____ Public Sewer: Yes No
 Structural Design Loads: Roof _____ Floor(s) _____
 Square Footage of Largest Story: _____ Total Square Footage: _____ Number of Stories: _____
 Number of Occupants _____ Describe Heating System _____
 Project Contractor Name: _____ Telephone _____
 Address _____
 Project Engineer or Architect Name: _____ Telephone _____
 Address _____

PLANS REVIEW RECORD - For Office Use Only - Do Not Write Below This Line

Site Number	Life Exp	Plans Review	Date Plans	By	Date Plans	By	Notes
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Project Information

- New Building
- Addition
- Change of Use
- Renovation / Alteration
- Repair / Replacement
- Fuel Tanks
- Equipment
- Fire Alarm System
- Fire Suppression System
- Demolition
- kitchen Hood

This section must be completed for all Alterations and Renovation projects :

A. Fair Market Value of the Building prior to renovations :\$ _____

B. Method of appraisal

- Tax Assessment Independent Appraisal by a certified appraiser

C. I, _____, certify that the cost of alteration, Less the cost
(applicant)
 of reroofing, interior decorations, changes to the mechanical and electrical
 system and normal maintenance (does) (does not) exceed 40% of the fair
(circle one)
 market value listed above.

(attach copy of appraisal to application)

Project Valuation Information

The Construction Permit fee is based on the total valuation of improvements. For projects involving a change of use there is a minimum fee of \$25.00 .

- a. Valuation of building Construction \$ _____
- b. Fixed equipment, etc installed..... _____
- c. Roofing..... _____
- d. Interior Decorating..... _____
- e. Electrical..... _____
- f. Plumbing..... _____
- g. Fire Suppression System..... _____
- h. Heating, Air Conditioning..... _____
- i. Fire Alarm System..... _____
- j. Consulting Services..... _____
- k. Other..... _____

I, _____, certify that the total valuation of the construction work is _____
(applicant)

TOTAL VALUE OF IMPROVEMENT \$ _____ X 0.00475 = _____ Construction Permit Fee

Energy Conservation Certification for New Publicly Funded Buildings Only

I, _____, certify that this new publicly funded building has been approved through the Act 250 process.
(applicant)

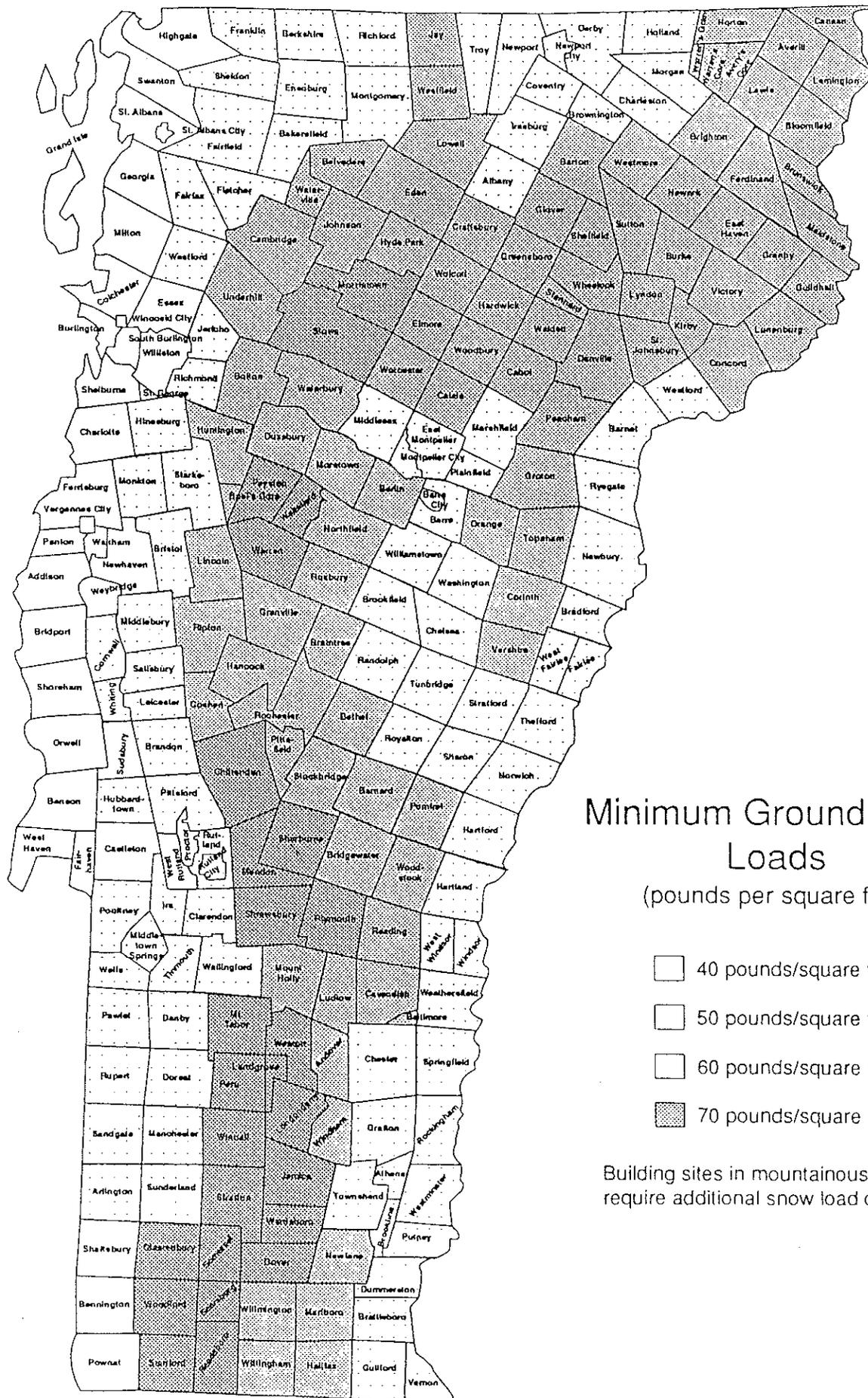
or,
 I, _____, certify that this new building or addition, funded by state monies, meets or exceeds the
(licensed engineer or architect)
 standard for energy conservation entitled "State of Vermont, 1991, Dept of State Buildings Energy Conservation
 Standard for New and Existing State Buildings".

or,
 I, _____, certify that this new building, funded by federal or municipal monies, meets or exceeds
(licensed engineer or architect)
 the standard for exterior envelope design contained in "Energy Conservation in New Building Design" (ASHRAE 90-80
 1980, edition).

Other Information

Anticipated Starting Date of Construction _____ Anticipated Completion Date _____
 Name of Applicant (Please Print) _____
 Signature of Applicant _____ Date _____

Suspension of permit: Any permit issued shall become invalid if the authorized work is not commenced within six months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.



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.

