

STATE OF VERMONT
DEPARTMENT OF LABOR AND INDUSTRY
MONTPELIER, VT 05602

COMMISSIONER'S OFFICE

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APPRENTICESHIP	}	802-828-2286
WAGES AND CHILD LABOR		
WORKER'S COMPENSATION	}	802-828-2765
OCCUPATIONAL SAFETY (VOSHA)		
FIRE PREVENTION	}	802-828-2106
ELECTRICAL		
PLUMBING		
BOILERS AND ELEVATORS		
TRAMWAYS		

VERMONT FIRE PREVENTION CODE

21 V.S.A. §§ 252 and 262

1979 VERMONT FIRE PREVENTION CODE

SECTION 1. TITLE

These rules are adopted under 21 V.S.A., §§ 252 and 262, and shall be known and cited as the 1979 Fire Prevention Code of the State of Vermont.

SECTION 2. INTENT OF CODE

It is the intent of this code to prescribe rules consistent with nationally recognized codes or standards of engineering and fire prevention practices for the safeguarding of life and property from the hazards of fire arising from the manufacturing, storage, handling, transportation and use of hazardous explosive and flammable materials, and from conditions hazardous to life or property in the use or occupancy of buildings and premises.

SECTION 3. SCOPE AND CONSTRUCTION

(a) The 1979 Vermont Fire Prevention Code shall apply to all public buildings and premises and to all manufacturing storage, handling, transportation and use of hazardous explosive and flammable materials, petroleum and petroleum products.

(b) The 1979 Vermont Fire Prevention Code shall apply equally to new and existing buildings, premises and conditions except that existing or new buildings, premises and conditions not in strict compliance with the terms of this code or which when built will not be in strict compliance with the terms of this code shall be permitted when, in the opinion of the Commissioner, the exceptions do not constitute a distinct hazard to life or property.

(c) Nothing contained in the 1979 Vermont Fire Prevention 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 in the 1979 Vermont Fire Prevention Code shall be construed to prevent the enforcement of other laws which prescribe more restrictive limitations.

SECTION 4. DEFINITIONS

(a) For the purposes of the 1979 Vermont Fire Prevention Code:

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

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

(3) "Approved" means approved by the Commissioner.

(4) "Authority having jurisdiction" means the Commissioner.

(5) "Building" means a public building as defined under 18 V.S.A., § 1301 and 21 V.S.A., § 251(d).

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

(7) "Code" means the 1979 Fire Prevention Code.

(8) "Commissioner" means the Commissioner of the Department of Labor and Industry.

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

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

(11) "Owner" means a person who has under his control or ownership a public building or premise.

(12) "N.F.P.A." means National Fire Protection Association.

(b) When a term is not defined in this section and is defined in an adopted Standard, the term shall have the meaning ascribed to it in that Standard.

(c) When a term is not defined under this code or under the provisions of the adopted Standards, it shall have ascribed to it its ordinary accepted meaning or the meaning implied by the context.

SECTION 5. ADOPTION OF NATIONAL SAFETY STANDARDS

(a) The Commissioner adopts, for the purpose of prescribing rules governing conditions hazardous to life and property from fire in public buildings and premises, the following nationally recognized safety standards:

(1) National Fire Protection Association Publication

N.F.P.A. Number	TITLE OF STANDARD	YEAR OF EDITION
10	Portable Fire Extinguishers	1978
11	Foam Extinguishing Systems	1978
11A	High Expansion Foam Systems	1976
11B	Synthetic Foam and Combined Agent Systems	1977
12	Carbon Dioxide Extinguishing	1977
12A	Halogenated Extinguishing Agent Systems-Halon 1301	1977
12B	Halogenated Fire Extinguishing Agent Systems-Halon 1211	1977
13	Installation of Sprinkler Systems	1978
13D	Sprinkler Systems - One- and Two-Family Dwellings	1975
14	Standpipe and Hose Systems	1978
15	Water Spray Fixed Systems	1977
16	Foam-Water Sprinkler and Spray Systems	1974
17	Dry Chemical Extinguishing Systems	1975
20	Centrifugal Fire Pumps	1978
22	Water Tanks for Private Fire Protection	1978
24	Outside Protection	1977
30	Flammable & Combustible Liquids Code	1977
31	Installation of Oil Burning Equipment	1978
32	Dry Cleaning Plants	1974
33	Spray Application Using Flammable & Combustible Materials	1977
34	Dip Tanks Containing Flammable or Combustible Liquids	1974
35	Manufacture of Organic Coatings	1976
37	Stationary Combustion Engines and Gas Turbines	1979
43A	Oxidizing Materials, Storage of Liquid & Solid	1975
43C	Code for Storage of Gaseous Oxidizing Materials	1975
43D	Storage of Pesticides in Portable Containers	1975

44A	Manufacture, Transportation and Storage of Fireworks	1974
45	Fire Protection for Laboratories Using Chemicals	1975
47	Retail and Wholesale Lumber Storage Yards	1973
50	Bulk Oxygen Systems at Consumer Sites	1974
50A	Gaseous Hydrogen Systems at Consumer Sites	1978
50B	Liquefied Hydrogen Systems at Consumer Sites	1978
51	Oxygen-Fuel Gas Systems for Welding and Cutting	1977
51A	Acetylene Cylinder Charging Plants	1974
51B	Fire Prevention in Use of Cutting and Welding Processes	1977
54	National Fuel Gas Code	1974
56A	Inhalation Anesthetics	1973
56B	Respiratory Therapy	1976
56C	Laboratories in Health-Related Institutions	1973
56F	Nonflammable Medical Gas Systems	1977
56G	Inhalation Anesthetics in Ambulatory Care Facilities	1975
57	Standard on Fumigation	1973
58	Liquefied Petroleum Gases, Storage and Handling	1979
59A	Liquefied Natural Gas, Production, Storage and Handling of	1975
60	Pulverizing Fuel Systems, Installation and Operation	1973
61A	Manufacturing and Handling Starch	1973
61B	Prevention of Fire and Dust Explosions in Grain Elevators & Bulk Grain Handling Facilities	1973
61C	Prevention of Fire and Dust Explosions in Feed Mills	1973
61D	Milling of Agricultural Commodities for Human Consumption	1973
63	Prevention of Dust Explosions in Industrial Plants	1975
65	Processing & Finishing of Aluminum	1975
66	Pneumatic Conveying Systems for Handling Feed, Flour, Grain and other Agricultural Dusts	1973

69	Explosion Prevention Systems	1978
70	National Electrical Code	1978
71	Central Station Signaling Systems	1977
72A	Local Protective Signaling Systems	1975
72B	Auxiliary Protective Signaling Systems	1975
72C	Remote Station Protective Signaling Systems	1975
72D	Proprietary Protective Signaling Systems	1975
72E	Automatic Fire Detectors	1978
73	Public Fire Service Communications	1975
74	Household Fire Warning Equipment	1978
75	Protection of Electronic Computer/Data Processing Equipment	1976
76A	Essential Electrical Systems for Health Care Facilities	1977
78	Lightning Protection Code	1977
80	Fire Doors & Windows	1979
82	Incinerators, Waste and Linen Handling Systems and Equipment	1977
85	Prevention of Furnace Explosions in Fuel-Oil and Natural Gas-Fired Single Burner Boiler-Furnaces	1976
85B	Prevention of Furnace Explosions in Natural Gas-Fired Multiple Burner Boiler-Furnaces	1978
85D	Prevention of Furnace Explosions in Fuel Oil-Fired Multiple Burner Boiler-Furnaces	1978
85E	Prevention of Furnace Explosions in Pulverized Coal-Fired Multiple Burner Boiler-Furnaces	1978
85F	Installation and Operation of Pulverized Fuel Systems	1978
85G	Prevention of Furnace Implosions in Multiple Burner Boiler-Furnaces	1978
86A	Ovens and Furnaces, Design, Location and Equipment	1977
86B	Industrial Furnaces - Design, Location and Equipment	1974
86C	Industrial Furnaces Using Special Processing Atmosphere	1977

86D	Industrial Furnaces Using Vacuum as an Atmosphere	1978
88A	Parking Structures	1973
88B	Repair Garages	1973
90A	Air Conditioning and Ventilating Systems	1978
90B	Warm Air Heating and Air Conditioning Systems	1976
91	Blower and Exhaust Systems, Dust, Stock & Vapor Removal or Conveying	1973
96	Vapor Removal from Cooking Equipment	1978
101	Life Safety Code	1976
102	Tents, Grandstands & Air Supported Structures	1978
196	Fire Hose	1974
211	Chimneys, Fireplaces and Vents	1977
214	Water-Cooling Towers	1977
231	Indoor General Storage	1974
231B	Storage of Cellular Rubber and Plastics	1974
231C	Rack Storage of Materials	1975
231D	Storage of Rubber Tires	1975
232	Protection of Records	1975
232AM	Fire Protection for Archives and Record Centers	1972
241	Safeguarding Building Construction & Demolition Operations	1975
251	Standard Methods of Fire Tests of Building Construction and Materials	1972
252	Standard Methods of Fire Tests of Door Assemblies	1979
255	Method of Test of Surface Burning Characteristics of Building Materials	1979
256	Methods of Fire Tests of Roof Coverings	1976
257	Standard for Fire Tests of Window Assemblies	1975
259	Standard Test Method for Potential Heat of Building Materials	1976
303	Fire Protection Standard for Marinas & Boatyards	1975

327	Cleaning or Safeguarding Small Tanks and Containers	1975
385	Tank Vehicles for Flammable and Combustible Liquids	1974
386	Portable Shipping Tanks	1974
395	Storage of Flammable and Combustible Liquids on Farms and Isolated Construction Projects.	1977
407	Aircraft Fuel Servicing	1975
409	Aircraft Hangars	1979
415	Aircraft Fueling Ramp Drainage	1977
416	Airport Terminal Buildings	1975
418	Roof-Top Heliport Construction and Protection	1979
490	Ammonium Nitrate, Storage of, Code	1975
495	Code for Explosive Materials	1973
501A	Installation of Mobile Homes	1977
501B	Mobile Homes	1977
501D	Recreational Vehicle Parks	1977
513	Motor Freight Terminals	1978
654	Prevention of Dust Explosions in the Plastics Industry	1975
664	Prevention of Dust Explosions in Woodworking and Wood Flour Manufacturing Plants	1971
701	Standard Methods of Fire Tests for Flame-Resistant Textiles and Films	1977
703	Fire-Retardant Treatments for Building Materials	1979

(2) American National Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks - American National Standard Safety Code A17.1-1978 and supplement A17.1a-1979.

(3) Fire Protection Equipment Directory - Underwriters' Laboratories, Inc., 1979 Edition.

(4) Building Materials Directory - Underwriters' Laboratories, Inc., 1979 Edition.

(5) Fire Resistance Directory - Underwriters' Laboratories, Inc., 1979 Edition.

(6) Gas and Oil Equipment Directory - Underwriters' Laboratories, Inc., 1979 Edition.

(7) Articles II, V, VII, VIII, IX other than Section 907 and XVIII, including any other provisions of the National Building Code which are referred to in the adopted articles insofar as the referenced provisions are necessary to effectuate the purposes of the adopted articles, together with appendices A, C, D and G of the National Building Code - American Insurance Association (1976 edition) as amended December, 1977.

(8) Factory Mutual Approval Guide - Factory Mutual Engineering Corporation, 1979 Edition.

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

(10) Electrical Construction Materials Directory - Underwriters' Laboratories, Inc., 1978 Edition.

(b) In the case of a conflict between the provisions of one standard adopted in this section and another standard the more restrictive standard shall control.

SECTION 6. POWERS OF THE COMMISSIONER

The Commissioner may:

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

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

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

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

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

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

SECTION 7. RESPONSIBILITY OF THE OWNER

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

SECTION 8. DUTIES OF THE OWNERS

The owner of property shall:

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

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

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

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

- (a) Occupancy of a building or part thereof after construction or alteration of that building or part, or
- (b) Use of any plant or equipment on the premises, or
- (c) Change in the class of occupancy of any building or part thereof.

(5) Provide for adequate fire lanes, pumping sites or hydrants for all public buildings and premises. The adequacy of the lanes shall be determined by the Commissioner.

SECTION 9. DRAWINGS AND SPECIFICATIONS, WHEN REQUIRED

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, drawings and specifications relating to the work and equipment under consideration shall be prepared in conformity with Section 14 of these rules and be submitted to the Commissioner for review. No drawings or specifications need be filed for minor repairs.

SECTION 10. DRAWINGS AND SPECIFICATIONS, WHEN AND WHERE TO FILE

Prior to beginning the construction or erection of any building for which drawings and specifications are required under Section 11 of these rules, the building owner or his agent shall submit a copy of the drawings and specifications to the Commissioner for approval.

SECTION 11. DRAWINGS AND SPECIFICATIONS TO BE ADEQUATE

(a) Drawings required under Section 9 of these rules shall be drawn to scale and shall be sufficiently clear, comprehensive, detailed and legible when submitted to the Commissioner so that, together with any accompanying specifications and data, a person who is competent in such matters can readily determine whether or not the proposed building, addition, or alteration, and all proposed building equipment will conform to this code.

(b) The live loads used in the design of the roof and floors of the building shall be tabulated on the drawings.

(c) Plans and specifications required under Section 9 of these rules shall include a provision for fire lanes as required under Section 8 of these rules.

SECTION 12. DRAWINGS AND SPECIFICATIONS, REQUIRED EVIDENCE OF RESPONSIBILITY

Drawings and specifications when submitted for inspection as required under Section 9 of these rules, shall bear the identification of the person primarily responsible for their preparation.

SECTION 13. DRAWINGS AND SPECIFICATIONS, INSPECTION OF

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

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

SECTION 14. DRAWINGS AND SPECIFICATIONS, APPROVAL OF

(a) When the Commissioner finds that the drawings and specifications submitted to him for approval under Section 9 of these rules conform to the applicable provisions of the code, he shall so notify in writing the person who submitted the drawings and specifications.

(b) The Commissioner may issue a conditional approval for the construction of part of a building or structure before the entire drawings and specifications of the building or structure have been submitted or approved, provided adequate information and detailed statements have been submitted and have been found to comply with the code.

(c) An approval issued is conditioned upon:

- (1) Construction being started within six months from the issue date of the approval.
- (2) Construction not being discontinued or suspended for a period of more than one year.

SECTION 15. DRAWINGS AND SPECIFICATIONS, REVOCATION OF APPROVAL OF

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

SECTION 16. CONFIDENTIAL INFORMATION

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

SECTION 17. DRAWINGS AND SPECIFICATIONS, CONFORMITY TO

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

SECTION 18. SPECIAL SUPERVISION, WHERE REQUIRED

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

SECTION 19. INSPECTION

If the drawings and specifications for the erection, construction, repair, alteration, relocating, or equipment of a building are subject to inspection by the Commissioner, under Section 9 of these rules, he shall make or cause to be made such inspections, investigations, and determinations as are necessary to determine whether or not the work which has been performed and the installations which have been made are in conformity with the approved drawings and specifications relating thereto, except to the extent special supervision is provided under Section 18 of these rules.

SECTION 20. LIABILITY FOR DAMAGES

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

SECTION 21. REPEAL OF PREVIOUS RULES

The Fire Prevention Code of the State of Vermont effective December 23, 1974 is repealed.

SECTION 22. EFFECTIVE DATES

These rules shall take effect January 1, 1980. Any building or premise upon which construction, reconstruction or renovation was begun within two years prior to the effective date of these rules or for which plans, drawings or specifications were approved within six months of the effective date of these rules and which was in compliance with the rules repealed by these rules shall be considered in compliance with these rules.

Joel R. Cherington
Commissioner
Department of Labor & Industry