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.


(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:
<table>
<thead>
<tr>
<th>N.F.P.A. Number</th>
<th>TITLE OF STANDARD</th>
<th>YEAR OF EDITION</th>
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<tbody>
<tr>
<td>10</td>
<td>Portable Fire Extinguishers</td>
<td>1978</td>
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<tr>
<td>11</td>
<td>Foam Extinguishing Systems</td>
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<td>11A</td>
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<td>Halogenated Extinguishing Agent Systems-Halon 1301</td>
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<td>12B</td>
<td>Halogenated Fire Extinguishing Agent Systems-Halon 1211</td>
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<td>13</td>
<td>Installation of Sprinkler Systems</td>
<td>1978</td>
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<tr>
<td>13D</td>
<td>Sprinkler Systems - One- and Two-Family Dwellings</td>
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<tr>
<td>14</td>
<td>Standpipe and Hose Systems</td>
<td>1978</td>
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<td>15</td>
<td>Water Spray Fixed Systems</td>
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<td>16</td>
<td>Foam-Water Sprinkler and Spray Systems</td>
<td>1974</td>
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<td>17</td>
<td>Dry Chemical Extinguishing Systems</td>
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<td>20</td>
<td>Centrifugal Fire Pumps</td>
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<td>22</td>
<td>Water Tanks for Private Fire Protection</td>
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<td>24</td>
<td>Outside Protection</td>
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<td>30</td>
<td>Flammable &amp; Combustible Liquids Code</td>
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<td>31</td>
<td>Installation of Oil Burning Equipment</td>
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<td>32</td>
<td>Dry Cleaning Plants</td>
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<td>33</td>
<td>Spray Application Using Flammable &amp; Combustible Materials</td>
<td>1977</td>
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<td>34</td>
<td>Dip Tanks Containing Flammable or Combustible Liquids</td>
<td>1974</td>
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<td>35</td>
<td>Manufacture of Organic Coatings</td>
<td>1976</td>
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<td>37</td>
<td>Stationary Combustion Engines and Gas Turbines</td>
<td>1979</td>
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<td>43A</td>
<td>Oxidizing Materials, Storage of Liquid &amp; Solid</td>
<td>1975</td>
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<td>43C</td>
<td>Code for Storage of Gaseous Oxidizing Materials</td>
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<td>43D</td>
<td>Storage of Pesticides in Portable Containers</td>
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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
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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
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
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
303 Fire Protection Standard for Marinas & Boatyards 1975
<table>
<thead>
<tr>
<th>Code</th>
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<tr>
<td>327</td>
<td>Cleaning or Safeguarding Small Tanks and Containers</td>
<td>1975</td>
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<td>385</td>
<td>Tank Vehicles for Flammable and Combustible Liquids</td>
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<td>Storage of Flammable and Combustible Liquids on Farms and Isolated Construction Projects.</td>
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<td>407</td>
<td>Aircraft Fuel Servicing</td>
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<td>409</td>
<td>Aircraft Hangars</td>
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<td>415</td>
<td>Aircraft Fueling Ramp Drainage</td>
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<td>416</td>
<td>Airport Terminal Buildings</td>
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<td>Roof-Top Heliport Construction and Protection</td>
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<td>Ammonium Nitrates, Storage of, Code</td>
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<td>501A</td>
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<td>501B</td>
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<td>501D</td>
<td>Recreational Vehicle Parks</td>
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<td>513</td>
<td>Motor Freight Terminals</td>
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<td>654</td>
<td>Prevention of Dust Explosions in the Plastics Industry</td>
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<td>664</td>
<td>Prevention of Dust Explosions in Woodworking and Wood Flour Manufacturing Plants</td>
<td>1971</td>
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<tr>
<td>701</td>
<td>Standard Methods of Fire Tests for Flame-Resistant Textiles and Films</td>
<td>1977</td>
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<tr>
<td>703</td>
<td>Fire-Retardant Treatments for Building Materials</td>
<td>1979</td>
</tr>
</tbody>
</table>


(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.


(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