STATE OF VERMONT

1989
VERMONT FIRE PREVENTION
AND BUILDING CODE

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Governor

Jeanne VanVlaldren, Commissioner
Department of Labor and Industry
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SECTION 1.
TITLE

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

SECTION 2.
INTENT OF CODE

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

SECTION 3.
SCOPE AND CONSTRUCTION

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

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

(c) Nothing contained in the 1989 Vermont Fire Prevention and Building Code shall be construed as applying to the transportation of any article or thing shipped under the jurisdiction of and in compliance with the regulations prescribed by the United States Department of Transportation, or the Vermont Agency of Transportation with respect to placarding, nor as applying to the military forces of the United States.

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

(e) In the event any part or provision of this Code is held to be illegal, this shall not have the effect of making void or illegal any of the other parts or provisions of this Code.
SECTION 4.
APPLICATION FOR A
CONSTRUCTION PERMIT

(a) Before a building or premise or an
addition to a building or premise is constructed or
erected, and before a building or premise is altered or
relocated, or building equipment is installed therein, a
construction permit shall be obtained from the
Commissioner or a duly authorized representative. To
obtain a construction permit an application for a
construction permit shall be submitted to the Com-
missioner 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 Attach-
ment 2.

(b) Plans required under this Code shall be
drawn to scale and shall be sufficiently clear,
comprensive, detailed and legible when submitted
to the Commissioner or a duly authorized representa-
tive so that, together with any accompanying specifi-
cations 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 assign-
ment 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 applica-
tion within a reasonable time after filing. The
Commissioner or a duly authorized representative
may require additional information before issuing or
denying the application for a construction permit and
may issue a conditional construction permit under
specified terms and conditions. Conditions of the
permit or reasons for denial of the permit shall be
transmitted to the applicant in writing.

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

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

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

SECTION 5.
FEES FOR A
CONSTRUCTION PERMIT

(a) A properly completed application
submitted for a construction permit shall be accompa-
nied 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 specifica-
tions will not be reviewed until the appropriate fee
has been paid.

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

(c) For purposes of assisting the Commiss-
ioner or a duly authorized representative in deter-
ing 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 discon-
tinuance of a building project involving a construc-
tion permit fee greater than $150 the construction
permit fee may be refunded upon written request to
the Commissioner, prorated on construction work,
services, reviews, and inspections conducted prior to
such abandonment.
SECTION 6.
USE AND OCCUPANCY
PERMIT

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

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

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

1) A final inspection shall be conducted by the Commissioner or duly authorized representative and the results shall be given to the owner in writing, or;

2) At the discretion of the Commissioner or a duly authorized representative, a Completion Certificate shall be filed by the owner or a duly authorized representative certifying that the construction work was completed in accordance with the approved plans and specifications.

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

(e) The Commissioner or a duly authorized representative may issue a temporary use and occupancy permit for a building or structure, or part thereof, before the entire work covered by the construction permit shall have been completed, providing that such portion or portions may be occupied safely prior to full completion of the building or structure without endangering life or public welfare.

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

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

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

SECTION 7.
RESPONSIBILITY OF THE OWNER

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

SECTION 8.
DUTIES OF THE OWNER

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

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

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

(c) Allow the Commissioner or a duly authorized representative to enter any public buildings or premises at any reasonable time for the purpose of administering or enforcing this Code.
(d) Obtain a construction permit from the Commissioner or a duly authorized representative for all construction under Section 4(a) of this Code for public buildings or premises prior to starting work at the building site.

(c) Obtain use and occupancy approval from the Commissioner or a duly authorized representative prior to any:

1) Occupancy of a building or part thereof after construction or alteration of that building or part, or
2) Use of any building plant or equipment on the premises, or
3) Change in the use and occupancy of any building or part thereof.

SECTION 9.
POWERS OF THE COMMISSIONER OF LABOR AND INDUSTRY

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

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

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

(c) Cause a written notice to be delivered to the owner of any property directing him to correct any condition where, in the opinion of the Commissioner or a duly authorized representative, that condition constitutes a violation of this Code.

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

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

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

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

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

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

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

SECTION 10.
ADOPTION OF NATIONALLY RECOGNIZED SAFETY STANDARDS

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

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

- 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 assure 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 assure the public safety.

- delete - Section 109.1 Code Official
- delete - Section 109.2 Appointment
- delete - Section 109.3 Organization
- delete - Section 109.4 Deputy
- delete - Section 110.6 Rule making authority
- delete and replace as follows
  - Section 111.5 Plans and Specifications

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

- delete - Section 111.6.1 Private sewage disposal system
- delete - Section 112.5 Approved plans
- delete - Section 114.3 New construction and alteration
- delete - Section 114.3.1 Fee schedule
- delete - Section 114.4 Accounting
- delete - Section 114.5 Refunds
- delete - Section 115.2 Required inspections
- delete - Section 115.3 Final inspections
- delete - Section 117.4 Violation penalties
- delete - Section 118.2 Unlawful continuance
- delete - Section 120.2 Examination and record of damaged structure
- delete - Section 122.4 Periodic inspections
- delete - Section 123 Board of Survey
- delete - Section 124 Means of Appeal
- delete and replace as follows
  - Section 201 Mezzanines

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

- delete and replace as follows
  - Section 304.1.1 Day care facilities

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

- delete and replace as follows
  - Section 307.3.1 Child care facility

307.3.1 Child care facility: A child care facility which accommodates more than five children less than two years of age shall be classified as Use Group I-2.
- delete and replace as follows
  - Section 309.4.1 Child care facilities

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

- amend in part
  - Table 401 Fire resistance ratings of structure elements

Table 401 Fire resistance ratings of structure elements
Replace the "0" hour fire rating requirement with a "1" hour fire rating requirement on line 8, tenant spaces, for construction types 2C, 3B and 5B and add "Note j. Structural members supporting fire resistance rated tenant separators in buildings of types 2C, 3B, or 5B construction shall not be required to be fire resistance rated unless required by other provisions of this Code."

- delete and replace as follows
  - Section 512 Physically handicapped and aged

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

- delete and replace as follows
  - Section 605.2 Area limit

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

- delete - Section 623 Radio and television towers
- delete - Section 624 Radio and television antenna
- delete - Section 625 Swimming pools
- delete - Article 7 Interior Environmental Requirements

- new Section added
  - Section 1004.1.1 Alternate Water Sprinkler Systems

1004.1.1 Alternate Water Sprinkler Systems: Water sprinkler systems for existing buildings requiring sprinkler protection due to a change in use or alterations, that are of Use Group classification E, I-1, I-2 Child Care Facility, and R-1, and are designed for less than 30 occupants, and buildings of Use Group Classification R-2 and R-3 not greater than 4 stories in height may install the water sprinkler system in accordance with NFPA 13R, 1988 edition.
- new Section added
  - Section 1004.3.1
1004.3.1 Effective July 1, 1991, the required fire sprinkler system plans, calculations, design, installation and testing shall be accomplished by a person passing the examination for Level III certification for automatic sprinkler system layout from The National Institute for Certification in Engineering Technologies.

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

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

- delete and replace as follows
  - Section 1111.2 Ground snow loads
1111.2 Ground snow loads: Ground snow loads to be used in determining the design snow loads for roofs are given on the map indicated as Appendix 1.

- add new section
  - Section 1111.4.1 Minimum snow load
1111.4.1 Minimum snow load: The resultant flat roof snow load of p, shall not be less than 40 psf.

- delete - Section 2103 Rat proofing

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

- add new section
  - Section 2500.3 Commercial cooking equipment
2500.3 Commercial cooking equipment: All kitchen exhaust systems for commercial cooking equipment shall be constructed, installed and maintained in accordance with NFPA 96 (1987 Edition) Standard for the Installation of Equipment for the Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment.
- add new section
  - section 2500.4  Installation of fuel gas systems

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

- add new section
  - Section 2500.4.1 Fuel gas installation

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

- delete and replace as follows
  - Section 2600.2  Referenced standard

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

- delete - Section 2602.5.3  Manlifts
- delete and replace as follows
  - Section 2605  Existing installations

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

- delete - Section 2613  Manlifts
- delete - Section 2614  Industrial lifts and loading ramps
- delete - Section 2615  Automotive lifts
- delete - Section 2616.3  Machinery guards
- delete and replace as follows
  - Section 2700.1  Electrical wiring scope

2700.1 Electrical wiring scope: The provisions of this article shall control the design and construction of all new installations of electrical conductors, equipment and systems in buildings or structures; and all alterations to existing wiring system therein to insure safety. All such installations shall conform to the provisions of NFPA 70, The National Electrical Code, as adopted by the Electricians' Licensing Board.
- delete - Section 2701.2.8  Illumination for toilets and bathrooms
- delete - Section 2704.3  Annual permit
- delete - Section 2704.4  Annual records
- delete and replace as follows

- Article 28  Plumbing systems

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

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

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

- delete and replace as follows

- Article 31  Energy Conservation

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

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

- delete and replace as follows

- Section 3200.1  Scope

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

NFPA #10 Portable Fire Extinguishers 1988 edition

- delete in part and replace as follows
  - Appendix A


- delete in part and replace as follows
  - Appendix A

SECTION 10
ADOPTION OF NATIONALLY RECOGNIZED SAFETY STANDARDS - continued

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

- delete - Section F100.1 Title
- delete - Section F101 Applicability
- delete - Section F102.2 Inspections
- delete - Section F102.3 Investigation of Fires
- delete - Section F102.4 Fire Records
- delete - Section F104 Means of Appeal
- delete - Section F105.3.2 Unlawful continuance
- delete - Section F105.5 Failure to correct violations
- delete - Section F105.5.1 Penalty for violations
- delete - Section F301 Open Burning
- delete - Section F303.2 Permit required for removing paint
- delete - Section F305.2 Permit required for storage of materials
- delete - Section F308.2.1 Unauthorized seal removal
- delete and replace as follows
  - Section F309.2 Hood Systems Suppression

F309.2 Hood Systems Suppression: Each existing required commercial kitchen exhaust hood and duct system shall be protected with an approved automatic fire suppression system installed in accordance with NFPA 96 (1987 edition).

- delete in part
  - Section F400.2 Application of other codes
    ... plumbing ...
- delete - Section F1400.2 Permit required for fumigation and thermal insecticide fogging

- delete - Article 16 Oil and gas production

- delete and replace as follows
  - Section F1801.1 General fab areas

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

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

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

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

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

- delete - Section F2100.2 Permit required for junkyards

- delete - Section F2200.2 Permit required for welding operations

- delete - Section F2300.2 Permit required for storage of combustible fibers

- delete - Section F2500.2 Permit required for cryogenic liquids

- delete - Section F2600.2 Permit required for explosives

- delete - Section F2600.2.1 Prohibited permits for explosives

- delete - Section F2600.3 Bond required for blasting

- delete - Section F2700.2 Permit required for fireworks
- add new section
  - Section F2800.1.1 Storage of flammable liquids on farms and construction projects and handling leakage from underground storage tanks

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

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

- delete and replace as follows
  - Section F3000.3 Record of installation

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

- add new section
  - Section F3000.5 Installation of LP gas

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

- delete in part and replace as follows
  - Appendix A

SECTION 10.
ADOPTION OF NATIONALLY RECOGNIZED SAFETY STANDARDS - continued

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

- delete in part and replace as follows
  - Section 7-7.1.1
  Exception

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

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

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

- delete in part
  - Table 10-7.1.6.1
  Height and Construction Limits for day care centers for type “III (200)” and “V(000)”

Delete the “4” designation under “1” stories for age group “0 through 5”

- delete and replace as follows
  - Section 10-8.1.1.2
  Group day care home.

10-8.1.1.2 Group day care home. The requirements detailed in Section 10-8 are based on a minimum staff to client ratio of two staff for up to 12 children with no more than 5 children under age two.
- delete in part
  - Table 11-7.1.6.1
  Height and Construction Limits for day
care centers for type "III (200)" and
"V(000)"

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

- delete in part
  - Section 17-3.4.4
  Detection, exception

- delete and replace as follows
  - Section 20-3.1.1 exception

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

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

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

- delete in part and replace as follows
  - Appendix B

SECTION 10.
ADOPTION OF NATIONALLY RECOGNIZED SAFETY STANDARDS - continued

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

c) The deletion of certain articles and Sections of the BOCA Building Code, the BOCA Fire Prevention Code and the Life Safety Code has been necessary to ensure consistency with existing regulatory authority. The failure to incorporate those 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 resistant 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 .988 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.

c) A request for a variance relating to access to a public building for the physically handicapped shall be referred for decision to the Architectural Barrier Compliance Board established under Title 21 V.S.A. Sections 271–277.
SECTION 12.
REQUEST FOR RECONSIDERATION

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

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

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

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

SECTIN 13.
ADVISORY BOARD

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

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

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

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

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

SECTION 14.
MUNICIPAL ENFORCEMENT AND COORDINATION

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

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

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

(d) A fire prevention and building code adopted by any municipality shall be consistent with the standards adopted in Section 10 of these rules.
SECTION 15.
EFFECTIVE DATES

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

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

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

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

21 V.S.A. § 251a.
(a) As used in this subchapter “public building” means buildings owned or occupied by public utilities, hospitals, schools, houses of worship, convalescent centers and homes for the aged, infirm or disabled, nurseries, kindergartens and day care; buildings in which people are employed, or occasionally enter as part of their employment or are entertained, including private clubs and societies; cooperatives and condominiums; buildings in which people rent accommodations, whether overnight or for a longer term; restaurants, retail outlets, offices or office buildings, hotels, tents or other structures for public assembly, including outdoor assembly, such as grandstands; buildings owned or occupied by the state of Vermont, a county, a municipality, a village or any public entity, including but not limited to a school or fire district. Use of any portion of a building in a manner described in this subsection shall make the entire building a “public building” for purposes of this subsection. “Public building” does not include an owner-occupied single family residence or an owner-occupied farm, unless used for a purpose described in this subsection or a family residence registered as a day care home under chapter 34, subchapter 3 of Title 33.

21 V.S.A. § 251d.
(d) Any condominium or multiple dwelling using a common roof, or row houses so-called, whether any units are owned or leased or rented, shall be subject to the rules promulgated under this chapter.
ATTACHMENT I

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

SITE PLANS SHOWING:

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

COMPLETE CONSTRUCTION DRAWINGS SHOWING:

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

PLANS MUST ALSO BE SUBMITTED FOR:

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

WORK NOTICES MUST ALSO BE SUBMITTED FOR:

All electrical work
All plumbing work

1989 Vermont Fire Prevention and Building Code
State of Vermont
Department of Labor and Industry
Fire Prevention Division

Main Office - 120 State Street • Office Located at 7 Court St. • Montpelier, VT 05602 • Phone (802) 828-2106
Regional Offices 269 North Main Street • Rutland, VT 05701 • Phone (802) 773-5867
Box 280 • Office Located at 40 Clinton St. • Springfield, VT 05156 • Phone (802) 885-5568
7 Ambrose Place • Burlington, VT 05401 • Phone (802) 658-2199

CONSTRUCTION PERMIT APPLICATION

Building Site Information  Fill Out All Requested Information to Facilitate Review

Name __________________________
Address __________________________

Zip __________________________

Owner Information

Name __________________________
Address __________________________

Zip __________________________

Occupancy Information

Describe Proposed Occupancy In Detail ____________________________________________

BOCA Occupancy __________________________

RESIDENTIAL OCCUPANCY - Number of Units _______ Number of Units Having Handicapped Access _______

Construction Information

<table>
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<th>Type of Construction</th>
<th>Type 1</th>
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<th>Type 3</th>
<th>Type 4</th>
<th>Type 5</th>
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Total Square Footage of Largest Story: __________________________

Number of Stories: __________________________

Total Square Footage: __________________________

Proposed Fire Protection Systems

Fire Alarm: [ ] Manual [ ] Automatic [ ] Smoke Detectors

Sprinkler: [ ] Complete [ ] Limited [ ] None

Standpipe: [ ] Yes [ ] No [ ] Other: __________________________

Water Supply Information

Public Water Supply: [ ] Yes [ ] No GPM _______ PSI _______

Public Sewer: [ ] Yes [ ] No
Project Information

This section must be completed for all Alteration and Renovation projects.

A. Fair Market Value of the building: ____________________________

B. Method of appraisal
   - [ ] Tax Assessment
   - [ ] Independent Appraisal by a certified appraiser (attach copy of appraisal to application.)

C. Does the cost of alteration, less the cost of reroofing, interior decoration, changes to mechanical and electrical systems, and normal maintenance, exceed 40% of the fair market value?
   - [ ] Yes
   - [ ] No

Contractor and Architect Information

Project Contractor Name: ____________________________________________ Telephone ____________________________
Address ____________________________________________________________

Project Engineer or Architect Name: ______________________ Telephone ____________________________
Address ____________________________________________________________

Project Cost Information

a. Cost of Building Construction $ ____________________________
   To Nearest Dollar - Omit Cents
   Cost of Equipment, etc. being Installed ____________________________

b. Roofing ____________________________

c. Interior Decorating ____________________________

d. Electrical ____________________________

e. Plumbing ____________________________

f. Fire Suppression system ____________________________

g. Heating, air conditioning ____________________________

h. Fire Alarm system ____________________________

i. Other ____________________________ Permit fee is based on the total valuation of improvement

TOTAL VALUE OR IMPROVEMENT $ ____________________________
× 0.003 = ____________________________ Construction Permit Fee

Other Information

Anticipated Starting Date of Construction _________________ Anticipated Completion Date _________________

Signature of Applicant ____________________________ Date ____________________________

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

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<tr>
<th>Site Number</th>
<th>Life Exp. Criteria</th>
<th>Plans Review Fee</th>
<th>D &amp; M Plans Received</th>
<th>By</th>
<th>Date Plan Reviewed</th>
<th>By</th>
<th>Notes</th>
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