

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2004

A N A C T

RELATING TO HEALTH AND SAFETY

Introduced By: Senators Polisena, Lanzi, and Tassoni

Date Introduced: February 11, 2004

Referred To: Senate Commerce, Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 23-28.1-3, 23-28.1-4, 23-28.1-5 and 23-28.1-7 of the General
2 Laws in Chapter 23-28.1 entitled "Fire Safety Code-General Provisions" are hereby amended to
3 read as follows:

4 **23-28.1-3. Codification.** -- ~~Specific types of occupancies and general~~ General subjects
5 are regulated under chapters and to further facilitate reference each section of each chapter is
6 titled and in numerical order.

7 **23-28.1-4. Interpretations.** -- In this code:

8 (1) The titles and headings of chapters shall be deemed to be a part of those chapters;
9 provided, however, that the titles and heading of sections shall not be considered a part thereof.

10 (2) Where in this code such terms as "proper", "adequate", "sufficient", "ample",
11 "suitable", "substantial", "necessary", "dangerous", and the like or derivatives thereof are used,
12 they shall be understood to mean proper, adequate, etc., to the satisfaction or in the opinion of the
13 authority having enforcement jurisdiction; and such terms as "where practicable", "where
14 required", "as far as possible", shall have a like significance.

15 ~~(3) Where the term "approved" is used in this code, it shall be understood to mean "in
16 accordance with the specific provisions related to the particular subject as are contained in this
17 code, or as approved in particular by the state fire marshal."~~

18 **23-28.1-5. Definitions.** -- ~~Unless otherwise expressly stated, the following terms shall,~~
19 ~~for the purpose of this title, have the meanings indicated in this section; provided, however, that~~

1 the The terms used in NFPA 1 (Uniform Fire Code), in NFPA 101 (Life Safety Code) and in such
2 other national codes as are authorized for adoption by the Fire Safety Code Board of Appeal and
3 Review shall be given the definitions established in those codes unless another meaning is
4 provided for in this title and is essential to implementing the purposes of this title, and the Fire
5 Safety Code Board of Appeal and Review shall have authority to resolve any conflicts among
6 definitions in order to achieve the purposes of this title and/or provide for the efficient
7 administration of codes:

8 (1) Air supported structure. ~~A structural and mechanical system which is constructed of~~
9 ~~high strength fabric or film and achieves its shape, stability, and support by pretensioning with~~
10 ~~internal air pressure; air structures may be used for temporary applications.~~

11 (2) Alteration. ~~As applied to a building or structure means a change or rearrangement in~~
12 ~~the structural parts or in the means of egress; or an enlargement, whether by extending on a side~~
13 ~~or by increasing in height; or the moving from one location or position to another.~~

14 (3) Apartment house. ~~(i) The term "apartment house" means a building containing four~~
15 ~~(4) or more family units or apartments arranged such that a common means of egress is shared by~~
16 ~~two (2) or more family units or apartments.~~

17 (ii) ~~A family unit or apartment shall be that part of an apartment house that is arranged~~
18 ~~for the use of one or more persons living and cooking together or alone as a single housekeeping~~
19 ~~unit.~~

20 (4) Area of refuge. ~~The term "area of refuge" means a ground area, reasonably~~
21 ~~accessible from a building, of sufficient size and in safe condition for refuge by all building~~
22 ~~occupants at a safe distance from the building. When used in relation to areas within buildings,~~
23 ~~this term shall mean an area beyond a fire wall or smoke barrier of sufficient size to offer refuge~~
24 ~~to all occupants on the same floor of the building.~~

25 (5) Attic. ~~The space between the ceiling beams of the top habitable story and the roof~~
26 ~~rafters.~~

27 (6) Attic (habitable). ~~A habitable attic is an attic which has a stairway as a means of~~
28 ~~access and egress and in which the ceiling area at a height of seven and one third feet (7 1/3')~~
29 ~~above the attic floor is not more than one third (1/3) the area of the floor next below.~~

30 (7) (1) Authority having jurisdiction. - Unless specifically defined to the contrary in ~~the~~
31 ~~various occupancy chapters~~ this code, the authority having jurisdiction for the enforcement of this
32 code shall be the state fire marshal, the deputy fire marshal, and assistant deputies.

33 (8) Automatic. ~~As applied to fire protection devices, is a device or system providing an~~
34 ~~emergency function without the necessity of a human intervention and activated as a result of a~~

1 predetermined temperature rise, rate of rise of temperature, or increase in the level of combustion
2 products, such as incorporated in an automatic sprinkler system, automatic fire door, etc.

3 (9) Automatic detecting device. A device which automatically detects heat, smoke, or
4 other products of combustion.

5 (10) Automatic fire alarm system. A manual fire alarm system containing automatic
6 detecting device(s) which actuates a fire alarm signal.

7 (11) Automatic fire door. A fire door or other opening protective constructed and
8 arranged so that, if open, it shall close when subjected to:

- 9 (i) A predetermined temperature,
- 10 (ii) A predetermined rate of temperature rise, or
- 11 (iii) Smoke or other products of combustion.

12 (12) Automatic sprinkler. A device, connected to a water supply system, that opens
13 automatically at a predetermined fixed temperature and disperses a spray of water.

14 (13) Automatic sprinkler system. A sprinkler system, for fire protection purposes, is an
15 integrated system of underground and/or overhead piping designed in accordance with fire
16 protection engineering standards. The system includes a suitable water supply. The portion of the
17 system above ground is a network of specially or hydraulically designed piping installed in a
18 building, structure, or area, generally overhead, and to which automatic sprinklers are connected
19 in a systematic pattern. The system is usually activated by heat from a fire and discharges water
20 over the fire area.

21 (14) Automatic water supply. Water supplied through a gravity or pressure tank or
22 automatically operated fire pumps, or from a direct connection to an approved municipal water
23 main.

24 (15) Basement. The term "basement" means that portion of a building, the floor of
25 which is at least two feet (2') below the lowest adjacent ground level or sidewalk at any point, and
26 is below ground level for more than fifty percent (50%) of its area to a depth greater than fifty
27 percent (50%) of its clear story height (floor to ceiling). (See "Story," "Cellar.")

28 (16) Boarding homes. The term "boarding home" means a building used in whole or in
29 part as a place for the boarding and care of five (5) or more persons, excluding a family group of
30 a dwelling or home, and homes for the aged, but shall not include such places as are defined
31 under the term "hospital," "convalescent home," "nursing home," "foster home," "rest home."

32 (17) Building. Any structure used or intended for supporting or sheltering any use or
33 occupancy.

34 (18) Building (Existing). Any structure erected prior to the adoption of the appropriate

1 ~~code, or one for which a legal building permit has been issued.~~

2 ~~(19) Business building. The term "business building" means a building used for or~~
3 ~~planned for use in transacting business that does not involve the storage of stocks or goods,~~
4 ~~wares, or merchandise in large quantities, except such as are incidental to display purposes;~~
5 ~~included, among others shall be office buildings, civil administration activities, professional~~
6 ~~services, testing, and research laboratories, radio stations, telephone exchanges, gasoline stations~~
7 ~~having a storage capacity under twenty thousand (20,000) gallons, and similar establishments.~~

8 ~~(20) Cellar. That portion of a building the ceiling of which is completely below ground~~
9 ~~level at all exterior walls. (See "Story," "Basement.")~~

10 ~~(21) Child day care center. The term "child day care center" means a room or group of~~
11 ~~rooms or spaces within a building used as a place for the care, guidance and/or supervision of a~~
12 ~~total of five (5) or more children not of common parentage, which term shall include all such~~
13 ~~places known as day nurseries, nursery schools, kindergarten schools, play schools, and~~
14 ~~preschools.~~

15 ~~(22) Chimney. A primarily vertical enclosure containing one or more passageways.~~

16 ~~(23) Chimney connector. A pipe which connects a fuel burning appliance to a chimney.~~

17 ~~(24) Classroom. The term "classroom" means a room used by a group of students to~~
18 ~~receive instructions or pursue studies.~~

19 ~~(25) (2) Code. - The term "code" means this Fire Safety Code established under the~~
20 ~~provisions of section 23-28.1-1.~~

21 ~~(26) Combustible. The term "combustible" means that which is not within the category~~
22 ~~of "noncombustible," as defined in this section of the code.~~

23 ~~(27) Convalescent home. See intermediate care facility.~~

24 ~~(28) Covered mall. A covered or roofed interior area used as a pedestrian public way~~
25 ~~and connecting buildings and/or a group of buildings housing individual or multiple tenants.~~

26 ~~(29) Dumbwaiters. A "dumbwaiter" is a lifting and lowering mechanism with a floor~~
27 ~~area not exceeding nine (9) square feet, with a car top not more than four feet (4') above the car~~
28 ~~floor, the capacity not to exceed five hundred pounds (500 lbs.), which is used exclusively for~~
29 ~~carrying freight. No persons are permitted to ride on, in, or to step into the car.~~

30 ~~(30) Elevator. An elevator is a hoisting and lowering mechanism equipped with a car~~
31 ~~platform which moves in guides in a substantially vertical direction which services two (2) or~~
32 ~~more floors of a building or structure.~~

33 ~~(31) Exit. The term "exit" shall have the same meaning as "means of egress," as defined~~
34 ~~in this section.~~

(32) Factory built chimneys. A chimney that is factory made, listed by a nationally recognized testing or inspection agency, for venting gas appliances, gas incinerators, and solid or liquid fuel burning appliances.

4 ~~(33)~~ (3) Family day care home. - The term "family day care home" means any home
5 other than the child's home in which child day care in lieu of parental care and/or supervision is
6 offered at the same time to at least four (4) but not more than eight (8) children who are not
7 relatives of the care giver, and which is licensed by the state department of children, youth, and
8 families and subject to the department's regulations.

(34) Fire door. The term "fire door" means a door and its assembly with jamb, so constructed and assembled in place as to have a certified fire resistant rating of at least the herein prescribed duration.

19 (ii) When used as an interior finish, material fire retardant treated wood shall meet the
20 required flame spread ratings when tested in accordance with the test scale described in the
21 definition of flamespread.

22 (iii) Such material shall not be used on the exterior of buildings where it will be exposed
23 directly to the weather.

34 (37) Flame resistance. The property of materials or combinations of component

1 ~~materials which restricts the spread of flame as determined by the flame resistance tests specified~~
2 ~~in this code.~~

3 ~~(38) Flamespread. The propagation of flame over a surface.~~

4 ~~(39) Flamespread rating. The measurement of flame spread on the surface of materials~~
5 ~~or their assemblies as determined by tests conducted in compliance with recognized standards.~~

6 ~~(40) Flamespread rating. The term "flame spread rating" means the classification of~~
7 ~~materials in accordance with the method of testing the surface burning characteristics of building~~
8 ~~materials as described in N.F.P.A. pamphlet 255, A.S.T.M.E. 84, and U.L. 723, in which asbestos~~
9 ~~cement board rates zero (0) on the scale, and red oak lumber, one hundred (100).~~

10 ~~(41) Flammable. Subject to easy ignition and rapid flaming combustion.~~

11 ~~(42) Floor furnace. A self contained, connected or vented furnace designed to be~~
12 ~~suspended from the floor of the space being heated taking air for combustion outside this heated~~
13 ~~space and with means for observing the flame and lighting the appliance from the space being~~
14 ~~heated.~~

15 ~~(43) Forced warm air furnace. A furnace equipped with a blower to provide the primary~~
16 ~~means for circulating air.~~

17 ~~(44) Grade. A reference plane representing the average of finished ground level~~
18 ~~adjoining the building at all exterior walls.~~

19 ~~(45) Grade hallway, grade lobby, grade passageway. An enclosed hallway or corridor~~
20 ~~that is an element of an exitway, terminating at a street or an open space or court communicating~~
21 ~~with a street.~~

22 ~~(46) Grandstand. Any structure, except movable seating and sectional benches,~~
23 ~~intended primarily to support individuals for the purposes of assembly, but this definition shall~~
24 ~~not apply to the permanent seating in theatres, churches, auditoriums, and similar buildings.~~

25 ~~(47) Group home I. A "group home I" for children means a specialized facility for child~~
26 ~~care and treatment in a dwelling or apartment owned, rented or leased by a public child placing~~
27 ~~agency, private licensed child placing agency, a family and independent operator or private or~~
28 ~~public organization which receives no more than eight (8) children for care both day and night. A~~
29 ~~"group home I" shall be subject to the same fire and health regulations which apply to "homes for~~
30 ~~the boarding of children" licensed by the state department of children, youth, and families with a~~
31 ~~maximum total of eight (8) children as defined in chapter 28.13 of this title, sections 23 28.13 27~~
32 ~~to 23 28.13 33, inclusive; provided, however, that the provisions of section 23 28.30 13 shall~~
33 ~~also be applicable.~~

34 ~~(48) Habitable space. Space in a structure for living, sleeping, eating, or cooking.~~

1 ~~Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not~~
2 ~~considered habitable space.~~

3 ~~(49) Habitable space, minimum height.~~ A clear height from finished floor to finished
4 ~~ceiling of not less than seven and one half feet (7 1/2'), except that in attics and top half stories~~
5 ~~the height shall be not less than seven and one third feet (7 1/3') over not less than one third (1/3)~~
6 ~~the area of the floor when used for sleeping, study, or similar activity.~~

7 ~~(50) Habitable space, minimum size.~~ A space with a ~~minimum dimension of seven feet~~
8 ~~(7')~~ and a ~~minimum area of seventy square feet (70 sq. ft.) between enclosing walls or partitions,~~
9 ~~exclusive of closet and storage spaces.~~

10 ~~(51) Halogenated extinguishing system.~~ A system of pipes, nozzles, and an actuating
11 ~~mechanism and a container of halogenated agent under pressure.~~

12 ~~(52) Health care facilities.~~ A place, however named, which is established, offered,
13 ~~maintained, or operated for the provision of organizing inpatient or ambulatory medical,~~
14 ~~diagnostic, therapeutic, nursing, rehabilitative, or preventive care of persons with physical,~~
15 ~~mental, or other disabling conditions or diseases; including, but not limited to, hospitals, skilled~~
16 ~~nursing facilities, and intermediate care facilities.~~

17 ~~(53) Heating appliance.~~ Any device designed or constructed for the generation of heat
18 ~~from solid, liquid, or gaseous fuel or electricity.~~

19 ~~(54) High rise.~~ Is a structure more than six (6) stories or which is more than seventy
20 ~~five feet (75') in height above the basement or ground.~~

21 ~~(55) Hollow masonry unit.~~ A masonry unit whose net cross sectional area in any plane
22 ~~parallel to the bearing surface is less than seventy five percent (75%) of its gross cross sectional~~
23 ~~area measured in the same plane.~~

24 ~~(56) Horizontal exit.~~ The "horizontal exit" means a doorway through or around a fire
25 ~~wall protected by a fire door, which door shall not be held in an open position by a device which~~
26 ~~will require more than one movement of normal strength to close. This term shall also include a~~
27 ~~bridge connecting two (2) buildings whose outside walls are of masonry construction.~~

28 ~~(57) Hospital.~~ A "hospital" is a health facility with an organized medical staff providing
29 ~~for twenty four (24) hour inpatient services for the diagnosis, care and treatment of two (2) or~~
30 ~~more individuals unrelated by blood or marriage.~~

31 ~~(58) Hotel.~~ The term "hotel" means a building or portion of a building used as a place
32 ~~where sleeping accommodations are furnished for hire or other consideration, with or without~~
33 ~~board, for twenty one (21) or more guests or employees of the management, or in which eleven~~
34 ~~(11) or more sleeping rooms are maintained for such guests or employees. The term "hotel" shall~~

1 include all clubs, schools, motels, dormitories, or other buildings which have similar sleeping
2 accommodations, but shall not include apartment houses, hospitals, penal institutions, or
3 buildings housing the insane.

4 (59) Industrial building. The term "industrial building" means a building or structure
5 used, or planned to be used for manufacturing primarily, or in which five (5) or more persons, at
6 any one time, are engaged in performing work or labor in fabricating, assembling, or processing
7 of products or materials. Included, among others, shall be factories, assembly plants, industrial
8 laboratories, and all other industrial or manufacturing uses; excluding high hazard uses. This
9 definition shall also apply to those industrial buildings the contents of which are classified as
10 ordinary hazard or high hazard in accordance with section 23-28.17.7 regardless of the number of
11 employees.

12 (60) Interior finish. (i) The term "interior finish" means and include the material on
13 walls, on partitions of fixed or movable type, on ceilings and on other exposed interior surfaces of
14 buildings and any surfacing material including paint or wall coverings applied thereto. "Interior
15 finish" includes materials affixed to the building structure as distinguished from decorations or
16 furnishings which are not so affixed. Finish floors and floor coverings shall be considered a part
17 of the interior finish.

18 (ii) The classification of interior finish materials shall be that of the basic material used,
19 without regard to subsequently applied paint or paper or materials of no greater fire hazard than
20 paper, provided such finish does not exceed one twenty eighth of an inch (1/28") in thickness
21 and is applied directly to a noncombustible base. Baseboards, chair rails, moulding, trim around
22 openings, and other interior trim not more than twelve inches (12") in width and not exceeding
23 ten percent (10%) of the exposed wall and ceiling surface of the area involved, may be Class A, B
24 or C. Exposed portions of heavy timber members shall not be subject to interior finish
25 regulations. Interior finish materials that give off smoke or gases more dense or more toxic than
26 that given off by untreated wood under comparable exposure to heat or flame shall not be
27 permitted.

28 (iii) Interior finish materials shall be grouped in accordance with their flamespread
29 characteristics as follows:

30 (A) "Class A" includes any material classified at twenty five (25) or less flamespread
31 rating as established by the test scale described in the definition of flamespread rating, any
32 element thereof when so tested shall not continue to propagate flame.

33 (B) "Class B" includes any material classified at more than twenty five (25) but not more
34 than seventy five (75) as established by the test scale as described in the definition of flamespread

1 rating.

2 (C) "Class C" includes any material classified at more than seventy five (75) but not
3 more than two hundred (200) as established by the test scale described in the definition of
4 flamespread rating.

5 (61) Intermediate care—Class I. An intermediate care—Class I is a physical structure
6 properly equipped and employing sufficient appropriate personnel to render proper nursing care
7 to patients with chronic conditions who do not require professional nursing service.

8 (62) Intermediate care—Class II. An intermediate care—Class II is a physical
9 structure properly equipped and employing sufficient appropriate personnel capable of providing
10 care for ambulatory persons requiring minimal or no specialized nursing service but in need of
11 personal care and supervision.

12 (63) Intermediate care facility. An intermediate care facility is a health care facility or
13 an identifiable unit or distinct part of a facility which provides twenty four (24) hour inpatient
14 preventive and supportive nursing care to two (2) or more persons unrelated by blood or marriage
15 whose condition is stabilized but requires continued nursing care and supervision.

16 (64) Labeled. The word "labeled" used in connection with equipment throughout these
17 regulations refers to equipment bearing the inspection label of the nationally recognized testing
18 agency.

19 (65) Limited area sprinkler system. An automatic sprinkler system consisting of not
20 more than twenty (20) sprinklers for use in a room or space enclosed by construction assemblies
21 as required by this code.

22 (66) Liquefied natural gas. A fluid in the liquid state composed predominantly of
23 methane and which may contain minor quantities of ethane, propane, nitrogen or other
24 components normally found in natural gas.

25 (67) Liquefied petroleum gas. The term "liquefied petroleum gas" and its symbol, "LP-
26 Gas," as used in this code, means and includes any material which is composed predominantly of
27 any of the following hydrocarbons, or mixtures of them; propane, propylene, butanes (normal
28 butane or iso butane), and butylenes.

29 (68) Listed. The word "listed" used throughout these regulations in connection with
30 equipment refers to devices and materials that have been investigated by and meet the listing
31 requirements of a nationally recognized testing agency. This equipment shall be identifiable by
32 means of a label or other distinguishing marking specified in the current list published by the
33 testing agency.

34 (69) Lobby. The enclosed vestibule between the principal entrance to the building and

1 ~~the doors to the main floor of the auditorium or assembly room of a theatre or place of assembly,~~
2 ~~or to the main floor corridor of a business building.~~

3 ~~(70) Masonry chimney. A field constructed chimney of solid masonry units, bricks,~~
4 ~~stones, listed hollow masonry units, or reinforced concrete built in accordance with nationally~~
5 ~~recognized standards.~~

6 ~~(71) Means of egress. A continuous and unobstructed path of travel from any point in a~~
7 ~~building or structure to a public space and consists of three (3) separate and distinct parts: (i) the~~
8 ~~exitway access; (ii) the exitway; and (iii) the exitway discharge. A means of egress comprises the~~
9 ~~vertical and horizontal means of travel and shall include intervening room spaces, doors,~~
10 ~~hallways, corridors, passageways, balconies, ramps, stairs, enclosures, lobbies, escalators,~~
11 ~~horizontal exits, courts, and yards.~~

12 ~~(72) Mercantile buildings. The term "mercantile building" means a building or structure~~
13 ~~used or intended to be used for the display or sale of goods, wares, and merchandise and in which~~
14 ~~people congregate, but involving only storage of stocks and goods that are incidental to display~~
15 ~~and merchandising, including among others, retail stores, shops, sales rooms, and markets,~~
16 ~~excluding high hazard contents.~~

17 ~~(73) Metal chimney (Smokestack). A field constructed chimney made of metal and~~
18 ~~built in accordance with nationally recognized standards.~~

19 ~~(74) Mezzanine. An intermediate level between the floor and ceiling of any story, and~~
20 ~~covering not more than thirty three percent (33%) of the floor area of the room in which it is~~
21 ~~located.~~

22 ~~(75) Motels. See "hotels."~~

23 ~~(76) Noncombustible. The term "noncombustible" as applied to building construction~~
24 ~~materials means material which, in the form in which it is used, falls in one of the following~~
25 ~~groups (i) through (iii). No material shall be classed as noncombustible which is subject to~~
26 ~~increase in combustibility or flamespread rating beyond the limits established in this code,~~
27 ~~through the effects of age, moisture, or other atmospheric condition. Flamespread rating as used~~
28 ~~herein refers to ratings established by the test scale described in the definition of flamespread~~
29 ~~rating.~~

30 ~~(i) Materials no part of which will ignite and burn when subjected to fire.~~

31 ~~(ii) Materials having a structural base of noncombustible material as defined in (i) with a~~
32 ~~surfacing material not over one eighth inch (1/8") thick which has a flamespread rating not~~
33 ~~higher than fifty (50).~~

34 ~~(iii) Materials, other than as described in (i) and (ii), having a surface flamespread rating~~

1 ~~not higher than twenty five (25) without evidence of continued progressive combustion and of~~
2 ~~such composition that surfaces that would be exposed by cutting through the material in any way~~
3 ~~would not have a flamespread rating higher than twenty five (25) without evidence of continued~~
4 ~~progressive combustion.~~

5 ~~(77) Noncombustible material. (i) The term "noncombustible material" when used in~~
6 ~~relation to interior finish on walls or on partitions of fixed or movable type or on other exposed~~
7 ~~interior wall surfaces and any surface material such as paint or other wall coverings means~~
8 ~~material which in the form it is used falls into clause (A) or (B): (A) Materials no part of which~~
9 ~~will ignite or burn when subjected to fire; (B) Materials other than described in clause (A) having~~
10 ~~a maximum surface flamespread rating on both front and back faces not higher than Class A~~
11 ~~without evidence of continued progressive combustion and of such composition that surfaces~~
12 ~~exposed by cutting through the material in any way would not have a flamespread rating higher~~
13 ~~than Class A without evidence of continued progressive combustion.~~

14 ~~(ii) The term "noncombustible material" when used in relation to acoustical ceiling tile~~
15 ~~or other interior finish on ceilings shall mean materials having a maximum surface flamespread~~
16 ~~rating on both front and back faces not higher than Class A without evidence of continued~~
17 ~~progressive combustion and of such composition that surfaces exposed by cutting through the~~
18 ~~material in any way would not have a flamespread rating higher than Class A without evidence of~~
19 ~~continued progressive combustion and when used as a part of a ceiling assembly the assembly~~
20 ~~shall be of a design tested and listed by underwriters' laboratories, inc., as having a fire resistance~~
21 ~~rating of not less than one hour.~~

22 ~~(iii) No material shall be classed as noncombustible which is subject to increase in~~
23 ~~combustibility or flamespread rating beyond the limits established in this code through the effects~~
24 ~~of age, moisture, or other atmospheric condition. Flamespread rating, as used in this code refers~~
25 ~~to ratings obtained according to standard tunnel test methods of a nationally recognized~~
26 ~~laboratory in which asbestos cement board rates zero (0) on the scale and red oak lumber one~~
27 ~~hundred (100), in accordance with Standards of N.F.P.A. 255, A.S.T.M.E. 84 and U.L. 723.~~

28 ~~(iv) The term "noncombustible" when used in relation to buildings in general and~~
29 ~~components of buildings means that type of structure which is constructed completely of~~
30 ~~masonry, reinforced concrete, metal, or other materials having fire resistance rating of not less~~
31 ~~than two (2) hours. A building shall be termed "noncombustible" whether or not wood flooring~~
32 ~~has been laid over solid or slab masonry, and whether or not door and window assemblies are of~~
33 ~~wood.~~

34 ~~(78) Occupancy. The term "occupancy" means the use of space or rooms within a~~

1 building by a person or group of persons.

2 (79) Place of assembly. The term "place of assembly" means a room or space within a
3 building in which the possible maximum occupancy is more than seventy five (75) persons in
4 existing buildings and in which more than fifty (50) persons assemble in new structures for
5 religious, recreational, educational, political, fraternal, social or amusement purposes, or for the
6 consumption of food or drink, except school classrooms, libraries, courtrooms, or any portion of a
7 private dwelling. The room or space shall include adjacent rooms with intervening partitions,
8 open or capable of being opened so as to allow for occupancy with a common purpose.

9 (80) Place of outdoor assembly. Premises used or intended to be used for public
10 gatherings of two hundred (200) or more individuals in other than buildings.

11 (81) Plastic, combustible. A plastic material more than one twentieth inches (1/20") in
12 thickness which burns at a rate of not more than two and one half inches (2 1/2") per minute
13 when subjected to ASTM D 635, standard method of test of flammability of self supporting
14 plastics.

15 (82) Posted sign. The tablet, card, or plate which defines the use, occupancy, fire
16 grading and floor loads of each story, floor or parts thereof for which the building or part thereof
17 has been approved.

18 (83) Proprietary system. A protective signaling system under constant supervision by
19 competent and experienced personnel in a central supervision station at the property protected.
20 The system includes equipment and other facilities required to permit the operators to test and
21 operate the system and, upon receipt of a signal, to take such action as shall be required under the
22 rules established for their guidance by the authority having jurisdiction.

23 (84) Protected corridor. A corridor or hallway in a building which extends from exit to
24 exit and which has walls or partitions of materials and construction having a fire-resistant rating
25 of one hour or more.

26 (85) Public space. A legal open space on the premises, accessible to a public way or
27 street, such as yards, courts, or open spaces permanently devoted to public use which abuts the
28 premises.

29 (86) Pyroxylin plastic. Any nitro-cellulose product or compound soluble in a volatile,
30 flammable liquid, including such substances as celluloid, pyroxylin, fiberloid, and other cellulose
31 nitrates (other than nitrocellulose film) which are susceptible to explosion from rapid ignition of
32 the gases emitted therefrom.

33 (87) Recessed heater. A completely self contained heating unit usually recessed in a
34 wall and located entirely above the floor of the space it is intended to heat.

1 (88) Remote station system. An electrical alarm system capable of automatically
2 notifying the public or private fire departments, or other approved constantly attended location,
3 when the system is activated.

4 (89) Riser. The vertical supply pipes in a sprinkler system or standpipe system.

5 (90) Rooming houses. The term "rooming house" means any building which is used in
6 whole or in part as a place where sleeping accommodations are furnished for hire or other
7 consideration, with or without board, for not more than twenty (20) guests or employees of the
8 management, or only ten (10) or less sleeping rooms are maintained for such guests or
9 employees. This term shall include all tourist homes, lodging homes, convents, monasteries, and
10 other nonprofit or charitable institutions which have accommodations as aforesaid, but shall not
11 include private dwellings which accommodate not more than four (4) habitational guests or
12 employees, or apartment houses, hotels, or convalescent homes, nursing home, home for the
13 aged, or boarding home, as defined in this code.

14 (91) Schools. A school is a building used for the gathering of six (6) or more persons
15 for the purpose of instruction. Exceptions: Child day care centers and proprietary schools for
16 adults, which must conform to the provisions of the Rhode Island Fire Safety Code relating to the
17 occupancies in which they are located.

18 (92) Sheltered care facility for adults. A sheltered care facility for adults is any
19 establishment, facility, place, building, agency, institution, corporation or part thereof, or a
20 partnership whether public or private, whether organized for profit or not, used, operated, or
21 engaged in providing lodging or board or housekeeping in a protective environment, to two (2) or
22 more residents unrelated to the owner, excluding however, any privately operated establishment
23 or facility licensed pursuant to chapter 17 of this title, and those facilities licensed by the
24 department of mental health, retardation, and hospitals or any other state agency. A resident of a
25 sheltered care facility for adults is an individual who is an adult not requiring medical or nursing
26 care as provided in a health care facility and who has impairments as a result of age and/or
27 physical or mental limitations requiring lodging or board or housekeeping in a protective
28 environment but is capable of self preservation in emergency situations. The term sheltered care
29 facility for adults may include rooming houses or hotels which provide the above mentioned
30 services and whose residents meet the above mentioned criteria. The term shall not include health
31 care facility, boarding homes, group homes, or community residences as defined in this code.

32 (93) Skilled nursing facility. A health facility or unit thereof that provides twenty four
33 (24) hour inpatient skilled nursing, therapeutic or restorative care services for two (2) or more
34 patients unrelated by blood or marriage with a rehabilitative potential or condition requiring

1 skilled care.

2 (94) Smoke barrier. The term "smoke barrier" means a partition with a fire resistance
3 rating of not less than one half (1/2) hour with any door openings therein equipped with a door
4 so hung as to be reasonably smoke and gas tight when closed. Any such door shall be at least
5 equivalent to a one and three eighth inch (1 3/8") solid bonded core wood door. The door shall
6 not be fastened in an open position by a device which will require more than one movement of
7 normal strength to swing the door to a closed position. The barrier shall be located to provide
8 ample area of refuge on each side of the partition of all occupants of the story secured by the
9 barrier and shall extend through any dropped ceiling to the floor or roof above. The barrier may
10 have wire glass panels each not to exceed six square feet.

11 (95) (4) Special amusement building concentrated occupancy place of assembly. - The
12 term "special amusement building concentrated occupancy place of assembly" means a Class A,
13 B, or C place of assembly with a maximum occupancy calculated on the basis of less than fifteen
14 square feet (15 sq. ft) per person and for which either there is a license issued pursuant to chapter
15 3-7 or there is entertainment or there are both a liquor license and entertainment.

16 (96) Sprinklered. The term "sprinklered" means to be completely protected by an
17 approved system of automatic sprinklers installed and maintained in accordance with N.F.P.A.
18 Standards.

19 (97) Stage. A partially enclosed portion of an assembly building which is designed or
20 used for the presentation of plays, demonstrations, or other entertainment wherein scenery, drops,
21 or other effects may be installed or used, and where the distance between the top of the
22 proscenium opening and the ceiling of the stage is more than five feet (5').

23 (98) Stairway. One or more flights of stairs, and the necessary landings and platforms
24 connecting them, to form a continuous and uninterrupted passage from one floor to another. A
25 flight of stairs, for the purposes of this article, must have at least three (3) risers.

26 (99) Standpipe. A wet or dry fire pipe line, extending from the lowest to the topmost
27 story of a building or structure, equipped with a shut off valve with hose outlets at every story.

28 (100) Storage building. The term "storage building" means a building or structure used,
29 or planned for use primarily for the storage of goods, wares, and merchandise, and in which less
30 than five (5) persons are employed in the labor of manufacturing or processing. Included, among
31 others, shall be warehouses, storehouses, and freight depots. Buildings in this heading storing
32 high hazard contents shall be protected as described and classified in the section so headed.

33 (101) Story. The term "story" means that portion of a building between a floor and the
34 floor next above; and shall apply to the basement. The first story shall be that story which is of

1 ~~such height above ground level that it does not come within the definitions of a basement or shall~~
2 ~~be that story located immediately above a basement. The second story shall mean a story located~~
3 ~~immediately above the first story and upper stories shall be in numerical sequence accordingly.~~
4 ~~(See also "Mezzanine.")~~

5 ~~(102) Story (First). The lowermost story entirely above the grade plane.~~

6 ~~(103) Theatre. The term "theatre" means a building or part of a building in which fifty~~
7 ~~(50) or more persons may assemble for presentation of a theatrical stage performance or motion~~
8 ~~picture presentation. All theatres shall comply with applicable requirements for places of~~
9 ~~assembly.~~

10 ~~(104) Unit heater. A factory assembled device designed to heat and circulate air.~~
11 ~~Essential components are a heat transfer element, housing, and fan with driving motor. Normally~~
12 ~~designed for free delivery of recirculated air.~~

13 ~~(105) Vertical opening. An opening through a floor or roof.~~

14 ~~(106) Warm air furnace. A solid, liquid, or gas fired appliance for heating air to be~~
15 ~~distributed with or without duct systems to the space to be heated.~~

16 ~~(107) Winding stairs. The term "winding stairs" means a flight of two (2) or more steps~~
17 ~~which, in changing direction, does so by benefit of variance in the width along each tread. This~~
18 ~~term shall not include such stairs as have treads of uniform width throughout and change~~
19 ~~direction by benefit of intermediate landings or platforms.~~

20 **23-28.1-7. Conformity required.** -- (a) No building shall be constructed for, used for, or
21 converted to, any occupancy regulated by the code, and no addition shall be made to a building
22 except in accordance with the applicable provisions of the code or the rehabilitation building and
23 fire code for existing buildings and structures, as applicable. In case two (2) or more classes of
24 occupancy occur in the same building, the most hazardous occupancy or the class of occupancy
25 calling for the most stringent requirements for life safety under the code shall govern the
26 classification of the entire building, unless suitable separation or other acceptable fire safety
27 provisions are afforded by compliance with other pertinent codes.

28 (b) Any existing structure that is not in conformity with the provisions of this code is
29 governed by the following:

30 (1) The authority having jurisdiction is authorized to give building owners a reasonable
31 notice of fire safety code violations and establish a timetable for compliance or, in cases of
32 practical difficulty, establish a time by which the owner must petition to the fire safety code board
33 for a variation.

34 (2) The fire marshal, or his or her designee within the division, or a nonsalaried deputy

1 state fire marshal in accordance with guidelines established by the fire marshal, has the authority
2 to summarily abate any condition which presents immediate danger to life, these conditions shall
3 include improper management or use of flammable and combustible materials, liquids and gasses,
4 pyrotechnics, fireworks or explosives, malfunctioning automatic sprinklers, fire alarms and
5 emergency lighting, malfunctioning heating and electrical systems, and blocked or inadequate
6 exits or means of egress, and such other conditions as may be established by the Fire Safety Code
7 Board of Appeal and Review. A failure to abate a condition that presents a clear and immediate
8 danger to life shall be grounds for the person issuing the order to abate, to require that the
9 premises be vacated, this action shall be either authorized by the fire marshal or a designee of the
10 fire marshal who has been given advanced written authority by the fire marshal to approve such
11 actions.

12 (3) All new buildings and structures, for which a building permit is issued on or after
13 February 20, 2004, shall be subject to the provisions of the Rhode Island Fire Safety Code
14 addressing the new occupancy. All existing buildings and structures, and those buildings and
15 structures for which a building permit was issued prior to February 20, 2004, shall be subject to
16 the provisions of the Rhode Island Fire Safety Code addressing the existing occupancy. Any
17 existing building or structure, subject to the provisions of the Rehabilitation Building and Fire
18 Code for Existing Buildings and Structures, shall also comply with the existing occupancy
19 provisions of the Rhode Island Fire Safety Code addressing the current or proposed occupancy.
20 All active fire protection systems, such as including, but not limited to, sprinklers, fire alarms,
21 emergency lighting, smoke detectors and exit signs, previously required and installed in existing
22 buildings, shall continue to be required under the Rhode Island Fire Safety Code and shall be
23 properly maintained.

24 SECTION 2. Section 23-28.1-9 of the General Laws in Chapter 23-28.1 entitled "Fire
25 Safety Code-General Provisions" is hereby repealed.

26 **23-28.1-9. Solid fuel room heaters.** ~~— Solid fuel room heaters manufactured prior to~~
27 ~~January 1, 1981 are not required to have any label that indicates that they have been tested by any~~
28 ~~laboratory (ASME labeling). Solid fuel room heaters manufactured prior to January 1, 1981 must~~
29 ~~meet installation regulations in effect at the time of manufacture.~~

30 SECTION 3. Sections 23-28.2-4, 23-28.2-5, 23-28.2-9, 23-28.2-14, 23-28.2-15, 23-28.2-
31 20 and 23-28.2-20.1 of the General Laws in Chapter 23-28.2 entitled "Division of Fire Safety" are
32 hereby amended to read as follows:

33 **23-28.2-4. Duties and responsibilities of state fire marshal.** ~~—~~ The state fire marshal
34 shall have the authority to enforce and perform the duties required by the Fire Safety Code,

1 chapters 28.1 -- 28.39 of this title, and all codes referenced therein are adopted thereunder, and all
2 other provisions of the general laws and public laws insofar as such powers and duties relate to
3 fires, fire prevention, fire protection, fire inspection, and fire investigation. It shall also be the
4 duty of the state fire marshal to enforce all laws of this state in regard to:

5 (1) The keeping, storage, use, manufacture, sale, handling, transportation, or other
6 disposition of explosives and inflammable materials.

7 (2) Conducting and supervising fire safety inspections of all buildings regulated by the
8 code within the state.

9 (3) It shall be the duty of the state fire marshal and his or her deputies to certify to any
10 state or federal agency whether or not any building covered satisfies the requirements of chapters
11 28.1 -- 28.39 of this title and all codes referenced therein are adopted thereunder.

12 (4) It shall be the duty of the fire marshal to plan for and oversee the comprehensive,
13 professional enforcement of the fire safety code.

14 **23-28.2-5. Bomb disposal unit. --** ~~(a) Within the division, there shall be a bomb disposal~~
15 ~~unit whose duties will be to assist local fire and police authorities in the proper methods of~~
16 ~~handling and disposition of all hazardous devices suspected to be explosive or incendiary in~~
17 ~~construction.~~

18 ~~(b) The state fire marshal shall appoint an explosives technician to supervise the~~
19 ~~operations of this unit and the technician must be trained in the field of explosives.~~

20 ~~(c) The marshal shall appoint from local communities volunteer assistant deputy state~~
21 ~~fire marshals to assist in carrying on the responsibilities of this unit. The volunteers shall be~~
22 ~~approved by the local fire or police chief, and must be properly trained under the supervision of~~
23 ~~the explosives technician.~~

24 (a) Within the division, there shall be a bomb disposal unit (bomb squad), accredited by
25 the FBI as a bomb squad, whose duties it will be to handle and dispose of all hazardous devices
26 suspected to be explosive or incendiary in construction which includes any weapons of mass
27 destruction (WMD) that may be explosive or chemical in construction.

28 (b) The state fire marshal shall appoint as bomb technician to supervise the operations of
29 this unit and the technician must be certified by the FBI as a bomb technician. The bomb
30 technician must ensure that all bomb technicians are trained and maintain certification, the bomb
31 squad maintains accreditation, and ensures that all equipment belonging to the bomb squad is
32 maintained and in operating condition at all times. The bomb technician must also provide to
33 cities and towns and local businesses or any other organizations procedures in bomb threats and
34 procedures where explosive devices or suspect devices are located.

12 **23-28.2-9. Nonsalaried assistant deputy state fire marshals.** -- (a) The fire marshal
13 may appoint as many nonsalaried assistant deputy state fire marshals as he or she may deem
14 necessary to carry out the purposes of chapters 28.1 -- 28.39 of this title; the assistant deputy fire
15 marshals shall serve at the pleasure of the state fire marshal.

16 (b) The chief of the fire department of the several cities, towns, and fire districts may be
17 an assistant deputy fire marshal subject to the approval of the state fire marshal, and may continue
18 to serve as an assistant deputy fire marshal as long as he or she is fire chief.

23-28.2-14. Enforcement. -- (a) Within the division, there shall be an enforcement unit responsible for the initiation of criminal prosecution of any person(s) in violation of the state Fire Safety Code or failure to comply with an order to abate conditions that constitute a violation of the Fire Safety Code, chapters 28.1 -- 28.39 of this title, and/or the general public laws of the state as they relate to fires, fire prevention, fire inspections, and fire investigations. This unit will consist of the state fire marshal, chief deputy state fire marshal, chief of technical services, explosive technician, assistant explosive technicians, and the arson investigative staff, each of whom must satisfactorily complete at the Rhode Island state police training academy an appropriate course of training in law enforcement or must have previously completed a comparable course. To fulfill their responsibilities, this unit shall have and may exercise in any part of the state all powers of sheriffs, deputy sheriffs, town sergeants, chiefs of police, police officers, and constables.

32 (b) The fire marshal shall have the power to implement a system of civil enforcement to
33 achieve compliance with the Fire Safety Code, which shall include inspections as provided for in
34 section 23.28.2.20, the issuance of citations in a form approved by the fire marshal, and the

1 ~~issuance of formal notices of violation. The Fire Safety Code Board of Appeal and Review, with~~
2 ~~recommendations from the fire marshal, shall by February 20, 2004, adopt rules establishing, for~~
3 ~~those categories of violation of the Fire Safety Code that can be identified through inspection,~~
4 ~~citations requiring correction of the violation within a reasonable time period. The Fire Safety~~
5 ~~Code Board of Appeal and Review shall recommend a system of penalties for violations subject~~
6 ~~to citation for adoption by the general assembly, which fines would be used for fire prevention~~
7 ~~purposes by the jurisdiction that issues the citation. The state fire marshal shall have the power to~~
8 ~~implement a system of enforcement to achieve compliance with the fire safety code, which shall~~
9 ~~include inspections as provided for in section 23-28.2-20, the issuance of formal notices of~~
10 ~~violation in accordance with section 23-28.2-20.1, and the issuance of citations in a form~~
11 ~~approved by the state fire marshal and the chief judge of the district court. The state fire marshal,~~
12 ~~and his or her designee(s) as outlined in this chapter, may use the above systems of enforcement~~
13 ~~individually or in any combination to enforce the state fire safety code.~~

14 (c) The state fire marshal and all persons designated specifically in writing by the state
15 fire marshal shall have the power to issue the citations referenced in this chapter.

16 (d) The following categories of violation of the fire safety code that can be identified
17 through inspection shall be considered criminal violations of the fire safety code and be subject to
18 the above issuance of citations:

19 (1) Impediments to egress:

20 (A) Exit doors locked so as to prevent egress.

21 (B) Blocked means of egress (other than locking and includes any portion of the exit
22 access, exit or exit discharge).

23 (C) Marking of exits or the routes to exits has become obstructed and is not clearly
24 visible.

25 (D) Artificial lighting needed for orderly evacuation is not functioning properly (this
26 section does not include emergency lighting).

27 (2) Maintenance:

28 (A) Required devices, equipment, system, condition, arrangement or other features not
29 continuously maintained.

30 (B) Equipment requiring periodic testing or operation, to ensure its maintenance, is not
31 being tested or operated.

32 (C) Owner of building where a fire alarm system is installed has not provided written
33 evidence that there is a testing and maintenance program in force providing for periodic testing of
34 the system.

(D) Twenty-four (24) hour emergency telephone number of building owner or owner's representative is not posted at the fire alarm control unit or the posted number is not current.

(3) Fire department access and water supply:

(A) The required width or length of a previously approved fire department access road (fire lane) is obstructed by parked vehicles or other impediments.

(B) Fire department access to fire hydrants or other approved water supplies is blocked or impeded.

(4) Fire protection systems:

(A) Obstructions are placed or kept near fire department inlet connections or fire protection system control valves preventing them from being either visible or accessible.

(B) The owner, designated agent or occupant of the property has not had required fire extinguishers inspected, maintained or recharged.

(5) Admissions supervised:

(A) Persons responsible for supervising admissions to places of assembly, and/or any subclassifications thereof, have allowed admissions in excess of the maximum occupancy posted by the state fire marshal or his or her designee.

The terms used in the above categories of violation are defined in the definition sections of NFPA 1 and NFPA 101 as adopted pursuant to section 23-28.1-2 of this title.

(e) A building owner, responsible management, designated agent or occupant of the property receiving a citation may elect to plead guilty to the violation(s) and pay the fine(s) through the mail within ten (10) days of issuance, or appear in district court for an arraignment on the citation.

(f) Notwithstanding subsection (e) above, all recipients of third or subsequent citations, within a sixty (60) month period, shall appear in district court for a hearing on the citation. If not paid by mail, he, she or it shall appear to be arraigned on the criminal complaint on the date indicated on the citation. If the recipient(s) fails to appear, the district court shall issue a warrant of arrest.

(g) The failure of a recipient to either pay the citation through the mail within ten (10) days, where permitted under this section, or to appear in district court on the date specified shall be cause for the district court to issue a warrant of arrest with the penalty assessed and an additional five hundred dollar (\$500) fine.

(h) A building owner, responsible management, designated agent or occupant of the property who receives the citation(s) referenced in this section shall be subject to civil fine(s), which fine(s) shall be used for fire prevention purposes by the jurisdiction that issues the

1 citation(s) as follows:

2 (1) A fine of two hundred fifty dollars (\$250) for the first violation within any sixty (60)

3 month period;

4 (2) A fine of five hundred dollars (\$500) for the second violation within any sixty (60)

5 month period;

6 (3) A fine of one thousand dollars (\$1,000) for the third and any subsequent violation(s)

7 within any sixty (60) month period.

8 (i) No citation(s) as defined in this section, shall be issued pursuant to a search conducted
9 under an administrative search warrant secured pursuant to subsection 23-28.2-20(c) of this code.

10 (j) The district court shall have full equity power to hear and address these matters.

11 (k) All violations, listed within subsection (d) above, shall further be corrected within a
12 reasonable period of time established by the state fire marshal or his or her designee.

13 **23-28.2-15. Assistance by attorney general -- Prosecution of violations.** -- The
14 attorney general, upon request of the state fire marshal, shall assist upon any investigation of any
15 fire which, in the opinion of the state fire marshal, is of suspicious origin, and shall institute and
16 conduct all prosecutions of persons charged with arson, burning to defraud, crimes incident to
17 incendiary fires, and violations of the provision of the Fire Safety Code, chapters 28.1 through
18 28.39 of this title and all codes referenced therein and adopted thereunder.

19 **23-28.2-20. Right of entry.** -- (a) In the discharge of its duties, the authority having
20 jurisdiction shall have the authority to enter at any reasonable hour, any building, structure, or
21 premises in the state to enforce the provisions of the Fire Safety Code, chapters 28.1 --28.39 of
22 this title and all codes referenced therein and adopted thereunder. If any owner, occupant, or other
23 person refuses, impedes, inhibits, interferes with, restricts, or obstructs entry and free access to
24 every part of the structure, operation, or premise where inspection authorized by this code is
25 sought, the authority having jurisdiction may:

26 (1) Seek in a court of competent jurisdiction a search warrant so as to apprise the owner,
27 occupant, or other person concerning the nature of the inspection and justification for it, and may
28 seek the assistance of police authorities in presenting the warrant;

29 (2) Revoke or suspend any license, permit, or other permission regulated under this code
30 where inspection of the structures, operation or premises, is sought to determine compliance with
31 this code;

32 (3) Enter, examine or survey at any reasonable time such places as the fire marshal or his
33 or her designee deems necessary to carry out his or her responsibilities under any provision of law
34 subject to the provisions set forth below. ~~For places~~ Places of assembly as defined in section 23-

1 28.1-5, including special amusement building concentrated occupancy places of assembly,
2 ~~inspections shall be reasonable~~ shall be visited at least annually and reviewed for operational
3 compliance during actual hours of maximum operation, regardless of the time~~s and such~~
4 ~~inspections for~~ Complete inspections of special amusement building concentrated occupancy
5 places of assembly, shall be conducted at least annually.

6 (4) For criminal investigations, the fire marshal and the deputy state fire marshal(s) on
7 his or her full-time staff shall, pursuant to chapter 5 of title 12, seek a search warrant from an
8 official of a court authorized to issue warrants, unless a search without a warrant is otherwise
9 allowed or provided by law;

10 (5) All administrative inspections shall be conducted pursuant to administrative
11 guidelines promulgated pursuant to chapter 42-35, the "Administrative Procedures Act" with
12 chapter 35 of title 42.

13 (b) A warrant shall not be required for administrative inspections if conducted under the
14 following circumstances, in accordance with the applicable constitutional standards:

15 (1) For closely regulated industries;

16 (2) In situations involving open fields or conditions that are in plain view;

17 (3) In emergency situations;

18 (4) In situations presenting an imminent threat to the environment or public health,
19 safety or welfare;

20 (5) If the owner, operator, or agent in charge of the facility, property, site or location
21 consents; or

22 (6) In other situations in which a warrant is not constitutionally required.

23 (c) Whenever it shall be constitutionally or otherwise required by law, or whenever the
24 ~~fire marshal authority having jurisdiction~~ in his or her discretion deems it advisable, an
25 administrative search warrant, or its functional equivalent, may be obtained by the ~~fire marshal~~
26 authority having jurisdiction from a judge or magistrate for the purpose of conducting an
27 administrative inspection. The warrant shall be issued in accordance with the applicable
28 constitutional standards for the issuance of administrative search warrants. The administrative
29 standard of probable cause, not the criminal standard of probable cause, shall apply to
30 applications for administrative search warrants.

31 (1) The need for, or reliance upon, an administrative warrant shall not be construed as
32 requiring the ~~fire marshal authority having jurisdiction~~ to forfeit the element of surprise in his or
33 her inspection efforts.

34 (2) An administrative warrant issued pursuant to this subsection must be executed and

1 returned within ten (10) days of its issuance date unless, upon a showing of need for additional
2 time, the court orders otherwise.

3 (3) An administrative warrant may authorize the review and copying of documents that
4 are relevant to the purpose of the inspection. If documents must be seized for the purpose of
5 copying, and the warrant authorizes such seizure, the person executing the warrant shall prepare
6 an inventory of the documents taken. The time, place and manner regarding the making of the
7 inventory shall be set forth in the terms of the warrant itself, as dictated by the court. A copy of
8 the inventory shall be delivered to the person from whose possession or facility the documents
9 were taken. The seized documents shall be copied as soon as feasible under circumstances
10 preserving their authenticity, then returned to the person from whose possession or facility the
11 documents were taken.

12 (4) An administrative warrant may authorize the taking of samples of materials that are
13 part of, or are generated, stored or treated at the facility, property, site or location. Upon request,
14 the fire marshal shall make split samples available to the person whose facility, property, site or
15 location is being inspected.

16 (5) Service of an administrative warrant may be required only to the extent provided for
17 in the terms of the warrant itself by the issuing court.

18 (d) Penalties. Any willful and unjustified refusal of right of entry and inspection pursuant
19 to an administrative warrant shall constitute a contempt of court and shall subject the refusing
20 party to sanctions, which in the court's discretion may result in up to six (6) months imprisonment
21 and/or a monetary fine of up to ten thousand dollars (\$10,000) per refusal.

22 **23-28.2-20.1. Notices of violation.** -- The fire marshal and persons designated
23 specifically in writing by the fire marshal shall have the power to issue notices of violation as
24 herein provided for, and the powers herein established shall be in addition to other powers of
25 inspection and enforcement of the Fire Safety Code provided for in this title. The fire marshal or
26 authorized designee of the fire marshal shall have the power to give notice of an alleged violation
27 of law to the person responsible therefor whenever the fire marshal or authorized designee
28 determines that there are reasonable grounds to believe that there is a violation of any provision
29 of law within his or her jurisdiction or of any rule or regulation adopted pursuant to authority
30 granted to him or her; and/or the Fire Safety Code Board of Appeal and Review, unless other
31 notice and hearing procedure is specifically provided by that law. Nothing in this chapter shall
32 limit the authority of the attorney general to prosecute offenders as required by law.

33 (a) The notice shall provide for the time the alleged violation shall be remedied, and
34 shall inform the person to whom it is directed that a written request for a hearing on the alleged

1 violation may be filed with the fire safety code board of appeal and review within ten (10) days
2 after service of the notice. The notice will be deemed properly served upon a person if a copy
3 thereof is served him or her personally, by the authority having jurisdiction or any other person
4 having authority to serve process, or sent by registered or certified mail to his or her last known
5 address, or if he or she is served with notice by any other method of service now or hereafter
6 authorized in a civil action under the laws of this state. If no written request for a hearing is made
7 to the Fire Safety Code Board of Appeal and Review within ~~ten (10)~~ thirty (30) days of the
8 service of notice, the notice shall automatically become a compliance order.

9 (b) (1) Whenever the fire marshal or authorized designee determines that there exists a
10 violation of any law, rule, or regulation within his or her jurisdiction which requires immediate
11 action to protect public safety or property, he or she may, without prior notice of violation or
12 hearing, issue an immediate compliance order stating the existence of the violation and the action
13 he or she deems necessary. The compliance order shall become effective immediately upon
14 service or within such time as is specified by the fire marshal in such order. ~~No request for a~~
15 ~~hearing on an immediate compliance order may be made. An immediate compliance order may~~
16 be appealed to the chairperson of the state fire board, or his or her designee, for immediate
17 review. If the chairperson upholds the fire marshal, his or her decision may be appealed to the
18 fire safety code board at their next scheduled hearing. The final decision of the board may be
19 appealed to the district court pursuant to subsection (e). The appeal to the chairperson, the board,
20 and/or district court shall not operate as an automatic stay of the immediate compliance order.

21 (2) Any immediate compliance order issued under this section without notice and prior
22 hearing shall be effective for no longer than forty-five (45) days, provided, however, that for good
23 cause shown the order may be extended one additional period not exceeding forty-five (45) days.

24 (c) If a person upon whom a notice of violation has been served under the provisions of
25 this section or if a person aggrieved by any such notice of violation requests a hearing before the
26 Fire Safety Code Board of Appeal and Review within ~~ten (10)~~ thirty (30) days of the service of
27 notice of violation, the Board shall set a time and place for the hearing, and shall give the person
28 requesting that hearing ~~at least ten (10) days written notice unless waived by the requesting~~
29 person notice as outlined in section 23-28.3-5 of this title. After the hearing, the Board may make
30 findings of fact and shall sustain, modify, or withdraw the notice of violation. If the Board
31 sustains or modifies the notice, that decision shall be deemed a compliance order and shall be
32 served upon the person responsible in any manner provided for the service of the notice in this
33 section.

34 (d) The compliance order shall state a time within which the violation shall be remedied,

1 and the original time specified in the notice of violation shall be extended to the time set in the
2 order.

3 (e) Whenever a compliance order has become effective, whether automatically where no
4 hearing has been requested, where an immediate compliance order has been issued, or upon
5 decision following a hearing, the fire marshal may institute injunction proceedings in the
6 ~~superior~~ [district](#) court of the state for enforcement of the compliance order and for appropriate
7 temporary relief, and in that proceeding the correctness of a compliance order shall be presumed
8 and the person attacking the order shall bear the burden of proving error in the compliance order,
9 except that the fire marshal shall bear the burden of proving in the proceeding the correctness of
10 an immediate compliance order. The remedy provided for in this section shall be cumulative and
11 not exclusive and shall be in addition to remedies relating to the removal or abatement of
12 nuisances or any other remedies provided by law. [The district court shall have full equity power](#)
13 [to hear and address these matters.](#)

14 (f) Any party aggrieved by a final judgment of the ~~superior~~ [district](#) court may, within
15 thirty (30) days from the date of entry of such judgment, petition the supreme court for a writ of
16 certiorari to review any questions of law. The petition shall set forth the errors claimed. Upon the
17 filing of the petition with the clerk of the supreme court, the supreme court may, if it sees fit,
18 issue its writ of certiorari.

19 SECTION 4. Sections 23-28.3-5, 23-28.3-7 and 23-28.3-9 of the General Laws in
20 Chapter 23-28.3 entitled "Fire Safety Code Board of Appeal and Review" are hereby amended to
21 read as follows:

22 **23-28.3-5. Assistance to building owners -- Petition for variations.** -- (a) Any building
23 owner, and/or the operator of any regulated process or hazardous activity, may consult with the
24 authority having jurisdiction for advice and assistance in complying with the provisions of the fire
25 safety code adopted pursuant to chapters 28.1 -- 28.39 and chapter 29.1 of this title, or any
26 amendments to those codes or any codes adopted under them. In case of practical difficulties, the
27 authority having jurisdiction shall refer all requests for variations from particular provisions of
28 the fire safety code adopted pursuant to chapters 28.1 to 28.39 of this title or any code adopted
29 under them to the fire safety code board. All requests for variations from the particular provisions
30 of the fire safety code adopted pursuant to chapter 29.1 of this title shall be referred to the joint
31 committee pursuant to the provisions of section 23-29.1-4. The petitioner shall set forth in his or
32 her petition to the board the grounds or reasons for requesting the variations.

33 (b) The board shall fix a day for hearing on the petition and shall give reasonable notice
34 of the hearing to the petitioner and the property owners within two hundred feet (200') of the

1 petitioner's building or structure when, in the board's discretion, it may have an adverse effect on
2 neighboring properties. A properly indexed record of all variations made shall be kept in the
3 office of the state fire marshal and shall be open to public inspection. Any building owner may
4 file a petition for a variance to the board by registered mail, and a hearing date shall be set by the
5 board within thirty (30) days of filing a completed application including a filing fee, established
6 in accordance with the following fee schedule:

7 (1) Petitions related to existing covered occupancies, not involving construction,
8 alteration, and/or renovation \$100 filing fee.

9 (2) Petitions related to construction, alteration, renovation, and/or conversion or other
10 buildings and structures:

11 (i) not more than 8,000 square feet . . . \$100 filing fee

12 (ii) more than 8,000 square feet but not more than 25,000 square feet . . . \$300 filing fee

13 (iii) more than 25,000 square feet but not more than 50,000 square feet . . . \$500 filing fee

14 (iv) more than 50,000 square feet . . . \$1,000 filing fee

15 (3) Petitions related to maintenance or use of buildings or materials and any petition not
16 otherwise provided for above . . . \$100 filing fee.

17 (4) The term "square feet", as used in this chapter, is the total floor space and/or storage
18 capacity of the subject building or structure, as determined and certified by the state fire marshal
19 or his or her designee, subject to review by the board. The board chairperson may delegate a
20 subcommittee of the board to conduct a hearing and take testimony from the petitioner. The
21 subcommittee shall make recommendations to the board as to their findings, and a decision shall
22 be rendered within ten (10) days of the subcommittee's report. If the petitioner is aggrieved by the
23 subcommittee's recommendations, the petitioner has the right of hearing before the entire board
24 within thirty (30) days of the rendered decision.

25 (c) The application filing fee income shall be deposited as general revenue.

26 (d) The fire safety code board may grant a blanket variance when, in the opinion of the
27 fire safety code board, any specific provision of the fire safety code has been rendered obsolete
28 and/or imposes an unanticipated, unreasonable hardship upon the general public, and the board
29 finds that the decision to grant a blanket variance will not conflict with the general objectives of
30 the code. All blanket variances shall only be effective until the next code adoption process by the
31 board.

32 (e) Any person who violates a final order of the board, upon proper written notification,
33 is deemed guilty of a misdemeanor, and upon conviction, is imprisoned for a term not exceeding
34 one year, or fined not more than one thousand dollars (\$1,000) for each offense. The district

1 [court shall have full equity power to hear and address these matters.](#)

2 **23-28.3-7. Judicial review of code provisions.** -- Any person aggrieved by the
3 enforcement against him or her of the Fire Safety Code, chapters 28.1 -- 28.39 of this title, any
4 safety code adopted under this chapter, or any amendments thereof may, after its effective date,
5 commence an action in the ~~superior~~ [district](#) court for the county in which the building involved is
6 located against the state fire marshal to set aside the code or codes or portion or portions thereof
7 on the ground that it is unlawful or unreasonable. The court may set aside the code or codes or
8 portion or portions thereof if, upon all the evidence, it appears to the court that the code or codes
9 or portion thereof is unlawful or unreasonable.

10 **23-28.3-9. Violations of chapter or codes.** -- ~~Any~~ [Unless otherwise specifically](#)
11 [specified in this code, any](#) building owner or lessee who violates or fails or refuses to comply
12 with the provisions of this chapter, the Fire Safety Code, chapters 28.1 -- 28.39 of this title, or any
13 code adopted by the board, or any lawful order of the authority having jurisdiction shall be guilty
14 of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars
15 (\$500) or shall be imprisoned for not exceeding six (6) months, or both so fined and imprisoned
16 for each offense; and each day the violation, omission, failure, or refusal continues shall be
17 deemed a separate offense; provided, that any person who shall knowingly make, give, or
18 produce any false statements or false evidence, under oath, to the authority having jurisdiction or
19 to the fire safety board, shall be guilty of perjury. It shall be the duty of the authority having
20 jurisdiction to enforce the provisions of this chapter.

21 SECTION 5. Sections 23-28.5-5, 23-28.5-6 and 23-28.5-7 of the General Laws in
22 Chapter 23-28.5 entitled "Inspection of Buildings" are hereby amended to read as follows:

23 **23-28.5-5. Penalty for hindering inspection.** -- Any person refusing to allow
24 inspections, or hindering or obstructing the authority having jurisdiction authorized to make an
25 inspection, in the making of the same, shall be fined not less than ~~twenty-five~~ [two hundred fifty](#)
26 dollars ~~(\$25.00)~~ [\(\\$250\)](#) nor more than one [hundred thousand](#) dollars ~~(\$100)~~ [\(\\$1000\)](#) for the
27 offense.

28 **23-28.5-6. Appeal to superior court. Appeal to district court.** -- (a) Any person, firm,
29 or corporation aggrieved by the decision or order of any fire official may appeal therefrom to the
30 ~~superior~~ [district](#) court, by filing within thirty (30) days of the order or decision, a sworn petition
31 in the court, which shall set forth the grounds upon which the appeal is taken. Notice of the
32 appeal shall be served on the fire official who rendered the decision or order by a citation issued
33 out of the court following the general course of civil proceedings.

34 (b) The petition shall be in order for assignment for hearing on the motion day which

1 occurs next after fifteen (15) days from the filing of the petition.

2 (c) The ~~superior~~ district court shall proceed to hear de novo all questions of law and fact
3 therein involved as may be presented by any party in interest, and determine the questions
4 involved, and decide the merits of the controversy.

5 **23-28.5-7. Appeal to supreme court. Appeal to district court.** -- (a) Any person
6 aggrieved by the final decree in the ~~superior~~ district court may appeal to the supreme court on any
7 question of law or equity decided adversely to the appellant. The appeal shall follow the general
8 procedure prescribed by the Workers' Compensation Act, chapters 29 -- 37 of title 28.

9 (b) The claim of an appeal shall suspend the operation of any order or decree appealed
10 from, but, in the case of default in taking the procedure required, the suspension shall cease, and
11 the ~~superior~~ district court upon motion of any party shall proceed as if no claim of appeal has
12 been made, unless it be made to appear to the ~~superior~~ district court that the default no longer
13 exists.

14 SECTION 6. Sections 23-28.6-1, 23-28.6-3, 23-28.6-4, 23-28.6-6, 23-28.6-7, 23-28.6-8,
15 23-28.6-9, 23-28.6-10, 23-28.6-11, 23-28.6-12, 23-28.6-13, 23-28.6-14, 23-28.6-15, 23-28.6-16,
16 23-28.6-17 and 23-28.6-18 of the General Laws in Chapter 23-28.6 entitled "Places of Assembly"
17 are hereby repealed.

18 **23-28.6-1. Applicability.** -- (a) ~~The regulations contained in this chapter shall apply to all~~
19 ~~places of assembly as defined in section 23-28.1-5.~~

20 ~~(1) Class A, capacity one thousand one (1001) persons or more.~~
21 ~~(2) Class B, capacity three hundred one (301) to one thousand (1000) persons.~~
22 ~~(3) Class C, capacity fifty (50) to three hundred (300) persons.~~
23 (b) ~~Fire escapes and other outdoor stairways, heating, and ventilating facilities, and the~~
24 ~~use of electric wiring and appliances, shall be governed by special articles related thereto.~~

25 **23-28.6-3. Maximum occupancy.** -- ~~The occupant load permitted in any assembly~~
26 ~~building structure, or portion thereof, shall be determined by dividing the net floor area or space~~
27 ~~assigned to that use by the square feet per occupant as follows:~~

28 ~~(1) An assembly area of concentrated use without fixed seats such as an auditorium,~~
29 ~~gymnasium, church, chapel, dance floor, and lodge room, seven square feet (7 sq. ft.) per person.~~
30 ~~(2) An assembly area of less concentrated use such as conference rooms, dining room,~~
31 ~~drinking establishments, exhibit room, or lounge, fifteen square feet (15 sq. ft.) per person.~~
32 ~~(3) Standing room or waiting space, five (5) square feet per person; provided, that aisle~~
33 ~~area, except rear cross aisles, shall not be considered in determining the number of standing~~
34 ~~patrons allowed.~~

1 **23-28.6-4. Standing conditions.** -- (a) Standing patrons may be allowed, in approved
2 waiting areas, in places of assembly at the rate of one person for each five square feet (5 sq. ft.) of
3 area available for standing; provided, that aisle area, except rear cross aisles, shall not be
4 considered in determining the number of standing patrons allowed.

5 (b) The provisions in this section do not apply to churches and places of worship,
6 wherein patrons retain their outer clothing for immediate exit, and where they are confined for a
7 period not exceeding two (2) hours duration. Only that part of the building directly accessible to
8 doors for hasty exit may be used in this manner.

9 **23-28.6-6. Egress facilities required.** -- (a) Each place of assembly shall have at least
10 two (2) approved ways of egress, from each level, remote from each other and providing the best
11 practicable means of egress in the event fire renders one exit impassable. Additional approved
12 egress passages distributed as uniformly as practicable to effect a rapid discharge of occupants,
13 shall be provided on the basis of twenty two inches (22") of unobstructed horizontal width of the
14 egress facilities for each one hundred (100) persons, or fraction thereof, to be accommodated
15 under conditions of possible occupancy, as determined under the provisions of subsections (b)
16 and (c) of this section.

17 (b) In determining required egress facilities in places of assembly without fixed seating,
18 possible occupancy shall be computed at the rate of one person for each seven square feet (7 sq.
19 ft.) of floor area within the room or combination of rooms under consideration, excluding only
20 such stages and other permanent structures and areas as are not intended for patron occupancy.
21 The rate to be used in places used for the consumption of food and drink shall be one person for
22 each fifteen square feet (15 sq. ft.) of floor area.

23 (c) In determining required egress facilities in places of assembly having fixed seating,
24 possible occupancy shall be in accordance with the number of individual seats provided and at the
25 rate of eighteen inches (18") in width for each person in bench or bleacher type seating, provided
26 the total seating shall not exceed one person for each six square feet (6 sq. ft.) of floor area.

27 (d) The entrance openings and passages to a place of assembly measured at the point of
28 their last unobstructed width to the outside, shall be considered as approved width of egress.

29 (e) Elevators, revolving doors, and window openings shall not be considered in the
30 computation of approved egress facilities.

31 **23-28.6-7. Egress passageways.** -- (a) The distance of travel from any point within the
32 place of assembly to an approved egress opening therefrom shall not exceed one hundred fifty
33 feet (150') in nonsprinklered buildings and two hundred feet (200') in sprinklered buildings.

34 (b) Each egress doorway from a place of assembly shall be at the assembly floor level in

1 new structures, and as near thereto as practicable in all existing structures.

2 (c) All new doorways and connecting passageways to the outside, to be considered as
3 means of egress, shall be at least thirty six inches (36") in width and at least seventy eight inches
4 (78") in height, and of such greater width as conditions require, except that each leaf of a double
5 or mullioned door may be not less than thirty inches (30") wide. All existing doorways and
6 connecting passageways to the outside to be considered as means of egress, shall be at least
7 thirty two inches (32") in width and at least seventy four inches (74") in height.

8 (d) All approved means of egress from a place of assembly shall open directly into the
9 open air or to an inside passageway enclosed by material with a fire-resistant rating of not less
10 than sixty (60) minutes, or an approved interior stairway, or a combination of both, leading to the
11 open air, provided one passageway from each place of assembly may be through an open space or
12 lobby with ample egress openings to the outside. The enclosed passageway shall be equal in
13 width to the most distant exit opening served thereby and increased by two thirds (2/3) of the
14 width of any additional exits entering thereon, the increase to be made in the direction of exit
15 travel.

16 (e) Doorways leading from a place of assembly through a room or rooms of the same
17 tenancy may be considered as approved means of egress, provided the room or rooms lead to the
18 outside by means of doorways, approved passageways, or stairways, or a combination of both,
19 which are completely separate from other approved means of egress from the place of assembly.
20 Provision shall be made for a clear and unobstructed passage through the room or rooms to the
21 outside.

22 (f) Walks of ample width and safe for pedestrian travel shall be provided from each
23 outside egress opening to a public street or a suitable area of refuge.

24 (g) All egress openings and passageways leading from places of assembly shall be kept
25 free from obstructions or encumbrances or combustibles in storage, or otherwise, at all times and
26 shall not be through a room used as a kitchen, bathroom, or for any other purpose that may
27 obstruct free passage.

28 **23-28.6.8. Vertical openings.** (a) (1) Every existing interior stairway constituting part
29 of an entrance or egress passage from a place of assembly shall be enclosed or be segregated from
30 other portions of the building by materials with a fire-resistant rating of not less than sixty (60)
31 minutes. Where interior stairways constitute the entire means of egress, the stairways shall lead
32 directly to the outdoors or to an enclosed passageway leading to the outdoors constructed to resist
33 fire to the same degree. One stairway, where necessary, may be allowed to lead through an open
34 space or lobby with ample egress openings to the outside. All other vertical openings shall be

1 closed throughout by material with a fire resistant rating of not less than sixty (60) minutes.

2 (2) Exception. Stairs may be open between balconies and main assembly floors in
3 churches or auditoriums where the travel distance, including the length of travel down the stairs,
4 is within the limits allowed by the code.

5 (b) (1) All vertical openings, stairways, and passages to the outdoors, in new buildings,
6 shall be enclosed by material with a fire resistant rating of at least two (2) hours.

7 (2) Exception. Stairs may be open between balconies and main assembly floors in
8 churches or auditoriums where the travel distance, including the length of travel down the stairs,
9 is within the limit allowed by the code.

10 (3) Elevators will not be considered as approved means of egress, and all new elevators
11 shafts shall be enclosed by non combustible materials with a fire resistant rating of not less than
12 two (2) hours, and existing elevators shall be enclosed by materials with a fire resistant rating of
13 not less than sixty (60) minutes. No opening shall be allowed through the side wall enclosures for
14 ventilating or other purposes, except to an outside wall. All doors servicing elevators shall be
15 Class "B" label one and one half (11/2) hour in new elevators, and in existing elevators Class "B"
16 label one hour, and the doorways shall be made smoke tight when the doors are closed.

17 (4) Elevators and elevator shafts shall otherwise be designed, constructed, maintained,
18 and ventilated in accordance with regulations promulgated by the Rhode Island department of
19 labor and training.

20 23-28.6-9. Egress doors. (a) All egress doors opening from a place of assembly or in a
21 passageway leading therefrom to the outside of the building shall be so hung as to open in the
22 direction of exit travel, but this requirement shall not be construed to prohibit entrance doors
23 swinging both inward and outward.

24 (b) Egress doors into stairway enclosures and all doors in side wall openings of enclosed
25 egress passages shall be equipped with suitable self closing doors.

26 (c) Doors in walls or partitions required to be fire resistive for one hour shall be "C"
27 label three quarter (3/4) hour door assemblies. All doors in walls or partitions required to be fire
28 resistive for two (2) hours shall be "B" label one and one half (11/2) hour door assemblies.

29 (d) All egress doors leading from a place of assembly with a possible occupancy of
30 seventy five (75) or more persons, and all doors in all new places of assembly shall be equipped
31 with panic hardware which will release when normal pressure is applied to the releasing device in
32 the direction of exit travel. The releasing device may be a bar or panel extending not less than
33 two thirds (2/3) of the width of the doors and placed not less than thirty inches (30") nor more
34 than forty four inches (44") above the floor. Provided, however, that interior doors not required to

1 have a fire resistance rating and without locking/latching device(s), shall not be required to have
2 panic hardware.

3 **23-28.6-10. Stairs and stairways.** -- (a) All stairways in places of assembly and in
4 passages leading therefrom shall have suitable handrails on both sides, except such stairs as are
5 only three feet (3') in width, which stairs shall have one handrail.

6 (b) All existing stairways in approved egress passages shall be provided with landings at
7 least thirty inches (30") in depth between the nosing of the top or bottom stair and the next
8 parallel partition or door. All new stairways shall have landings at least forty four inches (44") in
9 depth.

10 (c) Winding stairs shall not be allowed in approved ways of egress.

11 (d) Stairtreads in approved inside egress passages in existing structures shall be not less
12 than eight inches (8") wide, exclusive of nosing, and risers shall not exceed eight and one half
13 inches (8 1/2") in height. In new buildings the stair treads shall be not less than nine and one half
14 inches (9 1/2") wide, excluding the nosing, and risers shall not exceed seven and three fourths
15 inches (7 3/4") in height. Treads and risers shall be of uniform width and height in each individual
16 stairway.

17 **23-28.6-11. Aisles and seating.** -- (a) In each place of assembly where seating is
18 provided, except where assembly is seated at tables, the seating shall be arranged in an orderly
19 manner with ample provisions made for aisles leading to exits, and no aisle forming a part of the
20 egress system of the place of assembly shall be obstructed or encumbered. No longitudinal aisle
21 serving seats on one side shall be less than thirty inches (30") in width, and no aisle serving seats
22 on both sides shall be less than thirty six inches (36") in width and shall be increased one inch
23 (1") for every five feet (5') of travel toward main exits according to the number of seats served
24 thereby. Ample front, rear, or through section cross aisles at least thirty six inches (36") in width
25 shall be provided where necessary for access to exit openings. Rows of seats between aisles shall
26 have not more than fourteen (14) seats. Rows of seats opening onto an aisle at one end only shall
27 have not more than seven (7) seats.

28 (b) The spacing of rows of seats from back to back shall be not less than thirty inches
29 (30"). There shall be a space of not less than twelve inches (12") between the back of one seat and
30 the front of the seat immediately behind it as measured between plumb lines. In every place of
31 public assembly used principally for the presentation of theatrical performances or exhibitions, all
32 seats in each row shall be fastened together and secured firmly to the floor.

33 (c) Tables arranged for dining or other purposes in places of assembly shall be so located
34 in respect to exit openings, and so spaced apart, that sufficient means of access to exit openings is

1 provided. Aisles in the direction of exits shall be at least three feet (3') in width. Suitable access to
2 aisles shall be provided from all tables.

3 **23-28.6-12. Exit signs.** (a) All places of assembly and their means of egress shall be
4 provided with exit signs in accordance with this code. Group type C specified in section 23-
5 28.23-2 shall be required.

6 (b) Exit signs shall not be required for places of assembly used exclusively for religious
7 purposes.

8 **23-28.6-13. Emergency lighting.** (a) All places of assembly and their means of egress
9 shall be provided with emergency lighting in accordance with chapter 28.24 of this title.

10 (b) Emergency lighting shall not be required for places of assembly used exclusively for
11 religious purposes with a capacity of less than three hundred (300) persons. When normal
12 illumination is dependent upon artificial means, this exception shall not be allowed.

13 **23-28.6-14. Extinguishing equipment required.** Places of assembly shall be provided
14 with proper fire extinguishing equipment adequate for the area involved and suitably located. The
15 term "extinguishing equipment" as used in this section shall not include automatic sprinklers. As
16 to type, location and maintenance, all fire extinguishers shall be in accordance with N.F.P.A.
17 Standard 10, 1988 edition. For all places of assembly with hood and duct cooking facilities, an
18 approved fixed extinguishing system in accordance with N.F.P.A. Standard 96, 1987 edition,
19 shall be provided to cover hood, duct, fry kettles, and broilers with automatic shutoffs for energy
20 supply to these units.

21 **23-28.6-15. Decorative and acoustical material to be flame resistant.** (a) All
22 combustible decorative and acoustical material including curtains, but not including floor
23 coverings shall be rendered and maintained flame resistant in accordance with subsection (d).
24 This regulation shall not be construed to prohibit the use of wall or ceiling coverings affixed
25 directly to the wall or ceiling, which meet the requirements of subsection (e). Furnishings or
26 decorations of an explosive or highly flammable character shall not be used.

27 (b) No decorative material shall be in direct contact with electrical wiring or equipment
28 of any kind, or lighted by candle or open flame or by other than indirect electrical lighting except
29 as provided in subsection (e).

30 (c) Electric Christmas or holiday lights may be used only on trees, garlands, or wreaths
31 that are artificial, made of nonmetallic material, and are labeled flame resistant by the
32 manufacturer and are UL or FM approved. The labels stating the UL or FM approval or flame
33 resistancy of the artificial decorations shall not be removed from them. All the lights and power
34 supplies for the lights shall meet the following requirements:

1 (1) The electric lights that are to be used on the decorations shall be the low heat and low
2 voltage type, and must be UL or FM approved. The electric cords supplying these lights must be
3 UL or FM approved. The labels stating the UL or FM approvals shall not be removed from the
4 lights or cords to be used.

5 (2) In line fuses shall be provided for light sets.

6 (3) The circuit providing power directly to or by electric cord to the light set(s) must be
7 properly grounded and rated at not more than fifteen (15) amps.

8 (4) Electric cords supplying the light sets shall be the grounded type and shall be of not
9 less than fourteen (14) ga. wire.

10 (5) No electric wiring, lights or equipment shall be used on any natural tree, garland, or
11 wreath of any kind.

12 (6) It shall be the responsibility of the management of the establishment to be sure that
13 the lights are properly installed, and that the supply wires are not placed in such manner as to
14 create an electrical or fire hazard, or to be an obstruction to occupants exiting the building.

15 (7) The management will be responsible for the care and condition of any lights and
16 equipment to be used. Any repairs other than changing the bulbs is prohibited. Defective light
17 sets and cords will be discarded.

18 (d) (1) All approvals of decorative materials shall be limited to one year. The owner or
19 the owner's authorized agent shall file an affidavit with the enforcing officer certifying to the
20 following:

21 (i) The product used will render the decorative material flame resistant in accordance
22 with N.F.P.A. Standard 701, 1989 edition.

23 (ii) That the product used was applied in accordance with the manufacturer's
24 specifications.

25 (iii) State the date of treatment and warranty period.

26 (2) When a doubt exists as to the fire retardant quality or the permanency of treatment,
27 material shall be subject to the field check test as provided in subsection (d)(3).

28 (3) Match Flame Test:

29 (i) Samples, in dry condition, are to be selected for tests and are to be a minimum of one
30 and one half inches (1 1/2") wide and four inches (4") long. The fire exposure shall be the flame
31 from a common wood kitchen match (approximate length 2 7/16 inches; approximate weight
32 twenty nine (29) grams per hundred), applied for twelve (12) seconds.

33 (ii) The test shall be performed in a draft free and safe location. The sample shall be
34 suspended (preferably held with a spring clip, tongs, or some similar device) with the long axis

1 ~~vertical, with the flame applied to the center of the bottom edge, and the bottom edge one half~~
2 ~~inch (1/2") above the bottom of the flame. After twelve (12) seconds of exposure, the match is to~~
3 ~~be removed gently away from the sample.~~

4 ~~(iii) During the exposure, flaming shall not spread over the complete length of the~~
5 ~~sample or in excess of four inches (4") from the bottom of the sample (for larger size samples).~~
6 ~~There shall be not more than two (2) seconds of afterflaming. Materials which break and drip~~
7 ~~flaming particles shall be rejected if the materials continue to burn after they reach the floor.~~

8 ~~(e) Interior finish in all places of assembly shall be as regulated or modified by the~~
9 ~~provisions of the description of interior finish in section 23 28.1-5 and shall not exceed the~~
10 ~~following classifications for the locations indicated:~~

11 ~~(1) In all means of egress Class A.~~

12 ~~(2) In all other rooms or spaces Class C.~~

13 ~~(f) (1) Floor coverings must conform to the requirements of the next class lower than the~~
14 ~~classifications above, but in no instance should they be less than Class C except that in~~
15 ~~sprinklered buildings all floor coverings may be Class C throughout.~~

16 ~~(2) IN ADDITION: All floor covering referred to in N.F.P.A. Standard 253, 1984 edition~~
17 ~~and described as Class I and Class II in N.F.P.A. Standard 101, 1988 edition may be used on all~~
18 ~~floors where combustible floor coverings are allowed.~~

19 ~~**23 28.6-16. Construction material.** (a) All Class "A" places of assembly, and other~~
20 ~~places of assembly located above the second story, shall be constructed of non combustible~~
21 ~~material with a fire resistance rating of not less than two (2) hours.~~

22 ~~(b) All Class "B" places of assembly, not more than two (2) stories in height shall be~~
23 ~~constructed with material providing not less than one hour protection.~~

24 ~~(c) All Class "C" places of assembly not more than two (2) stories in height may be of~~
25 ~~wood construction.~~

26 ~~**23 28.6-17. Housekeeping.** All places of assembly, egress passages therefrom, and~~
27 ~~adjacent rooms and spaces not segregated from the place of assembly or passage by closed fire~~
28 ~~resistant construction, shall be kept clean and in tidy condition, and free from combustible debris.~~
29 ~~No premises shall contain storage of flammable liquids or liquefied petroleum gas, and no~~
30 ~~cooking or use of open flame or smoking shall be allowed without adequate provisions for the~~
31 ~~protection of the premises and occupants against fire.~~

32 ~~**23 28.6-18. Alarm systems.** (a) A fire alarm system as prescribed in section 23 28.25-~~
33 ~~4(a), and in accordance with requirements adopted by the fire safety code board of appeal and~~
34 ~~review, shall be installed in all Class "C" places of assembly.~~

1 **(b) A fire alarm system as prescribed in section 23-28.25.4(b) and in accordance with**
2 ~~requirements adopted by the Fire Safety Code Board of Appeal and Review shall be installed in~~
3 ~~all Class "A" and "B" places of assembly.~~

4 **(c) In addition to the locations prescribed in chapter 28.25 of this title, and in accordance**
5 ~~with requirements adopted by the Fire Safety Code Board of Appeal and Review, a manual alarm~~
6 ~~station shall be installed on every stage and near any fixed lighting control panel and any~~
7 ~~projection booth.~~

8 **(d) A rate of rise or fixed temperature detector or detectors approved by the authority**
9 ~~having jurisdiction shall be installed above all stage areas and below all accessible stage areas and~~
10 ~~projection booths.~~

11 SECTION 7. Sections 23-28.6-5 and 23-28.6-21 of the General Laws in Chapter 23-28.6
12 entitled "Places of Assembly" are hereby amended to read as follows:

13 **23-28.6-5. Admissions restricted and supervised.** -- (a) Admissions to all places of
14 assembly shall be supervised by the responsible management or by the person or persons
15 delegated with the responsibility by the management, and the responsible person shall not allow
16 admissions in excess of the maximum occupancy as provided in section 23-28.6-3, provided,
17 subsections (c), (d), and (e) below do not apply to churches and places of worship, wherein
18 patrons retain their outer clothing for immediate exit, and where they are confined for a period
19 not exceeding two (2) hours duration. Only those portions of a building used exclusively for
20 religious worship are included in this exception.

21 (b) The maximum occupancy of all areas shall be conspicuously posted by means of a
22 sign furnished by the state fire marshal's office.

23 (c) All **Class A** places of assembly with an occupancy load of greater than one thousand
24 (1,000) people shall have one uniformed fire fighter, and any additional uniformed fire fighters on
25 duty when deemed necessary by the ~~chief of the~~ designee of the state fire marshal in the local fire
26 department.

27 (d) All **Class B** places of assembly with an occupancy load of greater than three hundred
28 (300) up to one thousand (1,000) people of less concentrated use shall have a uniformed fire
29 fighter and any additional uniformed fire fighters on duty when deemed necessary by the ~~chief of~~
30 the designee of the state fire marshal in the local fire department.

31 (e) All **Class B and C** places of assembly with occupancy loads of fifty (50) up to one
32 thousand (1,000) people of concentrated use shall have one uniformed fire fighter on duty when
33 deemed necessary by the state fire marshal or his or her ~~local~~ designee in the local fire department
34 except as provided under subsection (f) of this section.

1 ~~The Rhode Island Fire Safety Code Board of Appeal and Review is hereby directed to~~
2 ~~conduct a review of the impact of this subsection (section 23-28.6-5(e)) upon municipalities, fire~~
3 ~~departments and business owners and report its findings to the General Assembly on or before~~
4 ~~January 30, 2004.~~

5 (f) On an event-by-event basis, in the absence of an unusual hazard, the designee of the
6 state fire marshal may waive, in writing, the fire fighter on duty requirement of subsections (c),
7 (d) and/or (e) when the actual occupancy of a building for a specific event is substantially lower
8 than the calculated occupancy of the building.

9 ~~(f) (g) All Class B and C places of assembly with occupancy loads of fifty (50) up to one~~
10 ~~thousand (1,000) people~~ of concentrated or less concentrated use being utilized for activities ~~that~~
11 ~~would cause the place of assembly to be unsafe, dangerous or hazardous of unusual hazard~~ shall
12 have one uniformed fire fighter on duty during such activity, and any additional uniformed fire
13 fighters on duty when deemed necessary by the ~~chief of~~ designee of the state fire marshal in the
14 local fire department unless this requirement is specifically waived in writing for each such event.

15 ~~(g) (h) The cost of all fire fighters on duty under subsections (c) through (f) of this~~
16 section shall be borne by the management of the facility.

17 ~~(h) (i) The above assigned fire fighter(s) shall be equipped with portable communication~~
18 devices which shall be provided for by the local fire department to allow direct communication to
19 the dispatcher of the local fire department.

20 ~~(i) Any person violating the provisions of this section shall be fined not exceeding~~
21 five thousand dollars (\$5,000) for each offense.

22 ~~(j) (k) The provisions of section 23-28.2-17 shall apply to any fire fighter assigned to a~~
23 place of assembly pursuant to this section.

24 **23-28.6-21. Sprinklers required.** -- (a) All new and existing places of assembly shall be
25 completely protected by an approved system of automatic sprinklers installed and maintained in
26 accordance with N.F.P.A. Standard 13, 2002 Edition and its related standards pursuant to the
27 schedule outlined in subsection (d).

28 (b) The requirements of subsection (a) shall not apply to:

29 (i) Any ~~Class "C"~~ place of assembly with an occupancy load of fifty (50) up to three
30 hundred (300) people of less concentrated use, exclusively calculated at fifteen (15) square feet
31 per person;

32 (ii) Any ~~Class "C"~~ place of assembly with an occupancy load of fifty (50) up to three
33 hundred (300) people of concentrated use not classified as a "special amusement building
34 concentrated occupancy place of assembly";

5 (iv) Any existing ~~fully alarmed~~ building with a total (complete) coverage fire alarm
6 system used ~~exclusively~~ primarily as a place of worship. For the purposes of this subsection
7 (b)(iv), incidental business offices, religious education programs and other programs designed to
8 watch children during the limited period of time that their parents or guardians attend religious
9 services in the building, shall be allowed in an exempted place of worship. Additionally, for
10 purposes of this subsection (b)(iv), the square footage of the area used primarily as a place of
11 worship shall not be included in the calculation of the remaining areas of the building to
12 determine its classification and the applicability of this section 23-28.6-21. In the event a
13 building is so calculated and requires sprinklers, the sprinkler system shall not be extended into
14 those areas used primarily as a place of worship of a building with a total (complete) coverage
15 fire alarm system.

16 (v) The open assembly areas in existing unheated buildings used on a seasonal basis
17 provided the building is protected by a properly maintained total (complete) fire alarm system
18 during all periods of occupancy.

19 (vi) The assembly areas, such as auditorium(s), cafeteria(s) and gymnasium(s), within
20 any existing building, classified as an educational occupancy, that is protected by a properly
21 maintained total (complete) fire alarm system. In the event the owner or management of such a
22 building plans to use one or more of the above assembly areas, in a manner inconsistent with the
23 traditional educational use, for example a community meeting, a dance or a play, the owner or
24 responsible management must first consult with the state fire marshal's designee, in the local fire
25 department, and develop a plan of action for such use. The proposed event shall only be
26 conducted pursuant to the above plan of action.

27 (c) Alternatively engineered sprinkler systems, approved by the Fire Safety Code Board
28 of Appeal and Review, shall be allowed in the retrofitting of an existing place of assembly with
29 sprinklers.

30 (d) All ~~Class A and B~~ places of assembly with a maximum occupancy of more than three
31 hundred (300) people shall be fully sprinkled in accordance with the above standards on or before
32 July 1, 2005. All ~~Class "C"~~ special amusement buildings concentrated occupancy places of
33 assembly" with a posted maximum occupancy of one hundred fifty (150) or more people and up
34 to three hundred (300) people, shall be fully sprinkled in accordance with the above standards on

1 or before July 1, 2006.

2 (e) The occupancy of any place of assembly without a fire alarm system and/or sprinkler
3 system after July 1, 2004, shall have its maximum occupancy adjusted by minus ten percent
4 (10%) for the absence of a fire alarm system and minus twenty percent (20%) for the absence for
5 the sprinklers, when sprinklers are required by law or regulation. Such downward adjustment in
6 occupancy shall be cumulative and shall cease to apply when the premises are in compliance with
7 requirements for fire alarms systems and sprinklers, and shall not affect any other requirements of
8 the Fire Safety Code Board of Appeal and Review applicable to the premises.

9 (f) A ~~Class "C"~~ place of assembly with an occupancy of one hundred fifty (150) or
10 greater and up to three hundred (300) people may avoid the above occupancy adjustment by
11 requiring a fire fighter to be on duty during all hours of occupancy. In no event shall the
12 occupancy adjustment to the firefighter requirement alter the July 1, 2006 deadline for the
13 installation of sprinklers.

14 (g) All places of assembly with an occupancy of less than one hundred fifty (150) shall
15 use fire retardant paints or other coverings, to a standard acceptable to the Fire Safety Code Board
16 of Appeal and Review, unless the building has sprinklers by July 1, 2006.

17 SECTION 8. Sections 23-28.7-1, 23-28.7-2, 23-28.7-3, 23-28.7-4, 23-28.7-5, 23-28.7-6,
18 23-28.7-7, 23-28.7-8, 23-28.7-9, 23-28.7-10, 23-28.7-11, 23-28.7-12, 23-28.7-13, 23-28.7-15 and
19 23-28.7-17 of the General Laws in Chapter 23-28.7 entitled "Hotels and Motels" are hereby
20 repealed.

21 **23-28.7-1. Applicability.** (a) ~~The regulations contained in this chapter shall apply to all
22 motels and hotels, as defined in section 23-28.1-5, except such places as are expressly exempt in
23 accordance with the provisions of this code.~~

24 (b) ~~Fire escapes and other outdoor stairways, heating, cooking, and ventilating facilities,
25 and the use of electric wiring and appliances shall be covered by special articles related thereto.~~

26 **23-28.7-2. Egress facilities required.** (a) ~~All hotels shall be provided with approved
27 egress facilities as required under the provisions of this code.~~

28 (b) ~~No less than two (2) approved means of egress shall be provided from every story of
29 every building, and shall be located remote from each other, providing the best practicable means
30 of egress for all guests in the event fire renders one exit impassable.~~

31 (c) ~~Exits from each floor shall be so arranged that it will not be necessary to travel more
32 than one hundred feet (100') from the door of any guest room, or from any point in a building or
33 section not divided into rooms, to reach the nearest approved means of egress from that story. In
34 buildings which are sprinklered, this distance may be one hundred fifty feet (150').~~

1 **23-28.7.3. Egress passageways.** — (a) Access to all interior and outside stairways, to fire
2 escapes, and other exits considered as approved means of egress shall be unobstructed and shall
3 not be through a room used as a bedroom, bathroom, or kitchen, or for any other purpose that
4 may obstruct free passage, nor shall access be veiled from open view by ornamentation, curtains,
5 or other appurtenances.

6 (b) All corridors and passageways in new buildings considered as approved means of
7 egress, shall be at least sixty inches (60") in width and eighty four inches (84") in height, and of
8 such greater width as conditions require. All corridors and passageways now existing shall be at
9 least thirty two inches (32") in width and at least seventy four inches (74") in height in order to
10 be considered as approved means of egress.

11 (c) All doorways which are of themselves, or are a part of, approved means of egress,
12 shall be at floor level in new structures, and as near thereto as practicable in existing structures.
13 Windows shall not be considered as approved means of egress.

14 (d) Passageways from inside stairways to the outside shall have the same fire resistant
15 quality as required of the connecting stairways in accordance with subsection (a) of section 23-
16 28.7.5 and section 23-28.7.7(b).

17 (e) All approved egress passageways shall at all times provide free, unobstructed, and
18 safe passage to the street or to a ground area of refuge.

19 **23-28.7.4. Transoms prohibited.** — Transoms and other openings in corridors or
20 passageways shall not be allowed. Existing transoms and like openings in corridors and
21 passageways shall be permanently sealed and made fire resistant with materials of a sixty (60)
22 minute fire rating. All opening devices shall be removed.

23 **23-28.7.5. Stairways and other vertical openings.** — (a) Every existing interior stairway
24 constituting approved egress passage from any story of a hotel shall be enclosed or be segregated
25 from other portions of the building by material with a fire-resistant rating of not less than sixty
26 (60) minutes. Partitioning at floor levels with materials of the same rating effecting a closure of
27 the stairway opening between floors, shall constitute a proper enclosure in the building; provided,
28 that the basement and other stories below are segregated from the first story in the same manner;
29 provided further, that the partitioning and segregation shall not be required in sprinklered,
30 noncombustible buildings connecting three (3) adjacent stories; and provided, that partitions or
31 segregation shall not be required for a flight of stairs connecting two (2) adjacent stories in a
32 noncombustible building which is not sprinklered. At least one stairway, and additional stairways
33 where necessary, shall lead directly to the outdoors or to an enclosed passageway leading to the
34 outdoors, constructed to resist fire to the same degree. One stairway, where necessary, may be

1 allowed to lead through an open space or lobby with ample egress openings to the outside.
2 Corridors leading to sleeping quarters shall be separated by fire doors. All other vertical openings
3 throughout the buildings shall be closed by material with a fire resistant rating of not less than
4 sixty (60) minutes. (See subsection b of section 23-28.7.7 for new construction requirements.)

5 (b) (1) Elevators will not be considered as approved means of egress, and all new
6 elevator and dumbwaiter shafts shall be enclosed by noncombustible materials with a fire
7 resistant rating of not less than two (2) hours, existing elevators shall be enclosed by
8 noncombustible materials with a fire resistant rating of not less than sixty (60) minutes. No
9 opening shall be allowed through the side wall enclosures for ventilating or other purposes,
10 except to an outside wall. All doors servicing elevators shall be Class B label one and one half (1
11 1/2) hour in new elevators, and in existing elevators Class B, label one hour, and the doorways
12 shall be made smoke tight when doors are closed.

13 (2) Elevators and elevator shafts shall otherwise be designed, constructed, maintained,
14 and ventilated in accordance with regulations promulgated by the department of labor and
15 training.

16 (c) All stairways in approved egress passages shall have suitable handrails on both sides,
17 except such stairs as are less than three feet (3') in width, which stairs shall have one handrail.

18 (d) Stairways in approved egress passages in existing hotels shall be not less than thirty
19 two inches (32") in width and not less than seventy four inches (74") in height and in new
20 buildings, additions to existing buildings, or buildings hereafter converted for the purpose of a
21 hotel, the stairways shall be not less than forty four inches (44") in width and not less than ninety
22 six inches (96") in height.

23 (e) Existing stairways in approved egress passages shall be provided with landings at
24 least thirty inches (30") in depth between the nosing of the top or bottom stair, and the next
25 parallel partition or door. New stairways shall have the landings at least forty four inches (44") in
26 depth.

27 (f) Stair treads in approved inside egress passages in existing structures shall be not less
28 than eight inches (8") wide, exclusive of nosing, and risers shall not exceed eight and one half
29 inches (8 1/2") in height. In new buildings the stair treads shall be not less than nine and one half
30 inches (9 1/2") wide, and risers shall not exceed seven and three fourths inches (7 3/4") in height.
31 In all new construction, stairway nosing shall not be allowed. Treads and risers shall be of
32 uniform width and height in each individual stairway.

33 23-28.7.6. Egress doors. (a) Doors in approved egress passages into stairways and to
34 the outside shall be so hung as to open in the direction of exit travel, but this requirement shall not

1 be construed to prohibit ground floor entrance doors swinging both inward and outward. The
2 doors shall not be so hung as to obstruct egress passage.

3 (b) Doors into required stairway enclosures, all doors serving other vertical openings,
4 and doors in side wall openings in enclosed egress passages, except doors to the outside, shall be
5 equipped with suitable self closing devices, maintained in operating condition. The doors shall
6 not be equipped with devices intended for holding the doors in an open position, and they shall
7 not be otherwise so held. All doors herein referred to shall be Class B label, one and one half (1
8 1/2) hours.

9 (c) Doors and jambs in walls or partitions required to be fire resistant shall be equally
10 fire resistant, and shall be constructed and maintained close fitting and reasonably smoke tight.

11 (d) Doors in a partition required to be fire resistant shall in new construction contain
12 Class B label one and one half (1 1/2) hour doors and door assemblies. In existing buildings,
13 Class B one hour rating doors and door assemblies shall be required.

14 (e) Doors in existing approved egress passages shall be not less than thirty two inches
15 (32") in width. When serving approved egress passages, new doors in existing structures and all
16 doors in new structures shall be not less than thirty six inches (36") in width and seventy eight
17 inches (78") in height, except that each leaf of a double or mullioned door may be not less than
18 thirty inches (30") wide.

19 (f) Egress doors leading to the outside or into an enclosed passageway leading to the
20 outside, except doors on the ground floor normally used for entrance, shall be equipped with
21 panic hardware which will release when normal pressure is applied to the releasing device in the
22 direction of exit travel. The releasing device may be a bar or panel extending not less than thirty
23 inches (30") nor more than forty four inches (44") above the floor. They shall be kept closed
24 when not in use.

25 (g) Revolving doors shall not be considered as approved means of egress.

26 23-28.7.7. Construction. (a) Every hotel or motel hereafter constructed, every addition
27 hereafter made to any hotel or motel, and every building hereafter converted for the purposes of a
28 hotel, shall be of noncombustible construction if more than three (3) stories above the basement
29 of any portion of the motel or hotel building is used or intended for use by guests or employees.

30 (b) All vertical openings, including stairways and passageways to the outdoors, in all
31 new buildings, additions to existing buildings, or buildings hereafter converted for the purpose of
32 a motel or hotel, shall be enclosed by material with a fire resistant rating of at least two (2) hours,
33 except that an enclosure shall not be required for a flight of stairs in a noncombustible building
34 when the stairs connect only one story with one other story immediately above or below it, and

1 provided that at least one passageway for each floor of the hotel or motel shall lead directly to the
2 outdoors by stairways or passageways, or a combination of both, enclosed completely by fire
3 resistant material of such rating. Outside stairways shall not be allowed as approved means of
4 egress from new hotels or motels, in accordance with section 23 28.8.1.

5 **23-28.7.8. Hazardous occupancies.** -- No combustible building shall contain a Class 1,
6 2, or 3 dry cleaning establishment as defined in special regulations governing the dry cleaning
7 establishments, or other commercial occupancy using flammable liquids, or any other storage of
8 materials or equipment of high hazard unless the occupancy is completely segregated from the
9 hotel or motel premises by unpierced walls with a fire resistant rating of not less than two (2)
10 hours, and by ceilings and floors of material with the same fire resistant rating.

11 **23-28.7.9. Fire walls and smoke barriers.** -- The installation of fire walls or smoke
12 barriers, or both, additional to those specifically required in this code, may be ordered by the
13 building inspector having jurisdiction or state fire marshal, upon certification of the proper
14 inspecting authority that the same is necessary as a minimum requirement for safety.

15 **23-28.7.10. Fire stopping.** -- (a) Exterior walls of new or changed frame construction
16 and interior stud partitions shall be fire stopped at each floor level by a two inch (2") thick plate
17 or masonry filling, completely closing any possible vertical opening from one story to another.

18 (b) In existing buildings, exterior walls of frame construction and interior stud partitions
19 shall be completely fire stopped by a timber of not less than two inches (2") in thickness or other
20 suitable noncombustible material completely closing any possible vertical openings, open joist
21 channels, and stud spaces, at the ceiling of the basement.

22 **23-28.7.11. Exit signs.** -- All hotels and motels shall be provided with exit signs in
23 accordance with chapter 28.23 of this title; group type C, as specified in section 23 28.23.2 shall
24 be required. Where each guest room has a direct exit to the outside of the building at ground level
25 no exit signs shall be required; provided, however, that all other guest room doors shall have
26 posted thereon a diagram showing the direction to all exits on the floor where the room is located.

27 **23-28.7.12. Emergency lighting.** -- All hotels and motels shall be provided with
28 emergency lighting in accordance with chapter 28.24 of this title. Where each guest room has a
29 direct exit to the outside of the building at ground level, no emergency lighting shall be required.

30 **23-28.7.13. Extinguishing equipment required.** -- All hotels and motels shall be
31 provided with proper fire extinguishing equipment in accordance with NFPA Standard 10, 1988
32 edition. The term "extinguishing equipment" as used in this section shall not include automatic
33 sprinklers. (See section 23-28.7.14.)

34 **23-28.7.15. Decorative and acoustical material.** -- (a) Decorative and acoustical

1 materials. All combustible decorative and acoustical material, including curtains, streamers and
2 other paper and decorative materials, but not including floor coverings, located in all corridors,
3 passageways, and in lobbies and other rooms or spaces for general guest or public use, shall be
4 rendered and maintained flame resistant. This regulation shall not be construed to prohibit the use
5 of wall or ceiling coverings affixed directly to the wall or ceiling, provided the surface will not be
6 readily flammable.

7 (b) Limitation of approval. All approvals of decorative materials shall be limited to one
8 year. The owner or the owner's authorized agent shall file an affidavit with the enforcing officer
9 certifying to the following:

10 (1) The product used will render the decorative material flame resistant in accordance
11 with N.F.P.A. Standard 701, 1989 edition.

12 (2) That the product used was applied in accordance with manufacturer's specifications.

13 (3) State the date of treatment and warranty period.

14 (c) When a doubt exists as to the fire retardant quality or the permanency of treatment,
15 material shall be subject to the field check test as provided in subsection (d).

16 (d) Field test: match flame test. (1) Samples, in dry condition, are to be selected for
17 tests and are to be a minimum of one and one half inch (1 1/2") wide and four inches (4") long.
18 The fire exposure shall be the flame from a common wood kitchen match (approximate length
19 two and seven sixteenths inches (2 7/16")); approximate weight twenty nine (29) grams per
20 hundred), applied for twelve (12) seconds.

21 (2) The test shall be performed in a draft free and safe location. The sample shall be
22 suspended (preferably held with a spring clip, tongs or some similar device) with the long axis
23 vertical, with the flame applied to the center of the bottom edge, and the bottom edge one half
24 inch (1/2") above the bottom of the flame. After twelve (12) seconds of exposure, the match is to
25 be removed gently away from the sample.

26 (3) During the exposure, flaming shall not spread over the complete length of the sample
27 or in excess of four inches (4") from the bottom of the sample (for larger size samples). There
28 shall be not more than two (2) seconds of afterflaming. Materials which break and drip flaming
29 particles shall be rejected if the materials continue to burn after they reach the floor.

30 (e) The interior finish in all hotels and motels shall be as regulated or modified by the
31 provisions of the definition of interior finish in section 23.28.1.5 and shall not exceed the
32 following classifications for the locations indicated:

33 (1) In all vertical means of egress "Class A."

34 (2) In all horizontal means of egress "Class B."

~~(3) In all other rooms or spaces "Class C."~~

(f) (1) Floor coverings must conform to the requirements of the next class lower than the classifications above, but in no instance should they be less than "Class C," except that in sprinklered buildings all floor coverings may be "Class C" throughout.

5 (2) IN ADDITION: All floor coverings referred to in N.F.P.A. Standard 253, 1984
6 edition, and described as Class I and Class II in N.F.P.A. Standard 101 Life Safety Code, 1985
7 edition, may be used on all floors where combustible floor coverings are allowed.

8 **23-28.7-17. Housekeeping.** — All hotel or motel premises and other occupancies within
9 buildings containing hotels or motels shall be kept clean and in tidy condition, and free from
10 accumulation of combustible debris or other waste material.

11 SECTION 9. Chapter 23-28.8 of the General Laws entitled "Fire Escapes - Outside
12 Stairways" is hereby repealed in its entirety.

~~CHAPTER 23 28.8~~

~~Fire Escapes Outside Stairways~~

15 **23-28.8-1. Use on new buildings prohibited.** -- The use of fire escapes as approved
16 means of egress shall not be allowed on new structures regulated by this code.

17 **23-28.8-2. Use on existing buildings.** (a) Fire escapes may be used as approved means
18 of egress on existing buildings only wherever enclosed inside stairways of the required
19 qualifications are found impracticable.

20 (b) Fire escapes shall not constitute more than fifty percent (50%) of the required exit
21 capacity.

22 23-28.8-3. Winding stairs. Winding stairs, as defined in section 23-28.1-5, shall not be
23 used or allowed to continue in use as any portion of an approved egress passage.

24 **23-28.8-4. Construction.** -- Fire escapes shall be in conformity with N.F.P.A. Standard
25 101, 1988 edition, Chapter 5.

26 23-28.8-5. Outside stairways. Outside stairways shall be in conformity with N.F.P.A.
27 Standard 101, 1988 edition, Chapter 5.

28 ~~23-28.8-6. - 23-28.8-15. [Repealed.]~~

29 SECTION 10. Chapter 23-28.9 of the General Laws entitled "Heating and Cooking
30 Facilities" is hereby repealed in its entirety.

~~CHAPTER 23~~ 28.9

~~Heating and Cooking Facilities~~

33 **23.28.9-1. "Central heating plants" defined.** -- Central heating plants are fuel fired
34 heating devices used for heating a building or an area of a building with the use of external

1 heating pipes or ducts.

2 **23-28.9-2. Enclosures for new and existing buildings.** (a) In new buildings other than
3 one, two (2), and three (3) family houses, boarding homes, child day care centers, community
4 residences II, schools, and health care facilities, central heating plants above 160,000 BTU input
5 and all floor mounted units requiring a non combustible floor by their listing shall be in a
6 segregated room, and installed in accordance with their listing. The walls, floor, and ceiling of the
7 room shall be fire rated at no less than that required for the remainder of the building, or have a
8 one hour fire resistant rating, whichever is greater. The enclosure shall be located adjacent to an
9 exterior wall.

10 (b) In existing buildings other than one, two (2), and three (3) family houses, boarding
11 homes, child day care centers, community residences II, schools, and health care facilities, central
12 heating plants above 160,000 BTU input, and all floor mounted units requiring a non combustible
13 floor by their listing, shall be in a segregated room, and installed in accordance with their listing.
14 The walls, floor, and ceiling of the room shall be constructed of material having a one hour fire
15 resistance rating. All new enclosures required for a central heating plant shall be located adjacent
16 to an exterior wall.

17 (c) In all buildings covered by the fire code, central heating plants shall not be located in
18 attics, or in cellars and basements with areas less than six feet (6') in height.

19 (d) Central heating plants under 160,000 BTU input that do not require installation in a
20 fire rated room shall be installed in accordance with their listing and the manufacturer's
21 instructions.

22 **23-28.9-3. Enclosure doors.** Doorways and other openings through required furnace
23 enclosures shall be closed by doors and jambs of the same fire resistant quality as is required of
24 the enclosure, so hung as to be reasonably smoke tight and equipped with adequate self closing
25 devices. The doors and door assemblies shall be B label one and one half (1 1/2) hours in rooms
26 required to have a two (2) hour fire rating, and a B label one hour rating in rooms required to
27 have a one hour fire rating. All enclosure doors shall swing inward in new construction or new
28 enclosures.

29 **23-28.9-4. Oil burners.** (a) Oil burners shall be equipped with approved devices for
30 automatic main flame ignition, an approved fuel flow interrupting device, pilot or main flame
31 monitoring, and any other devices required for the safe operation of that burner. An auxiliary
32 power interrupting on off switch shall be wired to a position remote from the burner and from any
33 fire danger.

34 (b) All other technical aspects of oil burners not specifically in the Rhode Island fire

1 code or in this section shall be in accordance with N.F.P.A. Standard No. 85D, 1984 edition, or
2 Standard 85A, 1982 edition.

3 **23-28.9-5. Gas burners.** -- (a) Gas burners shall be equipped with approved devices for
4 automatic main flame ignition, pilot or main flame monitoring, and any other devices required for
5 the safe operation of that burner. An auxiliary power interrupting on-off switch shall be wired to a
6 position remote from the burner and from any fire danger on any burner except those equipped
7 with self generating controls.

8 (b) All other technical aspects of gas burners not specifically in the Rhode Island fire
9 code or in this section shall be in accordance with N.F.P.A. Standard No. 85B, 1984 edition, or
10 Standard No. 85D, 1984 edition.

11 **23-28.9-6. Space heaters.** -- (a) Space heaters or above the floor devices for direct
12 heating of the space in and adjacent to that in which the device is located without external heating
13 pipes or ducts shall not be used in any buildings except such devices which are in accordance
14 with pertinent requirements established by the state fire marshal.

15 (b) Notwithstanding the limitations set forth in section 23-28.1-2, the rules and
16 regulations promulgated by the fire marshal pursuant to this section shall apply to private
17 dwellings occupied by one, two (2), or three (3) families.

18 **23-28.9-7. Air vents.** -- Furnace rooms or enclosures shall be provided with an air vent to
19 the outside sufficient for proper combustion and exhaust. Additional openings and/or a separate
20 vent by duct to the close proximity of oil burners when used may be required to provide air for
21 proper combustion. The air vents shall be maintained in an open position by approved mechanical
22 or fixed devices.

23 **23-28.9-8. Chimneys and flues.** -- (a) Furnaces, boilers, and other fired units shall be
24 vented by smoke pipes or other approved venting material to a chimney constructed of brick,
25 solid block masonry, or reinforced concrete, with suitable flue lining or substitute chimney
26 acceptable to national fire protection association standards, properly erected and maintained in
27 safe condition. Provided, however, that gas heating equipment may be vented into approved type
28 B or type BW vents in accordance with the provisions of the national fire protection association
29 Standards 54, 1988 edition and 211, 1988 edition.

30 (b) Special venting arrangements:

31 (1) Listed direct vent equipment shall be considered properly vented when installed in
32 accordance with the terms of its listing and the manufacturer's instruction.

33 (2) Equipment incorporating integral venting means shall be considered properly vented
34 when installed in accordance with its listing and the manufacturer's instructions and the 1984

1 edition of N.F.P.A. Standard 54, or N.F.P.A. Standard 31, 1987 edition.

2 (3) Mechanical draft systems shall be installed in accordance with the 1988 edition of
3 N.F.P.A. Standard 54.

4 **23-28.9-9. Cooking appliances.** -- (a) Cooking appliances and water heaters shall be
5 suitably installed in accordance with safe practices. All new construction shall be in accordance
6 with N.F.P.A. Standard 96, 1987 edition.

7 (b) All the cooking devices shall be installed upon flooring with a fire resistant surface.
8 The surface may be required to extend beyond the equipment or for the entire room enclosure
9 when deemed necessary.

10 (c) The use of hotplates, coffee makers, toasters, warmers, and similar portable
11 equipment shall be only in authorized designated areas.

12 **23-28.9-10. Extinguishing equipment required.** -- As to type, location, and
13 maintenance, all fire extinguishers shall be in accordance with N.F.P.A. Standard 10, 1988
14 edition.

15 **23-28.9-11. Fire alarm systems.** -- Required enclosures containing central heating
16 furnaces in combustible and/or non sprinklered buildings shall be in compliance with chapter
17 28.25 of this title.

18 **23-28.9-12. Removal of oil tank from central heating plant.** -- (a) Whenever a
19 residential or commercial oil fired central heating plant ceases to be used due to removal of the
20 oil tank, the oil tank fill line must be completely removed, or sealed in a manner that prevents oil
21 from passing through the line. Capping the fill line on the exterior is insufficient under this
22 section.

23 (b) The person, firm, or corporation performing the conversion shall be responsible for
24 the removal or sealing, and shall inform the owner of the premises that such removal or sealing is
25 required by law.

26 SECTION 11. Sections 23-28.12-1, 23-28.12-2, 23-28.12-3, 23-28.12-4, 23-28.12-5, 23-
27 28.12-6, 23-28.12-7, 23-28.12-8, 23-28.12-9, 23-28.12-10, 23-28.12-11, 23-28.12-12, 23-28.12-
28 13, 23-28.12-14, 23-28.12-16, 23-28.12-17, 23-28.12-18, 23-28.12-19, 23-28.12-20, 23-28.12-
29 20.1, 23-28.12-20.2, 23-28.12-21, 23-28.12-22, 23-28.12-23, 23-28.12-24, 23-28.12-25, 23-
30 28.12-26, 23-28.12-27, 23-28.12-28, 23-28.12-29, 23-28.12-30, 23-28.12-31, 23-28.12-32, 23-
31 28.12-33, 23-28.12-34, 23-28.12-35, 23-28.12-37, 23-28.12-38, 23-28.12-39, 23-28.12-40, 23-
32 28.12-41 and 23-28.12-42 of the General Laws in Chapter 23-28.12 entitled "Schools" are hereby
33 repealed.

34 **23-28.12-1. Applicability.** -- (a) The regulations contained in this chapter, including

1 without limitation the provisions of subsection (c), shall apply to all buildings or portions thereof
2 used in whole or in part for group instruction or study in any branch or branches of knowledge;
3 provided however, that these regulations shall not apply to:

4 (1) Existing buildings where the total number of students attending classes does not
5 exceed seventy five (75); and

6 (2) Buildings which are used primarily for religious services by any church, synagogue,
7 or other religious body, and provided further that smoke detectors have been installed throughout
8 the building.

9 (b) Persons or societies using the buildings described in subsections (a)(1) and (2) of this
10 section for school purposes accept the full responsibility for loss of life or any injuries or damages
11 occurring therein because of fire.

12 (c) Fire escapes and other outdoor stairways, oil burners, heating, cooking and
13 ventilating facilities, and the use of electric appliances shall be in accordance with all other
14 requirements of this code as well as with provisions for them in this chapter.

15 **23-28.12.2. Construction of new buildings and additions to existing buildings.** (a)
16 Buildings more than two (2) stories in height above the basement or ground shall be as follows:

17 (1) Construction shall be noncombustible throughout.

18 (2) Stairways shall be enclosed in noncombustible construction having a fire resistant
19 rating of not less than two (2) hours.

20 (3) Corridors shall be enclosed in noncombustible construction having a fire resistant
21 rating of not less than sixty (60) minutes, except as noted in section 23-28.12.9(d), (e), and (f).

22 (4) Flooring over accessible spaces which are more than five feet (5') in clear height shall
23 have a fire resistant rating of not less than sixty (60) minutes.

24 (b) Buildings one or two (2) stories in height above the basement or ground shall be as
25 follows:

26 (1) Exterior load bearing walls and/or structural supporting members shall be of
27 noncombustible construction.

28 (2) Stairways shall be enclosed in noncombustible construction having a fire resistant
29 rating of not less than sixty (60) minutes.

30 (3) Corridors shall be enclosed in noncombustible construction having a fire resistant
31 rating of not less than sixty (60) minutes, except as noted in section 23-28.12.9(d), (e), and (f).

32 (4) Flooring over accessible spaces which are more than five feet (5') in clear height shall
33 have a fire resistant rating of not less than sixty (60) minutes.

34 (e) Roofs of school buildings shall be covered with roofing which is not readily

1 flammable and does not carry or communicate fire.

2 **23-28.12-3. Heating equipment.** (a) Central heating plants, steam boilers, and oil-fired
3 water heaters shall be segregated from all other occupancies by noncombustible construction
4 having a fire resistant rating of not less than two (2) hours, and which provides a reasonably
5 smoke tight enclosure.

6 (b) Enclosures for heating equipment and incinerator enclosures shall be provided with
7 adequate vents direct to the outside, sufficient for proper combustion and exhaust. Ventilating
8 openings shall be maintained in an open position by a fixed louvre or mechanical device of an
9 approved type.

10 (c) Heater rooms shall only contain equipment for heating, hot water supply,
11 switchboard, and shall not be used for any other purposes.

12 (d) Interior doors and door assemblies shall be Class B label one and one half (1 1/2)
13 hour type doors swinging into the heater room and equipped with a positive self closing device
14 without a hold open device.

15 (e) Furnaces, boilers, and other fired units shall be vented by means of reasonably gas-
16 tight smokepipes or breechings connected properly to a chimney constructed of brick, solid block
17 masonry, or reinforced concrete, with suitable flue lining, properly erected and maintained in safe
18 condition.

19 (f) Oil burners. See section 23-28.9-4.

20 (g) Gas burners. See section 23-28.9-5.

21 **23-28.12-4. Incinerators -- Storage areas -- Trash chutes and terminus.** Certain
22 spaces shall be segregated from pupil occupied spaces, as follows:

23 (1) Incinerators within buildings shall be segregated from all other occupancies by
24 noncombustible construction having a fire resistant rating of not less than two (2) hours, with a
25 Class B label one and one half (1 1/2) hour type door and door assembly having a positive closing
26 device. Access to incinerator rooms for loading and firing the incinerators will not be permitted
27 through heater rooms.

28 (2) Spaces used for storage of tractors, power mowers, or other equipment having an
29 internal combustion engine shall be segregated from all other occupancies by noncombustible
30 construction having a fire resistant rating of not less than two (2) hours and be accessible only
31 from outside the building.

32 (3) Maintenance and storage rooms for maintaining combustible materials shall be
33 segregated from all other occupancies by construction having a fire resistant rating of not less
34 than one hour in a one or two (2) story building and not less than two (2) hours in a building of

1 more than two (2) stories.

2 (4) (i) Trash or rubbish chutes shall be enclosed in shafts of masonry construction having
3 a fire resistance rating of not less than two (2) hours. The shaft shall be extended full size through
4 the roof for a distance of not less than four feet (4') above the roof and terminate in a smoke and
5 fire hatch protected by devices activated by heat, smoke, pressure, or products of combustion to
6 cause the hatch to open to the outside in the event of fire or smoke. Normal ventilation for the
7 dispersal of odors or for other sanitary reasons shall be in accordance with accepted good
8 practice. Trash chute tubes shall be of steel or stainless steel, of adequate gauge taking into
9 consideration the height of rise. To minimize the problem of clogging, the area of the intake
10 opening shall not exceed seventy five percent (75%) on a trash or rubbish chute. Side hinged
11 intake doors shall open a minimum of one hundred forty degrees (140 degrees) and bottom
12 hinged doors a maximum of fifty five degrees (55 degrees) from the vertical. The throat of the
13 chute shall be double sloped and the initial slope from the tube shall be eighty three degrees (83
14 degrees) from horizontal for a distance of two inches (2") back from the vertical drop, and the
15 balance of the throat shall be as steep as possible.

16 (ii) The full rise of trash and rubbish chutes shall be equipped at alternate floor levels
17 and at the top of the chute with approved recessed sprinkler heads, the operation of any of which
18 will actuate the hatch mechanism simultaneously. In no case shall a trash chute discharge directly
19 into an incinerator.

20 (iii) Service openings into chutes shall be located within a room, compartment, or space
21 segregated from other parts of the building by masonry wall, floor, and ceiling assemblies having
22 a fire resistance rating of not less than two (2) hours. The rooms, compartments, or spaces shall
23 be protected by an approved system of automatic sprinklers.

24 (iv) Openings into such rooms, compartments, or spaces shall be protected by Class B
25 listed and labeled fire doors installed in listed and labeled frames and equipped with positive self-
26 closing devices.

27 (v) Chute service openings shall be provided with Class B one and one half (1 1/2) hour
28 listed and labeled formed steel doors of flush design type with frames and latching and closing
29 mechanisms. These doors shall be equipped with approved locks and kept locked at all times
30 when not in use to prevent use of the chute by other than authorized personnel.

31 (vi) Trash or rubbish chutes shall terminate or discharge directly into a room,
32 compartment, or space segregated from the incinerator room and from other parts of the building
33 by masonry wall, floor, and ceiling assemblies having a fire resistance rating of not less than two
34 (2) hours, and shall be protected by an approved system of automatic sprinklers.

1 (vii) Openings into chute terminus rooms, compartments, or spaces shall be protected by
2 Class B listed and labeled fire doors installed in listed and labeled frames and equipped with
3 positive self closing devices.

4 (viii) An adequate length of hand hose connected to a suitable water supply shall be
5 provided within such rooms, compartments, or spaces. Any use of this equipment shall actuate
6 the fire alarm system.

7 (ix) The terminal end of the chute shall be protected by a Class B listed and labeled flush
8 type door equipped with a positive self closing device and kept closed at all times except when
9 the trash or rubbish is being discharged into the collection room, when under the supervision of a
10 competent attendant.

11 (x) All trash and rubbish shall be inspected and cleared as often as may be necessary to
12 prevent an accumulation of trash and rubbish within the chute, and under no circumstances shall
13 an overnight accumulation of trash or rubbish be permitted.

14 23-28.12-5. Elevators and dumbwaiters. (a) Elevators will not be considered as
15 approved means of egress, and all new elevator and dumbwaiter shafts shall be enclosed by
16 noncombustible materials with a fire resistant rating of not less than two (2) hours, and existing
17 elevators shall be enclosed by noncombustible materials with a fire resistant rating of not less
18 than sixty (60) minutes. No opening shall be allowed through the side wall enclosures for
19 ventilating or other purposes, except to an outside wall. All doors servicing elevators shall be
20 Class B label one and one half (1 1/2) hour in new elevators and in existing elevators Class B label
21 one hour, and the doorways shall be made smoke tight when doors are closed.

22 (b) Elevators and elevator shafts shall otherwise be designed, constructed, maintained,
23 and ventilated in accordance with regulations promulgated by the Rhode Island department of
24 labor and training.

25 23-28.12-6. Openings — Ventilation ducts. (a) No horizontal interior opening will be
26 permitted in any shaft except for elevator doors, dumb waiter doors, and doors to pipe shafts. Pipe
27 shafts shall be enclosed with 60 minute fire resistant construction and doors to pipe shafts one
28 and three fourths inches (13/4") thick solid core or noncombustible construction.

29 (b) Ventilating ducts shall be in accordance with N.F.P.A. Standard 90A, 1989 edition
30 and 90B, 1989 edition.

31 23-28.12-7. Gymnasiums, auditoriums, and cafeterias. Gymnasiums, whether or not
32 provided with spectator seating, auditoriums, and cafeterias are classed as "places of assembly"
33 and are to be in accordance with chapter 28.6 of this title.

34 23-28.12-8. Exits. (a) Each floor level of a school shall have exits or stairs in sufficient

1 total width to fulfill the requirements of section 23-28.12.14 (exit width determination).

2 (b) Exits or stairways shall be so located that no doorway of a pupil occupied space shall
3 be more than one hundred fifty feet (150') in a nonsprinklered building and two hundred feet
4 (200') in a sprinklered building from one exit or stairway, and so that there is a minimum of two
5 (2) such stairways or exits from each story, located as remotely as possible from each other. The
6 one hundred foot (100') requirement will be waived only in cases where all pupil occupied areas
7 have direct means of egress to the outside.

8 (c) All classrooms designed as industrial arts shops shall have two (2) separate and
9 distinct means of egress, one of which shall be direct to the outside or through an adjoining room
10 and thence to the outside. The other means of egress may be by common use corridor to the
11 outside.

12 (d) Homemaking kitchens, chemistry laboratories, arts and crafts rooms, and all
13 classrooms designed to accommodate fifty (50) or more persons and not exceeding one thousand
14 square feet (1000 sq. ft.) in area shall have two (2) separate means of egress, remote as
15 practicable from each other, which lead to the common use corridor or to an adjoining room and
16 thence to the corridor.

17 (e) No pockets or dead ends shall be permitted in corridors, except that when all
18 stairways are enclosed at that floor level such pockets or dead ends may be permitted when they
19 do not exceed twenty feet (20') in length.

20 (f) Fire escapes on the exterior of a new building shall not be permitted.

21 (g) Where courts occur enclosed on all sides and required exits from rooms or spaces
22 exit into the court, an exit from the court to the exterior perimeter of the buildings shall be
23 provided. This exit shall be segregated from all building occupancies by noncombustible
24 construction having a fire resistant rating of not less than two (2) hours.

25 **23-28.12.9. Corridors and egress passageways.** (a) Corridors used as means of egress
26 from pupil occupied areas shall be not less than six feet (6') in unobstructed width. This minimum
27 width shall exist at all points measured at right angles to the length of the corridor, and to the
28 nearest point of extended locker doors, fully opened doors from occupied spaces, drinking
29 fountains, fire extinguishers, or other projecting objects. Clear headroom shall be at least seven
30 feet (7').

31 (b) All corridors served by stairs unenclosed at that level and being over three hundred
32 feet (300') in length shall be divided into approximately equal sections not over three hundred feet
33 (300') in length by smoke barriers. These barriers shall be similar in construction to the partitions
34 and doors separating stairways from corridors, except that fifty percent (50%) of the doors therein

1 shall swing in each direction.

2 (c) Stairs of less than three (3) risers shall not be used in corridor. Ramps shall be used
3 for necessary small changes in level. Where ramps are used, rise shall not exceed one foot (1') per
4 ten feet (10') of run.

5 (d) Where corridor walls of schoolrooms are required to have fire resistant rating,
6 transoms or similar openings in corridor walls of schoolrooms shall not be used except as
7 follows: glazing of wired glass in panes not exceeding nine square feet (9 sq. ft.) in area each and
8 securely mounted in noncombustible frames or glass blocks set in noncombustible frame and
9 mortar will be permissible. The glazing shall be not more than thirty six inches (36") in height
10 nor be below four feet (4') from the finished corridor floor. The total area of such glazing shall
11 not exceed twenty five percent (25%) of the area of a corridor partition of the classroom, the
12 height being measured from the corridor side. This does not apply to corridor walls of offices,
13 cafeterias, or libraries.

14 (e) Corridor walls of offices may be constructed of glass unlimited in area and type.

15 (f) Corridor walls of cafeterias and libraries may be constructed of glass unlimited in
16 area. The glass, however, shall be wired glass in panes not to exceed nine square feet (9 sq. ft.)
17 each in area and set in noncombustible frames.

18 (g) (1) All combustible decorative and acoustical materials, and curtains located in
19 corridors, passageways, stairways, and lobbies, shall be rendered and maintained flame resistant.
20 This regulation shall not be construed to prohibit the use of wall or ceiling coverings affixed
21 directly to the wall or ceiling, provided the surface will not be readily flammable and will not
22 carry or communicate fire.

23 Limitation of Approval

24 (2) All approvals of decorative materials shall be limited to one year. The owner or the
25 owner's authorized agent shall file an affidavit with the enforcing officer certifying to the
26 following:

27 (i) The product used will render the decorative material flame resistant in accordance
28 with N.F.P.A. Standard 701, 1989 edition.

29 (ii) That the product used was applied in accordance with manufacturer's specifications.

30 (iii) State the date of treatment and warranty period.

31 When a doubt exists as to the fire retardant quality or the permanency of treatment,
32 material shall be subject to the field check test herein provided.

33 (3) Field test: Match flame test. (i) Samples, in dry condition, are to be selected for
34 tests and are to be a minimum of one and one half inches (1 1/2") wide and four inches (4") long.

1 The fire exposure shall be the flame from a common wood kitchen match (approximate length
2 two and seven sixteenths inches (2 7/16"'); approximate weight twenty nine grams (29 gr.) per
3 hundred), applied for twelve (12) seconds.

4 (ii) The test shall be performed in a draft free and safe location. The sample shall be
5 suspended (preferably held with a spring clip, tongs, or some similar device) with the long axis
6 vertical, with the flame applied to the center of the bottom edge, and the bottom edge one half
7 inch (1/2") above the bottom of the flame. After twelve (12) seconds of exposure, the match is to
8 be removed gently away from the sample.

9 (iii) During the exposure, flaming shall not spread over the complete length of the
10 sample or in excess of four inches (4") from the bottom of the sample (for larger size samples).
11 There shall be not more than two (2) seconds of afterflaming. Materials which break and drip
12 flaming particles shall be rejected if the materials continue to burn after they reach the floor.

13 (h) In all new schools, interior finish shall be as regulated or modified by the provisions
14 of the description of interior finish in section 23-28.1-5 and shall not exceed the following
15 classifications for the locations indicated:

16 (1) In all vertical means of egress and connecting passages to the outside "Class A."

17 (2) In all access corridors "Class B."

18 (3) In all other rooms or spaces "Class C."

19 (4) Floor coverings must conform to the requirements of the next class lower than the
20 classifications above, but in no instance should they be less than "Class C," except that in
21 sprinklered buildings all floor coverings may be "Class C" throughout.

22 **23-28.12 10. Doors.** (a) All doors from pupil occupied spaces, except toilets, shall
23 swing in the direction of egress travel with hinges on jamb nearest to the closest stairway or exit.
24 Minimum door dimensions shall be thirty six inches (36") wide, except that doors in multiple
25 may be thirty inches (30") wide.

26 (b) Locks on interior doors from all pupil occupied spaces shall be of the "schoolhouse
27 type"; that is, they shall lock by key only and shall be operative from the inside at all times by the
28 turning of the knob only.

29 (c) No sliding door, vertical lift door, revolving door, or folding partition shall be used as
30 a closure for a required means of egress; except folding gates may be used to segregate portions
31 of the building.

32 (d) Doors swinging in two (2) directions, known as "double swing," shall not be used as
33 closures for required means of egress.

34 (e) All doors in corridors which are required to be fire resistive for at least sixty (60)

1 minutes shall be "C" label three quarter (3/4) hour door assemblies. The doors may have a vision
2 panel not to exceed twelve hundred and ninety six square inches (1296 sq. in.) and glass
3 thickness of not less than one quarter inch (1/4") and wired. Exceptions to this requirement shall
4 be doors covered in subsection (i).

5 (f) Egress doors from corridors or stairway enclosures, which have locking or latching
6 devices, shall have panic hardware which will permit the door to open with a single motion when
7 pressure is applied to the releasing device in the direction of egress travel.

8 (g) Where double leaf doorways are used in stairway enclosures they shall be equipped
9 with a mullion or astragal which will provide reasonably tight closure, but which will not
10 interrupt a complete self closing operation.

11 (h) Interior doors to stairways shall provide as a minimum one thirty inch (30') leaf for
12 each twenty two inches (22") of stairway width.

13 (i) Doors and door assemblies from corridors into stair enclosures shall be Class B label
14 one and one half (1 1/2) hour fire resistant. These doors shall be equipped with suitable self-
15 closing devices, maintained in operating condition to keep the doors closed. No such door shall
16 be equipped with a device for holding it in an open position. Double leaf doorways shall be
17 equipped with a mullion or astragal which will provide reasonably tight closure, but which will
18 not interrupt a complete self closing operation.

19 **23-28.12-11. Stairways.** (a) All required stairways shall lead directly to an outside area
20 having unrestricted access to the exterior perimeter of the building.

21 (b) All stairs (and platforms, landings, etc. used in connection therewith) shall be of
22 noncombustible construction throughout. Treads of stairs and landings shall be solid (without
23 perforations). Handrails are exempted from the above requirements, also short nonexit stairs
24 serving stages, platforms, etc.

25 (c) There shall be no variation in the depth of treads and the height of risers in any flight.
26 Where variation in riser heights in different flights is necessary because of varying story heights,
27 the variation shall not exceed three sixteenths of an inch (3/16"). All treads shall be not less than
28 eleven inches (11") in depth, and risers shall be not more than seven inches (7") in height.

29 (d) Treads and landing shall have nonslip surfaces.

30 (e) There shall be no occupied spaces, closets, or other storage areas within stair
31 enclosures. Spaces shall be left entirely open or shall be entirely enclosed, without door or other
32 opening into the enclosure. Access doors to pipe tunnels and similar nonstorage spaces will be
33 permitted, provided they are of sixty (60) minute fire resistant construction and kept locked.

34 (f) No arrangement of treads known as "winders" shall be allowed.

~~(g) Where doors open into stairways, there shall be a minimum clearance of eighteen inches (18") between the edge of the door in any position and the nosing of a riser.~~

(h) All egress stairways shall have suitable handrails on both sides and at center of stairs wider than eighty eight inches (88"). There shall be no more than sixty inches (60") between adjacent handrails.

(i) ~~No stairway shall be less than forty four inches (44") in width, and no flight of stairs shall have a vertical rise of more than nine feet (9').~~

~~(j) Landings at turns shall be at least forty four inches (44") in length, measured along the line of travel, and eighteen inches (18") from the inside handrail except that right angle turns may be made with a square platform the width of the stairway. Intermediate landings on straight stairs shall have a length of at least forty four inches (44").~~

~~(k) Ramps may be substituted for stairs, provided surfaces are nonslip and rise does not exceed one foot (1') in ten feet (10') of run.~~

23-28.12-12. Stairway enclosures. -- (a) Stairways serving one or more stories above the first shall be segregated from corridors at all floor levels, except the uppermost floor.

~~-(b) Stairways from basements shall be segregated from first floor corridors and means of egress by an enclosure.~~

~~(c) The enclosure between stairways and corridors shall be constructed in compliance with section 23-28.12.2(a)(2) and (b)(2).~~

23-28.12-13. Stages. (a) Auditorium stages having a fly loft or grid above or below the structural opening between the stage and the auditorium, or dressing rooms or storage rooms on the stage, shall be built of noncombustible construction throughout. The structure supporting the stage flooring above the normal auditorium floor level may be of combustible construction. Ventilation shall be provided by means of louvers in the side walls or a smoke and fire hatch protected by devices activated by heat, smoke, pressure, or products of combustion to cause the hatch to open to the outside in the event of fire or smoke in the roof, having an area equal to at least ten percent (10%) of the floor area within the stage walls.

~~(b) All drapes and scenery shall be rendered and maintained flame resistant, subject to the restrictions and testing under section 23.28.6.15.~~

23.28.12.14. Exit width. Required width of exits and stairs shall be computed in accordance with the following: (1) Occupancy load calculated on basis of one pupil per twenty square feet (20 sq. ft.) of net classroom floor area or one person per fifty square feet (50 sq. ft.) of net shop or laboratory area. (2) Stair capacity based on sixty (60) persons per unit of exit width twenty two inches (22"). (3) Capacity of doors based upon ninety (90) persons per unit of exit

1 width. (4) Stairs shall provide total aggregate width in 22 inch increments, in accordance with
2 the following table:

Number of pupils in area	Total width of greatest occupancy of stairs served by stairs
44"	120
180	66"
240	88"
300	110"
360	132"
420	154"
480	176"
540	198"
600	220"
660	242"
720	720
264"	780
286"	

3 (5) Exits to the outside shall provide one door for each one hundred (100) persons or
4 major fraction thereof on that floor, plus one door for each one hundred (100) persons or major
5 fraction thereof that required stairs are designed to accommodate. (6) No required exit doorway
6 serving a stairway or corridor shall consist of less than two (2) thirty inch (30") leaves. (7) Exits
7 required for places of public assembly may, if appropriately located, be used jointly as required
8 exits for ordinary school occupancy where total occupancy of the building at any one time will
9 not exceed the largest capacity calculated under either chapter 28.6 of this title or this chapter.

10 23-28.12-16. Exit signs. -- (a) For places of assembly see section 23-28.6-12.

11 (b) All schools shall be provided with exit signs in accordance with chapter 28.23 of this
12 title. Group type C as specified in section 23-28.23-2 shall be required.

13 23-28.12-17. Emergency lighting. -- All schools shall be provided with emergency
14 lighting in accordance with chapter 28.24 of this title.

15 23-28.12-18. Housekeeping. -- All school buildings shall be kept clean and in tidy
16 condition, and free from accumulation of combustible debris or other waste material.

17 23-28.12-19. Storage of flammable liquids. -- See chapters 28.20 -- 28.22 of this title.

18 23-28.12-20. Fire extinguishers. -- Every new school shall be provided with adequate
19 fire extinguishers as to type, location, and maintenance, and all fire extinguishers shall be in
20 accordance with N.F.P.A. Standard 10, 1988 edition.

21 23-28.12-20.1. Transoms prohibited. -- Transoms and other openings in corridors or
22 passageways shall not be allowed.

23 23-28.12-20.2. [Repealed.] --

24 23-28.12-21. Construction. -- No building, not now a school building, may hereafter be
25 converted for school purposes unless it complies after conversion with the provisions of part I of
26 this chapter for new buildings, sections 23-28.12-1 -- 23-28.12-20.1.

27 23-28.12-22. Sprinkler requirements. -- (a) All existing school buildings wholly or in
28 part of combustible construction, which have student occupancy above the second story, shall be
29 protected by a system of automatic sprinklers, installed and maintained in accordance with
30 N.F.P.A. Standard 13, 1989 edition and its related standards.

31 (b) Buildings having noncombustible construction of 60 minute fire resistant rating

1 enclosing all required stairways and protecting corridors at sides and beneath shall be exempt
2 from the requirements for sprinklers.

3 **23-28.12 23. Heating equipment.** -- (a) Central heating plants, steam boilers and oil
4 fired water heaters shall be segregated from all other occupancies by walls, ceiling, and floor
5 having a fire resistant rating of not less than sixty (60) minutes, which shall provide a reasonably
6 smoke tight enclosure.

7 (b) These enclosures for heating equipment and incinerators shall be provided with
8 adequate vents direct to the outside, sufficient for proper combustion and exhaust. Ventilating
9 openings shall be provided directly to the outside by fixed or mechanical louvres of an approved
10 type.

11 (c) Heater rooms shall only contain equipment for heating, water supply, and
12 switchboard, and shall not be used for any other purpose.

13 (d) Interior doors to heater rooms shall open inward and shall be of the same fire
14 resistancy required for the segregating partitions, and shall be equipped with a positive self-
15 closing device. The doors shall have no hold open devices, and shall be kept closed at all times.

16 (e) Furnaces, boilers, and other fired units shall be vented to a chimney by means of a
17 reasonably gastight smoke pipe. The chimney shall be properly constructed of brick, solid block
18 masonry, steel, or reinforced concrete.

19 (f) Oil burners. See section 23-28.9-4.

20 (g) Space heaters. See section 23-28.9-6.

21 (h) Gas burners. See section 23-28.9-5.

22 **23-28.12 24. Incinerators -- Storage areas -- Trash chutes.** -- (a) Incinerators within
23 buildings shall be segregated from all other occupancies by construction having a fire resistant
24 rating of not less than sixty (60) minutes, with a door of the same fire resistancy having a positive
25 self-closing device.

26 (b) Space used for storage of tractors, power mowers, or other equipment having internal
27 combustion engines shall be segregated from all other occupancies by construction having a fire
28 resistancy rating of not less than one hour and shall be accessible only from outside the building.

29 (c) Trash and rubbish chutes not connected directly to an incinerator in combustible
30 buildings shall be protected by automatic sprinklers, and the doors and door assemblies shall be
31 of not less than Class B label one hour fire resistant construction, equipped with self-closing
32 devices; or the shaft shall be discontinued from use and sealed horizontally at each floor level by
33 construction equal to the adjacent floor.

34 **23-28.12 25. Elevators and dumbwaiters.** -- (a) Elevators will not be considered as

1 approved means of egress, and all new elevator and dumbwaiter shafts shall be enclosed by
2 noncombustible materials with a fire resistant rating of not less than two (2) hours and existing
3 elevators shall be enclosed by noncombustible materials with a fire resistant rating of not less
4 than sixty (60) minutes. No opening shall be allowed through the side wall enclosures for
5 ventilating or other purposes, except to an outside wall. All doors servicing elevators shall be
6 Class B label one and one half (1 1/2) hour in new elevators and in existing elevators Class B
7 label one hour, and such doorways shall be made smoke tight when doors are closed.

8 (b) Elevators and elevator shafts shall otherwise be designed, constructed, maintained,
9 and ventilated in accordance with regulations promulgated by the Rhode Island department of
10 labor and training.

11 **23-28.12-26. Vertical openings.** (a) Abandoned ducts, ventilating ducts, and shafts.
12 No vertical shaftway shall be used for storage purposes. Access doors to shaftways shall be sixty
13 (60) minute fire resistant, and shall be kept locked.

14 (b) Light wells. Open light wells, or other similar openings, within a school building
15 shall not be permitted. Any such openings now existing shall be enclosed vertically at each floor
16 level with construction having a fire resistant rating of not less than sixty (60) minutes; except
17 that such enclosures may contain panes of quarter inch (1/4") wired glass not over nine square
18 feet (9 sq. ft.) each in area, securely mounted in noncombustible frames; or they may be floored
19 over horizontally by construction equal to the adjacent floor.

20 **23-28.12-27. Gymnasiums, auditoriums and cafeterias.** Gymnasiums, whether or not
21 provided with spectator seating, auditoriums, and cafeterias are classed as places of assembly, and
22 are to be in accordance with chapter 28.6 of this title.

23 **23-28.12-28. Exits.** (a) Each floor level of a school shall have two (2) exits in
24 sufficient total width to fulfill the requirements of section 23-28.12-35 (exit width determination).

25 (b) Exits or stairs shall be so located that no doorway of a pupil occupied space shall be
26 more than one hundred fifty feet (150') in nonsprinklered buildings and two hundred feet (200') in
27 sprinkled buildings from one such exit or stairway. There shall be a minimum of two (2)
28 stairways or exits from each story, located as remotely as possible from each other.

29 (c) No pockets or dead ends shall be permitted in corridors, except that when all
30 stairways are enclosed at each floor level, pockets or dead ends may be permitted when they do
31 not exceed twenty feet (20') in length.

32 (d) Where courts occur which are enclosed on all sides, and the required exits from
33 rooms or spaces exit into the courts, an exit from the court to the exterior perimeter of the
34 building shall be provided. This exit shall be segregated from all building occupancies by

1 construction having a fire resistant rating of not less than sixty (60) minutes.

2 **23-28.12-29. Corridors and egress passageways.** (a) Corridors used as a means of
3 egress from pupil occupied areas shall not be less than thirty six inches (36") in unobstructed
4 width. Exception is that fire protection equipment may protrude no more than eight and one half
5 inches (8 1/2").

6 (b) (1) All combustible decorative and acoustical material, and curtains, located in
7 corridors, passageways, stairways, and lobbies, shall be rendered and maintained flame-resistant.
8 This regulation shall not be construed to prohibit the use of wall or ceiling coverings affixed
9 directly to the wall or ceiling, provided the surface will not be readily flammable and will not
10 carry or communicate fire.

11 (2) All approvals of decorative materials shall be limited to one year. The owner or the
12 owner's authorized agent shall file an affidavit with the enforcing officer certifying to the
13 following:

14 (i) The product used will render the decorative material flame-resistant in accordance
15 with N.F.P.A. Standard 701, 1989 edition.

16 (ii) That the product used was applied in accordance with manufacturer's specifications.
17 (iii) State the date of treatment and warranty period.

18 (3) When a doubt exists as to the fire retardant quality or the permanency of treatment,
19 material shall be subject to the field check test as provided in subsection (b)(4).

20 (4) Field test: Match flame test. (i) Samples, in dry condition, are to be selected for
21 tests and are to be a minimum of one and one half inches (1 1/2") wide and four inches (4") long.
22 The fire exposure shall be the flame from a common wood kitchen match (approximate length
23 two and seven sixteenths inches (2 7/16")); approximate weight twenty nine grams (29 gr.) per
24 hundred), applied for twelve (12) seconds.

25 (ii) The test shall be performed in a draft free and safe location. The sample shall be
26 suspended (preferably held with a spring clip, tongs, or some similar device) with the long axis
27 vertical, with the flame applied to the center of the bottom edge, and the bottom edge one half
28 inch (1/2") above the bottom of the flame. After twelve (12) seconds of exposure, the match is to
29 be removed gently away from the sample.

30 (iii) During the exposure, flaming shall not spread over the complete length of the
31 sample or in excess of four inches (4") from the bottom of the sample (for larger size samples).
32 There shall be not more than two (2) seconds of afterflaming. Materials which break and drip
33 flaming particles shall be rejected if the materials continue to burn after they reach the floor.

34 (c) In existing schools, interior finish shall be as regulated or modified by the provisions

1 of the description of interior finish in section 23 28.1 5 and shall not exceed the following
2 classifications for the locations indicated:

3 (i) All changes of interior finishes in existing schools shall also conform to the
4 regulations listed below:

5 (A) In all vertical means of egress and connecting passages to the outside "Class A."

6 (B) In all access corridors "Class B."

7 (C) In all other rooms or spaces "Class C."

8 (ii) Floor coverings must conform to the requirements of the next class lower than the
9 classifications above, but in no instance should they be less than "Class C," except that in
10 sprinklered buildings all floor coverings may be "Class C" throughout.

11 **23-28.12-30. Doors.** (a) All doors from pupil occupied spaces, except toilets, shall
12 swing in the direction of egress travel. Minimum door dimensions shall be not less than thirty six
13 inches (36") wide.

14 (b) Doors leading from school rooms or pupil occupied spaces into a hall or corridor
15 shall not, during school hours, be locked, bolted, or secured in any other manner than by a spring
16 which will readily yield to pressure from the inside or by the turning of a knob.

17 (c) No sliding door, vertical lift door, revolving door, or folding partition shall be used as
18 a closure for a required means of egress, except folding gates may be used to segregate portions
19 of the building.

20 (d) Doors swinging in two (2) directions, known as a double swing, shall not be used as
21 closures for a required means of egress.

22 (e) Egress doors from corridors or stairway enclosures, which have locking or latching
23 devices, shall have panic hardware which will permit the door to open with a single motion when
24 pressure is applied to the releasing device in the direction of egress travel.

25 (f) Where double leaf doorways are used in stairway enclosures, they shall be equipped
26 with a mullion or astragal which will provide a reasonably tight closure, but which will not
27 interrupt a complete self closing operation.

28 (g) Interior doors to stairways forty four inches (44") or over in width shall provide as a
29 minimum one 30 inch leaf for each twenty two inches (22") of stairway width. Where stairs are
30 less than forty four inches (44") in width, a single leaf door shall be not less than thirty six inches
31 (36") in width.

32 (h) All interior doors in stairway enclosures required to have a fire resistant rating shall
33 be not less than sixty (60) minute fire resistant. The doors may be of solid wood planking or built
34 up plywood with solid core, not less than one and three fourths inches (1 3/4") thick. Wired glass

1 one fourth inch (1/4") thick in a single pane, or smaller panes totalling not over six square feet (6
2 sq. ft.), may be used in such doors. These doors shall be equipped with suitable self closing
3 devices, maintained in operating condition to keep the doors closed. No door shall be equipped
4 with a device for holding it in an open position.

5 (i) Any new door installed or existing door changed shall be of a Class B label door and
6 door assembly one and one half (1 1/2) hour fire resistant.

7 **23-28.12-31. Stairways.** -- (a) All required egress stairways shall lead directly to the
8 outside or to a protected passageway which connects the stairs directly to the outdoors. These
9 stairways and protected passageways shall be enclosed and segregated from other portions of
10 buildings by materials with a fire resistant rating of not less than sixty (60) minutes.

11 (b) All existing stairways approved as an inside means of egress shall have stair treads
12 not less than eight inches (8") in width, exclusive of nosing, and risers shall not exceed eight and
13 one half inches (8 1/2") in height.

14 (c) All stairways in approved egress passages shall be provided with landings at least
15 thirty six inches (36") in depth between the nosing of the top or bottom stair and the door
16 opening.

17 (d) Winding stairs shall not be allowed in approved means of egress.

18 (e) All egress stairways shall have suitable handrails on both sides, and at the center of
19 stairs that are wider than eighty eight inches (88"). There shall be no more than sixty six inches
20 (66") between adjacent handrails, except stairways less than three feet (3') in width may have but
21 one handrail. Handrails shall be attached at a height of between two feet six inches (2'6") and two
22 feet nine inches (2'9") vertically above the intersection of the treads and risers.

23 (f) There shall be no closets or other storage areas within stair enclosures or beneath
24 stairways used for storage purposes of any kind.

25 **23-28.12-32. Smoke barriers.** -- (a) Stairways serving one or more stories above the first
26 shall be segregated from the corridors at all floor levels, except the uppermost floor, by means of
27 a smoke barrier.

28 (b) Stairways from basements shall be segregated from the first floor corridor and means
29 of egress by a smoke barrier.

30 (c) The smoke barrier between stairways and corridors shall be constructed of sixty (60)
31 minute fire resistant material, and may have securely mounted wired glass panes not exceeding
32 nine square feet (9 sq. ft.) each in area.

33 (d) All corridors served by stairs, unenclosed at that level and being over three hundred
34 feet (300') in length, shall be divided into two (2) approximately equal sections by smoke barriers.

1 The barriers shall be similar in construction to partitions and doors separating stairways from
2 corridors, except that fifty percent (50%) of the doors therein shall swing in each direction.

3 **23-28.12-33. Fire escapes.** -- Fire escapes on existing buildings shall be maintained in
4 accordance with chapter 28.8 of this title.

5 **23-28.12-34. Drapes and scenery.** -- All drapes and scenery shall be rendered and
6 maintained flame resistant in accordance with section 23-28.6-15.

7 **23-28.12-35. Exit width.** -- Required width of exits and stairs or fire escapes shall be
8 computed in accordance with the following: (1) Occupancy shall be determined by actual count
9 of pupils or, where this is impracticable, by assuming one pupil for forty square feet (40 sq. ft.) of
10 gross floor area, not including places of assembly (which are to be computed according to chapter
11 28.6 of this title). (2) Approved egress stairways or fire escapes shall provide a total aggregate
12 width in 22 inch increments, in accordance with the following table:

Number of pupils in area	Total width of greatest occupancy of stairs served by stairs
22	60
44	120
66	180
88	240
110	300
132	360
154	420
176	480
198	540
220	600
242	660
264	720
286	780

13 (3) Exit to the outside shall provide one door for each one hundred (100) persons or
14 major fraction thereof on that floor, plus one door for each one hundred (100) persons or major
15 fraction thereof that required stairs are designed to accommodate. (4) Exits required for places of
16 public assembly may, if appropriately located, be used jointly as required exits for ordinary
17 school occupancy where total occupancy of the building at any one time will not exceed the
18 largest capacity calculated under either chapter 28.6 of this title or this chapter.

19 **23-28.12-37. Exit signs.** -- (a) For places of assembly, see section 23-28.6-12.

20 (b) Illuminated type signs bearing the word "Exit" shall be placed at each exit from a
21 corridor. Where an exit and/or its sign is not clearly visible from every point in the corridors
22 served, an adequate number of directional signs shall be provided, bearing the word "Exit" and an
23 arrow pointing in the direction of the exit.

24 (c) Exit and directional signs shall have letters at least six inches (6") high, with strokes
25 and arrows at least three fourths inch (3/4") in width.

26 (d) Exit and directional signs shall be illuminated at all times of building occupancy.

27 **23-28.12-38. Emergency lighting.** -- (a) Adequate artificial lighting shall be provided for
28 the lighting of all places of assembly, corridors, passageways, stairways, ramps, fire escapes, and
29 other means of egress leading directly to the outside.

30 (b) An automatic, independent, secondary source of power for illumination shall be
31 provided for the reasonable lighting of all places of assembly, and the corridors, passageways,

1 stairways, ramps, fire escapes, and other means of egress direct to the outside from these places
2 of assembly. This secondary lighting system shall be termed herein as emergency lighting.

3 (c) Emergency lighting shall not be required for places of assembly which are not used at
4 night, or for places which do not exceed one thousand five hundred square feet (1500 sq. ft.) of
5 floor area and so located that at least one exit is direct to the outside and within five feet (5') of
6 grade.

7 (d) Acceptable types of emergency lighting systems are as follows:

8 (1) Type A: A unit with attached or remote heads, powered by self-contained or centrally
9 located restorable battery system with 24 hour recovery capacity, wired to circuits supplying
10 energy for normal lighting in the areas being protected.

11 (2) Type B: An automatically started engine generator set, capable of attaining full speed
12 within ten (10) seconds, of the correct capacity for generating and maintaining the energy
13 required for the full emergency illuminated load.

14 (3) Type C: A second independent electrical service, as widely separated from the first as
15 the available sources allow.

16 (e) Wiring of all emergency lighting systems shall be so arranged as to throw on the
17 emergency lighting automatically for all areas of the building that the public has access to, when
18 the artificial lighting for any such area fails.

19 (f) All wiring for emergency lighting shall be in accordance with the latest electrical
20 code, and shall comply in every respect with accepted standards.

21 (g) All emergency lighting systems shall be designed and maintained to provide
22 illumination of three (3) foot candle intensity for stairs and exitways and one foot candle intensity
23 for other protected areas, for a period of not less than ninety (90) minutes. Equipment for such
24 power shall include a push button voltmeter to indicate battery voltage and self-restoring test
25 switch. Posted proof of monthly check inspections shall be maintained.

26 (h) Battery system of over fifty (50) volts. In such systems the battery and charging
27 equipment shall be housed in a separate room of noncombustible construction adequately vented
28 directly to the out of doors and secure against unauthorized entry.

29 (i) Generator sets shall be housed in a separate masonry enclosure of 2 hour fire-resistant
30 construction with a class B type door secured against unauthorized entry. The door sill shall be
31 six inches (6") above the floor. The room shall be adequately ventilated directly to the out of
32 doors and the exhaust from the motor shall be installed in accordance with accepted safe
33 practices.

34 **23-28.12-39. Housekeeping.** -- All school buildings shall be kept clean and in tidy

1 condition and free from accumulation of combustible debris or other waste material.

2 **23-28.12-40. Storage of flammable liquids.** See chapters 28.20—28.22 of this title.

3 **23-28.12-41. Fire extinguishers.** Every existing school shall be provided with
4 adequate fire extinguishers as to type, location, and maintenance, and all fire extinguishers shall
5 be in accordance with N.F.P.A. Standard 10, 1988 edition.

6 **23-28.12-42. Transoms.** Existing transoms and like openings in corridors and
7 passageways shall be permanently sealed and made fire resistant with materials of a sixty (60)
8 minute fire rating. All opening devices shall be removed.

9 SECTION 12. Sections 23-28.13-1, 23-28.13-3, 23-28.13-4, 23-28.13-5, 23-28.13-6, 23-
10 28.13-7, 23-28.13-8, 23-28.13-9, 23-28.13-10, 23-28.13-11, 23-28.13-12, 23-28.13-13, 23-28.13-
11 14, 23-28.13-15, 23-28.13-16, 23-28.13-17, 23-28.13-18, 23-28.13-20, 23-28.13-22, 23-28.13-24
12 and 23-28.13-25 of the General Laws in Chapter 23-28.13 entitled "Boarding Homes" are hereby
13 repealed.

14 **23-28.13-1. Applicability** "Boarding homes" defined. (a) The regulations
15 contained in this chapter shall apply to all boarding homes as defined in this section, except such
16 places as are expressly exempt in accordance with the provisions of this code.

17 (b) The term "boarding home" shall mean a building used in whole or in part as a place
18 for the boarding and care of five (5) or more persons, excluding the following: a family group of
19 a dwelling or home, family day care homes, licensed boarding homes for children, hospitals,
20 intermediate care facilities, and skilled nursing homes.

21 **23-28.13-3. Use of existing boarding homes of combustible construction.** In
22 combustible buildings presently used as boarding homes where any story above the first is being
23 used, the entire building shall be completely protected by a system of automatic sprinklers
24 installed and maintained in accordance with N.F.P.A. Standard 13, 1989 edition and its related
25 standards. No building may be used as a boarding home if it is more than three (3) stories in
26 height above the basement and of combustible construction. An unoccupied area immediately
27 below the roof shall not be considered as a story in the application of this section.

28 **23-28.13-4. Other occupancies.** Boarding home buildings shall not contain an
29 occupancy which is not within the immediate control of the boarding home management, and/or
30 which is not incident to the administrative convenience or necessity, or pertinent to public health.

31 **23-28.13-5. Roofs.** Roofs of boarding homes shall be covered with roofing which is
32 not readily flammable.

33 **23-28.13-6. Maximum possible occupancy.** The number of boarders housed in each
34 room shall not exceed the rate of one person for each seventy five square feet (75 sq. ft.) therein.

1 The total boarder occupancy for each story as determined in this manner shall be termed as the
2 maximum possible occupancy.

23-28.13-7. Egress facilities required.—Each story of every building used as a boarding home shall have at least two (2) approved means of egress from each story. Each boarder occupied room shall have at least one doorway opening directly to the outside or to a corridor leading directly to, or by stairway, to the outside. Exits shall be located remote from each other, providing the best practicable means of egress for all occupants in the event fire renders one exit impassable.

23-28.13.8. Egress passageways. -- (a) Corridors and passageways from boarder occupied rooms leading to egress stairways and then to the outside shall not be less than seventy two inches (72") in width in new buildings or additions to existing buildings and not less than forty eight inches (48") in existing buildings.

13 (b) Corridors and passageways considered as approved means of egress shall be at least
14 eighty four inches (84") in height in existing buildings and ninety six inches (96") in height in
15 new buildings.

16 (c) Access to all interior and outside stairways, to fire escapes and other exits considered
17 as approved means of egress, shall be unobstructed and shall not be through a bathroom or a room
18 used for any other purpose that may obstruct free passage, nor shall access be veiled from open
19 view by ornamentation, curtains, or other appurtenances.

20 **23-28.13.9. Transoms.** -- Transoms and other similar openings in corridors and
21 passageways shall not be allowed in new construction. Existing transoms and like openings in
22 corridors and passageways shall be permanently sealed and made fire resistant equal to the
23 related door or sidewall construction.

24 **23-28.13-10. Vertical openings.** (a) In all existing buildings, interior stairways
25 constituting approved egress passageways shall be enclosed or segregated from other portions of
26 the buildings by materials with a fire resistant rating of not less than sixty (60) minutes. All other
27 vertical openings throughout the buildings shall be enclosed by materials with a fire resistant
28 rating of not less than sixty (60) minutes.

29 ~~(b) In all new buildings, all vertical openings and stairways shall be enclosed with~~
30 ~~material with a fire resistant rating of not less than two (2) hours.~~

31 **23.28.13.11. Stairways.** -- (a) Stairways in approved egress passages in existing
32 buildings shall be not less than thirty six inches (36") in width, and in new buildings and
33 additions to existing buildings the stairways shall be not less than forty four inches (44") in width
34 exclusive of handrails.

1 when pressure is applied to the releasing device in the direction of exit travel.

2 (f) No door shall be equipped with a lock, latch, bolt, or other fastening device which
3 will allow for locking the door against opening from within or which will require a second
4 operation or motion to open the door for egress purposes. No door to a boarder occupied room
5 shall be equipped with a locking device.

6 (g) No sliding door, vertical lift door, revolving door, or folding partition shall be used as
7 a closure for a required means of egress.

8 23-28.13-13. Fire stopping. (a) In existing buildings, exterior walls of frame
9 construction and interior stud partitions shall be completely fire stopped by a timber of not less
10 than two inches (2") in thickness or other suitable noncombustible material, completely closing
11 any possible vertical openings, open joist channels, and stud spaces, at the ceiling of the
12 basement.

13 (b) Exterior walls of new or changed frame construction and interior stud partitions shall
14 be fire stopped at each floor level by two inch (2") thick plate or masonry filling, completely
15 closing any possible vertical opening from one story to another.

16 23-28.13-14. Closets and storerooms. All closets or compartments which are used for
17 the storage of cleaning or polishing compounds or implements shall be fire resistant for at least
18 sixty (60) minutes from within the closet or compartment including the door thereof, which door
19 shall be equipped with a self closing device, or shall be equipped with proper and adequate
20 automatic fire extinguishing equipment or automatic fire detectors.

21 23-28.13-15. Incinerators -- Passageways to outside. (a) Incinerators within
22 buildings shall be loaded and fired from a vestibule or compartment segregated from the rest of
23 the building by noncombustible construction having a fire resistant rating of not less than two (2)
24 hours, and having a Class B fire door equipped with a suitable closing device. Ventilating
25 openings shall be provided direct to the outside from the enclosures by a fixed or mechanical
26 device.

27 (b) In all buildings, at least one passageway from each story shall lead directly to the
28 outdoors, or through an enclosed stairway or enclosed passageway or combination of stairway
29 and passageway, shall lead to the outside. Where necessary, one stairway or passageway may be
30 allowed to lead into an open space or lobby which has ample egress openings to the outside.

31 23-28.13-16. Exit signs. (a) (1) All boarding homes shall be provided with exit signs in
32 accordance with chapter 28.23 of this title.

33 (2) Group type A or B as specified in section 23-28.23-2 shall be required.

34 (b) (1) EXCEPTION: Boarding homes housing ten (10) or more boarders shall be

1 provided with exit signs in accordance with chapter 28.23 of this title.

2 (2) Group type C as specified in section 23 28.23-2 shall be required.

3 **23-28.13-17. Illumination of exit passages.** Adequate lighting shall be provided at all
4 times for the lighting of corridors, stairways, passageways, ramps, and fire escapes.

5 **23-28.13-18. Emergency lighting.** All boarding homes housing ten (10) or more
6 boarders shall be provided with emergency lighting in accordance with chapter 28.24 of this title.

7 **23-28.13-20. Decorative and acoustical materials.** (a) All combustible decorative and
8 acoustical material, including curtains located in corridors, passageways, stairways, lobbies, and
9 other rooms or spaces for general boarder or public use shall be rendered and maintained flame-
10 resistant.

11 (b) (1) All approvals of decorative materials shall be limited to one year. The owner or
12 the owner's authorized agent shall file an affidavit with the enforcing officer certifying to the
13 following:

14 (i) The product used will render the decorative material flame resistant in accordance
15 with N.F.P.A. Standard 701, 1989 edition.

16 (ii) That the product used was applied in accordance with the manufacturer's
17 specifications.

18 (iii) State the date of treatment and warranty period.

19 (2) When a doubt exists as to the fire retardant quality or the permanency of treatment,
20 material shall be subject to the field check test as provided in subsection (b)(3).

21 (3) (i) Samples, in dry condition, are to be selected for tests and are to be a minimum of
22 one and one half inches (11/2") wide and four inches (4") long. The fire exposure shall be the
23 flame from a common wood kitchen match (approximate length two and seven sixteenths inches
24 (2 7/16")); approximate weight twenty nine (29) grams per hundred), applied for twelve (12)
25 seconds.

26 (ii) The test shall be performed in a draft free and safe location. The sample shall be
27 suspended (preferably held with a spring clip, tongs or some similar device) with the long axis
28 vertical, with the flame applied to the center of the bottom edge, and the bottom edge one half
29 inch (1/2") above the bottom of the flame. After twelve (12) seconds of exposure, the match is to
30 be removed gently away from the sample.

31 (iii) During the exposure, flaming shall not spread over the complete length of the
32 sample, or in excess of four inches (4") from the bottom of the sample (for larger size samples).
33 There shall be not more than two (2) seconds of afterflaming. Materials which break and drip
34 flaming particles shall be rejected if the materials continue to burn after they reach the floor.

~~(c) (1) In all new boarding homes, interior finish shall be as regulated or modified by the provisions of the description of interior finish in section 23-28.1-5 and shall not exceed the following classifications for the locations indicated:~~

~~-(2) All changes of interior finishes in existing boarding homes shall also conform to the regulations listed below:~~

(i) In all vertical means of egress and connecting passages to the outside "Class A."

~~(ii) In all access corridors "Class B."~~

~~(iii) In all other rooms or spaces "Class C."~~

9 (d) Floor coverings must conform to the requirements of the next class lower than the
10 classifications above, but in no instance should they be less than "Class C," except that in
11 sprinklered buildings all floor coverings may be "Class C" throughout.

12 **23-28.13-22. Fire extinguishers.** -- All boarding homes shall be provided with proper
13 type fire extinguishing equipment adequate for the conditions involved and suitably located. As to
14 type, location, and maintenance, all fire extinguishers shall be in accordance with N.F.P.A.
15 Standard 10, 1988 edition.

16 **23-28.13-24. Heating equipment.** (a) Central heating plants, steam boilers, and oil-
17 fired water heaters shall be segregated from all other occupancies by walls, ceilings, and floors
18 having a fire-resistant rating of not less than sixty (60) minutes in existing buildings, and which
19 shall provide a reasonably smoke tight enclosure. In new construction, the enclosure shall be of
20 noncombustible construction having a fire-resistant rating of not less than two (2) hours.

21 (b) The enclosures for heating equipment shall be provided with adequate vents direct to
22 the outside sufficient for proper combustion and exhaust. The opening shall be maintained in an
23 open position with fixed or mechanical louvers of an approved type.

24 (c) Heater rooms shall only contain equipment for heating, water supply, and
25 switchboard, and shall not be used for any other purpose.

26 (d) Interior doors to heater rooms in existing buildings shall be of not less than sixty (60)
27 minutes Class B one hour fire resistant construction and shall be equipped with a positive self-
28 closing device. In new construction, the heater room doors shall be Class B one and one-half
29 (1 1/2) hour type doors swinging into the heater room and equipped with a positive self-closing
30 device. The doors shall have no hold open device and shall be kept closed at all times.

31 (e) The furnaces, boilers, and other fired units shall be vented by means of reasonably
32 gas tight smoke pipes or breechings connected properly to a chimney constructed of brick, solid
33 block masonry, or reinforced concrete with suitable flue lining properly erected and maintained in
34 a safe condition.

1 **23-28.13-25. Housekeeping.** -- All boarding home premises and other occupancies
2 within buildings containing boarding homes shall be kept clean and in a tidy condition and free
3 from the accumulation of combustible debris or other waste material.

4 SECTION 13. Sections 23-28.14-1, 23-28.14-2, 23-28.14-3, 23-28.14-4, 23-28.14-5, 23-
5 28.14-6, 23-28.14-7, 23-28.14-8, 23-28.14-9, 23-28.14-10, 23-28.14-11 and 23-28.14-12 of the
6 General Laws in Chapter 23-28.14 entitled "Rooming Houses" are hereby repealed.

7 **23-28.14-1. Applicability.** -- The regulations contained in this chapter shall apply to all
8 rooming houses as defined in section 23-28.15.

9 **23-28.14-2. Egress facilities required.** -- (a) Each story of every building used as a
10 rooming house shall have at least two (2) means of egress. Exits shall be located remote from
11 each other, providing the best practicable means of egress for all occupants in the event fire
12 renders one exit impassable.

13 (b) Each occupied room shall have at least one door opening directly to the outside or to
14 a corridor or stairway leading directly to the outside.

15 **23-28.14-3. Egress passageways.** -- (a) Corridors and passageways leading to stairways
16 and then to the outside shall be not less than thirty two inches (32") in width in existing buildings
17 and in all new buildings hereinafter constructed not less than forty four inches (44") in width.

18 (b) Corridors and passageways considered as approved means of egress shall be at least
19 eighty four inches (84") in height.

20 (c) Except in existing rooming houses, access to all interior and outside stairways, fire
21 escapes, and other exits considered as approved means of egress shall be through a door from
22 floor level, and shall be unobstructed and shall not be through a bathroom or a room used for any
23 other purpose.

24 (d) In existing rooming houses, access to fire escapes and outside stairways shall be
25 unobstructed and shall provide safe, adequate, and convenient means of exit.

26 **23-28.14-4. Stairways.** -- (a) Stairways in approved egress passageways shall be not less
27 than thirty two inches (32") in width in existing buildings and in all new buildings hereinafter
28 constructed not less than forty four inches (44") in width, exclusive of handrail.

29 (b) All stairways in egress passages thirty two inches (32") in width shall have a suitable
30 handrail on one side. Stairways greater than thirty six inches (36") in width shall have a suitable
31 handrail on both sides.

32 (c) Stair treads in approved inside egress stairways shall be not less than eight inches
33 (8") in width, exclusive of nosing, and risers shall not exceed eight and one half inches (8 1/2") in
34 height. In new buildings, the stair treads shall be not less than the nine inches (9") in width.

1 ~~exclusive of nosing, and risers shall not exceed eight inches (8") in height. Treads and risers shall~~
2 ~~be all uniform width and height in each individual stairway run in new construction.~~

3 ~~(d) In new construction, all vertical openings including stairways shall be enclosed with~~
4 ~~materials of a fire resistive rating of not less than sixty (60) minutes.~~

5 **23-28.14-5. Doors and windows.** ~~(a) Doorways, which are of themselves or are a part~~
6 ~~of a means of egress in new buildings and buildings hereafter converted to a rooming house, shall~~
7 ~~be at floor level and shall be not less than thirty six inches (36") in width and not less than six~~
8 ~~feet six inches (6'6") in height. In existing buildings, doors shall be not less than two feet eight~~
9 ~~inches (2'8") in width and not less than six feet six inches (6'6") in height.~~

10 ~~(b) Windows shall not be considered as a means of egress in new buildings or buildings~~
11 ~~hereafter converted to rooming houses. In existing rooming houses, windows will be approved as~~
12 ~~a means of egress provided they can be opened to give a clear unobstructed width of not less than~~
13 ~~two feet six inches (2'6") and a height of not less than three feet (3').~~

14 ~~(c) Egress doors to the outside shall be equipped with hardware which will insure the~~
15 ~~opening of the door from within at all times.~~

16 ~~(d) In newly constructed buildings, all egress doors shall be so hung as to open in the~~
17 ~~direction of exit travel.~~

18 **23-28.14-6. Fire stopping.** ~~(a) Exterior walls of new or changed frame construction~~
19 ~~and interior stud partitions shall be fire stopped at each floor level by a 2 inch thick plate or~~
20 ~~masonry filling, completely closing any possible vertical opening from one story to another.~~

21 ~~(b) In existing buildings, exterior walls of frame construction and interior stud partitions~~
22 ~~shall be completely fire stopped by a timber of not less than two inches (2") in thickness or other~~
23 ~~suitable noncombustible material completely closing any possible vertical openings, open joist~~
24 ~~channels, and stud spaces, at the ceiling of the basement.~~

25 **23-28.14-7. Exit signs.** ~~All rooming houses shall be provided with exit signs in~~
26 ~~accordance with chapter 28.23 of this title. Group type A or B as specified in section 23-28.23-2~~
27 ~~shall be required.~~

28 **23-28.14-8. Illumination of exit passages.** ~~Adequate lighting shall be provided for the~~
29 ~~lighting of corridors, stairways, egress passages, fire escapes, and other means of egress leading~~
30 ~~directly to the outside at all times.~~

31 **23-28.14-9. Fire extinguishers.** ~~All rooming houses shall be provided with proper type~~
32 ~~fire extinguishing equipment adequate for the area involved, and suitably located. All fire~~
33 ~~extinguishers are to be installed and maintained in accordance with N.F.P.A. Standard 10, 1988~~
34 ~~edition.~~

1 **23-28.14-10. Housekeeping.** -- (a) All rooming house premises and other occupancies
2 within buildings containing rooming houses shall be kept clean and in a tidy condition, and free
3 from accumulation of combustible debris or other waste material.

4 (b) All corridors, passageways, stairways, and fire escapes shall be kept free and clear of
5 all storage at all times.

6 **23-28.14-11. Decorative and acoustical materials.** -- (a) (1) All combustible decorative
7 and acoustical materials, and curtains located in corridors, passageways, stairways and lobbies,
8 shall be rendered and maintained flame resistant. This regulation shall not be construed to
9 prohibit the use of wall or ceiling coverings affixed directly to the wall or ceiling, provided the
10 surface will not be readily flammable and will not carry or communicate fire.

11 (2) All approvals of decorative materials shall be limited to one year. The owner or the
12 owner's authorized agent shall file an affidavit with the enforcing office certifying to the
13 following:

14 (i) The product used will render the decorative material flame resistant in accordance
15 with N.F.P.A. Standard 701, 1989 edition.

16 (ii) That the product used was applied in accordance with the manufacturer's
17 specifications.

18 (iii) State the date of treatment and warranty period.

19 (3) When a doubt exists as to the fire retardant quality or the permanency of treatment,
20 material shall be subject to the field check test as provided in subsection (a)(4).

21 (4) (i) Samples, in dry condition, are to be selected for tests and are to be a minimum of
22 one and one half inches (11/2") wide and four inches (4") long. The fire exposure shall be the
23 flame from a common wood kitchen match (approximate length two and seven sixteenths inches
24 (2 7/16")); approximate weight twenty nine (29) grams per hundred), applied for twelve (12)
25 seconds.

26 (ii) The test shall be performed in a draft free and safe location. The sample shall be
27 suspended (preferably held with a spring clip, tongs or some similar device) with the long axis
28 vertical, with the flame applied to the center of the bottom edge, and the bottom edge one half
29 inch (1/2") above the bottom of the flame. After twelve (12) seconds of exposure, the match is to
30 be removed gently away from the sample.

31 (iii) During the exposure, flaming shall not spread over the complete length of the
32 sample or in excess of four inches (4") from the bottom of the sample (for larger size samples).
33 There shall be not more than two (2) seconds of afterflaming. Materials which break and drip
34 flaming particles shall be rejected if the materials continue to burn after they reach the floor.

1 **(b) (1) In all new rooming houses, interior finish shall be as regulated or modified by the**
2 **provisions of the description of interior finish in section 23-28.1-5, and shall not exceed the**
3 **following classifications for the locations indicated.**

4 **(2) All changes of interior finishes in existing rooming houses shall also conform to the**
5 **regulations listed below:**

6 **(i) In all vertical means of egress and connecting passages to the outside "Class A."**

7 **(ii) In all access corridors "Class B."**

8 **(iii) In all other rooms or spaces "Class C."**

9 **(c) Floor coverings must conform to the requirements of the next class lower than the**
10 **classifications above, but in no instance should they be less than "Class C," except that in**
11 **sprinklered buildings all floor coverings may be "Class C" throughout.**

12 **23-28.14-12. Fire alarm.** -- (a) A fire alarm system as prescribed in chapter 23-28.34
13 **shall be installed in every rooming house.**

14 **(b) IN ADDITION: A local single station AC smoke detector shall be installed in every**
15 **sleeping room.**

16 **SECTION 14. Sections 23-28.15-1, 23-28.15-1.1, 23-28.15-1.2, 23-28.15-1.3, 23-28.15-**
17 **2, 23-28.15-3, 23-28.15-6, 23-28.15-7, 23-28.15-8, 23-28.15-9, 23-28.15-10, 23-28.15-11, 23-**
18 **28.15-12, 23-28.15-14, 23-28.15-15, 23-28.15-16, 23-28.15-17, 23-28.15-18 and 23-28.15-19 of**
19 **the General Laws in Chapter 23-28.15 entitled "Child Day Care Centers" are hereby repealed.**

20 **23-28.15-1. Applicability.** -- The regulations contained in this chapter shall apply to all
21 **buildings in which are located child day care centers as defined in section 23-28.1-5, except when**
22 **such child day care centers are located in occupancies defined as "boarding home" and "schools".**

23 **23-28.15-1.1. Group family day care homes.** -- "Group family day care homes" as
24 **defined in section 23-28.15-1.2 shall be governed by N.F.P.A. Standard No. 101, 1988 edition,**
25 **section 10-8 and its related standards, chapters and sections.**

26 **23-28.15-1.2. Group family day care defined.** -- "Group family day care home" means
27 **a residence occupied by an individual of at least twenty one (21) years of age who provides care**
28 **for not less than nine (9) and not more than twelve (12) children, with the assistance of one or**
29 **more approved adults, for any part of a twenty four (24) hour day. The maximum of twelve (12)**
30 **children shall include children under six (6) years of age who are living in the home, school age**
31 **children under the age of twelve (12) years whether they are living in the home or are received for**
32 **care, and children related to the provider who are received for care.**

33 **23-28.15-1.3. Enforcement of fire safety regulations.** -- The authority having
34 **jurisdiction for the enforcement of fire safety regulations in group family day care homes shall be**

1 the state fire marshal, deputy state fire marshal and assistant deputy state fire marshal.

2 **23-28.15-2. Heating equipment.** -- (a) Central heating plants, steam boilers, and oil-fired
3 water heaters shall be segregated from all other occupancies by walls, ceiling, and floor having a
4 fire resistant rating of not less than sixty (60) minutes, which shall provide a reasonably smoke-
5 tight enclosure. In new buildings, the enclosure shall be of not less than two (2) hour fire resistant
6 construction.

7 (b) The enclosure for heating equipment shall be provided with adequate vents direct to
8 the outside sufficient for proper combustion and exhaust. The openings shall be maintained in an
9 open position with fixed or mechanical louvers of an approved type.

10 (c) Heater rooms shall contain only equipment for heating, water, and/or switchboard,
11 and shall not be used for any other purpose.

12 (d) Interior doors to heater rooms shall open inward and shall be of the same fire
13 resistance required for segregating partitions, and shall be equipped with a positive self-closing
14 device. The doors shall have no hold open devices, and shall be kept closed at all times.

15 (e) Furnaces, boilers, and other fired units shall be vented to a chimney by means of a
16 gas-tight smokepipe. In new construction, chimneys shall be constructed of brick, solid masonry,
17 reinforced concrete, steel, or stone, with suitable flue lining erected and maintained in a safe
18 condition.

19 (f) Oil burners. See section 23-28.9-4.

20 **23-28.15-3. Incinerators.** -- Incinerators within buildings shall be loaded and fired from
21 a vestibule or compartment segregated from the rest of the building by noncombustible
22 construction having a fire resistant rating of not less than two (2) hours, having a Class B one and
23 one half (1 1/2) hour fire door equipped with a positive self-closing device, and with no hold open
24 device. Ventilating openings shall be provided direct to the outside by fixed or mechanical
25 louvers of an approved type from the enclosures.

26 **23-28.15-6. Use of combustible buildings.** -- (a) In combustible buildings presently used
27 as child day care centers, only the first and second stories may be used as such. In combustible
28 buildings hereafter constructed for or converted to child day care centers, only the first story may
29 be so used except that in buildings completely protected by a system of automatic sprinklers
30 installed and maintained in accordance with N.F.P.A. Standard 13, 1989 edition and its related
31 standards, the second story may be used.

32 (b) No child day care center shall be located in any basement which contains equipment
33 and/or materials which, in the opinion of the authority having jurisdiction, constitutes a hazard to
34 life and safety.

1 **23-28.15-7. Egress facilities required.** -- (a) In buildings used as child day care centers,
2 there shall be at least two (2) approved means of egress from each occupied level. Each room
3 used for child day care center activity shall have at least one doorway opening directly to the
4 outside or to a corridor or space having access to two (2) means of egress directly to the outside.
5 Exits shall be located remote from each other, providing the best practical means of egress for all
6 occupants in the event fire renders one exit impassable.

7 (b) In all buildings, at least one passageway from each occupied level shall lead directly
8 to the outdoors or through an enclosed stairway or enclosed passageway or a combination of the
9 stairway and passageway to the outside. Where necessary, one stairway or passageway may be
10 allowed to lead through an open space or lobby which has ample egress opening to the outside.

11 (c) Exits from each floor shall be so arranged that it will not be necessary to travel more
12 than one hundred feet (100') from any one point in a building to reach the nearest approved means
13 of egress from that story. In sprinklered buildings, travel may be increased to one hundred and
14 fifty feet (150').

15 **23-28.15-8. Egress passageways.** -- (a) Corridors and passageways from occupied rooms
16 leading to egress stairways and then to the outside shall be not less than thirty inches (30") in
17 width in existing buildings and not less than forty four inches (44") in width in newly constructed
18 buildings.

19 (b) Access to all interior and outside stairways to fire escapes and other exits considered
20 as approved means of egress shall be unobstructed, and shall not be through a bathroom or a room
21 used for any other purpose that may obstruct free passage, nor shall access be veiled from open
22 view by ornamentation, curtains, or other appurtenances.

23 **23-28.15-9. Vertical openings.** -- (a) In all buildings, interior stairways constituting
24 approved egress passageways shall be enclosed and segregated from other portions of the
25 building by material with a fire resistant rating of not less than sixty (60) minutes. All other
26 vertical openings shall be enclosed by materials with a fire resistant rating of not less than sixty
27 (60) minutes.

28 (b) (1) Elevators will not be considered as approved means of egress, and all new
29 elevator shafts shall be enclosed by noncombustible materials with a fire resistant rating of not
30 less than two (2) hours, existing elevators shall be enclosed by noncombustible materials with a
31 fire resistant rating of not less than sixty (60) minutes. No opening shall be allowed through the
32 side wall enclosures for ventilating or other purposes, except to an outside wall. All doors
33 servicing elevators shall be Class B label one and one half (1 1/2) hour in new elevators, and in
34 existing elevators, Class B label one hour, and the doorways shall be made smoke tight when the

1 doors are closed.

2 (2) Elevators and elevator shafts shall otherwise be designed, constructed, maintained,
3 and ventilated in accordance with regulations promulgated by the department of labor and
4 training.

5 23-28.15-10. Stairways. -- (a) Stairways in approved egress passages in existing
6 buildings shall be not less than thirty six inches (36") in width, and in newly constructed
7 buildings not less than forty four inches (44") in width.

8 (b) In existing buildings, all stairways in approved egress passages shall have stair treads
9 of not less than eight inches (8") in width, exclusive of nosing, and risers shall not exceed eight
10 and one half inches (8 1/2") in height. In newly constructed buildings, all stairways in approved
11 egress passages shall have stair treads of not less than eleven inches (11") in depth, and risers
12 shall not exceed seven inches (7") in height.

13 (c) In existing buildings, all stairways in approved egress passages shall be provided
14 with landings at least thirty six inches (36") in depth between the nosing of the top or bottom riser
15 and the door opening. In newly constructed buildings, all stairways in approved egress passages
16 shall be provided with landings at least forty four inches (44") in depth between the nosing of the
17 top or bottom riser and the door opening.

18 (d) No arrangement of treads known as "winders" shall be allowed in approved egress
19 stairways.

20 (e) All egress stairways shall have suitable handrails on both sides. On stairs that will be
21 used extensively by children five (5) years of age or younger, additional handrails shall be
22 attached at a height between two feet (2') and two feet six inches (2'6") vertically above the
23 intersection of the treads and risers at the nosing.

24 (f) There shall be no closets or other storage areas of any kind within or beneath stair
25 enclosures.

26 23-28.15-11. Doors and doorways. -- (a) All doorways which are approved means of
27 egress shall be at floor level.

28 (b) All egress doors to the outside or into stairways or passageways leading to the
29 outside shall open out in the direction of egress travel, but this regulation shall not be construed as
30 requiring doors from children occupied rooms to open into the corridors. There shall be no
31 obstruction at any time to the opening or closing of egress doors.

32 (c) All egress doors shall be at least thirty two inches (32") in width in existing buildings
33 and not less than thirty six inches (36") in width in newly constructed buildings.

34 (d) Egress doors into stair enclosures, and all doors serving stairways or other vertical

1 ~~openings shall be equipped with self closing devices designed, installed, and maintained to~~
2 ~~automatically close the doors when not in use. All interior egress doors providing access to~~
3 ~~stairway enclosures shall be Class B label one hour fire resistant.~~

4 ~~(e) All egress doors shall be equipped with hardware which will insure opening of the~~
5 ~~doors by a single motion such as the turning of a knob or pressure of a latch, or shall be equipped~~
6 ~~with panic hardware which will release when pressure is applied to the releasing device in the~~
7 ~~direction of exit travel.~~

8 ~~(f) No egress door from a child occupied room to stairway enclosures or to the outside~~
9 ~~shall be equipped with a lock, latch, bolt, or other fastening device which will allow for locking~~
10 ~~the door against opening from within, or which will require a second operation or motion to open~~
11 ~~the door for egress purposes.~~

12 ~~(g) No sliding door, vertical lift door, revolving door, or folding partition or gate shall be~~
13 ~~used as a closure for a required means of egress.~~

14 ~~23-28.15-12. Exit signs. -- All child day care centers with ten (10) or more children shall~~
15 ~~be provided with exit signs in accordance with chapter 28.23 of this title. Group type C specified~~
16 ~~in section 23-28.23-2 shall be required. Excepted from the requirement of exit signs are structures~~
17 ~~occupied in daylight hours with skylights or windows arranged to provide, during these hours, the~~
18 ~~required level of illumination on all portions of the means of egress.~~

19 ~~23-28.15-14. Fire stopping. -- (a) In existing buildings, exterior walls of frame~~
20 ~~construction and interior stud partitions shall be completely fire stopped by a timber of not less~~
21 ~~than two inches (2") in thickness or other suitable noncombustible material completely closing~~
22 ~~any possible vertical openings, open joist channels, and stud spaces, at the ceiling of the~~
23 ~~basement.~~

24 ~~(b) In exterior walls of new or changed frame construction and interior stud partitions,~~
25 ~~they shall be fire stopped at each floor level by a two inch (2") thick plate or masonry filling,~~
26 ~~completely closing any possible vertical opening from one story to another.~~

27 ~~23-28.15-15. Fire extinguishers. -- All child day care centers shall be provided with~~
28 ~~proper type fire extinguishing equipment adequate for the conditions involved and suitably~~
29 ~~located. All fire extinguishing equipment shall be installed and maintained by N.F.P.A. Standard~~
30 ~~10, 1988 edition.~~

31 ~~23-28.15-16. Housekeeping. -- (a) All child day care center buildings shall be kept clean~~
32 ~~and in tidy condition free from the accumulation of combustible debris and other waste material.~~

33 ~~(b) All corridors, passageways, stairways, and fire escapes shall be kept free and clear of~~
34 ~~all storage and/or obstructions at all times.~~

1 **23-28.15-17. Evacuation plan.** -- The management of each child day care center shall
2 formulate a plan for the protection of all children in the event of fire or other emergency and their
3 evacuation to areas of refuge outside of the building when necessary. All employees shall be
4 instructed and kept informed respecting their duties under the plan. The evacuation plan shall be
5 posted in a conspicuous place.

6 **23-28.15-18. Decorative and acoustical materials.** -- (a) (1) All combustible decorative
7 and acoustical materials, and curtains located in corridors, passageways, stairways, and lobbies,
8 shall be rendered and maintained flame resistant. This regulation shall not be construed to
9 prohibit the use of wall or ceiling coverings affixed directly to the wall or ceiling, provided the
10 surface will not be readily flammable and will not carry or communicate fire.

11 (2) All approvals of decorative materials shall be limited to one year. The owner or the
12 owner's authorized agent shall file an affidavit with the enforcing officer certifying to the
13 following:

14 (i) The product used will render the decorative material flame resistant in accordance
15 with N.F.P.A. Standard 701, 1989 edition.

16 (ii) That the product used was applied in accordance with the manufacturer's
17 specifications.

18 (iii) State the date of treatment and warranty period.

19 (3) When a doubt exists as to the fire retardant quality or the permanency of treatment,
20 material shall be subject to the field test as provided in subsection (a)(4).

21 (4) (i) Samples, in dry condition, are to be selected for tests and are to be a minimum of
22 one and one half inches (1 1/2") wide and four inches (4") long. The fire exposure shall be the
23 flame from a common wood kitchen match (approximate length two and seven sixteenths inches
24 (2 7/16")); approximate weight twenty nine (29) grams per hundred), applied for twelve (12)
25 seconds.

26 (ii) The test shall be performed in a draft free and safe location. The sample shall be
27 suspended (preferably held with a spring clip, tongs or some similar device) with the long axis
28 vertical, with the flame applied to the center of the bottom edge, and the bottom edge one half
29 inch (1/2") above the bottom of the flame. After twelve (12) seconds of exposure, the match is to
30 be removed gently away from the sample.

31 (iii) During the exposure, flaming shall not spread over the complete length of the
32 sample or in excess of four inches (4") from the bottom of the sample (for larger size samples).
33 There shall be not more than two (2) seconds of afterflaming. Materials which break and drip
34 flaming particles shall be rejected if the materials continue to burn after they reach the floor.

1 **(b) (1) In all new child day care centers, interior finish shall be as regulated or modified**
2 **by the provisions of the description of interior finish in section 23-28.1-5 and shall not exceed the**
3 **following classifications for the locations indicated:**

4 **(2) All changes of interior finishes in existing child day care centers shall also conform**
5 **to the regulations listed below:**

6 **(i) In all vertical means of egress and connecting passages to the outside "Class A."**

7 **(ii) In all access corridors "Class B."**

8 **(iii) In all other rooms or spaces "Class C."**

9 **(c) Floor coverings must conform to the requirements of the next class lower than the**
10 **classifications above, but in no instance should they be less than "Class C," except that in**
11 **sprinklered buildings all floor coverings may be "Class C" throughout.**

12 **23-28.15-19. Emergency lighting.** (a) All child day care centers with ten (10) or more
13 **children shall be provided with emergency lighting in accordance with chapter 28.24 of this title.**

14 **(b) Exceptions from the requirements of emergency lighting:**

15 **(1) Child day care centers under three thousand square feet (3000 sq. ft.) located on the**
16 **ground floor or first floor.**

17 **(2) Structures occupied only in daylight hours with skylights or windows arranged to**
18 **provide, during these hours, the required level of illumination on all portions of the means of**
19 **egress.**

20 SECTION 15. Sections 23-28.16-1, 23-28.16-2, 23-28.16-3, 23-28.16-4, 23-28.16-5, 23-
21 28.16-6, 23-28.16-7, 23-28.16-10, 23-28.16-11, 23-28.16-12, 23-28.16-13, 23-28.16-15 and 23-
22 28.16-17 of the General Laws in Chapter 23-28.16 entitled "Apartment Houses" are hereby
23 repealed.

24 **23-28.16-1. Applicability.** (a) The regulations contained in this chapter shall apply to
25 **all apartment houses, as defined in section 23-28.1-5, except such places as are expressly exempt**
26 **in accordance with the provisions of this code.**

27 **(b) Fire escapes and other outdoor stairways, heating, cooking, and ventilating facilities,**
28 **fire alarms, exit signs, and the use of electric wiring and appliances shall be covered by special**
29 **articles related thereto.**

30 **23-28.16-2. Egress facilities required.** (a) All apartment houses shall be provided with
31 **approved egress facilities as required under the provisions of this code.**

32 **(b) (1) No less than two (2) approved means of egress shall be provided from each story**
33 **of every apartment house.**

34 **(2) EXCEPTION: Apartment houses not over two (2) stories in height, for not more than**

1 eight (8) families nor more than four (4) families per story, may have one approved means of
2 egress from each story or fire subdivision provided:

3 (i) The distance of travel to the one required exit shall not exceed thirty five feet (35');

4 (ii) All corridors serving as access to exits shall have at least a one hour fire resistance
5 rating;

6 (iii) The one required exit is a smokeproof tower or an outside stair or an interior
7 stairway. The interior stairway shall be enclosed with partitions having a fire resistance rating of
8 at least one hour with self closing one hour fire rated doors protecting all openings between the
9 stairway enclosure and the building; and

10 (iv) The exit does not serve more than one half (1/2) story below the level of exit
11 discharge.

12 (c) Exits from each floor shall be arranged so that it will not be necessary to travel more
13 than one hundred feet (100') from a living unit entrance door to reach the nearest approved exit
14 from the story. In buildings which are completely sprinklered, this distance may be one hundred
15 fifty feet (150').

16 (d) Every sleeping room, unless it has two (2) doors providing separate ways of escape,
17 or has a door leading directly to the outside of the building, shall have at least one outside
18 window which can be opened from the inside without the use of tools and of such design that it
19 may serve as an emergency exit if the normal avenues of escape are blocked. The sill of the
20 windows shall not be more than forty four inches (44") above the floor.

21 (e) Exits shall be remote from each other and so arranged as to minimize any probability
22 that both exits may be blocked or made impassable by one fire or other emergency.

23 (f) Walls separating exit access corridors from living units shall have a fire resistance
24 rating of at least one hour.

25 **23-28.16 3. Egress passageways.** (a) Access to all interior and outside stairways, to
26 fire escapes and other exits considered as approved means of egress, shall be unobstructed and
27 shall not be through a room used as a bedroom, bathroom, or kitchen, or for any other purpose
28 that may obstruct free passage, nor shall access be veiled from open view by ornamentation,
29 curtains, or other appurtenances.

30 (b) All corridors and passageways in new buildings considered as approved means of
31 egress, shall be at least forty two inches (42") in width and seventy eight inches (78") in height,
32 and of such greater width as conditions require. All corridors and passageways now existing shall
33 be at least twenty eight inches (28") in width and at least seventy four inches (74") in height in
34 order to be considered as approved means of egress. Exception is that fire protection equipment

1 may protrude no more than eight and one half inches (81/2").

2 (c) All doorways which are of themselves, or are a part of, approved means of egress,
3 shall be at floor level in new structures, and as near thereto as practicable in existing structures.
4 Windows shall not be considered as approved means of egress.

5 (d) Passageways and all doors leading from inside stairways to the outside shall have the
6 same fire resistant quality as required of the connecting stairway in accordance with subsection
7 (a) of section 23-28.16.5 and subsection (b) of section 23-28.16.7.

8 (e) All approved egress passageways shall at all times provide free, unobstructed, and
9 safe passage to the street or to a ground area of refuge.

10 **23-28.16.4. Transoms.** Transoms and other openings in interior corridors or
11 passageways shall not be allowed. Existing transoms and like openings in corridors and
12 passageways shall be permanently sealed and made fire resistant with materials of a sixty (60)
13 minute fire rating. All opening devices shall be removed.

14 **23-28.16.5. Stairways and other vertical openings.** (a) (1) Every existing interior
15 stairway constituting an approved egress passage from any story of an apartment house shall be
16 enclosed or be segregated from other portions of the building by materials with a fire resistant
17 rating of not less than one hour. All required stairways shall lead directly to the outdoors or to an
18 enclosed passageway leading to the outdoors constructed to resist fire to the same degree as the
19 stairway. One of the required stairways may be allowed to lead through an open space or lobby
20 provided the space or lobby has ample egress openings to the outside at grade. All other vertical
21 openings throughout the building shall be enclosed by material with a fire resistance rating of
22 not less than one hour. (See section 23-28.16.7(b) for new construction).

23 (2) **EXCEPTION 1:** There shall be no unprotected vertical opening or stairway in any
24 building or fire section with only one exit.

25 (3) **EXCEPTION 2:** Stairway enclosures shall not be required where a one story stair
26 connects two (2) levels within a single dwelling unit.

27 (b) (1) Elevators will not be considered as approved means of egress, and all new
28 elevator and dumbwaiter shafts shall be enclosed by noncombustible materials with a fire
29 resistant rating of not less than two (2) hours, and existing elevators shall be enclosed by
30 noncombustible materials with a fire resistant rating of not less than sixty (60) minutes. No
31 opening shall be allowed through the side wall enclosures for ventilating or other purposes,
32 except to an outside wall. All doors servicing elevators shall be Class B label one and one half
33 (11/2) hour in new elevators, and in existing elevators Class B label one hour, and the doorways
34 shall be made smoke tight when the doors are closed.

1 (2) Elevators and elevator shafts shall otherwise be designed, constructed, maintained,
2 and ventilated in accordance with regulations promulgated by the department of labor and
3 training.

4 (e) All stairways in approved egress passages shall have suitable handrails on both sides,
5 except such stairs as are less than three feet (3') in width, which stairs shall have one handrail.

6 (d) Stairways in approved egress passages in existing apartment houses shall be not less
7 than thirty two inches (32") in width and in new buildings and additions to existing buildings, the
8 stairways shall be not less than forty two inches (42") in width, exclusive of handrails projecting
9 not more than three and one half inches (31/2") into the required stair width.

10 (e) Existing stairways in approved egress passages shall be provided with landings at
11 least thirty two inches (32") in depth between the nosing of the top or bottom stair and the next
12 parallel partition or door. New stairways shall have landings at least forty four inches (44") in
13 depth.

14 (f) Stair treads in approved inside egress passages in existing structures shall be not less
15 than eight inches (8") wide, exclusive of nosing, and risers shall not exceed eight and one half
16 inches (81/2") in height. In new buildings the stair treads shall be not less than nine and one half
17 inches (91/2") wide, exclusive of nosing, and risers shall not exceed seven and three fourths
18 inches (73/4") in height. Treads and risers shall be of uniform width and height in each individual
19 stairway.

20 23-28.16-6. Egress doors. (a) Doors in approved egress passages into stairways and to
21 the outside shall be so hung as to open in the direction of exit travel, but this requirement shall not
22 be construed to prohibit ground floor entrance doors swinging both inward and outward. The
23 doors shall not be so hung as to obstruct egress passage.

24 (b) Doors into required stairway enclosures, all doors serving other vertical openings,
25 and doors in side wall openings in enclosed egress passages, except doors to the outside, shall be
26 equipped with suitable self closing devices, maintained in operating condition. The doors shall
27 not be equipped with devices intended for holding the doors in an open position, and they shall
28 not be otherwise so held.

29 (c) Doors and jambs in walls or partitions required to be fire resistant shall be equally
30 fire resistant, and shall be constructed and maintained close fitting and reasonably smoke tight.

31 (d) Doors in a partition required to be fire resistant may contain a single wired glass
32 panel where necessary, provided, the glass shall not exceed one hundred square inches (100 sq.
33 in.) per opening.

34 (e) Doors in existing approved egress passages shall be not less than thirty two inches

1 (32") in width. When serving approved egress passages, new doors in existing structures and all
2 doors in new structures shall be not less than thirty six inches (36") in width and seventy eight
3 inches (78") in height, except that each leaf of a double or mullion door may be not less than
4 thirty inches (30") wide.

5 (f) Egress doors leading to the outside or into an enclosed passageway leading to the
6 outside shall be equipped with a lock, latch, or other fastening device that shall not require the use
7 of a key for operation from the inside of the building.

8 (g) Revolving doors shall not be considered as approved means of egress.

9 (h) Doors leading to apartments may be a minimum of thirty two inches (32") wide and
10 a minimum of seventy eight inches (78") in height.

11 **23-28.16.7. Construction.** (a) Every apartment house hereafter constructed, every
12 addition hereafter made to any apartment house, and every building hereafter converted for the
13 purposes of an apartment house, shall be of noncombustible construction if more than three (3)
14 stories above the basement of any portion of the building is used or intended for use by family
15 units or employees.

16 (b) All vertical openings, including stairways and passageways to the outdoors, in all
17 new buildings, additions to existing buildings, or buildings hereafter converted for the purpose of
18 an apartment house, shall be enclosed by material with a fire-resistant rating of at least two (2)
19 hours, except that an enclosure shall not be required for a flight of stairs in a noncombustible
20 building when the stairs connect only one story with one other story immediately above or below
21 it, and provided that at least one passageway for each floor of the building shall lead directly to
22 the outdoors by stairways or passageways, or a combination of both, enclosed completely by fire-
23 resistant material of such rating.

24 **23-28.16.10. Fire stopping.** (a) Exterior walls of new or changed frame construction
25 and interior stud partitions shall be fire stopped at each floor level by a two inch (2") thick plate
26 or masonry filling, completely closing any possible vertical opening from one story to another.

27 (b) In existing buildings, exterior walls of frame construction and interior stud partitions
28 shall be completely fire stopped by a timber of not less than two inches (2") in thickness or other
29 suitable noncombustible material completely closing any possible vertical openings, open joist
30 channels, and stud spaces, at the ceiling of the basement.

31 **23-28.16.11. Exit signs.** (a) (1) All apartment houses requiring more than one exit
32 shall be provided with exit signs in accordance with chapter 28.23 of this title.

33 (2) Group type A or B as specified in section 23-28.23.2 shall be required.

34 (b) **EXCEPTION:** Apartment houses or sections of apartment houses between fire

1 ~~division walls having eight (8) or more apartment units, shall be provided with exit signs in~~
2 ~~accordance with chapter 28.23 of this title, group type C as specified in section 23 28.23 2, shall~~
3 ~~be required.~~

4 ~~23 28.16 12. Emergency lighting.~~ (a) ~~Apartment houses or sections of apartment~~
5 ~~houses between fire division walls having eight (8) or more apartments shall be provided with~~
6 ~~emergency lighting in accordance with chapter 28.24 of this title.~~

7 ~~(b) EXCEPTION: Where each guest room has a direct exit to the outside of the building~~
8 ~~at ground level (as in motels) no emergency lighting shall be required.~~

9 ~~23 28.16 13. Extinguishing equipment required.~~ All apartment houses shall be
10 ~~provided with proper fire extinguishing equipment adequate for the area involved and suitably~~
11 ~~located. As to type, location, and maintenance, all fire extinguishers shall be in accordance with~~
12 ~~N.F.P.A. Standard 10, 1988 edition. The term "extinguishing equipment" as used in this section~~
13 ~~shall not include automatic sprinklers.~~

14 ~~23 28.16 15. Decorative and acoustical material.~~ (a) (1) ~~All combustible decorative~~
15 ~~and acoustical material, including curtains, streamers, and other paper and decorative materials,~~
16 ~~but not including floor coverings, located in all corridors, passageways, and in lobbies and other~~
17 ~~rooms or spaces for general guest or public use, shall be rendered and maintained flame resistant.~~
18 ~~This regulation shall not be construed to prohibit the use of wall or ceiling coverings affixed~~
19 ~~directly to the wall or ceiling, provided the surface will not be readily flammable.~~

20 ~~(2) All approvals of decorative materials shall be limited to one year. The owner or the~~
21 ~~owner's authorized agent shall file an affidavit with the enforcing officer certifying to the~~
22 ~~following:~~

23 ~~(i) The product used will render the decorative material flame resistant in accordance~~
24 ~~with N.F.P.A. Standard 701, 1989 edition.~~

25 ~~(ii) That the product used was applied in accordance with the manufacturer's~~
26 ~~specifications.~~

27 ~~(iii) State the date of treatment and warranty period.~~

28 ~~(3) When a doubt exists as to the fire retardant quality or the permanency of treatment,~~
29 ~~material shall be subject to the field check test as provided in subsection (a)(4).~~

30 ~~(4) (i) Samples, in dry condition, are to be selected for tests and are to be a minimum of~~
31 ~~one and one half inches (11/2") wide and four inches (4") long. The fire exposure shall be the~~
32 ~~flame from a common wood kitchen match (approximate length two and seven sixteenths inches~~
33 ~~(2 7/16"); approximate weight twenty nine (29) grams per hundred), applied for twelve (12)~~
34 ~~seconds.~~

6 (iii) During the exposure, flaming shall not spread over the complete length of the
7 sample or in excess of four inches (4") from the bottom of the sample (for larger size samples).
8 There shall be not more than two (2) seconds of afterflaming. Materials which break and drip
9 flaming particles shall be rejected if the materials continue to burn after they reach the floor.

10 (b) The interior finish shall be as regulated or modified by the provisions of the
11 description of interior finish in section 23-28.1-5 and shall not exceed the following
12 classifications for the locations indicated:

13 (1) In all vertical means of egress "Class A."
14 (2) In all horizontal means of egress "Class B."
15 (3) In all other rooms or spaces "Class C."

16 (c) Floor coverings must conform to the requirements of the next class lower than the
17 classifications above, but in no instance should they be less than "Class C," except that in
18 sprinklered buildings all floor coverings may be "Class C" throughout.

19 **23-28.16-17. Housekeeping.** -- All apartment house premises and other occupancies
20 within buildings containing apartment houses shall be kept clean and in tidy condition, and free
21 from accumulation of combustible debris or other waste material.

22 SECTION 16. Sections 23-28.17-1, 23-28.17-2, 23-28.17-3, 23-28.17-4, 23-28.17-5, 23-
23 28.17-6, 23-28.17-7, 23-28.17-8, 23-28.17-9, 23-28.17-10, 23-28.17-11, 23-28.17-12 and 23-
24 28.17-15 of the General Laws in Chapter 23-28.17 entitled "Industrial, Mercantile, Business, and
25 Storage Buildings" are hereby repealed.

26 **23-28.17-1. Applicability.** (a) The regulations contained in this chapter shall apply to
27 all industrial, mercantile, business, and storage buildings, as defined in section 23-28.1-5, except
28 such places as are expressly exempt in accordance with the provisions of this code.

29 (b) Fire escapes and other outdoor stairways, heating, cooking, and ventilating facilities,
30 and the use of electric wiring and appliances shall be covered by special articles related thereto.

31 **23.28.17-2. Egress facilities required.** (a) All industrial, mercantile, business, and
32 storage buildings shall be provided with approved egress facilities as required under the
33 provisions of this code. (b) No less than two (2) approved means of egress shall be provided
34 from every story of every building, except: (1) In business use groups only, not more than two

1 (2) stories in height and not more than three thousand square feet (3000 sq. ft.) per floor, the
2 maximum distance of travel to the one required exit, shall not exceed seventy five feet (75'), and
3 the stairs shall be enclosed with one hour fire resistant material with three fourths (3/4) hour fire
4 doors. (2) Only one exitway shall be required in buildings in the mercantile use group of one
5 story, when the travel distance to the exit is not more than seventy five (75) feet and not more
6 than fifty (50) occupants. (3) All occupancies which are licensed for the sale of alcoholic
7 beverages for consumption on the premises shall be provided with two (2) means of egress.
8 Where practical difficulties are encountered in providing two (2) approved exits in existing
9 occupancies, the local fire authority may approve an emergency exit. (c) Exits from each floor
10 shall be so located that the maximum length of exitway access travel, measured from the most
11 remote point to an approved exitway along the natural and unobstructed line of travel, shall not
12 exceed the distance given in the following table, except where the area is subdivided into rooms
13 or compartments, and the egress travel in the room or compartment is not greater than fifty feet
14 (50') (one hundred feet (100') in use groups equipped with an automatic fire suppression system),
15 the distance shall be measured from the exitway access entrance to the nearest exitway. Where
16 complete suppression systems are required under this code, this subsection shall apply.

Length of Exitway Access Travel (Ft.)

	Use group	Without fire suppression system	With an approved fire suppression system
18	Use group	Without fire suppression system	With an approved fire suppression system
19			
20	High hazard		75
21	Storage, moderate hazard	200	300
22	Storage, low hazard	300	400
23	Mercantile	100	200
24	Industrial	200	300
25	Business	200	300

26 (d) Exits shall be located remote from each other, providing the best practicable means
27 of egress from that story, in the event fire renders one other exit impassable. (e) In existing
28 occupancies of business and/or mercantile use groups with not more than twenty five hundred
29 square feet (2500 sq. ft.), the one required exit door on the grade floor only may be allowed to
30 open against the direction of exit travel where it is deemed impracticable by the authority having
31 jurisdiction to swing the door in the direction of travel.

32 **23.28.17.3. Egress passageways.** (a) Access to all interior and outside stairways and
33 other exits, considered as approved means of egress, shall be unobstructed and clearly
34 distinguishable.

1 (b) The effective width of the lobby or other enclosed passageways shall be not less than
2 three quarters (3/4) of the aggregate width of all required exitway stairways leading thereto and
3 all required exitway doorways opening into the passageway. The passageways shall have a
4 minimum width of forty four inches (44") and a minimum clear ceiling height of eight feet (8').

5 (c) Passageways from inside stairways to the outside shall have the same fire resistant
6 rating as required in stairways, by this code in section 23 28.7.5(a) and section 23 28.7.7(b).

7 (d) All approved egress passageways shall at all times provide free, unobstructed, and
8 safe passage to the street or to a ground area of refuge.

9 23 28.17.4. Stairways and other vertical openings. -- (a) Every existing interior
10 stairway constituting approved egress passage from any story of an industrial, mercantile,
11 business, or storage building shall be enclosed or be segregated from other portions of the
12 building by material and construction of a fire resistant rating of not less than sixty (60) minutes;
13 provided, that the segregation shall not be required in sprinklered, non-combustible buildings
14 connecting three (3) adjacent stories; and provided further that partitions or segregation shall not
15 be required for a flights of stairs connecting two (2) adjacent stories in a non-combustible
16 building which is not sprinklered. At least one stairway, and additional stairways where
17 necessary, shall lead directly to the outdoors or to an enclosed passageway leading to the
18 outdoors, constructed to resist fire to the same degree. One stairway, where necessary, may be
19 allowed to lead through an open space of a lobby with ample egress openings to the outside. All
20 other vertical openings throughout the buildings shall be enclosed by material with a fire resistant
21 rating of not less than sixty (60) minutes. (See section 23 28.17.6 for new construction
22 requirements.)

23 (b) (1) Elevators will not be considered as approved means of egress, and all new
24 elevator shafts shall be enclosed by non-combustible materials with a fire resistant rating of not
25 less than two (2) hours, existing elevators shall be enclosed by non-combustible materials with a
26 fire resistant rating of not less than sixty (60) minutes. No opening shall be allowed through the
27 side wall enclosures for ventilating or other purposes, except to an outside wall. All doors
28 servicing elevators shall be Class "B" label one and one half (1 1/2) hours in new elevators, and in
29 existing elevators Class "B" label one hour, and the doorways shall be made smoketight when the
30 doors are closed.

31 (2) Elevators and elevator shafts shall otherwise be designed, constructed, maintained,
32 and ventilated in accordance with regulations promulgated by the department of labor and
33 training.

34 (c) All stairways in approved egress passages shall have handrails on both sides, except

1 such stairs as are less than three feet (3') in width, which stairs shall have at least one handrail.

2 (d) Stairways in approved egress passages in existing buildings for industrial, mercantile,
3 business, or storage shall be not less than thirty two inches (32") in width and in new buildings,
4 additions to existing buildings, or buildings hereafter converted for these purposes, the stairways
5 shall be not less than forty four inches (44") in width, except where a width of thirty six inches
6 (36") may be required for buildings with single exit requirements.

7 (e) The least dimension of landings and platforms shall be not less than the width of
8 stairway in new buildings. In existing buildings the least dimension of landing and platforms shall
9 be not less than thirty inches (30").

10 (f) Stair treads in approved inside egress passages in existing structures shall not be less
11 than eight inches (8") wide, exclusive of nosing, and risers shall not exceed eight and one half
12 inches (8 1/2") in height. In new buildings, stair treads in approved inside egress passages shall
13 not be less than eleven inches (11") in depth, and risers shall not exceed seven inches (7") in
14 height.

15 **23.28.17.5. Egress doors.** (a) Doors in approved egress passages into stairways and to
16 the outside shall be so hung as to open in the direction of exit travel without obstructing the
17 required width of exitway, but this requirement shall not be construed to prohibit ground floor
18 entrance doors swinging both inward and outward. The doors shall not be so hung as to obstruct
19 egress passage. (b) All doors which open into enclosed exitway stairs, exitway passageways, or
20 those which are installed to provide fire or smoke barriers across corridors, shall be self closing
21 and be so maintained or shall be automatic doors which will close upon activation of an approved
22 smoke detector. Where egress doors are arranged to be opened by non power operated
23 mechanical devices of any kind, they shall be so constructed that the door may be opened
24 manually and will release under a total pressure of not more than fifteen pounds (15 lbs.) applied
25 in the direction of egress travel. Power operated exitway doors shall be capable of being opened
26 with not more than fifty pounds (50 lbs.) pressure applied at the normal door knob location when
27 power is lost. (c) One side of the opening in fire walls or fire separation walls which are required
28 to have a fire resistance rating of two (2) hours or more shall be protected with a one and one half
29 (1 1/2) hour self closing fire door swinging in the direction of exit travel. (d) One quarter inch
30 (1/4") wired safety glass may be used in approved labeled opening protectives with the maximum
31 sizes described in the following table:

32 **Limiting Size of Wire Glass Panels**

33	Max. area	Max. height	Max. width	
34	Rating opening	sq. in.	inches	inches

1	3 hour, class A door	0	0	0
2	1 & 1 1/2 hr., class B			
3	doors	1	0	0
4	3/4 hr., class C			
5	door	1296	54	54
6	1 1/2 hr., class D			
7	door	0	0	0
8	3/4 hr., class E door	720	54	54
9	Class E window per			
10	light	720	54	54
11	Class F window per			
12	light	1296	54	54

(e) The minimum width of single doors shall provide a clear width of not less than thirty two inches (32") and the maximum width shall be forty eight inches (48") nominal. When the doorway is subdivided into two (2) or more separate openings, the minimum clear width of each opening shall be not less than thirty two inches (32"), and each opening shall be computed separately in determining the number of required units of exit width. A door forty inches (40") in width shall be deemed the equivalent of two (2) full units of exit width. The height of doors shall not be less than six and two thirds feet (6 2/3'). (f) Egress doors leading to the outside or into an enclosed passageway leading to the outside, except doors on the ground floor normally used for entrance, shall be equipped with approved panic hardware which will release when normal pressure is applied to the releasing device in the direction of exit travel. The releasing device may be a bar or panel extending not less than two thirds (2/3) of the width of the door and placed not less than thirty inches (30") nor more than forty four inches (44") above the floor. They shall be kept closed when not in use. (g) Revolving doors shall not be considered as approved means of egress.

(23-28.17-6. Construction.) (a) Every industrial, mercantile, business, or storage building hereafter constructed, every addition made to buildings of this type, or every building converted hereafter to these or any of these uses, shall be of construction having a two (2) hour fire-resistance rating if more than three (3) stories above the basement or ground.

(b) All vertical openings, including stairways and passageways to the outdoors, in all new buildings, additions, or conversions for these uses, shall be enclosed by material and construction having a two (2) hour fire rating, except that an enclosure shall not be required for a flight of stairs in a noncombustible building when the stairs are in addition to the required two (2)

1 means of egress and when they connect only two (2) levels.

2 **23-28.17-7. Hazardous occupancies.** -- (a) The hazard of contents of mercantile,
3 industrial, and storage buildings shall be classified as low, ordinary, or high in accordance with
4 the following:

5 (1) Low hazard contents shall be classified as those of such low combustibility that no
6 self propagating fire therein can occur and that, consequently, the only probable changes
7 requiring the use of emergency exits will be from panic, fumes, smoke, or fire from some external
8 source.

9 (2) Ordinary hazard contents shall be classified as those which are liable to burn with
10 moderate rapidity or to give off a considerable volume of smoke, but from which neither
11 poisonous fumes nor explosions are to be found in case of fire.

12 (3) High hazard contents shall be classified as those which are liable to burn with
13 extreme rapidity or from which poisonous fumes, or explosions are to be feared in the event of
14 fire.

15 (b) In mercantile, industrial, and storage occupancies with high hazard contents, the state
16 fire marshal may require whatever additional safeguards he or she may deem necessary to procure
17 life safety.

18 **23-28.17-8. Fire walls and smoke barriers.** -- Fire walls or smoke barriers, or both,
19 shall be built at the limits in areas or length defined under travel distance to exits if the building is
20 planned for larger overall area. Openings in these walls shall be such as will maintain a full two
21 (2) hour fire rating and shall be automatic in operation for fire. Exits within each segregated area
22 shall be provided as though each area were a separate building.

23 **23-28.17-9. Fire stopping.** -- (a) Exterior walls of new or changed frame construction
24 and interior stud partitions shall be fire stopped at each floor level by a two inch (2") thick plate
25 or masonry filling, completely closing any possible vertical opening from one story to another.

26 (b) In existing buildings, exterior walls of frame construction and interior stud partitions
27 shall be completely fire stopped by a timber of not less than two inches (2") in thickness or other
28 suitable non combustible material completely closing any possible vertical openings, open joist
29 channels, and stud spaces, at the ceiling of the basement.

30 **23-28.17-10. Exit signs.** -- Exit signs shall be provided in accordance with chapter 28.23
31 of this title as follows:

32 (1) All industrial occupancies shall be group type A or B as specified in section 23-
33 28.23.2. Except those industrial occupancies with over five thousand square feet (5000 sq. ft.) per
34 floor shall be group type C as specified in section 23-28.23.2.

1 (2) All mercantile occupancies shall be group type A or B as specified in section 23-
2 28.23.2. Except those occupancies above or below street level, and those occupancies of over five
3 thousand square feet (5000 sq. ft.) floor area on ground level shall be group type C as specified in
4 section 23-28.23.2.

5 (3) All business occupancies shall be group type A or B as specified in section 23-28.23-2.

6 2. Except those occupancies above or below the street level and those subject to five hundred

7 (500) or more total occupants on ground level, shall be group type C as specified in section 23-

8 28.23-2.

14 **23.28.17-11. Emergency lighting.** -- Emergency lighting shall be provided in
15 accordance with chapter 28.24 of this title in the following occupancies:

16 (1) All industrial occupancies of over five thousand square feet (5,000 sq. ft.) on any one
17 floor.

18 (2) (i) All mercantile occupancies of over five thousand square feet (5,000 sq. ft.) on any
19 one floor.

20 (ii) All mercantile occupancies below or above street level.

21 (3) Business occupancies as follows:

22 ~~(i) All buildings two (2) or more stories in height above street level.~~

23 (ii) Buildings subject to one thousand (1,000) or m

24 (iii) In all basement areas of all business build

25 (4) All storage occupancies except as follows:

26 (i) Storage occupancies when not normally occupied.

27 (ii) In structures occupied only in daylight hours with skylights or windows arranged to

28 provide, during these hours, the required level of illumination on all portions of the means of

29 egress.

30 **23-28.17-12. Extinguishing equipment required.** — All buildings of the occupancies
31 covered by this chapter shall be provided with proper fire extinguishing equipment adequate for
32 the areas involved suitably located. As to type, location, and maintenance, all fire extinguishers
33 shall be in accordance with N.F.P.A. Standard 10, 1988 edition.

34 ~~23.28.17-15. Covered malls. -- Covered malls shall be constructed in accordance with~~

1 one of the following options:

2 (1) ~~OPTION 1: The covered mall and all buildings connected thereto shall be treated as a~~
3 ~~single building and shall be subject to the provisions of this code for the specific use group and~~
4 ~~type of construction.~~

5 (2) ~~OPTION 2: The mall may be considered to be an "accessible unoccupied open space"~~
6 ~~that separates the construction into one or more buildings if the following requirements are met:~~

7 (i) ~~The covered mall shall be at least thirty feet (30') in width.~~

8 (ii) ~~The least, unobstructed, horizontal dimension at any place in the covered mall shall~~
9 ~~be ten feet (10').~~

10 (iii) ~~The structural elements of the covered mall shall be of noncombustible or heavy~~
11 ~~timber construction.~~

12 (iv) ~~Floor ceiling assemblies and their supporting columns and beams within multi level~~
13 ~~covered malls shall be of one hour fire resistance rated noncombustible construction.~~

14 (v) ~~The covered mall and all buildings connected thereto shall be provided throughout~~
15 ~~with an approved fire suppression system. The suppression system in the covered mall shall be~~
16 ~~independent of the suppression systems in the buildings connected to the covered mall.~~

17 (vi) ~~Standpipes shall be provided at two hundred foot (200') intervals along the covered~~
18 ~~mall.~~

19 (vii) ~~The covered mall shall be provided with breakout panels, skylights, mechanical~~
20 ~~ventilation, or other approved methods of providing for ventilation of products of combustion in~~
21 ~~case of fire.~~

22 (viii) ~~Multi level covered malls shall be sufficiently open, so that a hazardous condition~~
23 ~~occurring on one level will be readily visible to occupants on all levels.~~

24 (ix) (A) ~~One half (1/2) of the required number of exitways from each tenant area shall~~
25 ~~lead to the outside by means other than through the covered mall.~~

26 (B) ~~EXCEPTION: Tenant areas less than twenty five hundred square feet (2500 sq. ft.)~~
27 ~~in area.~~

28 (x) ~~Exitways from the covered mall shall be located so that the length of travel from any~~
29 ~~mall tenant area entrance to the exitway shall not exceed two hundred feet (200').~~

30 (xi) ~~Exit signs and directional (exit) signs indicating the non mall exitways shall be~~
31 ~~located so as to be easily visible from the mall tenant area entrance.~~

32 (xii) ~~Combustible kiosks or other similar structures shall not be located within the~~
33 ~~covered mall.~~

34 (xiii) ~~Kiosks or similar areas (temporary or permanent) located within the covered mall~~

1 shall be provided with approved fire suppression and detection devices as required by the
2 authority having jurisdiction.

3 (xiv) The minimum horizontal separation between kiosks and similar areas and buildings
4 connected to the covered mall shall be twenty feet (20').

5 SECTION 17. Section 23-28.18-1 of the General Laws in Chapter 23-28.18 entitled
6 "Theatres" is hereby repealed.

7 **23-28.18-1. Applicability.** (a) The regulations contained in this chapter shall apply to
8 all theatres as defined in section 23-28.15, except only such places as are expressly exempt in
9 accordance with the provisions of this code.

10 (b) (1) All new theaters hereafter constructed, every addition hereafter made to a theater
11 and any building hereafter converted for use in whole or in part for a theater and any existing
12 theatre shall be in accordance with N.F.P.A. Standard 101, 1988 edition, Chapter 8 and 9 and
13 their related chapters and standards.

14 (2) EXCEPTION: Previously approved theatres meeting the requirements of earlier
15 editions and amendments of this chapter may be continued in use subject to the approval of the
16 state or local fire marshal.

17 SECTION 18. Sections 23-28.19-2, 23-28.19-3, 23-28.19-4, 23-28.19-5, 23-28.19-6, 23-
18 28.19-7, 23-28.19-8, 23-28.19-9, 23-28.19-10, 23-28.19-12, 23-28.19-17, 23-28.19-18 and 23-
19 28.19-19 of the General Laws in Chapter 23-28.19 entitled "Tents-Grandstands-Air-Supported
20 Structures" are hereby repealed.

21 **23-28.19-2. Proximity to buildings — Wind resistance — Flame proofing of materials.**
22 (a) Tents exceeding one hundred twenty square feet (120 sq. ft.) in area shall not be erected in
23 the fire limits defined by any city or town.

24 (b) All tents shall be constructed and erected to withstand a wind pressure of ten (10)
25 pounds per square foot.

26 (c) (1) All canvas, curtains, cloth, rope, netting, and decorative material shall be rendered
27 flame resistant. The fire department shall require a certificate from the manufacturer that the
28 material has been tested by a laboratory of recognized standing, and found to be permanently
29 flame resistant. The material shall have proper identification markings and shall not have been
30 waterproofed subsequent to the issuance of the certificate by a process which increases its
31 flammability. All materials shall be labeled with a number that corresponds to the certificate of
32 flame resistance.

33 (2) A certificate shall accompany each piece of material used in a given tent, and each
34 piece of tent shall have corresponding identification number and/or lot numbers, said

1 identification numbers or lot numbers to be located in a place readily visible to inspection.
2 Materials certified to be flame retardant for the expected life of the material shall have an
3 effective life of ten (10) years, for the purposes of this section only. After ten (10) years, all
4 materials shall be required to be recertified by a laboratory of recognized standing and shall be
5 required to meet or exceed the requirements of the small scale test contained in the standard
6 methods of Fire Tests for Flame Resistant Textiles and Films, N.F.P.A. 701, or its equivalent in
7 effect at that time.

8 (3) Each certificate shall contain the following information:
9 (i) Name of manufacturer of material.
10 (ii) Address of manufacturer of material.
11 (iii) Description of item certified.
12 (iv) Name and address of applicator of flame resistant finish.
13 (v) Name of laboratory of recognized standing conducting flame resistance test.
14 (vi) Government certified laboratory number.
15 (vii) Name and type of test performed, or statement that materials meet the requirements
16 of the small scale test contained in the standard methods of Fire Tests for Flame Resistant
17 Textiles and Films, N.F.P.A. 701.

18 (viii) Color, weight and type of flame resistant material.
19 (ix) Life expectancy of flame resistant treatment.
20 (4) No certificate shall be acceptable for material which is more than three (3) years old.
21 Materials more than three (3) years old may be accepted by the fire department provided the
22 materials meet the requirements of the small scale test contained in the Standard methods of Fire
23 Tests for Flame Resistant Textiles and Films, N.F.P.A. 701.

24 (d) The placement of tents relative to each other and to other structures shall be at the
25 discretion of the local fire authority with consideration given to occupancy, use, opening,
26 adequate egress, exposure, and other similar factors.

27 23-28.19-3. Exemption from flameproofing where public not admitted.—The
28 provisions of this chapter relative to flameproofing shall not be construed to apply to any tent
29 used by the operator of a concession, if the general public is not admitted within the confines of
30 the tent.

31 23-28.19-4. Seats, jacks, and appurtenances.—(a) Where tents are used as places of
32 assembly with a capacity of two hundred (200) or more persons, the seats, chairs, jacks, and other
33 appurtenances, if of wood, must be suitably treated to reduce the fire hazard by a suitable
34 application of a surface treatment or by impregnation.

~~(b) No tier of seats shall rise to a height exceeding twelve feet (12').~~

23-28.19-5. Lighting—Electric wiring.—All lighting shall be by electricity, with lamps properly guarded to prevent ignition by radiation. In places of assembly, emergency lighting facilities must be as provided in the building and electrical codes for theatres. All wiring conductors shall be of a type approved for the class of service and be protected against overcurrent. Loads for feeders and branch lines shall be limited in accordance with the carrying capacities as specified in the national electrical code. When deemed necessary by the electrical inspector, conductors shall be trenched and covered. All electrical installations on the premises must be tested and approved by the state board of examiners of electricians.

23-28.19-6. Sleeping and mess tents.—Tents in which persons sleep, and mess tents, shall not be used for any exhibition purpose.

12 **23-28.19-7. Number, size, and location of exits.** (a) A minimum of two (2) exits shall
13 be provided where a tent is used as a place of assembly with a capacity of one hundred (100) or
14 more persons, in any tent where ten (10) or more persons sleep, and in any tent involving
15 conditions hazardous to life. When tents are used as a place of assembly with a capacity in excess
16 of five hundred (500) people, each exit shall be not less than nine feet (9') wide, and the number
17 of exits shall be based upon the ratio of one exit to each five hundred (500) persons or major
18 fraction thereof which the tent is designed to seat or hold. The exits shall be placed not over
19 seventy five feet (75') apart, and exitways serving the exits shall be not less than nine feet (9') in
20 clear width.

21 (b) Where two (2) or more tents adjoin, with an opening between, an exit to the outside
22 shall be provided at the point of juncture.

23-28.19-8. Width and location of aisles. -- Aisles not less than forty four inches (44") in width shall be provided so that there are not more than ten (10) seats between any seat and an aisle. Where individual seats are not provided, a distance of eighteen inches (18") along any bench or platform shall constitute one seat in computing required aisles and exits. Every aisle shall lead directly to an exitway, or to a cross aisle running parallel with the seat rows and leading to an exitway. The aisles shall not be less in width than the combined width of aisles that they connect. In tents having a capacity of one thousand (1,000) or over, facilities must be provided for admitting patrons on opposite sides or ends convenient to their seating locations.

23-28.19-9. Use of aisles and exits—Obstruction.—Aisles and exitways shall be used only for passage to and from seats and for vendors carrying their wares. No poles or ropes shall be permitted in aisles and exitways, and all exitways and exits shall be kept unobstructed at all times and so maintained as to not present a hazard from fire. The area for a distance of twenty

1 ~~feet (20') beyond any exit shall be kept free and clear and be made readily passable.~~

2 ~~23-28.19-10. Exit signs. -- All tents used for the gathering of more than seventy five (75) people shall be provided with exit signs in accordance with chapter 28.23 of this title. Group type C specified in section 23-28.23-2 shall be required.~~

5 ~~23-28.19-12. Motion pictures. -- No motion picture film of the nitrocellulose type shall be used, stored, or exhibited within a tent. The exhibitions, when held within a tent, shall be restricted to the use of safety film only.~~

8 ~~23-28.19-17. Outdoor performances—Rules and regulations. -- The commission shall make such rules and regulations as seem necessary concerning the seating, safety, and licensing of any features connected with outdoor performances of any kind. After advertising and public hearing, the rules and regulations shall be part of the provisions of this safety code.~~

12 ~~23-28.19-18. National standards. -- All other areas concerning tents, grandstands, or air supported structures not specifically covered in the R.I. fire code or in this chapter shall be in accordance with N.F.P.A. Standard 102, 1986 edition.~~

15 ~~23-28.19-19. Emergency lighting. -- Emergency lighting shall be required for gatherings of more than seventy five (75) persons. Emergency lighting shall be provided in accordance with chapter 28.24 of this title.~~

18 SECTION 19. Sections 23-28.20-1, 23-28.20-2, 23-28.20-3, 23-28.20-4 and 23-28.20-5 of the General Laws in Chapter 23-28.20 entitled "Storage and Handling of Liquefied Petroleum Gas" are hereby repealed.

21 ~~23-28.20-1. Purpose. -- The purpose of this chapter is to regulate the sale or dispensing at wholesale or retail of liquefied petroleum gases (LPG) in the interest of safeguarding lives and property.~~

24 ~~23-28.20-2. Applicability. -- (a) The provisions in this chapter shall apply to all persons, firms, corporations, partnerships, voluntary associations, and government agencies other than federal storing or handling liquefied petroleum gases, and to the owner or lessee of any building or equipment in or on which liquefied petroleum gas is stored or handled, and shall apply to motor vehicles that are used for the transportation of liquefied petroleum gas and are intended to provide the requirements for the design, construction, and operation of tank motor vehicles and certain features of tank motor vehicle chassis for the transportation of liquefied petroleum gases.~~

31 ~~(b) These provisions shall not apply to the transportation of liquefied petroleum gas when in conformity with the interstate commerce commission regulations nor to liquefied petroleum gas piping and installations of public utilities under the supervision of the division of public utilities.~~

1 **23-28.20-3. Administration.** -- The administration of this chapter is vested in the state
2 fire marshal who shall have the power to issue the proper rules and regulations to administer this
3 chapter.

4 **23-28.20-4. Definitions.** -- For the purpose of this chapter, the following words shall
5 have the meanings respectively assigned to them.

6 (1) (i) "Approved" means approved by the marshal.
7 (ii) The approval of any equipment, container, or appliance will be based on its
8 compliance with the accepted principles or recognized engineering practice, and the marshal may
9 consider as approved any equipment, container, or appliance which meets the standards set up by
10 any of the following organizations:

11 (A) Underwriters' laboratories, inc. (U.L.)
12 (B) National fire protection association (N.F.P.A.)
13 (Pamphlets 58, 1989 edition; 59, 1989 edition)
14 (C) National board of fire underwriters (N.B.F.U.)
15 (D) Interstate commerce commission (I.C.C.)
16 (E) American society of mechanical engineers (A.S.M.E.)
17 (F) American petroleum institute (A.P.I.)
18 (G) American gas association (A.G.A.)
19 (H) American standards association (A.S.A.)
20 (2) "Container" means all vessels such as tanks, cylinders, or drums used for transporting
21 or storing liquefied petroleum gases.

22 (3) "Equipment" refers essentially to the container or containers, major devices such as
23 vaporizers, carburetors, safety relief valves, excess flow valves, regulators, etc., and
24 interconnecting piping.

25 (4) "Marshal" means the state fire marshal or his or her authorized representative.

26 **23-28.20-5. References to standards mandatory.** -- References to other standards in
27 these provisions shall be considered mandatory.

28 SECTION 20. Section 23-28.20-8 of the General Laws in Chapter 23-28.20 entitled
29 "Storage and Handling of Liquefied Petroleum Gas" is hereby amended to read as follows:

30 **23-28.20-8. Application for permit.** -- (a) The applicant must submit an application to
31 the state fire marshal, on a form provided by the state fire marshal. Upon receipt of the
32 application, the state fire marshal will schedule a fire safety inspection of the facility in
33 accordance with N.F.P.A. ~~Standard 58, 1989 edition, and N.F.P.A. 59, 1989 edition.~~

34 (b) The permit will be issued provided the applicant is in compliance with applicable

1 codes.

2 SECTION 21. Chapter 23-28.21 of the General Laws entitled "Fuel Oil Installations" is
3 hereby repealed in its entirety.

4 **CHAPTER 23-28.21**

5 **Fuel Oil Installations**

6 **23-28.21.1. Definitions.** For the purpose of this chapter, the following words shall
7 have the meanings respectively assigned to them:

8 (1) "Enforcing officer" shall be the chief of the fire department of the several cities,
9 towns, and the fire district wherein any violation of the provisions of this chapter may take place.

10 (2) "Heavy fuel oil" means any oil used as fuel, complying with specifications under
11 commercial standards of grades No. 5 and No. 6.

12 (3) "Light fuel oil" means any oil used as fuel, complying with specifications under
13 commercial standards of grades No. 1, No. 2, and No. 3.

14 (4) "Lowest story" means a basement or cellar, and if there is no basement or cellar, the
15 first story.

16 (5) "Oil burner" means any device designed to burn fuel oil having a flash point of one
17 hundred ten degrees (110 degrees) fahrenheit or higher, and having a fuel tank or container with a
18 capacity of more than ten (10) gallons connected thereto.

19 (6) "Oil burning equipment" means oil burners and all tanks, piping, control devices, and
20 accessories connected to the burner.

21 (7) "Permit" means any permit required by these provisions and issued by the enforcing
22 officer.

23 (8) "Person" means an individual person, firm, or corporation, co-partnership or
24 association.

25 (9) "Power burners" means any burner that requires electricity, steam or air pressure for
26 its operation.

27 **23-28.21.2. National standard.** Fuel oil installations shall be in accordance with
28 N.F.P.A. Standard 31, 1987 edition.

29 **23-28.21.3. -- 23-28.21.18. [Repealed.]**

30 SECTION 22. Sections 23-28.22-1, 23-28.22-3 and 23-28.22-5 of the General Laws in
31 Chapter 23-28.22 entitled "Flammable and Combustible Liquids" are hereby repealed.

32 **23-28.22.1. Applicability.** (a) (1) This chapter shall apply to service stations, bulk
33 plants and service stations, aboveground storage for bulk plants and service stations, underground
34 storage for bulk plants and service stations, and piping for bulk plants and service stations.

1 (2) These provisions shall apply to all persons, co partnerships, corporations, and
2 voluntary associations storing, physically handling, or using flammable liquids, and shall also
3 apply to the owner of any building or premises, in or on which flammable liquids are stored or
4 kept, and to the owner of any equipment used in storing or physically handling flammable liquids.
5 The word "owner" shall be given its ordinary meaning and be held to include any trustees, a
6 board of trustees of the property, or any person having a freehold interest in property, but a
7 mortgagee of the property shall not be deemed an owner thereof.

8 (b) These provisions shall apply to the construction or remodeling of buildings and
9 plants for flammable liquids, and shall apply to new installations and the replacement of
10 equipment for flammable liquids. These provisions shall also apply to existing buildings, plants,
11 or equipment, which were not previously but are hereafter used for flammable liquids, but shall
12 not apply to existing buildings, plants, structures, or equipment now used for flammable liquids
13 unless the enforcing officer shall determine that the conditions constitute a distinct hazard.

14 (e) Where the circumstances or conditions of any particular case falling within the scope
15 of these provisions are unusual and such as to render the strict compliance with these regulations
16 impracticable, the enforcing officer having jurisdiction may permit the modification as will
17 provide a substantially equivalent degree of safety; provided, however, that should the enforcing
18 officer refuse to grant the modification as may be requested, then and in that event an application
19 may be submitted to the board of appeal and review.

20 23.28.22 3. Storage of flammable liquids -- Plans, permits, and inspections. (a)
21 Three (3) complete sets of plans and specifications, certified by an engineer, shall be submitted to
22 ~~the enforcing officer for any proposed installation or addition to a present installation for~~
23 ~~aboveground storage.~~

24 (b) When the installation or addition is completed, the applicant shall notify the
25 enforcing officer, and an inspection shall be made to determine that the installation or addition
26 complies with these provisions. Underground tanks shall not be covered from sight until the tank
27 and the underground appurtenances thereto have been inspected and approved by the enforcing
28 officer. In the absence of unusual circumstances, the inspection and approval or disapproval of
29 the underground tanks shall be completed within two (2) working days from the date of the
30 receipt of the notification by the enforcing officer.

31 **23-28.22.5. Construction and use.** -- The construction, installation, use, storage, and
32 maintenance of facilities storing, using, and dispensing flammable and combustible liquids within
33 the scope of this chapter shall be in accordance with N.F.P.A. Standard 30, 1987 edition, except
34 for self-service dispensing stations which shall be subject to the additional provisions contained

1 ~~in this chapter.~~

2 SECTION 23. Chapter 23-28.23 of the General Laws entitled "Exit Signs" is hereby
3 repealed in its entirety.

4 **CHAPTER 23-28.23**

5 **Exit Signs**

6 **23-28.23.1. Exit signs location.** ~~(a) Where required by the provisions of the Rhode~~
7 ~~Island Fire Safety Code, chapters 28.1 – 28.39 of this title, all required means of egress shall be~~
8 ~~marked with a readily visible sign. Access to exits shall be marked by readily visible signs in all~~
9 ~~cases where the exit or way to reach it is not immediately visible to the occupants and in any case~~
10 ~~where required by the applicable provisions of the Rhode Island fire code for individual~~
11 ~~occupancies.~~

12 ~~(b) Every required sign marking an exit or way of exit access shall be so located as to be~~
13 ~~readily visible. No decorations, furnishings, or equipment which impair visibility of an exit sign~~
14 ~~shall be permitted, nor shall there be any brightly illuminated sign (for other than exit purposes),~~
15 ~~display, or object in or near the line of vision to the required exit sign of such a character as to~~
16 ~~distract attention from the exit sign.~~

17 **23-28.23.2. Approved types.** ~~(a) This Fire Safety Code, chapters 28.1 – 28.39 of this~~
18 ~~title, recognizes three (3) types of exit signs:~~

19 ~~(1) Group A: Externally illuminated.~~

20 ~~(2) Group B: Internally illuminated.~~

21 ~~(3) Group C: Internally illuminated with provision for standby power operation.~~

22 ~~(b) The type of sign for any given occupancy shall be as specified in the Fire Safety~~
23 ~~Code. All signs shall be constructed of noncombustible material and securely fastened to the~~
24 ~~building structure. Every exit sign shall have the word "EXIT" in plainly legible letters at least six~~
25 ~~inches (6") in height with strokes not less than three fourths inches (3/4") wide and shall be of~~
26 ~~greater height and width when necessary for legibility. Signs shall have either red outlines on a~~
27 ~~white background or, with metal stencil cutout type, shall be light natural metal color~~
28 ~~background. Exit signs shall be visible from the exitway access and, when necessary, shall be~~
29 ~~supplemented by directional signs in the access corridors indicating the direction and way of~~
30 ~~egress.~~

31 **23-28.23.3. Vertical mounting limitations.** ~~Exit signs and direction signs shall be~~
32 ~~mounted no higher than ten feet (10') above the floor, nor lower than six and one half feet (6 1/2')~~
33 ~~above the floor, so as to provide an unobstructed view.~~

34 **23-28.23.4. Recognized type.** ~~Internally illuminated exit signs shall be listed by the~~

1 Underwriter's Laboratories, Inc. and/or by Factory Mutual Research Corporation or any other
2 recognized testing laboratory satisfactory to the authority having jurisdiction.

23-28.23-5. Nonexit door sign. Any door, passage, or stairway which is neither an exit nor a way of exit access, and which is so located or arranged as to be likely to be mistaken for an exit, shall be identified by a sign reading "NOT AN EXIT" or similar designation, or shall be identified by a sign indicating its actual character, such as "TO BASEMENT", "STOREROOM", "LINEN CLOSET", and the like.

8 **23.28.23.6. Illumination.**— Illumination of all required EXIT signs shall be adequate
9 and of a character to insure that signs can be easily read under normal conditions whenever the
10 space served is occupied. The level of light provided on the exposed face of the sign shall be not
11 less than five (5) foot candles.

12 **23-28.23.7. Independent power sources.** Where the occupancy requires emergency
13 lighting, internally illuminated EXIT signs shall be arranged to automatically transfer to the
14 standby source of power upon interruption of the normal source of power to the EXIT sign.
15 Standby power shall be sized and maintained to operate the EXIT sign for a minimum of ninety
16 (90) minutes.

17 **23-28.23.8. Installation.** Internally illuminated exit signs shall be connected in
18 accordance with the N.F.P.A. Standard 70, 1990 edition.

19 ~~23-28.23-9. [Repealed.]~~

20 SECTION 24. Chapter 23-28.24 of the General Laws entitled "Emergency Lighting" is
21 hereby repealed in its entirety.

~~CHAPTER 23-28.24~~

~~Emergency Lighting~~

24 **23-28.24.1. Applicability.** (a) This chapter and the emergency sections of the several
25 occupancy chapters which refer to this chapter shall apply to pertinent new buildings; to buildings
26 where there is a change of occupancy to one which will require emergency lighting; and to
27 existing buildings which are altered or renovated to an extent equal to or in excess of fifty percent
28 (50%) of its market value in a one year period as determined by a qualified appraiser. Existing
29 buildings which have emergency lighting which was in compliance with the requirements of the
30 earlier edition of the Fire Safety Code shall not be required to comply with this chapter.

31 (b) Existing buildings which are not in compliance with the emergency lighting system
32 requirements of the earlier edition of the Fire Safety Code shall be required to install an
33 emergency lighting system in accordance with this chapter and the emergency lighting sections of
34 the several occupancy chapters. All electrical work shall be performed as provided by the

1 standards of N.F.P.A. Standard 70, 1990 edition and in accordance with regulations prescribed by
2 the authority having jurisdiction.

3 **23-28.24-2. Areas where required.** -- Emergency lighting where required within the
4 occupancies as described in the Rhode Island Fire Safety Code, chapters 28.1 -- 28.39 of this title,
5 shall be installed in the following areas or devices: All hallways, ramps, runways, passageways,
6 stairways, fire towers, lobbies, outside of all building exits used as means of egress, rooms which
7 accommodate seventy six (76) or more people, illuminated exit signs, boiler rooms, above
8 landings of fire escapes, emergency lighting equipment, stage lighting boards, location of main
9 service distribution equipment, projection rooms, hospital operating rooms, transformer vaults,
10 and new or rebuilt passenger elevator installations.

11 **23-28.24-3. Intensity of illumination.** -- (a) Emergency lighting systems shall produce
12 and maintain for a period of at least one and one half (1 1/2) hours a minimum intensity of
13 illumination of not less than one foot candle measured at floor level and maintained everywhere
14 along the required egress path. There shall be adequate overlap of illumination sources to ensure
15 that no areas will be left in darkness due to the failure of a light element.

16 (b) In places of assembly for the exhibition of motion pictures or other projections by the
17 means of directed light, the illumination of floors of exitway access areas may be reduced during
18 the period of projection to not less than one half (1/2) foot candle. Where unit storage battery
19 systems utilizing floor or spotlight type of distribution is used, the distance between adjacent
20 units shall not exceed fifty feet (50'), and the emergency lighting shall be projected towards exits,
21 and located so as to distribute light over the entire floor area reducing glare and sharp shadows to
22 a minimum.

23 **23-28.24-4. General requirements for emergency lighting systems -- Approved**
24 **system.** -- The authority having jurisdiction shall approve all emergency systems and equipment
25 for use of the systems. Before installation of any emergency system required by the Fire Safety
26 Code, chapters 28.1 -- 28.39 of this title, commences (and regardless of what any other authority
27 may require), complete system design details, inclusive of, but not limited to, a description of
28 system operation and a description of the components of the system and their location within the
29 projected building shall be submitted to the authority having jurisdiction. In addition to providing
30 for the mandatory emergency lighting and power essential for safety to life and property, the
31 emergency system may provide energy for other functions considered essential which shall be
32 connected to a second branch of the main source of emergency power. Optional functions and
33 equipment shall not be connected to the same branch as essential emergency lighting and power
34 circuits.

1 **23-28.24.5. Illumination methods.** — (a) The source of energy for emergency lighting
2 and power shall be one or a combination of the following:
3 (1) Central storage battery system.
4 (2) Engine generator system.
5 (3) Unit storage battery system.
6 (b) The energy for emergency and regular service shall travel independent circuits in
7 separate conduits connected only by approved transfer equipment. The control of the emergency
8 source shall be fully automatic and not dependent upon the manual operation of any switch or
9 device. The wiring of the emergency system shall be so arranged that no area requiring
10 emergency lighting can be left in total darkness if there is a loss of the normal power source to
11 that area. All emergency lighting systems shall provide full illumination within ten (10) seconds
12 after normal source failure.
13 (c) (1) The total connected emergency load shall not be greater than that which the
14 system is designed to carry for the period of one and one half (1 1/2) hours. The reinstallation of
15 emergency lighting systems in buildings other than where originally installed is prohibited except
16 when permission is specifically granted by the authority having jurisdiction after determination of
17 the effectiveness of the system. Emergency throwover switches and equipment shall be
18 interlocked so that no line or phase of the emergency source of supply shall be connected to any
19 line or phase of the normal supply.
20 (2) EXCEPTION: Grounded neutrals may be interconnected.
21 (d) All systems shall be provided with a test switch to simulate a power failure to the
22 emergency throwover switch or equipment. A complete test of all emergency systems and
23 inspection of all circuits for satisfactory operations shall be made at least once each week for
24 generators and once each month for batteries; provided, however, that when buildings or rooms
25 are used less than once a week, tests shall be made within one hour prior to the opening of the
26 room or building on each day of use. A record of tests shall be maintained and shall be available
27 for inspection. No building or room within the scope of these regulations shall be used unless
28 both regular and emergency sources of illumination are available.
29 **23-28.24.6. Signals.** — Signal devices shall be provided (in a location readily observable
30 to operating personnel) to operate for the following purposes:
31 (1) Audible and visible signal shall be provided to give anticipatory warning of a
32 malfunction of the emergency or auxiliary source due to a high engine temperature or low
33 lubricating oil pressure.
34 (2) To indicate, by a visual signal, that the battery or generator set is in carrying load.

~~(3) To indicate, by a visual signal, that a battery charger is functioning properly.~~

23-28.24.7. Central storage battery systems. (a) Central storage battery systems shall be in accordance with the N.F.P.A. Standard 70, 1990 edition and the following subsections, that alkali and other dry type batteries shall not be used.

(b) The charging device shall be capable of placing the batteries in a state of full charge twelve (12) hours after restoration of power following a power failure. Each time the emergency lighting system is used because of the failure of the normal power supply, a charge at a high rate shall be given the battery as often as necessary to assure its maintenance in a fully charged condition. Such chargers shall be automatically returned to the trickle rate of charge when the battery has reached a state of full charge. A visual signal mounted on the control cabinet shall indicate when the batteries are being charged at the high rate.

(c) Systems shall be installed so that they can be readily tested, inspected, and serviced. All equipment shall be maintained in satisfactory working condition. Wiring shall be of adequate diameter and sufficient voltage, not less than that necessary for minimum required illumination.

~~(d) All central storage battery systems shall include a voltmeter which shall indicate the of the battery at all times.~~

(e) The nameplate shall contain model number, capacity of the system in watts for ninety minutes at not less than eighty seven and one half percent (87.5%) of system nominal , and rated nominal voltage and current.

(f) All storage battery systems shall be provided with a device and so located as to emit a audible and visual signal when an open circuit exists between the trickle charger and the battery. In lieu of the signals required above, the voltmeter required shall have zones plainly marked as follows, indicating:

~~(1) A marked zone to indicate proper trickle (float) charge voltage.~~

-(2) A marked zone to indicate a failure of the trickle charger or that the battery is going into the emergency lighting circuit.

(3) An open circuit between the trickle charger and battery during normal float on.

~~(g) The batteries of emergency lighting systems shall not be used for any other purpose approved by the authority having jurisdiction.~~

23-28.24-8. Unit storage battery systems. (a) Unit storage battery systems shall be in accordance with the N.F.P.A. Standard 70, 1990 edition, and the following subsections, except

~~(1) A flexible cord and plug connection shall not be used.~~

~~(2) Alkali and other dry type batteries shall not be used.~~

2 (b) Emergency lighting units of this class shall be self contained. Batteries, relays,
3 charging equipment, and controls shall be assembled in a well ventilated substantial
4 noncombustible cabinet.

5 (c) The charging device shall be capable of placing the batteries in a state of full charge
6 within twelve (12) hours after restoration of power following a power failure. Each time the
7 emergency lighting system is used because of the failure of the normal power supply, a charge at
8 maximum rate shall be given the battery as often as necessary to assure its maintenance in a fully
9 charged condition. Such chargers shall be automatically returned to the trickle rate of charge
10 when the battery has reached a state of full charge. A visual signal mounted on the control cabinet
11 shall indicate when the batteries are being charged at the high rate.

12 (d) Units shall be mounted so that they can be readily tested, inspected, and serviced and
13 shall be maintained in satisfactory working condition. Wiring shall be of adequate diameter to
14 provide sufficient voltage, not less than that necessary for required illumination.

15 (e) The nameplate shall contain model number, capacity of the system in watts for ninety
16 (90) minutes at not less than eighty seven percent (87%) of system nominal voltage, and rated
17 nominal voltage and current.

18 **23.28.24.9. Engine generator systems.** (a) Engine generator systems shall be in
19 accordance with the N.F.P.A. Standard 70, 1990 edition, and the following subsections.

27 (e) The main fuel supply and the fuel tank shall be installed in accordance with the Fire
28 Safety Code.

29 (d) A minimum size reservoir for efficient operation may be stored in the room for diesel
30 and gas operated engines. A reservoir tank not exceeding one gallon capacity to insure minimum
31 delay in starting may be used for gasoline operated engines.

32 (e) Engine generators and controls shall be installed in a location permitting ready
33 accessibility of parts for repair, maintenance, cleaning, replacement, and testing.

34 (f) Gravity feed to fuel to carburetion or compression ignition engines is prohibited;

1 except for a reservoir tank as provided above.

2 (g) Systems using natural, manufactured, or liquefied petroleum gas as fuel shall have
3 suitable pressure reducing and regulation devices in the fuel line and shall have a normally closed
4 solenoid valve connected in the line on the high pressure side of the engine gas regulator which
5 shall open automatically upon engine start and remain open until engine is shut down.

6 (h) (l) Exhaust pipes shall be of sufficient strength to withstand the service and shall be
7 so connected to the engine to prevent excessive heat, emission of sparks, flame, or gas within the
8 building. They shall be adequately supported throughout their run and shall terminate outside the
9 building at a point where a pipe is not directed against any combustible material or in close
10 proximity to fuel supply lines. Exhaust pipes shall not be connected into chimneys or flues,
11 except that a separate exhaust stack may be introduced into an existing flue provided the former
12 extends to the top of the flue and the latter does not contain highly corrosive gasses, such as
13 products of combustion from gas, coal, or oil burning appliances.

14 (2) An effective drain device shall be provided to permit prompt removal of exhaust
15 condensation.

16 (i) Where batteries are used to furnish energy for cranking, they shall be of sufficient
17 capacity to start the engine within five (5) seconds and to crank the engine continuously for a
18 period of at least five (5) minutes at a speed sufficient to start the engine. All engine starting
19 batteries shall be of the approved type and properly maintained.

20 (j) Systems shall be equipped with a two rate charger with a trickle rate capable of
21 maintaining the batteries fully charged and a high rate capable of replacing within a twenty four
22 (24) hour period the charge taken out of the batteries by a five (5) minute continuous cranking
23 period. The charger shall have an ammeter indicating the trickle rate of charge and a pilot light to
24 indicate when the high rate of charge is being applied.

25 (k) Low oil pressure and high water temperature alarms shall be required.

26 (l) A voltmeter shall be provided to indicate the voltage being generated. When
27 polyphase systems are used, the voltmeter shall indicate all line voltages, either line to line or
28 lines to neutral.

29 (m) All engines shall be provided with a nameplate setting forth the name of the
30 manufacturer, model number, power (watts or KW) rating, current rating, and voltage rating.

31 SECTION 25. Sections 23-28.25-2, 23-28.25-3, 23-28.25-4, 23-28.25-5, 23-28.25-6, 23-
32 28.25-7, 23-28.25-8 and 23-28.25-9 of the General Laws in Chapter 23-28.25 entitled "Fire
33 Alarm Systems" are hereby repealed.

34 **23-28.25-2. Authority having jurisdiction.** -- The authority having jurisdiction, for the

1 ~~purpose of this chapter only, shall be the state fire marshal or his or her designee and those chiefs~~
2 ~~of the fire departments, the superintendent of fire alarms, or directors of communications certified~~
3 ~~by the state fire marshal as prescribed by section 23-28.2-6.~~

4 ~~23-28.25-3. Approval. -- Before installation or alteration of any fire alarm system~~
5 ~~required by this Fire Safety Code, chapters 28.1 -- 28.39 of this title, commences and regardless~~
6 ~~of what any other authority may require, complete system design details, inclusive of, but not~~
7 ~~limited to, a description of system operations and a description of the components of the system~~
8 ~~and their location within the protected building shall be submitted to the authority having~~
9 ~~jurisdiction and shall fully comply with the contents of the chapter.~~

10 ~~23-28.25-4. Types of systems. -- (a) Local systems. (1) A local supervised system, for~~
11 ~~the purpose of this Fire Safety Code, chapters 28.1 -- 28.39 of this title, is defined as consisting of~~
12 ~~a power limited fire alarm panel listed by UL or FM approved, at least one manual pull station~~
13 ~~marked "local alarm not connected to fire dept.," a one hundred ninety degree (190 degrees) to~~
14 ~~two hundred degree (200 degrees) F. fixed temperature thermodectector installed in kitchens,~~
15 ~~boiler rooms, and accessible attics, one hundred thirty five degree (135 degrees) to one hundred~~
16 ~~forty degree (140 degrees) F. thermodectectors in all utility, mechanical, storage, and maintenance~~
17 ~~rooms and smoke detectors in stairwells and common corridors and top of all stairwells and~~
18 ~~elevator shafts and elevator landings. Detectors shall be installed in spaces of twenty four inches~~
19 ~~(24") or more above suspended ceilings and in accordance with NFPA 72E, 1987 edition, section~~
20 ~~2-6.4 and shall be on a separate zone. Additional detectors may be required in areas deemed~~
21 ~~essential to life safety by the authority having jurisdiction. A minimum of twenty four (24) hour~~
22 ~~battery standby is required for this local system. Wiring must be enclosed in walls and ceilings or~~
23 ~~mechanically protected by metal raceway or MC type cable. A minimum of No. 16 awg solid~~
24 ~~wire listed for fire alarm use with insulation rated at one hundred five degree centigrade (105~~
25 ~~degrees C.) shall be used for all local fire alarm systems. Class "B" wiring using an end of line~~
26 ~~resistor installed on terminal strips in the control panel for both initiating and signalling circuits~~
27 ~~shall be used for all local systems. All detectors, horns, and pull stations shall be mounted on~~
28 ~~approved junction boxes. Installation of this system shall be in compliance with NFPA Standards~~
29 ~~72A, 1987 edition, and 72E, 1987 edition section 23-28.25-5 and section 23-28.25-6 of this code.~~
30 ~~The activation of the manual pull station(s) or the automatic activation of any detector or~~
31 ~~suppression system shall sound a combination horn strobe device(s) so located as to be effectively~~
32 ~~heard above all other sounds by all occupants in every occupied space in the building. In addition~~
33 ~~a horn strobe shall be installed on the exterior of each building at a location approved by and~~
34 ~~subject to the authority having jurisdiction. A connection to a municipal alarm system is not~~

1 required for this type of system.

2 (2) ~~EXCEPTION: A fire alarm system meeting the requirements of section 23-28.25-4(b) may be substituted at option of the owner.~~

3 (b) ~~Supervised systems.~~ (1) ~~A supervised system for the purpose of this Fire Safety Code is defined as a system where the manual operation of any fire alarm station or the automatic actuation of any thermodetector, smoke detector, sprinkler flow switch or other extinguishment system switch, or standpipe flow switch shall sound all alarm horns within the building, de- energize door holders to cause all fire/smoke doors that are allowed to be held open in the entire building to close, summon the local fire department, and for all new buildings shall interlock with all elevators to return them to a designated level. In the event that the designated level is in alarm, the elevators shall return to an approved alternate designated level where they shall be under the exclusive control of the fire department for the duration of the alarm condition. Operating power failure, low battery voltage, an open or grounded wire in any of the pull station/thermodetector/smoke detector/sprinkler flow switch circuits, the evacuation horn/strobe circuits, the circuit to the municipal master box or transmitter, or the leased line to the remote station shall activate audible and visual trouble signals on the system control panel and annunciator, that cannot be reset until the circuits are restored to normal. This is to include the removal of any alarm, trouble, or zone relays, and the removal of any zone detector card or bell card, and any low voltage fuses in the control panel. The audible trouble signal may be silenced with the trouble signal silencing switch but the lamp cannot be extinguished until the circuits are normal. Restoring the circuits to normal after the silencing switch has been operated shall cause the lamp to extinguish and the audible signal to resound until the silencing switch is restored to normal. In the event of a commercial power outage, the entire system shall immediately transfer to a standby battery source of power and be capable of supplying the entire system for sixty (60) hours. All fire alarm initiating zone and signal wiring shall be wired Class "A" McCoulough loop.~~

4 (2) ~~Combination rate of rise and fixed temperature thermodetectors one hundred thirty five degrees (135 degrees) to one hundred forty degrees (140 degrees) F. shall be located in all general storage rooms, all utility, electrical, and mechanical equipment rooms, all janitor closets, trash collection rooms, adjacent to all sleeping rooms separated from kitchens by any wall, maintenance shops, locker rooms, classrooms, projection booths, above transoms, and below any accessible stage areas. Detectors shall be installed in spaces of twenty four inches (24") or more above suspended ceilings and in accordance with NFPA 72E, 1987 edition, section 26.4 and shall be on a separate zone.~~

5 (3) ~~Automatic fixed temperature thermodetectors with a rating of one hundred ninety~~

1 degrees (190 degrees) to two hundred degrees (200 degrees) F. shall be installed in all boiler
2 rooms, accessible attics and kitchens or where permanent cooking or heating equipment is
3 located.

4 (4) Smoke detectors shall be installed in all common corridors and at the top of all
5 stairwells and elevator shafts and elevator landings.

6 (5) Manual fire alarms stations shall be distributed throughout the protected building so
7 that they are unobstructed, readily accessible, and located at each required means of egress from
8 the building and/or floor area. These stations shall not be marked local. Additional stations shall
9 be provided on each floor or in each fire area to obtain a maximum horizontal travel distance of
10 one hundred fifty feet (150') to the nearest station unless otherwise specified in occupancy
11 sections of this code.

12 (6) Additional detectors may be required in areas deemed essential to life safety by the
13 authority having jurisdiction, and shall be in compliance with sections 23-28.25-5 and 23-28.25-
14 6.

15 (e) High rise systems. (1) A high rise system for the purpose of this Fire Safety Code is
16 defined as a supervised fire alarm system with voice communication and two way fire department
17 communication system, and shall be provided in all high rise buildings (more than six (6) stories
18 or seventy five feet (75') in height) regardless of the occupancy and shall operate as follows:

19 (2) The manual operation of any station or the automatic actuation of any
20 thermodetector, smoke detector, sprinkler flow switch, or standpipe flow switch shall:

21 (i) Automatically sound a distinctive audible signal on the floor where the alarm
22 originated and one floor above;

23 (ii) Automatically summon the local fire department;

24 (iii) Visually indicate the location of the origin of the alarm at the fire control center
25 within the building;

26 (iv) Interlock with the heating and ventilating control system to start and stop air moving
27 equipment as required;

28 (v) Interlock with all elevators to return them to a designated level. In the event that the
29 designated level is in alarm, the elevators shall return to an approved alternate designated level
30 where they shall be under the exclusive control of the fire department for the duration of the
31 alarm condition; and

32 (vi) De energize door holders to cause all fire/smoke doors which are allowed to be held
33 open in the entire building to close.

34 (3) All high rise fire alarm and voice communication system equipment shall comply

1 with UL Standards numbers 864 and 1480, 1980 editions, and shall also be provided with standby
2 amplification. A fire control center shall be provided at the main level of access to the building at
3 a location approved by the chief of the fire department. This fire control center shall include, but
4 is not limited to, fire alarm and fire detection system panel; voice communication system panels;
5 emergency telephone systems; status indicators for air handling systems; elevators; and other
6 systems as may be required. Means shall be provided at the fire control center to selectively
7 manually operate the audible alarm signals on any floor. A microphone and suitable switches
8 shall be provided at the fire control center to selectively transmit voice communications to all
9 public areas on every floor or fire area or groups of floors or fire areas. Vocal communications
10 shall override the alarm signal. Means shall be provided at the fire control center to operate the
11 exitway stairway door unlocking system. Two way telephonic communication system shall be
12 provided between the fire control center and every stairway floor landing and each elevator lobby
13 on every floor. In addition, a two way fire emergency telephone shall be provided in every
14 elevator. Firefighters' two way telephone system shall be individually zoned and supervised by
15 floors and shall be selectable at the control center. This system shall be wired in a separate
16 metallic raceway system from the fire alarm system wiring. An individual telephone instrument
17 shall be permanently installed at each telephone location and mounted in a lockable, break glass
18 rod, red enclosure. Individual telephone annunciation shall be by telephone cradle switch.
19 Speaker and telephone circuits shall also be supervised for shorts. Manual stations shall be
20 located at every stairwell and elevator lobby on every floor and as indicated in subsection (b)(5).
21 Combination rate of rise and fixed temperature thermodetectors one hundred thirty five degrees
22 (135 degrees) to one hundred forty degrees (140 degrees) F. shall be located in accordance with
23 subsection (b)(2). Automatic one hundred ninety degrees (190 degrees) to two hundred degrees
24 (200 degrees) F. fixed temperature thermodetectors shall be installed in accordance with
25 subsection (b)(3). Smoke detectors shall be installed as required in subsection (b)(4), and on
26 every fifth floor in every stairwell. Stairwell smoke detectors shall sound audible alarms in
27 locations required by the authority having jurisdiction and not only on the smoke detector landing
28 level. Speakers shall be provided so as to be effectively heard above all other sounds by all
29 occupants in every occupied space on each floor or fire area. All circuitry to all manual stations,
30 automatic thermodetectors, and smoke detectors, sprinkler or standpipe flow switches, all fire
31 communication speakers, and fire emergency telephones shall be supervised. An open or ground
32 in any of this circuitry or a failure of any essential part of the amplifier shall activate audible and
33 visual trouble signals at the fire control center. Standby power shall be provided as described in
34 subsection (b)(1).

19 **23.28.25.5. Equipment.** (a) All components of the fire alarm system including, but not
20 limited to, the control equipment, the battery and charger, the annunciator, the manual stations,
21 the automatic thermometers, the smoke detectors, the sprinkler flow switches, the door holder,
22 and the alarm horns shall be listed by the Underwriters Laboratories, Inc. and/or approved by the
23 Factory Mutual research corporation or any recognized testing laboratory satisfactory to the state
24 fire marshal.

25 (b) Manual fire alarm stations shall be approved for the particular application and shall
26 be used only for fire alarm signaling purposes, shall be double action, color red, key locked and
27 shall be keyed the same as the fire alarm control panel door lock. The height of the manual station
28 boxes shall be forty eight inches (48") measured vertically, from the finished floor level to the
29 activating handle or lever of the station.

30 (c) Alarm horns shall be the combination horn/strobe type or shall have a flashing strobe
31 located nearby. This strobe shall be distinctively marked fire. Alarm horns shall be used for no
32 other purpose and shall be of such character and so located as to be effectively heard above all
33 other sounds by all occupants in every occupied space in the building. Where specified in
34 occupancy sections of this code, bells or chimes may, with the approval of the authority having

1 jurisdiction, be used in lieu of horns providing that they are distinct from any other signal in the
2 building. Approved speaker systems used for evacuation shall be at the same level for both
3 speech information and alarm evacuation. Both speech information and alarm evacuation levels
4 must be high enough to be heard above ambient room noises throughout the building. In bedroom
5 areas alarm sounding levels must be at least fifteen (15) db above average ambient room noise
6 levels of approximately fifty five (55) db. Mini horns shall be installed in all sleeping areas if
7 proper sound levels cannot be obtained.

8 (d) Thermodetector and smoke detector spacing shall not exceed the linear maximum
9 indicated for that particular device by an Underwriter's Laboratories, Inc. or F.M. approved
10 testing laboratory. In locations where thermodetectors and/or smoke detectors are required, the
11 type and/or temperature rating of the thermodetector as required in the Rhode Island Fire Safety
12 Code, chapters 28.1 – 28.39 of this title, may be modified by the authority having jurisdiction if,
13 in the authority's judgment, the type or temperature setting of the unit is unsuitable due to
14 environmental or structural conditions unique to that location. Areas in buildings having an
15 approved system of automatic sprinklers shall be exempt from the requirements of
16 thermodetectors. This exemption shall not apply to smoke detectors.

17 (e) Flow switches shall be provided on all sprinkler systems and standpipes installed in
18 all buildings required by this code to have a fire alarm system. The flow switch shall activate the
19 fire alarm system if any one sprinkler head is open or a fire hose on a standpipe is used. All flow
20 switches shall have a retard feature to prevent false alarms due to a surge. A flow switch shall be
21 installed in the main riser so that any flow of water in the system will activate this device. This
22 flow switch shall be on a separate zone and will be designated water flow or sprinkler/standpipe.
23 Flow alarm switches on sprinkler systems and wet standpipe systems shall be installed so that
24 they cannot be disconnected from the fire alarm system by the operation of a shutoff valve. In
25 addition to the flow switch on the sprinkler/standpipe main, flow switch(es) shall be installed on
26 each zone. Sprinklers shall be zoned as per fire alarm zones. An inspectors test valve shall be
27 installed at the end of each sprinkler zone. Any alarm originating from a sprinkler head or a fire
28 hose cabinet shall provide two (2) indications on the system annunciator: one to indicate
29 "sprinkler/standpipe" and one to indicate the zone. All hose cabinets on each floor shall be wired
30 with flow switches. The flow switches shall alarm the zone where the cabinet is located.

31 (f) Switches shall be provided on all shutoffs for required sprinkler or wet standpipe
32 systems such as O-S and Y gate valves or post indicator valves in buildings required by this code
33 to have a fire alarm system. This switch shall activate the fire alarm system or sprinkler zone
34 trouble signal any time the water supply is shut off.

1 (g) A switch shall be provided on all required automatic extinguishing systems, in
2 addition to sprinkler systems, in buildings required by this code to have a fire alarm system. This
3 switch shall activate the building's fire alarm system any time the extinguishing system is
4 actuated and shall be on a separate zone.

5 (h) (1) A building having a required fire alarm system, which is more than twenty
6 thousand square feet (20,000 sq. ft.) in total area or which extends to more than one floor, shall
7 have an annunciator to visually indicate the location of an alarm within the building located
8 inside the main entrance of the building or in a location as approved by the authority having
9 jurisdiction. Each floor shall be separately zoned. If a floor area exceeds twenty thousand square
10 feet (20,000 sq. ft.), additional zoning shall be provided. In no case shall the length of any zone
11 exceed two hundred feet (200') in any direction. Annunciators shall lock in until the system is
12 reset. Selective coded systems utilizing a punch tape register shall be acceptable in lieu of an
13 annunciated system. Other identifying devices such as a computer print out are acceptable in lieu
14 of an annunciator, subject to approval of the authority having jurisdiction. A directory or zone
15 map as required by the authority having jurisdiction shall be provided for every zoned fire alarm
16 system. Annunciator panel location shall meet the requirements of the authority having
17 jurisdiction. If the annunciator is a remote panel, it shall contain all functions including a trouble
18 light and audible trouble signal with silence switch, key operated system reset, and system silence
19 with resound and cover all required zones. Annunciation of alarm and trouble indications will be
20 accomplished with the use of separate zone wiring and not with the use of multiple contact
21 initiating devices. The annunciation shall be by floors or locations and not by a zone number
22 only. In the event that a building has a fire pump or generator, provisions shall be made at the
23 annunciator for visible/audible indication of generator or fire pump operation.

24 (2) In complexes consisting of multiple building clusters, a common fire department
25 connection may, at the discretion of the authority having jurisdiction, be used providing a system
26 powered one million (1,000,000) candle power strobe light shall be installed on each building so
27 as to be visible at the master box or a central location.

28 (i) (1) All required fire alarm systems shall be connected to an approved power source in
29 the building and in addition shall have automatically charged storage type battery standby (dry
30 cell shall not be used) of sufficient capacity to operate the entire system as required by section 23-
31 28.25.4 for the type of system after the principal source of power has failed. The fire alarm
32 system must be able to function and sound the evacuation signals for at least five (5) minutes
33 following the required standby period.

34 (2) Systems utilizing an emergency generator as a source of standby power shall not be

1 exempt from the above requirements for battery standby power.

2 (j) In all buildings having a fire alarm system, the fire alarm system shall be
3 interconnected to the building's heating, air conditioning, and ventilating controls so that the
4 fan(s) two thousand (2,000) cfm or greater capacity of any ventilating system not used for
5 pressurization of a firesafe area and four (4) or more ceiling mounted industrial air circulation
6 fans installed in one room shall automatically shut down any time, other than drills and when
7 testing, that the fire alarm system is actuated. A manual override shall be provided in the fire
8 alarm control panel for fire department use.

9 (k) All required smoke and fire doors in all buildings required by this code to have a fire
10 alarm system may be held open only if equipped with magnetic door holders installed so as to
11 close the doors anytime the alarm system within the building is activated. Smoke detector(s)
12 connected to the alarm system within the building shall be installed proximate to every smoke
13 and fire door.

14 (l) All buildings that have a fire alarm system per this fire alarm code that require fire
15 drills to be held shall have a key operated drill switch installed at a remote location outside of the
16 control panel subject to the approval of the authority having jurisdiction. The key shall not be the
17 same as the control panel key.

18 23-28.25-6. Installation and wiring. (a) All fire alarm system wiring within a building
19 and between buildings in multiple building clusters shall be installed in metal raceway. An
20 equipment bonding conductor shall be provided in all flexible metallic raceways. Type M.C.
21 cable dual rated as FPL and 2 hour fire rated by UL may be selectively installed in buildings in
22 areas with written approval of the authority having jurisdiction for this code and the provisions of
23 subsection (b).

24 (1) EXCEPTION: Wiring between buildings may be buried if enclosed in PVC conduit
25 or run aerially with approved I.M.S.A. shielded cable(s) subject to approval by the authority
26 having jurisdiction.

27 (2) EXCEPTION: For "local" type systems as defined in section 23-28.25-4(a), type FPL
28 shielded with drain wire may be enclosed within walls and ceilings without a raceway. Each
29 conductor shall be identified. Suspended drop in type ceiling assemblies do not constitute a
30 ceiling for the purpose of this subsection only.

31 (b) Wiring installation shall meet the following requirements:

32 (1) For "local" systems as defined in section 23-28.25-4(a), conductors shall be
33 minimum #16 gauge solid copper, type thhn/thwn or tfn.

34 (2) For "supervised" systems as defined in section 23-28.25-4(b) or "high rise" systems

1 as defined in section 23 28.25 4(c), conductors shall be minimum #16 gauge solid copper, type
2 ~~thhn/thwn or tfn~~.

3 (3) ~~A cable cutting tool with controlled depth of cut shall be used in all MC cable~~
4 ~~installations.~~

5 (4) ~~UL listed type MC cable connectors with insulated bushings shall be used in all MC~~
6 ~~cable installations.~~

7 (5) ~~Conductor size shall be increased as required so as to limit voltage drop to a~~
8 ~~maximum of three percent (3%).~~

9 (e) ~~The color code for all fire alarm system conductors shall be as follows:~~

10 (1) ~~DETECTOR CIRCUIT shall be red and black. Red shall be positive and black shall~~
11 ~~be negative. (NFPA IDC)~~

12 (2) ~~HORN/STROBE CIRCUIT shall be blue and white. Blue shall be positive and white~~
13 ~~shall be negative. When bells, chimes or other audible/visual devices are used in lieu of horns,~~
14 ~~this color code shall be followed. (NFPA IAC)~~

15 (3) ~~FLASHING STROBE CIRCUIT, if a separate feed is required, shall be orange and~~
16 ~~yellow. Orange shall be positive and yellow shall be negative.~~

17 (4) ~~SPRINKLER/STANDPIPE CIRCUITS shall be red and black. Red shall be positive~~
18 ~~and black shall be negative.~~

19 (5) ~~SMOKE DETECTOR CIRCUITS, if a separate power feed is required, shall be~~
20 ~~brown and violet. Violet shall be positive and brown shall be negative.~~

21 (6) ~~ELECTRO MAGNETIC DOOR HOLDERS BACK CIRCUITS shall be gray and~~
22 ~~gray.~~

23 (7) ~~MUNICIPAL MASTER BOX TRIPPING CIRCUITS shall be orange and orange.~~
24 ~~Conductors for this circuit shall be installed in a separate raceway.~~

25 (8) ~~ELEVATOR CAPTURE CIRCUITS shall be brown and yellow.~~

26 (9) ~~FAN SHUT DOWN CIRCUITS shall be orange and yellow.~~

27 (10) ~~REMOTE ANNUNCIATOR CIRCUITS shall be violet and numbered at each end.~~

28 (11) ~~BOND WIRES from the control panel to the master box ground rod, and all~~
29 ~~required bonding conductors shall be green.~~

30 (12) ~~MUNICIPAL FIRE ALARM LOOP from the master box to the municipal loop~~
31 ~~shall be black and white.~~

32 (13) ~~AC SUPPLY CIRCUIT to the main fire alarm control panel shall be white, black~~
33 ~~and red. The black shall be one phase, and the red shall be the opposite phase, if required. The~~
34 ~~white shall be the neutral. If a separate feed is required for the battery charger, it shall be black~~

1 and white unless the main fire alarm control panel requires only one AC feed. In that case, the
2 conductors to the battery charger shall be red and white.

3 (d) Primary AC power and/or battery charger circuits shall be on a dedicated branch
4 circuit(s). Circuit breaker locks shall be provided. AC and DC portions of the system shall be
5 installed in separate raceways.

6 (e) Any fire alarm wiring between the control panel and remote terminal cabinets, or
7 between remote terminal cabinets may, at the option of the installer, be a multi conductor cable
8 with each conductor numbered at two inch (2") intervals. All wiring from a terminal cabinet(s) to
9 an alarm device(s) shall conform to the color code specified before herein. Terminal cabinets with
10 hinged, lockable red covers shall be provided at all junction points. All conductor splices shall be
11 made on screw type terminal blocks; wire nuts, butt, crimp or screw type connectors shall not be
12 used. All terminals within a terminal cabinet shall be properly labeled.

13 (f) Spacing and location of thermodetectors or smoke detectors required by the Fire
14 Safety Code shall be in accordance with NFPA 72E, 1987 edition.

15 **23.28.25-7. Connection to fire department.** (a) If a supervised fire alarm system
16 required by this chapter is to be installed in a building in a city, town, or fire district having a
17 municipal alarm system, the system within the building shall be connected into the municipal
18 system via a local energy master box, auxiliary transmitter, radio master box, or other approved
19 method so that any alarm within the building will be automatically relayed to the municipal fire
20 department. Systems installed in buildings in a city, town, or fire district not having a municipal
21 alarm system shall be connected to a remote station via a supervised leased telephone line (or
22 other line).

23 (b) In either event, the authority having jurisdiction shall be consulted as to the type and
24 location of the master box or auxiliary transmitter or the location of the remote station.

25 **23.28.25-8. System acceptance.** (a) A pretest will be held with the installer and the
26 manufacturer's technical representative present. In addition to the requirements listed below, the
27 pretest shall demonstrate that each smoke detector is operative and produces the intended
28 response. Each smoke detector is tested in accordance with the manufacturer's recommendations
29 to initiate an alarm at its installed location. After certification of a complete pretest, the installing
30 contractor shall provide the authority having jurisdiction with written documentation, from the
31 manufacturer's authorized representative of the outcome of the test and will re-inspect in the
32 presence of the authority having jurisdiction and the manufacturer's authorized technical
33 representative. A complete test shall be conducted as follows: the installing contractor, in the
34 presence of a representative of the authority having jurisdiction, shall manually operate every

1 manual fire alarm station, activate every rate of rise type thermodetector with heat, manually
2 operate or electrically short out every fixed temperature thermodetector, actuate every smoke
3 detector with smoke in accordance with the manufacturer's recommendations to demonstrate that
4 smoke can enter the chamber and initiate an alarm, activate all automatic extinguishing system
5 switches and activate every water sprinkler/standpipe flow switch by a flow of water.

6 (b) After installation and before the system acceptance test is performed, a copy of the
7 testing and service contract will be furnished to the authority having jurisdiction by the owner or
8 contractor. The contractor shall prepare and submit a single line diagram of each installation, as
9 built, indicating wiring between equipment and locations of panels, manual pull stations,
10 detectors, and other devices to the authority having jurisdiction.

11 (c) Each manual fire alarm station, thermodetector, smoke detector, extinguishing system
12 switching circuits, flow switch circuit and each alarm horn/strobe circuit shall be opened in at
13 least two locations to test for the correctness of the supervisory circuitry. All communications
14 shall be tested completely. The fire alarm system shall be in accordance with this chapter and in
15 one hundred percent (100%) operation prior to acceptance and/or issuance of a certificate of
16 occupancy.

17 (d) The fire alarm system may be placed in operation prior to acceptance if in the
18 opinion of the authority having jurisdiction, it will enhance public safety or provide property
19 protection during the final phases of construction. In this case all devices will be thoroughly
20 cleaned or replaced prior to the system acceptance test. The system will not be placed in
21 operation without the written permission of the authority having jurisdiction. Under no
22 circumstances will this be considered a final acceptance test.

23 **23-28.25-9. Maintenance of the system.** -- Owners of buildings where systems are
24 installed shall ensure that the systems and all of their components are in one hundred percent
25 (100%) operating condition at all times and provide a twenty four (24) hour emergency service
26 number at the fire alarm panel. Owners of buildings where systems are installed shall provide
27 written evidence to the authority having jurisdiction that there is a maintenance and testing
28 program in force for the fire alarm system providing for periodic testing of the system. All
29 systems except a system as described in section 23-28.25-4(a) with six (6) or less initiating
30 devices shall be tested at least once every three (3) months with twenty five percent (25%) of all
31 manual stations, thermodetectors, smoke detectors and other devices operated with each test. A
32 different twenty five percent (25%) of the above mentioned devices will be operated at each
33 inspection so that the entire system will have been tested at the end of each year. A system as
34 described in section 23-28.25-4(a) with six (6) or less initiating devices shall require a full system

1 ~~test once every six (6) months. The person(s) or firm responsible for this testing shall be licensed~~
2 ~~as required by chapter 6 of title 5. The licensing requirements shall not apply to the fire~~
3 ~~department officer in charge of the scene to operate, reset or disconnect the fire alarm system as~~
4 ~~required by the authority having jurisdiction. Certification of these tests shall be forwarded to the~~
5 ~~authority having jurisdiction from the person(s) or firm performing the test within ten (10) days~~
6 ~~of the completion of the test. The person(s) or firm performing the maintenance and testing of the~~
7 ~~fire alarm system shall notify the authority having jurisdiction within five (5) days, in writing,~~
8 ~~after the cancellation of a maintenance/testing agreement with the building owner. Any existing~~
9 ~~unaltered fire alarm system installed in accordance with previous state fire codes shall be~~
10 ~~maintained and tested in accordance with this section. It shall be the building owner's~~
11 ~~responsibility to certify periodic compliance with this section.~~

12 SECTION 26. Chapter 23-28.26 of the General Laws entitled "Dip Tanks Containing
13 Flammable or Combustible Liquid" is hereby repealed in its entirety.

CHAPTER 23-28.26

Dip Tanks Containing Flammable or Combustible Liquid

16 **23-28.26-1. Applicability -- Standard -- Enforcing authority.** (a) This chapter shall
17 ~~apply to the design, equipment, installation, maintenance, and use pertaining to tanks, vats, and~~
18 ~~containers of flammable or combustible liquids in which articles or materials are immersed for~~
19 ~~the purpose of coating, finishing, treating, or similar processes, which shall be in accordance with~~
20 ~~N.F.P.A. Standard 34, 1989 edition.~~

21 ~~(b) For the purposes of this chapter, the enforcing authority shall be the authority having~~
22 ~~jurisdiction.~~

23 SECTION 27. Chapter 23-28.27 of the General Laws entitled "Spray Application Using
24 Flammable or Combustible Material" is hereby repealed in its entirety.

CHAPTER 23-28.27

Spray Application Using Flammable or Combustible Material

27 **23-28.27-1. Applicability -- Standard -- Enforcing authority.** (a) This chapter shall
28 ~~apply to the design, equipment, installation, maintenance, and use pertaining to the application of~~
29 ~~flammable and combustible material when applied as a spray by compressed air, airless, or~~
30 ~~hydraulic atomization, or by steam or electrostatic method or by any other means in continuous or~~
31 ~~intermittent process. It also covers the application of combustible powders when applied in power~~
32 ~~spray guns or electrostatic fluidized beds, which shall be in accordance with N.F.P.A. Standard~~
33 ~~33, 1989 edition.~~

34 ~~(b) For the purposes of this chapter, the enforcing authority shall be the authority having~~

1 jurisdiction.

2 SECTION 28. Chapter 23-28.29 of the General Laws entitled "Model Rocket Engines"
3 is hereby repealed in its entirety.

4 **CHAPTER 23-28.29**

5 **Model Rocket Engines**

6 **23-28.29-1. Legislative findings.** -- It is recognized that the pursuit of the hobby of
7 flying model rockets by the citizens of the state is desirable for both educational and recreational
8 benefits derived. Many schools have established courses of instruction which include within the
9 framework of their curriculum the construction, testing, launching, and study of model rockets,
10 and it is deemed and hereby decreed proper and appropriate that, in order to protect the health and
11 welfare of the general public and for the preservation of property within the state, the general
12 assembly shall cause the sale and use of model rocket engines to be regulated and controlled.

13 **23-28.29-2. Sale and use of rocket engines.** -- No model rocket engine as defined in
14 section 23-28.29-3 shall be sold or offered for sale, or otherwise transferred, and no model rocket
15 engine shall be ignited or used or caused to be ignited or used, except in accordance with this
16 chapter, and the rules and regulations promulgated by the state fire marshal, or his or her duly
17 authorized deputy, both hereinafter referred to as "state fire marshal" in this chapter.

18 **23-28.29-3. "Model rockets" defined.** -- "Model rockets" are defined as nonprofessional
19 rockets which are propelled by approved commercially manufactured solid propellant engines.

20 **23-28.29-4. "Model rocket engine" defined.** -- "Model rocket engine" is a
21 commercially manufactured, nonreusable rocket propulsion device constructed of a nonmetallic
22 casing and solid propellant wherein all of the ingredients are self contained so as not to require
23 mixing or handling by the user. The propellant charge shall not exceed two and two tenths (2.2)
24 ounces.

25 **23-28.29-5. Engine standards.** -- No model rocket engines shall be sold or used as
26 provided in this chapter, unless they shall be manufactured and classified in accordance with the
27 recommendations of the national fire protection association. Each model rocket engine shall be
28 imprinted with this standardized classification.

29 **23-28.29-6. Use.** -- Model rocket engines shall be used only in model rockets conforming
30 to the provisions of section 23-28.29-2. This section does not prevent the state fire marshal, with
31 written approval of the fire official of the city or town, from authorizing the use of classified
32 model rocket engines for educational, meteorological, and technical industrial purposes.

33 **23-28.29-7. Permit to sell.** -- (a) No person who sells at retail shall receive, possess, or
34 sell any model rocket engines without first securing a permit issued to that person by the fire

1 official having the responsibility for the suppression and prevention of fire in the city or town
2 where the model rocket engine is to be sold in accordance with the regulations to be promulgated
3 under this chapter by the state fire marshal. The model rocket engine user is prohibited from
4 selling engines in his or her possession to any other person.

5 (b) In any city or town in which there exists no organized fire protection agency
6 responsible for the protection of the area, fire official for the purpose of this section shall be the
7 state fire marshal.

8 **23-28.29-8. Application.** Application for a permit to "sell at retail" model rocket
9 engines shall be made to the fire official having the responsibility for the prevention and
10 suppression of fire in the city or town in which the model rockets are to be sold. Application shall
11 be made in writing upon a form prescribed by the state fire marshal.

12 **23-28.29-9. Minimum age for possession or purchase.** No model rocket engines shall
13 be sold, given, or delivered to any person under eighteen (18) years of age, except that model
14 rocket engines bearing the standardized engine coding 1/4A, 1/2A, A, B, and C may be sold to
15 any person not less than fourteen (14) years of age, who is accompanied by a parent or guardian
16 at the time of purchase. A person between the ages of fourteen (14) years and eighteen (18) years
17 may purchase model rocket engines for a period of one year from the date of filing with the retail
18 seller of a statement by the purchaser's parent or guardian on a form approved by the state fire
19 marshal, certifying to the consent of the parent or guardian to the purchase by that person of
20 model rocket engines from the seller for a period of one year.

21 **23-28.29-10. Protection of persons near launching device.** (a) No person other than
22 the user and members of the user's model rocket club or organization, if any, shall be permitted
23 within one hundred feet (100') of the launching device.

24 (b) Except for those persons actually participating in the firing, no member of the club or
25 organization, if any, which is firing "model rockets," shall be permitted within twenty five feet
26 (25') of the launching device at the time of ignition.

27 **23-28.29-11. Possession.** The model rocket engine user shall keep all model rocket
28 engines in his or her possession from the time of purchase to the time when the engine is installed
29 in the model rocket during the preparation for firing.

30 **23-28.29-12. Use as a weapon.** A model rocket shall not be used as a weapon against
31 ground or air targets.

32 **23-28.29-13. Supervision of arming, firing, and disposal of rocket engines.** The user
33 of the model rocket shall supervise the arming of the rocket with the rocket engine, and the firing
34 and disposing of all fired or defective rocket engines. The user of the firing site shall be

1 responsible for the safety of all spectators and other persons connected with the firing of model
2 rockets.

3 **23-28.29-14. Revocation of permits and authorized use of firing areas.** -- The state
4 fire marshal or the fire official may immediately revoke a permit to sell model rocket engines at
5 retail if he or she finds that those persons granted a permit have violated this chapter or the
6 regulations promulgated under this chapter by the state fire marshal. The fire official having the
7 responsibility for the suppression and prevention of fire in the city or town where the model
8 rocket engine is to be used may immediately prohibit the use of a firing area if he or she finds
9 those persons authorized to fire model rockets have created an undue hazard to life and property.

10 **23-28.29-15. Experimental or amateur rocket engines -- Possession and use of model**
11 **rockets by schools.** -- The provisions of this chapter shall not be used to establish the authority to
12 possess, launch, or use experimental or amateur rocket engines, nor to abridge the right of a bona
13 fide school to possess and use model rockets in connection with a regular course of instruction
14 within its curriculum, and under the direct supervision of a teacher regularly employed by that
15 school.

16 **23-28.29-16. Regulations and standards by fire marshal -- Issuance of copies of this**
17 **chapter and regulations.** -- (a) The state fire marshal is hereby authorized to issue regulations
18 relating to the enforcement and application of the provisions of this chapter, including, but not
19 limited to, the standards to be followed by fire officials in granting permits to sellers, the
20 requirements for the testing of model rocket engines, and the determination of standards of
21 design, weight, and power permitted to be used in model rockets under this chapter.

22 (b) All regulations so promulgated shall be printed and issued to all licensed retail sellers
23 for distribution to purchasers of model rocket engines. A copy of this chapter shall also be
24 available for inspection by purchasers at the retail seller's place of business, and shall be kept in a
25 conspicuous place upon or near the counter or area from which model rocket engines are sold.

26 **23-28.29-17. Penalty for violation.** -- Any person or corporation who shall violate any of
27 the provisions of this chapter shall be guilty of a misdemeanor and shall be liable to a fine of not
28 more than one hundred dollars (\$100) or imprisonment for a period of thirty (30) days, or both.

29 SECTION 29. Chapter 23-28.30 of the General Laws entitled "Community Residences
30 for the Mentally Retarded, Mentally Ill, Drug Abusers, and Alcoholics" is hereby repealed in its
31 entirety.

32 **CHAPTER 23-28.30**

33 **Community Residences for the Mentally Retarded, Mentally Ill, Drug Abusers, and Alcoholics**

34 **23-28.30-1. "Community residence" defined.** -- As used in this chapter:

1 (1) A "community residence" is defined as a community based residential facility. A
2 community residence operates twenty four (24) hours a day to provide room, board, and
3 supportive services to less than twenty (20) persons who are mentally retarded, mentally ill, drug
4 abusers, and/or alcoholics and who are in need of those services.

5 (2) A "community residence" would include, but not be limited to, the group home,
6 hostel, or half way house. This definition does not include nursing homes or other forms of
7 facilities which are primarily directed toward meeting the health or health related and/or medical
8 needs of the resident.

9 **23-28.30-2. Applicability.** -- The regulations contained in this chapter shall apply to all
10 community residences as defined in section 23-28.30-1.

11 **23-28.30-3. Use of existing community residences of combustible construction.** -- In
12 combustible buildings presently used as community residences, the first and second stories may
13 be used as such. Use of the third story will be limited to staff occupancy unless the building is
14 completely protected by a system of automatic sprinklers installed and maintained in accordance
15 with proper and acceptable standards. No building may be used as a community residence if it is
16 more than three (3) stories in height above the ground and is of combustible construction. An
17 unoccupied area immediately below the roof shall not be considered as a story in the application
18 of this section.

19 **23-28.30-4. New construction -- Additions -- Conversions.** -- Every community
20 residence hereafter constructed, every addition hereafter made to a community residence, and
21 every building hereafter converted for use in whole or in part as a community residence, shall be
22 completely protected by an approved system of automatic sprinklers, installed and maintained in
23 accordance with N.F.P.A. Standard 13, 1989 edition and its related standards.

24 **23-28.30-5. Roofs.** -- Roofs of community residences shall be covered with roofing
25 which is not readily flammable.

26 **23-28.30-6. Egress facilities required.** -- Each story of every building used as a
27 community residence shall have at least two (2) approved means of egress. Exits shall be located
28 remote from each other providing the best practicable means of egress for all occupants in the
29 event fire renders one exit impassable. Each occupied room shall have at least one doorway
30 opening directly to the outside or to a corridor leading directly to, or by stairway to the outside.

31 **23-28.30-7. Egress passageways.** -- (a) In existing buildings, corridors and passageways
32 shall be not less than thirty two inches (32") in width. In new buildings, corridors and
33 passageways shall be not less than thirty six inches (36") in width.

34 (b) Corridors and passageways considered as approved means of egress shall be at least

1 eighty four inches (84") in height.

2 (c) Access to all interior and outside stairways, to fire escapes, and other exits considered
3 as means of egress, shall be unobstructed and shall not be through a bathroom or a room used for
4 any other purpose that may obstruct free passage, nor shall access be veiled from open view by
5 ornamentation, curtains, or other appurtenances.

6 23-28.30-8. Stairways. (a) Stairways in approved egress passages in existing buildings
7 shall be not less than thirty two inches (32") in width and in new buildings and additions to
8 existing buildings, such stairways shall be not less than thirty six inches (36") in width between
9 handrails.

10 (b) All stairways in egress passages shall have a suitable handrail on one side.

11 (c) Landings in new buildings forty four inches (44") in depth and at least width of door
12 in existing buildings.

13 (d) Stair treads on inside required egress stairways in building shall be not less than eight
14 inches (8") in width, exclusive of nosing, and risers shall not exceed eight and one half inches
15 (81/2") in height. In new buildings, stair treads shall be not less than nine and one half inches
16 (91/2") wide and risers shall not exceed seven and three fourths inches (73/4") in height.

17 (e) Ramps may be substituted for stairs in new and existing buildings, and the grade shall
18 not exceed one foot (1') in ten feet (10') of run.

19 (f) Winding stairs shall not be allowed in new construction. Winders in existing
20 buildings shall not exceed a ninety degree (90 degrees) turn in otherwise complying stairway.

21 23-28.30-9. Outside stairways. Outside stairways shall be twenty four inches (24") in
22 width and constructed and installed in accordance with chapter 28.8 of this title.

23 23-28.30-10. Vertical openings. All interior stairways constituting approved
24 passageways shall be enclosed and segregated from other portions of the building by materials
25 with a fire resistant rating of not less than sixty (60) minutes. All other vertical openings
26 throughout these buildings shall be enclosed by materials with a fire resistant rating of not less
27 than sixty (60) minutes. Where full enclosure is impracticable, the required enclosure may be
28 limited to that necessary to prevent a fire originating in any story from spreading to any other
29 story.

30 23-28.30-11. Doors, doorways, and transoms. (a) All doorways which are an
31 approved means of egress shall be at floor level in new structures and as near thereto as
32 practicable in existing structures.

33 (b) All egress doors to the outside or into stairways or passages leading to the outside
34 shall open out in the direction of egress travel. There shall be no obstruction at any time to the

1 ~~opening or closing of egress doors.~~

2 ~~(c) All egress doors leading directly outside shall be at least thirty two inches (32") in~~
3 ~~width, in existing buildings. In new buildings egress doors shall not be less than thirty six inches~~
4 ~~(36") in width.~~

5 ~~(d) All egress openings shall be equipped so as to ensure opening of the doors by a single~~
6 ~~latch with normal strength.~~

7 ~~(e) No door shall be equipped with a lock, latch, bolt, or other fastening device which~~
8 ~~will allow for locking the door against opening from within or which will require a second~~
9 ~~operation or motion to open the door for egress purposes.~~

10 ~~(f) Door assemblies in walls or partitions required to be fire resistive, except doors in~~
11 ~~exterior walls, shall have a fire resistance rating comparable to the related wall construction.~~

12 ~~(g) All doorways entering on common use corridors or egress passageways shall be~~
13 ~~protected by a substantial door such as a one and three eighths inch (13/8") solid wood bonded~~
14 ~~core door or the equivalent so installed as to provide a reasonably smoke and gas tight barrier.~~

15 ~~(h) Transoms and other similar openings in corridors and passageways shall not be~~
16 ~~allowed in new constructions. Existing transoms and like openings in corridors and passageways~~
17 ~~shall be permanently sealed and made fire resistant equal to the related door or sidewall opening.~~

18 **23-28.30-12. Exit signs.** ~~-- Illuminated signs shall be placed at each approved means of~~
19 ~~egress from each story, and shall be so installed as to be visible at all times from the direction of~~
20 ~~travel thereto. When these doorways and signs are not readily discernible from corridors, an~~
21 ~~adequate number of additional signs shall be provided with an arrow pointing in the direction of~~
22 ~~exit travel.~~

23 **23-28.30-13. Illumination of exit passages.** ~~-- Lighting shall be provided at all times for~~
24 ~~the lighting of corridors, stairways, passageways, ramps, and fire escapes.~~

25 **23-28.30-14. Fire alarms.** ~~-- A fire alarm system as prescribed in section 23-28.25-4(b)~~
26 ~~shall be installed in every community residence #1.~~

27 **23-28.30-15. Fire extinguishers.** ~~-- All community residences shall be provided with at~~
28 ~~least one fire extinguisher on each floor easily accessible to all, which will be subject to annual~~
29 ~~inspection. It shall be appropriate for use in the area in which it is located.~~

30 **23-28.30-16. Fire prevention—Drills.** ~~-- There will be twelve (12) fire drills per year~~
31 ~~and a written procedure for evacuation. Further, there will be eight (8) hours a year set aside for~~
32 ~~staff development regarding fire prevention and safety program. This program must be approved~~
33 ~~by the state fire marshal's office.~~

34 **23-28.30-17. Heating equipment.** ~~-- (a) Central heating plants, steam boilers, and oil fire~~

1 ~~water heaters shall be segregated from all other occupancies by walls, ceilings, and floors having~~
2 ~~a fire resistant rating of not less than sixty (60) minutes in existing combustible buildings, and~~
3 ~~which shall provide a reasonably smoke tight enclosure. In new construction and in~~
4 ~~noncombustible buildings, such enclosure shall be of noncombustible construction having a fire~~
5 ~~resistant rating of not less than two (2) hours.~~

6 ~~(b) An enclosure for heating equipment shall be provided with adequate vents direct to~~
7 ~~the outside sufficient for proper combustion and exhaust. Ventilating openings shall be provided~~
8 ~~having a total area equal to not less than twice the flue outlet of the heating plant; the opening~~
9 ~~shall be maintained in an open position with fixed louvres.~~

10 ~~(c) Heater rooms shall only contain equipment for heating, water supply, and~~
11 ~~switchboard and shall not be used for any other purpose.~~

12 ~~(d) Interior door assemblies to heater rooms in combustible buildings shall be of not less~~
13 ~~than sixty (60) minute fire resistant construction and shall be equipped with a positive self closing~~
14 ~~device and latch. In new construction, the heater room doors shall be Class "B" type doors~~
15 ~~swinging into the heater rooms and equipped with a positive self closing device. The doors shall~~
16 ~~have no hold open device and shall be kept closed at all times.~~

17 ~~(e) The furnaces, boilers, and other fired units shall be vented by means of reasonably~~
18 ~~gas tight smoke pipes or breechings connected properly to a chimney constructed of brick, solid~~
19 ~~block masonry, or reinforced concrete with suitable flue lining properly erected and maintained in~~
20 ~~a safe condition.~~

21 ~~(f) Oil burners shall be equipped with proper devices for automatic lighting, controls for~~
22 ~~oil flow and temperature, and other proper safety devices, and shall also be installed with an~~
23 ~~auxiliary switch wired to position in location providing operation remote from any fire danger~~
24 ~~area.~~

25 **23-28.30-18. Housekeeping.** ~~All community residences and other~~
26 ~~occupancies within buildings containing community residences shall be kept clean and in a tidy~~
27 ~~condition and free from accumulation of combustible debris or other waste material.~~

28 **23-28.30-19. Fire stopping.** ~~Exterior walls of frame construction and interior stud~~
29 ~~partitions shall be fire stopped by two inch (2") thick timber or plate at the ceiling of the~~
30 ~~basement.~~

31 **23-28.30-20. Decorative and acoustical materials.** ~~All combustible decorative and~~
32 ~~acoustical materials, including curtains located in corridors, passageways, stairways, lobbies, and~~
33 ~~other rooms or spaces for general boarder or public use shall be rendered and maintained flame-~~
34 ~~resistant.~~

1 **23-28.30-21. Interior finish.** -- The interior finish in every community residence shall be
2 as regulated or modified by the provisions of the description of interior finish in section 23-28.1-
3 5. Flamespread rate of interior finish throughout shall not be less than Class "C".

4 **23-28.30-22. Exemption.** -- Community residences as defined in section 23-28.30-1 shall
5 be exempt from the provision of section 23-28.1-6.

6 **23-28.30-23. Inspections.** -- The director of mental health, retardation, and hospitals
7 shall make or cause to be made unannounced inspections and investigations at least once every
8 two (2) months of the community residences. The inspections shall be conducted both as to profit
9 and non-profit facilities and the results shall be open to public inspection; however, requirements
10 as to the fire safety code will be deferred in accordance with section 23-28.1-7.

11 **23-28.30-24. Scope of inspections.** -- Inspections and investigations shall include health,
12 sanitation, nursing care, and dietary and any other condition immediately affecting the patients.

13 **23-28.30-25. Time for correction of defects.** -- (a) Every organization, corporation or
14 person who will be inspected or investigated under section 23-28.30-23 will begin to correct
15 health, sanitation, nursing care, and dietary defects immediately upon notice by the director of
16 mental health, retardation, and hospitals that the defects exist. Notification will be made by
17 registered letter return receipt requested from the director of mental health, retardation, and
18 hospitals to the organization, person, or corporation so inspected.

19 (b) However, every defect will be fully and wholly corrected within thirty (30) days from
20 the time of notice unless an extension will be granted for good cause shown but no such extension
21 will exceed fifteen (15) days.

22 **23-28.30-26. Penalty.** -- Every organization, person, or corporation who shall willfully
23 and continually violate any provisions of sections 23-28.30-23 and 23-28.30-25 will be subject to
24 a fine up to three hundred dollars (\$300) for each violation thereof.

25 **23-28.30-27. "Community residence II" defined.** -- (a) A "community residence II" is
26 defined as a community based residential facility. A community residence II operates twenty four
27 (24) hours a day to provide room, board, and supportive services to eight (8) or less persons who
28 are mentally retarded, mentally ill, drug abusers, and/or alcoholics who are in need of such
29 services.

30 (b) A "community residence II" would include, but not be limited to, the group home,
31 hostel, or half way house being used for this purpose. This definition does not include nursing
32 homes or other forms of facilities which are primarily directed toward meeting the health or
33 health related and/or medical needs of the resident.

34 **23-28.30-28. Applicability.** -- The regulations contained in sections 23-28.30-23-23-

1 ~~28.30.26 shall apply to all community residences II as defined in section 23-28.30.27.~~

2 ~~**23-28.30-29. Construction requirements.**~~ -- (a) Every community residence II shall be
3 ~~no more than one story in height.~~

4 ~~(b) Every new community residence II shall be completely protected by an approved
5 system of automatic sprinklers, installed and maintained in accordance with N.F.P.A. Standard
6 13, 1989 edition and its related standards.~~

7 ~~**23-28.30-30. Egress facilities required.**~~ -- (a) Each community residence II shall have at
8 ~~least two (2) approved means of egress from an occupied level. Exits shall be located remote~~
9 ~~from each other providing the best practicable means of egress for all occupants in the event fire~~
10 ~~renders one exit impassable.~~

11 ~~(b) Windows may be used as secondary exits provided they meet all of the following~~
12 ~~requirements:~~

13 ~~(1) The windows must be capable of being opened from the inside without the use of~~
14 ~~tools; and~~

15 ~~(2) The window must provide a usable opening of not less than twenty inches (20") in~~
16 ~~width, twenty four inches (24") in height and five and three tenths square feet (5.3 sq. ft.) in area;~~
17 ~~and~~

18 ~~(3) The window shall be not more than forty four inches (44") above the floor and not~~
19 ~~more than six feet (6') above the adjacent ground level.~~

20 ~~(c) If windows are used as a second means of egress, all sleeping rooms must have at~~
21 ~~least one window complying with the requirements of subsection (b).~~

22 ~~**23-28.30-31. Egress passageways.**~~ -- Corridors and passageways shall be not less than
23 ~~thirty six inches (36") in width. Access to exits shall not be through a room the door to which is~~
24 ~~subject to locking.~~

25 ~~**23-28.30-32. Stairways to basement.**~~ -- The stairway to any basement from the occupied
26 ~~floor of the community residence II shall be enclosed at the top or bottom with one hour fire~~
27 ~~resistant materials so that the basement area is segregated from the occupied area.~~

28 ~~**23-28.30-33. Other vertical openings from basement.**~~ -- All other vertical openings
29 ~~from the basement to the occupied floor in such buildings shall be enclosed by materials with a~~
30 ~~fire-resistant rating of not less than one hour.~~

31 ~~**23-28.30-34. Doors and doorways.**~~ -- (a) All doorways in an approved means of egress
32 ~~shall be at floor level and/or grade level or as near thereto as practicable.~~

33 ~~(b) Doors to occupied rooms and means of egress shall be not less than thirty inches~~
34 ~~(30") in width.~~

1 (c) ~~Doorways to sleeping rooms shall be protected by a substantial door such as one and~~
2 ~~three eighths inches (13/8") solid wood bonded core door or the equivalent so installed as to~~
3 ~~provide a reasonably smoke and gas tight closure.~~

4 (d) No door shall be equipped with a lock, latch, bolt, or other fastening device which
5 will allow locking the door against opening from within the room or which will require a second
6 operation or motion to open the door for egress purposes.

23-28.30-35. Fire alarms. -- Smoke detectors shall be installed in accordance with sections 23-28.34-2 23-28.34-7.

9 **23-28.30-36. Fire extinguishers.** -- All community residences II shall be provided with
10 at least one fire extinguisher of an approved type in each kitchen and boiler area within the
11 building. These extinguishers shall be maintained in accordance with N.F.P.A. Standard 10, 1988
12 edition.

13 **23.28.30-37. Fire drills.** There shall be a sufficient number of drills held every year to
14 familiarize each resident with fire prevention and evacuation procedures, but not less than
15 quarterly. New residents shall be oriented to evacuation procedures immediately.

16 **23.28.30-38. Heating equipment.** (a) Furnaces, boilers, and other fired units shall be
17 vented to allow proper combustion and exhaust.

18 ~~(b) Chimneys, fireplaces, and venting systems shall be installed in accordance with~~
19 ~~N.F.P.A. 211, 1988 edition.~~

20 (e) ~~Furnaces, boilers, and other fired units shall be equipped with proper devices for~~
21 ~~automatic lighting, controls for fuel flow and temperature, and other proper safety devices.~~

22 (d) ~~Remote switch shall be installed.~~

23 (e) ~~Furnaces, boilers, and other fired units shall not be located within the occupied level.~~

24 **23.28.30-39. Housekeeping.**—All community residences II premises shall be kept clean
25 and in a tidy condition and free from accumulation of combustible debris or other waste material.

26 23.28.30-40. Interior finish. -- Interior finish of occupied spaces in community
27 residences II facilities shall be Class A, B, or C as defined in section 23.28.1.5.

23-28.30-41. Use of windows.—Windows may not be used as a means of egress in any facility housing persons with physical disabilities.

30 **23-28.30-42. Means of egress dimensions.** -- Means of egress in community residences
31 ~~H, housing persons with disabilities shall comply with the dimensions and components specified~~
32 ~~in The Americans with Disabilities Act Accessibility guidelines.~~

33 SECTION 30. Chapter 23-28.31 of the General Laws entitled "Horse Stables" is hereby
34 repealed in its entirety.

~~Horse Stables~~

23-28.31-1. New construction and additions. (a) Every horse stable constructed after 1976, and every addition made after June 4, 1976, to an existing horse stable and one built June 4, 1976, converted as a horse stable shall be of noncombustible construction without Smoke barriers shall be installed separating every sixteen (16) stalls.

~~(b) Each subdivided section shall be provided with adequate roof vents.~~

~~(c) Living accommodations shall be separate from the immediate area of the stables.~~

(d) Heat producing devices such as submersible water heaters, hot plates, etc. shall be
ted in stables.

~~(e) A fire alarm system as prescribed in section 23-28.25-4(b) shall be installed in every table with sixteen (16) or more stalls.~~

~~(f) Horse stables of fewer than sixteen (16) stalls are exempt from the requirements of~~

23.28.31.2. Posting no-smoking signs. -- "NO SMOKING" signs shall be posted
ting smoking within stalls, shed rows, and general stable area.

23-28.31-3. Fire extinguishers. All stables shall be provided with portable fire extinguishers in accordance with N.F.P.A. Standard 10, 1988 edition.

23-28.31-4. Fire watch. A fire watch shall be maintained on a twenty four (24) hour when the stable area is occupied.

23-28.31-5. Fire lanes. Adequate fire lanes shall be provided around each stable and be kept passable at all times.

23-28.31-6. Electrical wiring. -- All electrical wiring shall be in accordance with the **A. Standard 70, 1990 edition.**

23-28.31-7. Construction. (a) Existing combustible structures shall be protected by a system of automatic sprinklers, or early warning device (U.L.) approved, except combustible structures segregated by fire walls consisting of not more than sixteen (16) stalls.

~~(b) Each subdivided section shall be provided with adequate roof vents.~~

~~(c) Living accommodations shall be separate from the stables.~~

(d) Heat producing devices such as submersible water heaters, hot plates, etc. shall be prohibited in stables.

~~23.28.31.8. Posting no-smoking signs. -- "NO SMOKING" signs~~

ting smoking within stalls, shed rows, and general stable area.

~~23-28-31.9. Fire extinguishers. -- All stables shall be provided with portable fire~~

1 extinguishers in accordance with N.F.P.A. Standard 10, 1988 edition.

2 **23-28.31-10. Fire watch.** -- A fire watch shall be maintained on a twenty-four (24) hour
3 basis when stable area is occupied.

4 **23-28.31-11. Fire lanes.** -- Twenty foot (20') fire lanes shall be provided around each
5 stable and are to be kept passable at all times.

6 **23-28.31-12. Electrical wiring.** -- All electrical wiring shall be in accordance with the
7 N.F.P.A. Standard 70, 1990 edition.

8 SECTION 31. Sections 23-28.32-1, 23-28.32-2, 23-28.32-3, 23-28.32-5, 23-28.32-6, 23-
9 28.32-7, 23-28.32-8, 23-28.32-9, 23-28.32-10 and 23-28.32-11 of the General Laws in Chapter
10 23-28.32 entitled "Sales or Leasing and Servicing of Portable Fire Extinguishers and Fixed Fire
11 Extinguishing Systems" are hereby repealed.

12 **23-28.32-1. Purpose.** -- The purpose of this chapter is to regulate the sale or leasing and
13 servicing of portable fire extinguishers, and fixed fire extinguishing systems in the interest of
14 safeguarding lives and property.

15 **23-28.32-2. Exceptions.** -- The activity of filling or charging a portable fire extinguisher
16 prior to its initial sale by its manufacturer shall not be subject to this chapter. In addition, the
17 licensing and registration provisions of this chapter shall not apply to any firm which services
18 only its own portable fire extinguishers for its own use by maintaining its own fire extinguisher
19 servicing facilities adequate for the purpose and utilizing its own personnel specially trained for
20 such servicing. The provisions of this chapter do not apply to the installation and/or servicing of
21 water sprinkler systems installed in compliance with the national fire protection association
22 standards for the installation of sprinkler systems.

23 **23-28.32-3. Administration.** -- The administration of this chapter is vested in the state
24 fire marshal who shall have the power to issue the proper rules and regulations to administer this
25 chapter.

26 **23-28.32-5. Registration and licensing of persons servicing portable fire
27 extinguishers and/or installing or servicing fixed fire extinguishing systems.** -- (a) Each firm
28 engaged in the business of servicing portable fire extinguishers and/or installing or servicing
29 fixed fire extinguishing systems shall be required to have a certificate of registration issued by the
30 state fire marshal.

31 (b) Each employee, other than an apprentice, of a firm engaged in the business of
32 servicing portable fire extinguishers, and installing or servicing fixed fire extinguishing systems,
33 shall be required to have a license issued by the state fire marshal.

34 (c) Each person servicing portable fire extinguishers or fixed fire extinguishing systems

1 as an apprentice shall be required to have an apprentice permit issued by the state fire marshal.

2 (d) Each firm performing hydrostatic testing of fire extinguishers manufactured in
3 accordance with the specifications of the United States department of transportation (formerly the
4 interstate commerce commission) shall do so in accordance with the procedures specified by that
5 department for compressed gas cylinders, and shall be required to have a hydrostatic testing
6 certificate authorizing the testing issued by the state fire marshal. Persons qualified to do this
7 work shall be given the authority to do so on their licenses.

8 **23-28.32-6. Selling or leasing of portable fire extinguishers and/or fixed fire**
9 **extinguishing systems.** No portable fire extinguisher or fixed fire extinguishing system shall
10 be sold or leased in the state unless it is approved, labeled, or listed by a testing laboratory which
11 is approved by the state fire marshal as qualified to test portable fire extinguishers and fixed fire
12 extinguishing systems.

13 **23-28.32-7. Prohibition against servicing portable fire extinguishers and fixed fire**
14 **extinguishing systems by unlicensed personnel.** (a) Except as provided in section 23-28.32-2,
15 only the holder of a current and valid license, or of an apprentice permit issued under this chapter,
16 may service portable fire extinguishers, and/or fixed fire extinguishing systems.

17 (b) A person who has been issued a license under this chapter to service portable fire
18 extinguishers, and/or fixed fire extinguishing systems must be an employee, agent, or servant of a
19 firm that holds a certificate of registration, or the licensee himself or herself must hold a
20 certificate of registration issued under this chapter.

21 **23-28.32-8. Application and hearings on licenses, permits, and certificates.** (a)
22 Applications for licenses, permits, and certificates under this chapter shall be made pursuant to
23 regulations adopted by the state fire marshal as those regulations may from time to time be
24 amended by him or her.

25 (b) The state fire marshal shall have the authority to conduct hearings or proceedings
26 concerning the suspension, revocation, or refusal of the issuance or renewal of licenses,
27 apprentice permits, hydrostatic testing certificates, certificates of registration, or approval of
28 testing laboratories issued under this chapter or application therefor, and to suspend, revoke,
29 refuse to renew, or refuse to issue the licenses, permits, or certificates.

30 **23-28.32-9. Penalties.** Those persons found to be in violation of this chapter shall be
31 subject to the penalties as defined in section 23-28.32-11.

32 **23-28.32-10. Power and duties of the state fire marshal.** (a) The state fire marshal
33 shall exercise the following functions, powers and duties:

34 (1) To formulate and administer such rules and regulations as he or she may determine

1 necessary for the protection and preservation of life and property in controlling:

2 (i) The registration of firms engaging in the business of servicing portable fire
3 extinguishers and/or fixed fire extinguishing systems.

4 (ii) The registration of firms engaging in the business of hydrostatic testing United States
5 department of transportation specification gas cylinders used for portable fire extinguisher and/or
6 fixed fire extinguishing systems.

7 (iii) The examination of persons applying for a license to service portable fire
8 extinguishers and/or fixed fire extinguishing systems.

9 (iv) The licensing of persons to service portable fire extinguishers and/or installing and
10 servicing fixed fire extinguishing systems.

11 (v) The requirements for servicing of portable fire extinguishers and fixed fire
12 extinguishing systems.

13 (2) To evaluate the qualifications of firms or individuals for a certificate of registration
14 to engage in the business of servicing portable fire extinguishers and/or installing and servicing of
15 fixed fire extinguishing systems.

16 (3) To conduct examinations to ascertain the qualifications and fitness of applicants for a
17 license to service portable fire extinguishers and/or install and service fixed fire extinguishing
18 systems.

19 (4) To issue certificates of registration for those firms that qualify under these
20 regulations to engage in the business of servicing portable fire extinguishers and/or installing and
21 servicing fixed fire extinguishing systems and issue licenses, apprentice permits, and authority to
22 perform hydrostatic testing to the qualified persons.

23 (5) To evaluate the qualifications of firms seeking approval as testing laboratories for
24 portable fire extinguishers and/or fixed fire extinguishing systems.

25 (b) The state fire marshal may delegate the exercise of part or all of his or her functions,
26 powers, and duties under this chapter, except for the issuance of licenses, certificates, and
27 permits, and the formulation of rules and regulations, to a fire extinguishers advisory council
28 whose members shall be appointed by the state fire marshal. The members shall be experienced
29 and knowledgeable in one or more of the following areas: fire services, fire extinguisher
30 manufacturing, fire insurance inspection of underwriting, or fire extinguishers servicing; or are
31 members of a fire protection association or an industrial safety association.

32 **23-28.32-11. Practice without a certificate of registration, license, apprentice permit,**
33 **or hydrostatic testing certificate — Sale or service in violation of this chapter.** Whoever
34 shall intentionally do any of the following shall be guilty of a misdemeanor, and upon conviction

1 ~~thereof shall be fined not more than five hundred dollars (\$500) or shall be imprisoned for not~~
2 ~~exceeding six (6) months, or both so fined and imprisoned for each such offense:~~

3 ~~(1) Engage in the business of servicing portable fire extinguishers and/or fixed fire~~
4 ~~extinguishing systems without a current certificate of registration.~~

5 ~~(2) Service portable fire extinguishers and/or fixed fire extinguishing systems without a~~
6 ~~current license.~~

7 ~~(3) Service portable fire extinguishers and/or fixed fire extinguishing systems, as an~~
8 ~~apprentice without a current apprentice permit.~~

9 ~~(4) Perform hydrostatic testing of the United States department of transportation~~
10 ~~(formerly the interstate commerce commission) specification compressed gas cylinders used for~~
11 ~~or with fire extinguishers without a current hydrostatic testing certificate.~~

12 ~~(5) Obtain or attempt to obtain a certificate of registration or a license by fraudulent~~
13 ~~misrepresentation.~~

14 ~~(6) Service or sell portable fire extinguishers and/or fixed fire extinguishing systems~~
15 ~~contrary to the provisions of this chapter or the rules and regulations formulated and administered~~
16 ~~under the authority of this chapter.~~

17 SECTION 32. Section 23-28.32-4 of the General Laws in Chapter 23-28.32 entitled
18 "Sales or Leasing and Servicing of Portable Fire Extinguishers and Fixed Fire Extinguishing
19 Systems" is hereby amended to read as follows:

20 **23-28.32-4. Definitions.** -- ~~(a) "Apprentice" means a specific individual to whom a~~
21 ~~permit has been issued by the state fire marshal to perform various acts of service while under the~~
22 ~~direct supervision of a person holding a valid license to perform the acts.~~

23 ~~(b) "Certificate of registration" means a written document issued by the state fire marshal~~
24 ~~authorizing a person, firm, or corporation to engage in the business of installing, servicing,~~
25 ~~charging, and repairing fixed fire extinguisher systems and/or portable fire extinguishers.~~

26 ~~(c) "Certified firm" means any individual, person, partnership, corporation, or~~
27 ~~association holding a current certificate of registration issued by the state fire marshal.~~

28 ~~(d) "Department of transportation (D.O.T.) cylinder" means all cylinders manufactured~~
29 ~~and tested in compliance with specifications of the United States department of transportation.~~

30 ~~(e) "Engineered systems" are those requiring individual calculation and design to~~
31 ~~determine the flow rates, nozzle pressures, quantities of extinguishing agents, and the number and~~
32 ~~types of nozzles and their placement in a specific system.~~

33 ~~(f) "Firm" means any person, partnership, corporation, or association.~~

34 (g) "Fixed fire extinguisher system" means a system that contains within it chemicals,

1 dry powder, fluid, or gases for extinguishing fires.

2 (h) "Hydrostatic testing" means pressure testing by approved hydrostatic methods.

3 (i) "Leased" for the purpose of this chapter, means a leased fire extinguisher shall be
4 treated the same as an extinguisher which has been sold.

5 (j) "License" means a written document issued by the state fire marshal to any person for
6 the purpose of granting permission to the person to perform any act or acts for which
7 authorization is required.

8 (k) ~~"Licensee" means a specific individual to whom a license has been issued by the state
9 fire marshal.~~

10 (l) ~~"Portable fire extinguishers" means a device that contains within it, chemicals, fluids,
11 or gases for extinguishing fires, the means for application of its contents to that purpose, and is
12 capable of being readily moved from place to place.~~

13 (m) ~~"Pre-engineered fixed system" are those having predetermined flow rates, nozzle
14 pressure, and quantities of extinguishing agents. These systems have the specific pipe size,
15 maximum and minimum pipe lengths, number of fittings, and number and type of nozzles,
16 prescribed by a nationally recognized testing laboratory. The hazards protected by these systems
17 are specifically limited as to type and size by a nationally recognized testing laboratory based
18 upon actual fire tests.~~

19 (n) ~~"Recognized testing laboratory" means a nationally recognized testing or any other
20 testing agency recognized by the state fire marshal.~~

21 (o) ~~"Repair" means any work performed to a fixed fire extinguisher system and not
22 defined as charging, recharging, or hydrostatic testing.~~

23 (p) ~~"Service and servicing" means servicing portable fire extinguishers or fixed fire
24 extinguishing systems by charging, filling, maintaining, recharging, refilling, repairing, testing,
25 and tagging.~~

26 (q) ~~"Test" means to subject any fixed fire extinguisher system to any procedure
27 necessary to insure its proper operation or installation, and for its approval by the authority
28 having jurisdiction.~~

29 SECTION 33. Chapter 23-28.33 of the General Laws entitled "Storage and Handling of
30 Liquefied Natural Gas" is hereby repealed in its entirety.

31 **CHAPTER 23-28.33**

32 **Storage and Handling of Liquefied Natural Gas**

33 **23-28.33-1. Applicability.** ~~These chapter provisions shall apply to all persons, firms,
34 corporations, partnerships, voluntary associations, and government agencies, except federal,~~

1 ~~storing or handling liquefied natural gas, and to the owner or lessee of any building, or equipment~~
2 ~~in or on which liquefied natural gas is stored or handled, and shall apply to motor vehicles that~~
3 ~~are used for the transportation of liquefied natural gas. These chapter provisions are also intended~~
4 ~~to provide the requirements for the design, construction, and operation of tank motor vehicles and~~
5 ~~certain features of tank motor vehicle chassis for the transportation of liquefied natural gas.~~

6 **23-28.33.2. Definitions.** For the purpose of this chapter, the following words shall
7 have the meanings respectively assigned to them:

8 (1) "Approved" or "approved by authority having jurisdiction" means approved by the
9 marshal.

10 (2) "Container" means all vessels such as tanks, cylinders, or drums used for
11 transportation or storing liquefied natural gas.

12 (3) "Equipment" refers essentially to the container or containers, major devices such as
13 vaporizers, carburetors, safety relief valves, excess flow valves, regulators, etc., and
14 interconnecting piping.

15 (4) "Marshal" means the state fire marshal or his or her authorized representative.

16 (5) "The enforcing officer" means the chief of the fire department of the several cities,
17 towns, and fire districts wherein any violations of the provisions of this chapter may take place.

18 (6) Where the circumstances or conditions of any particular case falling within the scope
19 of this chapter are unusual and such as to render the strict compliance with these provisions
20 impracticable, the enforcing officer having jurisdiction may permit such modification as will
21 provide a substantially equivalent degree of safety; provided, however, that should the enforcing
22 officer refuse to grant such modification as may be requested, then and in that event an
23 application may be submitted to the state fire marshal in accordance with the form hereinafter
24 specified "application for modification"; and modification granted by the state fire marshal shall
25 be accompanied by a written report setting forth the manner in which the modification will
26 provide a substantially equivalent degree of safety as would have been provided by a strict
27 compliance with these regulations. A copy of the report shall be filed in the office of the state fire
28 marshal.

29 (7) The approval of any equipment, container, or appliance will be based on its
30 compliance with the accepted principles of recognized engineering practice, and the marshal may
31 consider for approval any equipment, container, or appliance which meets the standards set up by
32 any of the following organizations:

33 Underwriters' laboratories, inc. (U.L.)

34 National fire protection association (N.F.P.A.)

1 National board of fire underwriters (N.B.F.U.)

2 Interstate commerce commission (I.C.C.)

3 American society of mechanical engineers (A.S.M.E.)

4 American petroleum institute (A.P.I.)

5 American gas association (A.G.A.)

6 American standards association (A.S.A.)

7 **23-28.33-3. Applicability to liquefied natural gas systems.** -- The provisions of this
8 chapter are intended to apply to the design, construction, location, and operation of liquefied
9 natural gas systems.

10 **23-28.33-4. References to standards advisory.** -- References to other standards in these
11 provisions shall be considered as advisory and not mandatory.

12 **23-28.33-5. Enforcement.** -- The state fire marshal or his or her deputy shall cooperate in
13 the enforcement of these provisions with full power and authority to investigate any violations
14 and submit reports of the findings to either the enforcing officer, the town councils of the several
15 towns, the city councils of the several cities, the representative council of the city of Newport, or
16 the attorney general of the state.

17 **23-28.33-6. Severability.** -- If any part of this chapter shall be declared unconstitutional
18 or invalid, the unconstitutionality or invalidity shall in no way affect the constitutionality or
19 validity of any other portion thereof which can be given reasonable effect without the part so
20 declared unconstitutional or invalid.

21 SECTION 34. Chapter 23-28.34 of the General Laws entitled "Fire and Carbon
22 Monoxide Detection Systems" is hereby repealed in its entirety.

23 **CHAPTER 23-28.34**

24 **Fire and Carbon Monoxide Detection Systems**

25 **23-28.34-1. Fire and carbon monoxide detection systems required.** -- (a) All buildings
26 hereinafter constructed or converted for residential occupancy shall be equipped with a smoke
27 detection system listed and/or approved by the Underwriters Laboratories, Inc., or Factory
28 Mutual, installed according to standards set forth below, except that the systems shall not be
29 required in buildings or structures subject to the provisions of the general laws relative to the
30 installation of automatic fire warning systems connected thereto.

31 (b) Provided further that all buildings hereinafter constructed or converted for residential
32 occupancy, those premises being equipped with gas utilities, shall also be equipped with a carbon
33 monoxide detector system listed and/or approved by Underwriters Laboratories, Inc., Factory
34 Mutual or some nationally recognized testing laboratory approved by the state fire marshal and

1 installed according to the standards set forth below.

2 **23-28.34.2. Minimum number of detectors.**—(a) A minimum of one approved smoke
3 detector shall be located in the highest habitable level and on each floor, level, or story.

4 (b) For any floor, level, or story exceeding twelve hundred square feet (1200 sq. ft.) in
5 area, one approved smoke detector shall be provided for each twelve hundred square feet (1200
6 sq. ft.) or portion thereof or as specified by the manufacturer for the particular device.

7 (c) A minimum of one approved carbon monoxide detector shall be installed in each
8 dwelling.

9 **23-28.34.3. Location of detectors.**—(a) Approved smoke detectors shall be located
10 outside each separate sleeping area in the immediate vicinity of the bedrooms and on each
11 additional story of the living unit including basements and cellars and excluding crawl spaces and
12 uninhabitable attics. Bedrooms, or sleeping rooms, separated by other use areas, such as kitchens
13 or living rooms, but not bathrooms, shall require a separate smoke detector. A carbon monoxide
14 detector shall be located outside each separate sleeping area in the immediate vicinity of the
15 bedrooms. Bedrooms, or sleeping rooms, separated by other use areas, such as kitchens or living
16 rooms, but not bathrooms, shall require a separate carbon monoxide detector.

17 (b) In basements or cellars, smoke detectors shall be located within twenty four inches
18 (24") of the base of stairways with solid risers and treads and side enclosed from the top of the
19 stairway to the basement floor in addition to any other detector requirements for that level.

20 (c) In basements or cellars with an open stairway, smoke detectors shall be located at the
21 top of the stairway in addition to any other detector requirements for that level.

22 (d) All smoke detectors shall be mounted on the ceiling.

23 (e) All carbon monoxide detectors shall be mounted in accordance with manufacturer's
24 specifications.

25 **23-28.34.4. Power supply and wiring methods.**—(a) For all detection systems, a one-
26 hundred and twenty (120) AC primary source of electric power with battery back up shall be
27 taken from a dependable light and power supply source. The wiring to each detector shall be
28 taken from a branch lighting circuit serving a habitable area. The power source for the detectors
29 shall be on the supply side ahead of any switches and not on circuits protected by a ground fault
30 circuit interrupter.

31 (b) All required smoke detectors shall be provided with a visible intermittent or steady
32 "power on" indicator and shall be interconnected so that when one detector is actuated all
33 detectors will sound and emit an audible signal having a minimum rating of eighty five (85) dBA
34 at ten (10) ft.

(c) ~~All smoke detector systems shall be tested in accordance with the manufacturer's recommendation.~~

~~(d) Combination smoke/heat or fire/burglar systems meeting the requirements of section 23.28.34.3 and chapters 4 and 5 of N.F.P.A. standard 74, 1989 edition may be used.~~

(e) The appendices of N.F.P.A. 74, 1989 edition may be used for informational purposes only.

(f) All required carbon monoxide detectors shall be provided with a visible intermittent or steady "power on" indicator and will sound and emit an audible signal having a minimum rating of eighty-five (85) dBA at ten (10) feet.

10 **23.28.34.5. Enforcement.** -- The local fire authorities certified by the state fire marshal
11 as prescribed by section 23.28.2.6 in cooperation with the building code officials shall enforce
12 the provisions of this chapter.

13 **23.28.34.6. Homeowners responsible.** It shall be the responsibility of the homeowner
14 to maintain in operable condition smoke and carbon monoxide detection systems, installed as
15 required pursuant to this chapter.

23-28.34.7. Penalty. Any owner of a building or structure who fails to comply with the provisions of this chapter shall be punished by a fine of not more than five hundred dollars (\$500).

19 SECTION 35. Sections 23-28.35-1, 23-28.35-1.1, 23-28.35-1.2, 23-28.35-2, 23-28.35-3,
20 23-28.35-4, 23-28.35-5, 23-28.35-6, 23-28.35-7, 23-28.35-8, 23-28.35-9, 23-28.35-13, 23-28.35-
21 14 and 23-28.35-15 of the General Laws in Chapter 23-28.35 entitled "Fire Detectors and Carbon
22 Monoxide Systems in Existing Residential Occupancies" are hereby repealed.

23 28.35 1. Installation of smoke and carbon monoxide detectors required. -- All
24 occupied residential properties, including mobile homes, and all existing rooming houses
25 constructed before June, 1976, and occupied existing apartment dwellings not required to have a
26 fire alarm system in accordance with chapter 28.25 of this title shall, at the responsibility of the
27 seller before title to the property is transferred as a result of a sale, or at the responsibility of the
28 owner as the result of an inspection required by law or ordinance, be equipped with a smoke and
29 carbon monoxide detector system listed and/or approved by Underwriters Laboratories Inc.,
30 Factory Mutual, or some other nationally recognized testing laboratory approved by the state fire
31 marshal and installed according to the standards set forth below.

23.28.35 1.1. City and town authority to require smoke and carbon monoxide detectors. Any city or town may by ordinance require that any building or structure occupied in whole or in part for residential purposes in the cities or towns, and not otherwise covered by

1 ~~sections 23 28.35 1 or 23 28.34 1, shall, within one year of acceptance, be equipped with smoke~~
2 ~~and carbon monoxide detectors listed and/or approved by Underwriters Laboratories, Inc.,~~
3 ~~Factory Mutual or some other nationally recognized testing laboratory approved by the state fire~~
4 ~~marshall and installed according to the standards set forth in this chapter.~~

5 ~~23-28.35-1.2. Fees. -- The agency, bureau, department in any city, town, fire district, or~~
6 ~~other subdivision of municipal government that performs smoke and carbon monoxide detector~~
7 ~~inspections in all existing one, two (2), and three (3) family dwellings, and all existing apartment~~
8 ~~dwellings of less than eight (8) living units shall, at the time of inspection, be allowed to charge a~~
9 ~~thirty dollar (\$30.00) fee for the inspection on any one, two (2), and three (3) family dwellings~~
10 ~~and all existing apartments of less than eight (8) living units. The responsibility of this charged~~
11 ~~fee will be borne by the seller on each occurrence before title to the property is transferred as a~~
12 ~~result of a sale. A thirty dollar (\$30.00) fee will be allowed for any subsequent reinspection on the~~
13 ~~same one, two (2), and three (3) family dwellings, and all existing apartment units of less than~~
14 ~~eight (8) units, due to improper installation, wrong location, improper wiring method, or the~~
15 ~~seller's failure to maintain a mutually agreed upon appointment with the agency, bureau, or~~
16 ~~department that performs the inspection function. The fees collected by the agency, bureau, or~~
17 ~~department performing the inspections in any city, town, fire district, or other municipal~~
18 ~~subdivision shall be used for fire prevention purposes in that particular city, town, fire district, or~~
19 ~~other municipal subdivision.~~

20 ~~23-28.35-2. Location of detectors. -- (a) An approved smoke and approved carbon~~
21 ~~monoxide detector shall be located in the access space immediately adjacent to bedrooms or~~
22 ~~sleeping rooms. Bedrooms, or sleeping rooms, separated by other use areas, such as kitchens or~~
23 ~~living rooms, but not bathrooms, shall require a separate smoke and a separate carbon monoxide~~
24 ~~detector. In those occupancies where bedrooms open directly into the kitchen, the smoke detector~~
25 ~~shall be located in the bedroom(s), and one carbon monoxide detector in the kitchen, located in~~
26 ~~accordance with manufacturer's specifications in relation to fuel burning appliances.~~

27 ~~(b) In basements or cellars, smoke detectors shall be located within twenty four inches~~
28 ~~(24") of the base of stairways with solid risers and treads and side enclosed from the top of the~~
29 ~~stairway to the basement floor in addition to any other detector requirements for that level.~~

30 ~~(c) In basements or cellars with an open stairway, smoke detectors shall be located at the~~
31 ~~top of the stairway in addition to any other detector requirements for that level.~~

32 ~~(d) All smoke detectors shall be mounted on the ceiling at least twelve inches (12") from~~
33 ~~the wall or on the wall six inches (6") to twelve inches (12") from the ceiling. All carbon~~
34 ~~monoxide detectors shall be mounted in accordance with manufacturer's specifications.~~

1 **23-28.35-3. Power supply and wiring methods.** -- (a) For all smoke and carbon
2 monoxide detection systems, approved smoke and carbon monoxide detectors shall be smoke and
3 carbon monoxide detectors which may be activated by a battery power source, or which may be
4 activated by being permanently wired to a 120 volt AC source of alternating current electric
5 power with each detector taken from a branch circuit serving a habitable area, with no more than
6 two (2) required smoke and carbon monoxide detectors on the same branch circuit and the power
7 source for the detectors shall be on the supply side ahead of any switches, or a system meeting the
8 requirements of chapter 28.34 of this title.

9 (b) All required detectors other than battery operated shall be provided with a visible
10 intermittent or steady "power on" indicator, shall be interconnected so that when on, the detector
11 is actuated, all detectors will sound and emit an audible signal with a minimum rating of eighty-
12 five (85) dBA at ten feet (10'). In multiple units, with hard wire systems, all smoke detectors
13 located in common areas will sound when any one detector is actuated. Apartment units shall
14 have a single station smoke detector, unless more than one detector is required within that unit,
15 and they shall be interconnected within that unit.

16 (c) All AC detectors shall not be installed on circuits protected by a ground fault circuit
17 interrupter and shall be installed in a workmanlike manner and meeting the electrical
18 requirements of the R.I. State Building Code, chapter 27.3 of this title.

19 (d) All detectors shall be tested in accordance with the manufacturer's recommendations.

20 (e) The seller shall obtain an electrical permit for the installation of a hard wire system,
21 and shall supply to the buyer at the time of sale a copy of the approval inspection report.

22 (f) All carbon monoxide detectors shall be provided with a visible intermittent or steady
23 "power on" indicator and will sound and emit an audible signal having a minimum rating of 85
24 dBA at ten (10) feet.

25 **23-28.35-4. Inspection.** -- At the time of the transfer of title, the seller must provide the
26 purchaser with a certificate from the fire department for the community in which the dwelling is
27 located stating that the smoke and carbon monoxide detector systems have been inspected within
28 sixty (60) days prior to the date of sale and has been determined to be in good working order. The
29 fire department for the community in which the dwelling is located must inspect the smoke and
30 carbon monoxide detector systems of the dwelling within ten (10) days of a request from the
31 owner. The inspection may be conducted by qualified personnel of the department or the state fire
32 marshal's office. No fire department nor the fire marshal shall be liable for any damage caused by
33 the subsequent malfunction of a smoke detection system or carbon monoxide detector system
34 which it inspected.

1 **23-28.35-5. Maintenance responsibility.** -- (a) Once the smoke and carbon monoxide
2 detection systems are required within a dwelling pursuant to this chapter, it shall be the
3 responsibility of the owner to maintain the smoke and carbon monoxide detection systems in an
4 operable condition, and the owner shall make operable, within seven (7) days after being notified
5 by certified mail by the occupant and/or enforcement official, any inoperable system.

6 (b) If the owner fails to make the system operable within the required seven (7) days, the
7 tenant may cause the system to be made operable if the total reasonable cost of making the repairs
8 does not exceed the sum of twenty dollars (\$20.00), and the tenant may deduct from his or her
9 rent the actual reasonable cost of repairs not to exceed twenty dollars (\$20.00).

10 **23-28.35-6. Penalty.** -- Any violation of the provisions of this chapter shall be punished
11 by a fine of not more than five hundred dollars (\$500).

12 **23-28.35-7. Statewide jurisdiction.** -- The provisions of this chapter shall be uniform in
13 all cities and towns without local amendments. The provisions of sections 45-13-7 – 45-13-11
14 shall not apply to any costs incurred by the cities and towns as a result of the implementation of
15 this chapter.

16 **23-28.35-8. Effect on title and liability.** -- The recording clerk of any city or town may
17 refuse to accept for recording instruments of transfer which do not comply with this chapter, but
18 the failure of any recorded instrument to comply with this chapter shall not affect the validity of
19 said transfer or impose any liability upon the city or town in which said instrument is recorded.

20 **23-28.35-9. Title.** -- This chapter shall be known as the smoke and carbon monoxide
21 detector law.

22 **23-28.35-13. Affidavit of compliance.** -- The grantor in any instrument being recorded
23 to transfer title to any real property located within the state of Rhode Island, shall:

24 (1) Contemporaneously with the recording of the instrument, record a copy of a smoke
25 and carbon monoxide detector certificate dated not more than sixty (60) days prior to the date of
26 the instrument (section 23-28.35-4); or

27 (2) Certify, in the instrument being recorded, or in a certificate to be recorded
28 contemporaneously with the instrument, that either section 23-28.35-1 has been complied with, or
29 that compliance with that section is not required because the transfer is exempted in section 23-
30 28.35-14.

31 **23-28.35-14. Exempt transfers.** -- Transfers of real property are exempt from
32 compliance with section 23-28.35-1 if:

33 (1) The property being transferred does not contain residential dwellings;
34 (2) A certificate of use and occupancy (section 23-27.3-120) has been issued for the

1 property being transferred within six (6) months of the date of this instrument;

2 (3) The property being transferred is required to have a fire alarm system in accordance
3 with this chapter;

4 (4) The property being transferred is uninhabitable without the issuance of a certificate
5 of use and occupancy (section 23-28.3-120);

6 (5) The property is being transferred pursuant to a foreclosure sale, a tax sale, as a
7 redemption of a tax sale, or in lieu of foreclosure;

8 (6) The property is being transferred by operation of law, or pursuant to an order of any
9 United States court, or any superior or family court of the state of Rhode Island; or

10 (7) The property is being acquired by the state for demolition and will not be sold or
11 used by the state for residential purposes.

12 **23-28.35-15. Contents of affidavit.** -- An affidavit of all individuals signing instruments
13 to transfer real property satisfies this chapter if it contains the following representations:

14 (1) The undersigned hereby certify that grantor has complied with the requirements of
15 the smoke and carbon monoxide detector law, as evidenced by the copy of the smoke and carbon
16 monoxide detector certificate attached to the affidavit; or

17 (2) The undersigned hereby certify that the real property being conveyed by this
18 instrument had working smoke and carbon monoxide detectors, as required by the smoke and
19 carbon monoxide detector law, within fourteen (14) days of the date of this instrument, and an
20 inspection pursuant to section 23-28.35-4 has been requested; or

21 (3) The undersigned hereby certify that this transfer is exempt from the smoke and
22 carbon monoxide detector law as provided in section 23-28.35-14.

23 SECTION 36. Chapter 23-28.38 of the General Laws entitled "Detention and
24 Correctional Occupancies" is hereby repealed in its entirety.

25 **CHAPTER 23-28.38**

26 **Detention and Correctional Occupancies**

27 **23-28.38-1. Definitions -- Standards applicable.** -- (a) (1) Detention and correctional
28 occupancies are those used for the purposes such as jails, detention centers, correctional
29 institutions, reformatories, houses of correction, pre release centers and other residential
30 restrained care facilities where occupants are confined or housed under some degree of restraint
31 or security.

32 (2) Detention and correctional occupancies provide sleeping facilities for four (4) or
33 more residents and are occupied by persons who are generally prevented from taking self-
34 preservation action because of security measures not under the occupants' control.

1 **(b) Fire and life safety requirements for all detention and correctional occupancies shall**
2 **be in accordance with N.F.P.A. Standard 101, 1988 edition, Chapters 14 and 15 and their related**
3 **chapters and standards.**

4 **23-28.38 2. Fire alarm system.** — A fire system as described in section 23-28.25 4(b)
5 **shall be installed in all detention and correctional centers.**

6 SECTION 37. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY

- 1 This act would make extensive changes to the state Fire Safety Code. These changes
- 2 would incorporate recommendations suggested by the State Fire Safety Code Board of Appeal
- 3 and Review.
- 4 This act would take effect upon passage.

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