



STAFF REPORT
Public Hearing 8-16-16

AGENDA ITEM #: 16-98
COUNCIL MTG OF: July 19, 2016
FROM: S. Daly, Acting Town Administrator
OFFERED BY: M. Gagnon, Fire Chief
PREPARED BY: S. Jackson, Assistant Fire Chief
SUBJECT: Town Code Update – Chapter 51: Fire Prevention

PURPOSE

Recommendation to update the Fire Prevention Code within the Town Code

TOWN ADMINISTRATOR COMMENTS:

Consolidation of the various elements of the Town Code that deal with fire prevention and fees for fire department issued permits and associated fines is a practical idea. It will bring clarity and efficiency to its reading and understanding by permit applicants and ease of administration to the fire prevention bureau of the Town. Aside from updating the content to conform to state codes and national code standards, the substantive changes are limited to addition of a requirement for “places of public assembly” to provide automated external defibrillators and an update to the fee schedule. These are all positive changes that are of significance to public safety and of no appreciable burden to permit holders. I recommend that the Council adopt the proposed amendments.

BACKGROUND:

The Derry Fire Department has not updated the Town Code in several years. This proposal will bring the Town Fire Code into compliance with the most up to date National Fire Prevention and Life Safety Codes. The goal of this recommended language is to consolidate all fire department related language into one chapter. This new “Chapter 51 – Fire Prevention Code” includes all fire department related language that was originally listed in Chapter 32, Chapter 36, and Chapter 50; all fire department related language that was listed in Chapter 32, Chapter 36 and Chapter 50 is proposed for deletion.

DISCUSSION:

The purpose of this chapter is to provide property owners, building occupants, developers, contractors, and any other stakeholders the specific requirements of the Town of Derry with regards to the procedures and enforcement of the fire prevention laws, codes, and rules. The Town of Derry utilizes the current adopted forms of Saf-C 6000, The New Hampshire State Fire Code, The New Hampshire Building Code as adopted by RSA 155-A, and the Property Maintenance Code as adopted in Chapter 30, section 30-6. A review of area communities was conducted when preparing the proposed fee schedule.

One items which is not related to the Town Fire Code historically, is the recommendation to add language requiring an Automated External Defibrillator (AED) to all new Places of Assembly (occupant loads of 50 or more); and all existing Places of Assembly within two (2) years of adoption of this code.

FISCAL IMPACT:

Potential revenue to the Town as a result of proposed fee schedule update will increase by approximately 15 percent (i.e. \$5,000 based on FY2016 actual revenues). See attached fee schedule.

RECOMMENDED ACTION BY COUNCIL:

Approval of recommended Town Code "Chapter 51 – Fire Prevention Code". Approve deletion of existing fire department related language in Chapter 32, Chapter 36 and Chapter 50.

RECOMMENDED MOTION:

I MOVE THAT THE TOWN COUNCIL schedule a hearing for Tuesday, August 16, 2016 at 7:30 p.m. in the Main Meeting Room of the Derry Municipal Center to hear a presentation by staff and to take testimony from the public regarding an amendment to the Town Code related to Fire Prevention, as required by Section 6.2(C) of the Town Charter.

Vote required: Simple majority of the Councilors present.

Attachments: Proposed Fee Schedule
DRAFT Resolution #2016-020

Proposed Fire Department Fee Schedule

| | Proposed | Existing |
|--|---------------------------------------|----------|
| Assembly Permit | \$50 | \$50 |
| Gas Burner Installation | \$50 | \$50 |
| Oil Burner Installation | \$50 | \$50 |
| Gas Piping Installation | \$50 | \$50 |
| Underground Storage Tanks | \$25 | |
| Installation or Modification of an Automatic Sprinkler System | \$1.00 per sprinkler head or \$50 min | |
| Installation of a Standpipe | \$50 | |
| Installation or Modification of a Fire Alarm System | \$1.00 per device or \$50 min | |
| Installation or Modification of Fixed Fire Suppression System | \$75 | |
| Plan Review | \$0.025 sq/ft of affected area | |
| Day Care Facilities | | |
| Families | \$25 | \$25 |
| Group | \$50 | \$50 |
| Center | \$75 | \$75 |
| Blasting Permit | \$75 | \$75 |
| Re-Inspection | \$50 | \$50 |
| Incident Reports | | |
| Fire report - less than one year | \$20 | \$20 |
| Fire report - more than one year | \$25 | \$25 |
| Emergency Medical Services | \$15 | \$15 |
| Application for master box number and basic connection | \$150 | \$150 |
| Application for radio box number and programming | \$50 | \$50 |
| Municipal alarm circuit extension charge (per pole span) | \$100 | \$100 |
| Master box disconnect service call (Temporary physical disconnection) | \$50 | \$50 |

| | | |
|---|---------------------------------|---------------------------------|
| Master box reconnect service call (Required if not on same day as disconnect) | \$50 | \$50 |
| Master box "short arm" service call (per incident) | \$25 | \$25 |
| | | |
| Application for Fire Alarm Listed Agent | \$25 | \$25 |
| Testing fee for Fire Alarm Listed Agent | \$25 | \$25 |
| | | |
| Listed agent short arm | \$60 | \$60 |
| Listed agent master box key | \$10 | \$10 |
| | | |
| Radio box monitoring fees for non-Derry occupancies | | |
| Commercial radio box | \$25 per month / \$300 per year | \$25 per month / \$300 per year |
| Residential radio box | \$20 per month / \$240 per year | \$20 per month / \$240 per year |
| Municipal radio box | No Charge | No Charge |
| | | |
| False alarm charges | | |
| First five alarms in excess of the limit | \$50 per alarm | \$50 per alarm |
| All false alarms in excess of the first five above the limit | \$100 per alarm | \$100 per alarm |



ORDINANCE Number 2016-002

Amending Various Chapters of the Town Code and Inserting a New
Chapter 50 – Fire Prevention

Introduced by Councilor _____

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town, and pursuant to Section 6.1, the Council shall legislate by ordinance; and

WHEREAS, over time, the Council has created and modified several provisions of the Town Code that address Fire Prevention; and

WHEREAS, staff experience with administering the various provisions that pertain to fire prevention has become increasingly difficult, as has the experience of applicants and permit holders subject to the code, due to the dispersion of the requirements throughout several chapters of the Code; and

WHEREAS, an assessment of the various provisions of the Town Code pertaining to fire prevention has determined that their consolidation into a single Chapter will alleviate this difficulty for both staff and those subject to the Code's provisions; and

WHEREAS, the first reading these amendments to the Town Code occurred on July 19, 2016, and a public hearing was held as required under Section 6.2(D) of the Charter;

NOW, THEREFORE, THE TOWN OF DERRY ORDAINS that Chapters 32, 36 and 50 are hereby repealed and a new "Chapter 51 – Fire Prevention" is hereby created; and

FURTHER, that the Town Clerk is instructed to incorporate the amendments here approved into the Town Code and to publish the Code anew as amended on the date that this Ordinance takes effect.

ORDINANCE
Number 2016-002

This Ordinance shall take effect on the thirty-first day after its adoption.

Adopted: Aug 16, 2016.

Attest:

X _____

Brian Chirichiello, Council Chair

Date: _____

X _____

Daniel Healey, Town Clerk

Date: _____