

PROPOSED TOWN CODE CHANGES

CODE OF THE TOWN OF DERRY

FIRE PREVENTION CODE

Proposed changes include the deletion of chapters 32, 36 and 50 and creating a new Chapter 51 – Fire Prevention Code; this new Chapter 51 will be a combination of retained language from deleted chapters and new language.

Key:

~~Deleted Text~~

Retained Text (Rephrased for clarity where noted.)

New Text

~~Chapter 32. Building and Property Numbers~~

~~[HISTORY: Adopted by the Town of Derry 4-17-1984; amended 5-6-1986. Subsequent amendments noted where applicable.]~~

~~GENERAL REFERENCES~~

~~Numbering of mobile homes — See Ch. 85, Art. I.~~

~~§32-1. Fire Department to designate numbers.~~

~~The Fire Department shall designate the numbers to be affixed to the buildings on streets and ways in the Town of Derry. Every dwelling, building or structure (whether existing on the date of adoption of this chapter or which may exist in the future) located in the Town of Derry shall be required to have such number posted upon such dwelling, building, or structure or upon the property where such improvements exist so as to be plainly visible from the street or way which abuts the main entrance to such property.~~

~~§ 32-2. Size of numbers.~~

~~For any building or structure for which a number has or shall be designated, the numbers shall be minimum of three inches high and 2 1/2 inches wide.~~

~~§32-3. New buildings.~~

~~The owner of any property seeking a building permit for a new building or structure shall apply for and affix to said building, prior to the issuance of an occupancy permit, a building number designation from the Fire Department.~~

~~§32-4. Unauthorized building numbers prohibited.~~

~~No person shall affix or permit to be affixed to or shall allow to remain upon any building in the Town any different number from the one designated by the Fire Department, with the exception of dates affixed for historical purposes.~~

~~§32-5. Violations and penalties.~~

~~The owner of any building or structure who shall fail to affix such number within 30 days after written notice from the Code Enforcement Officer shall be fined not more than \$25 plus \$1 for each day that such number is not affixed.~~

H. ~~CHAPTER 36, MISCELLANEOUS REQUIREMENTS.~~

~~———— [Amended 3-1-2007]~~

~~3601.1 Scope. The following section is effective March 1, 2007. It shall apply to any new construction of apartments and multiple family dwellings with three or more but fewer than six dwelling units. All new structures or a building having substantial (greater than 50% of the appraised value of the building) renovations and updates shall comply with the following:~~

~~Smoke alarms: All enclosed public corridors and access stairways and all attic spaces used for storage and with general access to the living spaces (access other than by scuttle), shall be equipped with smoke alarms in accordance with the most recently adopted edition of the National Fire Protection Association Life Safety Code 101 (hereinafter NFPA LSC101).~~

~~Heat detectors: Heat detectors, whether rate of rise or fixed, shall be placed in the above-described areas at the discretion of, and guidance as to a location, prescribed by the Fire Chief or his designee.~~

~~Each building shall have a manual fire alarm system with pull stations on each floor at exits and stairways. Horn strobes shall be interconnected to ring throughout the building. All heat and smoke detectors shall be connected to a fire alarm system.~~

~~3601.2 The following section is effective March 1, 2007. It shall apply to any new multifamily buildings consisting of six or more dwelling units. All new structures or a building having substantial (greater than 50% of the appraised value of the building) renovations and updates shall comply with the following:~~

~~3601.2.1 — Occupancies shall have approved single-station smoke alarms that shall be located outside every sleeping area in the vicinity of bedrooms. Smoke alarms shall also be located at each level of the dwelling unit and in each sleeping area.~~

~~3601.2.2 — Single-station smoke alarms without a secondary power source shall not be permitted in the areas set forth in Section 3601.2.~~

~~3601.2.3 — All enclosed common corridors, access and egress stairways shall be provided with approved smoke alarms that shall be interconnected to announce in all common areas. The general evacuation alarm signal shall operate throughout the entire building.~~

~~3601.2.4 — Locations of smoke alarms shall be approved by the Fire Chief or his designee.~~

~~3601.2.5 — Heat detectors, rate of rise or fixed types, shall be provided and located in those areas where, in the opinion of the Fire Chief or his designee, the use of a smoke alarm is deemed inappropriate.~~

~~3601.2.6 — Each building shall have an approved alarm system, as per the most recently adopted edition of the NFPA LSC 101, which is activated upon operation of the automatic fire detection system in addition to any manual activation means.~~

~~3601.2.7 — Each building shall have a manual fire alarm system with pull stations located at each exit on each floor of the building. This alarm system shall be interconnected with the common area smoke alarms as per Section 3601.2 and shall operate a general evacuation alarm signal in all common areas throughout the entire building. Location of pull stations shall be approved by the Fire Chief or his designee.~~

~~3601.2.8 — All heat and smoke detectors located in enclosed common corridors, access and egress stairways shall be connected to the alarm system.~~

~~3601.2.9 — The annunciator panel shall be connected to the required fire alarm system. Its location shall be approved by the Fire Chief or his designee.~~

~~3601.2.10 — The building fire alarm system shall be connected to the municipal fire alarm system.~~

~~3602.1 The following applies to all existing multifamily buildings consisting of three or more but fewer than six dwelling units:~~

~~3602.1.1 Occupancies shall have approved single station smoke alarms that shall be located outside every sleeping area in the vicinity of bedrooms. Single station smoke alarms shall also be located at each level of the dwelling unit.~~

~~3602.2.2 Single station smoke alarms without a secondary power source shall be permitted in these areas.~~

~~3602.2.3 All enclosed common corridors, access and egress stairways shall be provided with approved smoke alarms that shall be interconnected and shall annunciate in all common areas. The general evacuation alarm signal shall operate throughout the entire building.~~

~~3602.2.4 Locations of smoke alarms shall be approved by the Fire Chief or his designee.~~

~~3602.2.5 Heat detectors, rate of rise or fixed types, shall be provided and allocated in those areas where, in the opinion of the Fire Chief or his designee, the use of a smoke alarm is deemed inappropriate.~~

~~3602.2.6 Each building shall have a manual fire alarm system with pull stations located at the lowest exiting point for that building. This alarm system may be interconnected with the common area smoke and heat alarms or may be a secondary system and shall operate a general evacuation alarm signal in all common areas throughout the entire building.~~

~~3602.2.7 Reasonable alternatives to the requirements of this section: The Fire Chief or his designee may grant reasonable alternatives to the requirements of this section to the extent that such action will provide a degree of safety substantially equivalent to the requirement for which the alternative is being sought. Any request for an alternative shall be in writing and specify the specific provision for which an alternative is being requested. The Fire Chief or his designee may require additional information, including detailed architectural or engineering plans to assist in acting on the request. Any approved alternative shall be issued in writing and made a part of the permanent file.~~

~~3603.1 Additional requirements in certain occupancies. All of the following occupied structures are required to provide a direct connection from the approved alarm system to the appropriate fire station by the way of a radio transmission system or by direct connection to the municipal fire alarm system.~~

~~a. Places of assembly as defined in NFPA101.~~

- b. ~~Class A and B mercantile as defined in NFPA 101.~~
- c. ~~Educational structures as defined in NFPA 101.~~
- d. ~~Industrial structures as defined in NFPA 101.~~
- e. ~~Storage structures as defined in NFPA 101.~~
- f. ~~Business two or more stories or 100 or more occupants as provided in NFPA 101.~~

~~3604.1 Residential sprinkler systems. All town house type construction of three units or more in which the individual living units have their own separate access and egress and are separated by fire-rated walls between both units and do not share such common areas as entries, corridors, exits, and alarm systems shall provide residential sprinkler systems as required by NFPA 13D.~~

~~3605.1 Basement exits. All basement spaces shall be provided with a minimum of one direct means of egress to the exterior of the building.~~

~~3606.1 (Reserved)~~

~~3607.1 Key lock box. All new buildings equipped with a fire control panel shall have at least one key lockbox affixed to the exterior of the structure in the areas designated by the Fire Chief or his designee.~~~~3608.1 (Reserved)~~

~~3609.1 Oil and gas-fired heating equipment. A one-hour fire separation shall be attached to the ceiling area over the heating equipment and must extend a minimum of four feet in all directions from the center of the burner and have the joints taped and finished.~~

~~Exception: At the discretion of the Fire Chief or his designee, a domestic sprinkler head, connected into the domestic water system, may be installed over the area of the burner in lieu of the one-hour fire separation in cases where installation of a one-hour fire separation is not practicable.~~

~~3610.1 Safety controls: oil and gas-fired equipment. An automatic safety switch (firematic) shall be installed over the burner area of all oil and gas-fired heating equipment. Manual switches, identified by a red switch plate indicating the type of fuel, shall be installed at all oil and gas-fired appliances and at a remote location (separated by a door) from the appliance.~~

~~3611.1 Oil storage tank vents. In addition to conforming to the requirements of NFPA 31, all oil tank vent terminations required at the exterior of the building must have a 90° elbow, a minimum of a six-inch nipple, and a vent cap installed.~~

~~3612.1 Permit to install gas-operated heating equipment. All installations of gas-fired heating equipment in the Town of Derry require a permit to be obtained from the Fire Department. Upon completion of the installation, a final inspection by the Fire Department is required.~~

~~3613 Fire Department Fee Schedule.~~

~~3613.1 Permit, inspection and incident report fees.~~

~~Permit Fee~~

~~Assembly — \$50~~

~~Gas burner — \$50~~

~~Permit Fee~~

~~Oil burner — \$50~~

~~Gas pipe inspection — commercial — \$50~~

~~Gas pipe inspection — residential — \$30~~

~~Fire place insert/gas logs — \$35~~

~~Day care facilities —~~

~~Families — \$25~~

~~Group — \$50~~

~~Center — \$75~~

~~Blasting permit — \$75~~

~~Re-inspection — \$75~~

~~Third or additional re-inspection — \$50~~

~~Incident reports —~~

~~Fire/EMS — less than one year — \$20~~

~~Fire/EMS — more than one year — \$25~~

~~3614 — Master/Radio box application for installation.~~

~~[Added effective 7-1-2009]~~

~~3614.1 An application fee shall be paid at the time of application for the master or radio box number to cover the cost of the basic connection or programming. All costs of the connection are the responsibility of the property owner. The basic connection charge is incorporated in the application fee and is due at time of application for number assignment.~~

~~3614.2 The Town shall determine if there will be any additional extensions of the existing municipal fire alarm (100 milliamp) system.~~

~~3614.3 All extensions of the existing municipal fire alarm (100 milliamp) system cable that are necessary to connect a private master box system to the municipal system, where not immediately adjacent to the property, will be installed by the Town. Such additional labor, parts, and supplies required to extend the municipal circuit to the property boundary is the responsibility of the owner. The Town will provide the applicant with a detailed invoice prior to installation.~~

~~3614.4 Fire Department fee schedule for master/radio box:~~

~~Application or Service Charge~~

~~Application for master box number and basic connection \$150 Application for radio box number and programming \$50~~

~~Municipal alarm circuit extension charge (per pole span) \$100 Master box disconnect charge service call (temporary \$50~~

~~physical disconnection from municipal system)~~

~~Master box reconnect charge service call (required if not on \$50 same day as disconnect)~~

~~Master box "short arm" charge service call (per incident) \$25~~

~~3615 — Fire alarm technicians/listed agents.~~

~~[Added effective 7-1-2009]~~

~~3615.1 Any fire alarm technician installing, making modifications, or maintaining any fire alarm system in the Town shall hold a valid and current listed agent certificate issued by the Derry Fire Department.~~

~~3615.2 Applicants for annual registration as a listed agent in the Town of Derry shall pay a fee.~~

~~3615.3 Listed agent certificates are issued for a period not to exceed one year from the date of issuance. Certificates issued anytime within the year will expire at the end of the last day of December of each calendar year.~~

~~3615.4 Applicants for listed agent certification for the Town must exhibit proof of competency on 100 milliamp municipal alarm systems. This proof may be submitted in the form of certification by another accepted municipality or by some other form of accepted training, the type to be determined by the Fire Chief and/or his designee. Agent applicants~~

~~requiring training may have it provided by the Town at an additional one time cost.~~
~~3615.5 Fire Department fee schedule for fire alarm technicians/listed agent:~~

~~Type~~

~~Application for fire alarm listed agent Training fee listed agent Listed agent short arm Listed agent master box key~~
~~3616 Open (for future use)~~

~~3616.2 Monitoring charge for radio box fire alarm systems non Derry occupancies~~

~~{Added effective 12-1-2009}~~

~~3616.2.1 Any radio box fire alarm in the Derry catchment area that is connected to the Derry Fire Department by way of radio signal receiver shall pay a monitoring charge to the Town of Derry.~~

~~3616.2.2 All commercial/residential radio fire alarm box owners shall pay an annual monitoring fee for each calendar year (see fee schedule). New systems installed shall be charged a pro-rata fee per month or part of a month until December 31 of the installation year after which the annual fee will take effect on January 1.~~

~~Note: Municipal occupancies (i.e., Town offices, schools) in communities with dispatch contracts with the Derry Communications Center will be exempted from monitoring fees.~~

~~3616.2.3 Fees for fire alarm monitoring.~~

~~Effective December 1, 2009:~~

~~Monitoring Fees Non Derry Occupancies Charges Commercial radio box annual monitoring charge \$25/month Residential radio box annual monitoring charge \$20/month Municipal radio box annual monitoring charge n/c~~

~~3616.5 Liability limited.~~

~~[Added effective 7-1-2009]~~

~~3616.6 The Town shall take every reasonable precaution to assure that the alarm signals and alarm messages received by the Fire Department are given appropriate attention and a reacted upon with dispatch. Nevertheless, the Fire Department shall not be liable for any defects in operation of alarm devices, nor for the failure or neglect of any person in connection with the installation and operation of alarm signals or the receipt or relaying of such signals and messages.~~

~~3616.7 In the event that the Fire Department finds it necessary to disconnect an alarm device, the Fire Department shall incur no liability by such action. The Fire Department does have the responsibility for immediate notification to the registered owner whose fire alarm device has been disconnected.~~

~~3617 False alarm charge.~~

~~[Added effective 7-1-2009]~~

~~3617.1 Any registered owner or lessee of a property having an alarm connected to the municipal alarm system, to an alarm agent, alarm business, or person responding to alarms which causes any signal, message, or alarm to be transmitted to the Deny Fire Department either by direct telephone or other communication and which is proven to be a false alarm shall pay a false alarm charge to the Town.~~

~~3617.2 False alarm means the activation of an alarm system through mechanical failure, accidental tripping, misoperation, malfunction, misuse, or the neglect of the owner or lessee of an alarm system, or of his employees or agents. Upon failure of the Fire Department to find any evidence of legitimate cause for the alarm activation, a conclusive presumption of false alarm will be made. False alarms shall not include alarms caused by earthquakes, violent winds, or external causes beyond the control of the owner or lessee of the alarm system.~~

~~3617.3 This charge shall be based on the number of false alarms received from the same alarm system during a calendar year. The false alarm limits shall be based on the number of alarm-initiating devices connected to the fire alarm system. The false alarm charge shall be:~~

~~Number of False Alarms — Charges~~

~~First five false alarms in excess of the limit — \$50 per alarm~~

All false alarms in excess of five above the limit — \$100 per alarm

Number of Devices Connected to System — False Alarm Limit Per Year

~~1-125 — 3~~

~~126-250 — 5~~

~~251-375 — 10~~

~~376 or more — 15~~

~~3617.4 Notification.~~

~~3617.4.1 — Registered alarm users will be notified by the Derry Fire Department in writing of all false alarm responses over the limit.~~

~~3617.4.2 — All false alarm service charges will be submitted to the alarm user in writing monthly by the Derry Fire Department.~~

~~3617.4.3 — A copy of the Derry Fire response report shall be provided to the registered owner or lessee. This shall be deemed sufficient notification to the alarm user of such response.~~

~~3617.4.5 An alarm user may appeal false alarm service charges in writing to the Fire Chief within 10 days after receipt of the notice of penalty.~~

~~3617.5 Payment of false alarm service charge.~~

~~3617.5.1 — Payment of the alarm service charge shall be billed to the registered alarm user and paid to the Town of Derry office of the Tax Collector.~~

~~3617.5.2 — Payments shall be due within 30 days of receipt of notification.~~

~~3617.5.3 — Failure to make payment for alarm service charges within 30 days of receipt of notification shall result in a ten-dollar penalty charge added to the alarm service charge. Penalty charges will be assessed for each thirty-day period, not to exceed 90 days that the alarm service charge remains unpaid.~~

~~3617.5.4 — No penalty shall be assessed to an alarm user while the alarm service charge is being considered under appeal by the Fire Chief.~~

Chapter 50. Fire Prevention

~~[HISTORY: Adopted by the Town of Derry as indicated in article histories. Amendments noted where applicable.]~~

~~GENERAL REFERENCES~~

~~Alarm systems — See Ch. 9.~~

~~Building and property numbers — See Ch. 32.~~

~~Hazardous materials — See Ch. 63.~~

~~Article I. Unvented Space Heaters~~

~~[Adopted 2-13-1983]~~

~~§50-1. Purpose.~~

~~The following regulations concerning unvented space heaters, having been proposed by the Derry Health Officer, are hereby approved by the Derry Town Council, such regulations being necessary in the judgment of the Town Council to protect the health of the people in Derry.~~

~~§ 50-2. Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~APARTMENT BUILDINGS~~

~~Those buildings that contain two or more living units with independent cooking and bathroom facilities, whether designated as apartment house, tenement, garden apartment, or by any other name.~~

~~BUSINESS BUILDINGS~~

~~Those used for the transaction of business (other than those buildings covered by the definition of "mercantile buildings"), for the keeping of accounts and records and similar purposes. Included in this occupancy group are buildings used for doctors' offices, dentists' offices, city halls, general offices, town halls, and courthouses.~~

~~DETENTIONAL AND CORRECTIONAL BUILDINGS (also known as "residential restrained care institutions")~~

~~Those used to house occupants under some degree of restraint or security. Detentional and correctional occupancies are occupied by persons who are not fully capable of self-preservation because of security measures not under the occupant's control.~~

~~EDUCATIONAL BUILDINGS~~

~~Include all buildings used for the gathering of groups of six or more persons for the purposes of deliberation or instruction, or comparable activities.~~

~~HEALTH CARE BUILDINGS~~

~~Those used for purposes such as medical or other treatment, or care of persons suffering from physical or mental illness, disease or infirmity, and for the care of infants, convalescents, or infirm aged persons. They include a sleeping facility for occupants who are not fully capable of self-preservation because of age, physical or mental disability, or because of security measures not under the occupant's control.~~

~~HOSPITAL BUILDINGS~~

~~Include, but are not limited to, nursing homes, nurseries, homes for the aged, mentally retarded care institutions, supervisory care facilities and ambulatory care facilities.~~

~~HOTELS and MOTELS~~

~~Buildings or groups of buildings under the same management in which there are more than 15 sleeping accommodations for hire and which are primarily used by transients who are lodged with or without meals, whether designated as a hotel, inn, club, motel, or by any other name.~~

~~INDUSTRIAL BUILDINGS~~

~~Include factories and other buildings in which the making of products of all kinds takes place, including the processing, assembling, mixing, packaging, finishing, or decorating and repairing materials.~~

~~KEROSENE~~

~~Only uncontaminated water-clear kerosene such as ASTM 1-K or its equivalent shall be used.~~

~~LODGING OR ROOMING HOUSES~~

~~Buildings under the same management providing sleeping accommodations for 15 or fewer people.~~

~~MERCANTILE BUILDINGS~~

~~Include stores, markets and other rooms, buildings or structures for the display and sale of merchandise. Included in this occupancy are supermarkets, department stores, shopping centers, drugstores and auction rooms.~~

~~MIXED OCCUPANCY~~

~~All structures contained will be classified according to the highest usage of the building.~~

~~PLACES OF ASSEMBLY~~

~~Include, but are not limited to, all buildings or portions of buildings used for the gathering together or 20 or more persons for any purpose for deliberation, worship, entertainment, amusement, or awaiting transportation.~~

~~RESIDENTIAL BUILDINGS~~

~~Those buildings in which sleeping accommodations are provided for normal residential purposes and include all buildings designed to provide sleeping accommodations, except those classified differently hereunder.~~

~~SINGLE-FAMILY DWELLING~~

~~A building containing no more than one dwelling unit which is occupied by members of a single family with no more than three outsiders, if any, accommodated in rented rooms.~~

~~STORAGE BUILDINGS~~

~~Include all buildings or structures utilized primarily for the storage or sheltering of goods, merchandise, products, vehicles or animals.~~

~~UNVENTED SPACE HEATERS~~

~~Any heating appliances, either wick, wickless or pot-burner type, which use oil, gas or kerosene for fuel, are either stationary or portable, and the products of combustion of which are not directly conducted to the outside of the building via chimney connector pipe.~~

~~§ 50-3. Applicability.~~

~~Nothing in this article shall prevent the sale of unvented fueled space heaters approved by the State Fire Marshal and listed by Underwriters' Laboratories or by another nationally recognized~~

laboratory approved by the State Fire Marshal, a list of which is available at the Derry Fire Department.

~~§ 50-4. Installation in single-family dwellings; enforcement officers.~~

~~An unvented space heater may be installed in a single-family dwelling if such installation is made in accordance with such regulations as may be established by the Derry Health Officer and Derry Fire Chief, or his designee, who shall administer and be responsible for the enforcement of these regulations. However, such installation may not be made without first acquiring a permit for such installation from the Derry Fire Department.~~

~~§ 50-5. Installation in mercantile buildings.~~

~~An unvented space heater may be installed in a mercantile building if the total area of the building is not more than 3,000 square feet and the building is a one-story building. Exception: mixed occupancies, if the entire area of the mercantile occupancy of not more than 3,000 square feet located on the street floor only can be separated and enclosed by at least a one-hour fire protection, including walls, ceilings and doors.~~

~~§ 50-6. Installation in business buildings.~~

~~An unvented space heater may be installed in a business building if such building is used exclusively for business purposes and the building does not exceed 1,000 square feet. Exception: if the area of business occupancy of not more than 1,000 square feet can be separated and enclosed by at least a one-hour fire protection, including walls, ceilings and doors.~~

~~§ 50-7. Fees.~~

~~A fee of \$2 must be paid to the Town by an applicant who is seeking a permit to install an unvented space heater. If a follow-up inspection is required, a fee of \$10 must be paid to the Town by the applicant.~~

~~§ 50-8. Installation in mobile home or trailer.~~

~~No space heater shall be installed in a mobile home or trailer unless, in the opinion of the Derry Health Officer,~~

~~the mobile home or trailer is modified in a fashion to insure proper ventilation.~~

~~§ 50-9. Additional installation restrictions.~~

~~No unvented space heater shall be installed in any places of assembly, educational buildings, health care buildings, hospital buildings, detentional or correctional buildings, hotels or motels, apartment buildings, lodging or rooming houses or industrial buildings. No unvented space heater shall be installed in residential buildings other than as set forth above in §50-4. No unvented space heater shall be installed in any mercantile buildings other than as set forth in §50-5, except that under rules and regulations set forth by the Derry Health Officer, unvented space heaters may be installed in a mercantile building and may be used as operational display models; however, not more than one unvented space heater may be operated in such building at the same time.~~

~~§ 50-10. Violations and penalties.~~

~~A. — Any person violating this article shall be guilty of a violation.~~

~~B. — Any person selling or offering for sale an unvented heating appliance and who is in violation of this articles hall be guilty of a violation. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violation within a reasonable time, and each occurrence shall constitute a separate offense.~~

Consolidated Chapters with Proposed Changes

Code of the Town of Derry

Chapter 51 – Fire Prevention Code

51-1 PURPOSE

51-2 CODES UTILIZED

51-3 PERMITS AND APPROVALS

51-4 FIRE ALARMS

51-5 AUTOMATIC SPRINKLER SYSTEMS

51-6 KEY BOXES AND CONTACT INFORMATION

51-7 ELEVATORS

51-8 HEATING EQUIPMENT

51-9 MEANS OF EGRESS

51-10 AUTOMATIC EXTERNAL DEFIBRILLATORS

51-11 FIRE DEPARTMENT FEE SCHEDULE

51-12 MASTER/RADIO BOX APPLICATION FOR INSTALLATION

51-13 FIRE ALARM TECHNICIANS / LISTED AGENTS

51-14 BUILDING AND PROPERTY NUMBERS

51-15 MONITORING CHARGE FOR RADIO BOX FIRE ALARM SYSTEMS – NON-DERRY OCCUPANCIES

51-16 LIABILITY LIMITED

51-17 FALSE ALARM CHARGE

51-18 VIOLATION PENALTIES

51-19 APPEALS

51-1 PURPOSE

51-1.1 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.

51-2 CODES UTILIZED

51-2.1 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.

(The following text is extracted from 30-5)

51-2.2 Whenever the regulations under the authority hereof differ from those prescribed by any statute, ordinance or other regulation, the provision which imposes the greater fee or stricter regulation shall apply. In all cases, restrictions of the highest standard shall govern.

51-3 PERMITS AND APPROVALS

(The following text is retained from 36-13)

51-3.1 A permit is required to be obtained for any of the following activities:

- a. Installation or modification of a fire alarm system
- b. Installation or modification of an automatic sprinkler system, to include NFPA 13D systems
- c. Installation or modification of any other water-based fire suppression system
- d. Installation or modification of a standpipe system
- e. Installation or modification of any fixed fire suppression system
- f. Installation of propane/natural gas-fired appliances
- g. Installation of oil-fired appliances
- h. Installation or modification of propane/natural gas piping
- i. Installation of underground storage tanks
- j. To operate a place of assembly
- k. Fireworks Display
- l. Blasting

51-3.2 Any fee associated with a permit or inspection will be according to the latest fee schedule maintained by the Derry Fire Department. The fee schedule is located in Chapter 51-11.

51-4 FIRE ALARMS

51-4.1 Purpose: The purpose of these rules is to insure that all fire alarm systems installed in the Town of Derry are designed, installed, and maintained to achieve a high degree of reliability and compatibility with the operating procedures of the Derry Fire Department.

51-4.2 Permit: Any installation or modification of a fire alarm system shall have a permit issued from the Derry Fire Department's Fire Prevention Division. No installations or modifications shall begin without a permit being issued.

51-4.3 Plans and specifications: One complete set of plans and specifications are required for review. The plans and specifications submitted for a fire alarm permit shall at a minimum contain the following items:

- a. A floor plan indicating the use of all rooms. (Reflected ceiling plans when needed)
- b. Locations of all alarm initiating devices
- c. Locations of all alarm notification appliances, including candela ratings for visible alarm notification appliances.
- d. Location of fire alarm control unit, transponders and notification power supplies.
- e. Annunciators
- f. Power connection(s), Battery calculations, Voltage drop calculations, Conductor type and sizes.
- g. Manufacturer's data sheets indicating model numbers and listing information for equipment, devices and materials.
- h. The interface of fire safety control functions.
- i. Any other information as required by Derry Fire Department, Fire Prevention Division.

51-4.4 Non-required systems: Any systems which are not required to be installed by the codes listed above shall still be installed and maintained in accordance with the applicable standards, including but not limited to NFPA 72, National Fire Alarm Code, and NFPA 70, National Electric Code.

51-4.5 Additions or modifications: All components of a fire alarm system shall be compatible and listed for such use. If an existing panel will not accept additions or upgrades the entire system will need to be replaced.

51-4.6 Applicability: These rules shall apply to the installation of new fire alarm systems. Existing systems shall be required to comply with these rules as they are updated or modified. Existing systems shall also be required to comply with section 51-4.14, Maintenance.

(The following text is retained from Sec. 3615.1)

51-4.7 Listed Agent: Any individual who is installing, modifying, or maintaining a fire alarm system shall have a valid listed agent certificate issued to them by the Derry Fire Department in accordance with section 51-13.

51-4.8 Fire Alarm Control Panel Requirements:

51-4.8.1 Standards: Fire alarm control panel shall be UL listed for fire protection. No other functions, such as security systems, shall be incorporated within the panel. Systems in private dwellings shall be permitted to be a 'combination' type.

51-4.8.2 Keys: All fire alarm control panel keys shall be 'CAT-30.'

51-4.8.3 Labeling: Fire alarm control panels shall be labeled "Fire Alarm Control Panel" on the outside of the cabinet front in contrasting lettering at least one inch in height. Panels shall also have labeling in minimum 3/4 inch lettering as follows: "Do not store or place anything in front of this panel."

51-4.8.4 Zone labeling: All conventional control panels shall have zone labeling, in plain English, permanently attached. This labeling shall be visible with the door both in the open and closed position. All addressable control panels shall have the device address list permanently affixed at the panel. All addressable control panels shall have an eighty (80) characters or greater LCD display.

51-4.8.5 Fire Alarm Control Panel Functions: Fire alarm control panels shall be provided with the following buttons or switches:

- a) System Reset: This shall be the only reset. All devices, detectors and associated panels must reset when this switch is activated.
- b) Alarm acknowledge switch: This switch shall silence interior audible signals. Interior and exterior visual signals and any exterior audible signals shall continue in operation until the system is reset. All audible and visual signals shall resound upon received any subsequent alarms.
- c) Trouble silence switch: The trouble silence switch shall silence the audible trouble signal while the lamp remains illuminated.
- d) Means for disabling zones shall be provided: This operation must be simple and approved by the Fire Prevention Division. Whenever a zone or device is disabled the panel must show a trouble condition.

51-4.9 Fire alarm initiating devices:

51-4.9.1 Manual pull stations shall be dual action type only. Manual pull stations shall be resettable by use of a CAT-30 key only, no disposable parts shall be required to reset. Manual pull stations shall be predominately red in color.

51-4.9.2 Smoke detectors installed prior to the installation of the finished floor shall be protected until such installation is complete.

51-4.9.3 Alarm initiating devices located in concealed areas shall have remote indicators installed. These remote indicators shall be installed at the fire alarm control panel or as specified by the Fire Prevention Division. The location shall be included in the plan notes.

51-4.9.4 Initiating devices in addressable systems shall have their coded address displayed on the exterior of the device. This shall be in the form of a permanent label with ½ inch white tape with 3/8 inch black letters.

51-4.9.5 Roof top HVAC units which have duct smoke detection shall be permanently labeled on two opposite sides with numbers of at least six (6) inches high and of contrasting colors.

51-4.9.6 Any initiating device that is equipped with a key reset shall be accessible by a CAT-30 key.

51-4.10 Notification devices:

51-4.10.1 All fire alarm notification devices shall be predominately red in color and labeled 'fire.'

51-4.10.2 A red exterior visual beacon or strobe, located as required by the Fire Prevention Division, shall activate with the notification appliances upon fire alarm activation. An alarm condition (flow) on a sprinkler system shall activate a green exterior beacon or strobe. In most cases, the devices shall be located on the side of the building facing a public way, of primary access by the Fire Department.

51-4.11 Remote annunciators:

51-4.11.1 If the fire alarm control panel is not located in such proximity to the main entrance that it would be passed by to enter any portion of the building and is not visible through a glass door a remote annunciator shall be required. The Fire Prevention Division shall approve of the location of the remote annunciator.

51-4.11.2 Remote annunciators shall:

- a) Indicate system trouble and alarm conditions, these indicators remain illuminated when the system is silenced.
- b) Be provided with key operated or key accessible acknowledge and reset switches. Key cylinders shall be CAT-30.
- c) Be labeled in a manner and language which is identical to the fire alarm control panel and approved by the Fire Prevention Division.
- d) Back lit with sufficient brilliance to be seen in direct sunlight.

51-4.11.3 All graphic annunciators shall be approved by the Fire Prevention Division.

(The following text is retained from 3603.1 and has been rephrased for clarity.)

51-4.12 Direct connection to the municipal master/radio box system:

51-4.12.1 If a fire alarm is present in one of the occupancies listed below it shall be connected to the municipal fire alarm system by the way of direct connection or radio transmission or monitored by a Listed Central Station Service. Occupancies are defined in NFPA 101.

- a) Places of Assembly
- b) Class A and B mercantile
- c) Educational
- d) Industrial
- e) Storage
- f) Business – two or more stories or 100 or more occupants.
- g) Apartments or multi-family dwelling as required by section 51-4.15.3.5.

51-4.13 System acceptance:

51-4.13.1 Prior to scheduling an acceptance test, the installer shall complete and submit a written record of completion which is acceptable to the Fire Prevention Division and confirms the system has been 100% tested and functions in compliance with system specification and manufacturer's instructions. The record of completion form found in NFPA 72 is acceptable.

51-4.13.2 The acceptance test shall include the testing of all devices, wiring, and control panels within the system. Manufacturer's testing requirements will be the preferred procedure.

51-4.13.3 The system installer shall provide all necessary personnel and equipment to complete the testing. Fire Prevention personnel will witness the test only and not perform any function involved with the testing procedure.

51-4.14 System maintenance:

51-4.14.1 All systems shall be maintained according to NFPA 72 and manufacturer's recommendations. The most recent system inspection report shall be provided to the Fire Prevention Division within thirty (30) days from the date of inspection. Any deficiencies found during inspection are required to be repaired and are the responsibility of the building owner.

(The following text is retained from 3601.1 and has been rephrased for clarity.)

51-4.15 Additional requirements for apartment buildings:

51-4.15.1 New or renovated buildings with three but fewer than six dwelling units:

51-4.15.1.1 Any new construction or substantial renovation of an apartment or multi-family dwelling with three or more but fewer than six dwelling units shall have single-station smoke alarms installed in all enclosed common corridors, common access stairways, and any attic spaces used for storage which are accessed by other than a scuttle. These smoke alarms shall be interconnected and have a primary building utility power source with a secondary battery power source. The smoke alarms shall be installed in accordance with the appropriate sections of NFPA 72, *National Fire Alarm Code*, whichever edition that is currently adopted by the State of New Hampshire.

51-4.15.1.2 In environments that do not permit single-station smoke alarms, heat detectors may be substituted with the specific approval of the Fire Prevention Division.

51-4.15.1.3 A substantial renovation shall be defined as greater than 50% of the appraised value of the building is under construction.

51-4.15.1.4 A building which has an automatic sprinkler system installed in accordance with NFPA 13, NFPA 13R, or NFPA 13D shall be exempt from this requirement. The building shall still be required to be in compliance with RSA 153:10-a.

51-4.15.1.5 This requirement shall not apply to 'townhouse' construction as defined in the International Residential Code.

(The following text is retained from 3602.1)

51-4.15.2 Existing buildings with three or more, but fewer than ~~six~~ twelve dwelling units:

51-4.15.2.1 Any existing apartment or multi-family dwelling with three or more, but fewer than ~~six~~ twelve, dwelling units shall have single-station smoke alarms installed in all enclosed common corridors, common access stairways, and any attic spaces used for storage which are accessed by other than a scuttle. These smoke alarms shall be interconnected and have a primary building utility power source with a secondary battery power source. The smoke alarms shall be installed in accordance with the appropriate sections of NFPA 72, *National Fire Alarm Code*, whichever edition that is currently adopted by the State of New Hampshire.

51-4.15.2.2 Existing, previously approved, and operational smoke alarms may be permitted to remain upon Fire Prevention's discretion.

51-4.15.2.3 In environments that do not permit single-station smoke alarms, heat detectors may be substituted with the specific approval of the Fire Prevention Division.

51-4.15.2.4 A building which has an automatic sprinkler system installed in accordance with NFPA 13, NFPA 13R, or NFPA 13D shall be exempt from this requirement. The building shall still be required to be in compliance with RSA 153:10-a.

51-4.15.2.5 This requirement shall not apply to 'townhouse' construction as defined in the International Residential Code.

(The following text is retained from 3602.2.7)

51-4.15.2.6 Reasonable alternatives to the requirements of this section: The Fire Chief or his designee may grant reasonable alternatives to the requirements of this section to the extent that such action will provide a degree of safety substantially equivalent to the requirement for which the alternative is being sought. Any request for an alternative shall be in writing and specify the specific provision for which an alternative is being requested. The Fire Chief or his designee may require additional information, including detailed architectural or engineering plans to assist in acting on the request. Any approved alternative shall be issued in writing and made a part of the permanent file.

(The following text is retained from 3601.2.1 – 3601.2.10)

51-4.15.3 New or renovated buildings with six or more dwelling units:

51-4.15.3.1 Any new construction or substantial renovation of an apartment or multi-family dwelling with six or more dwelling units shall be provided with a fire alarm system. A substantial renovation shall be defined as greater than 50% of the appraised value of the building is under construction.

51-4.15.3.2 Initiation of the required fire alarm system shall be by manual pull stations and automatic smoke detection throughout all common areas. The required initiating devices shall be installed in accordance with NFPA 101, Life Safety Code, and NFPA 72, National Fire Alarm Code, whichever editions that are currently adopted by the State of New Hampshire.

51-4.15.3.3 In environments that do not permit smoke detection, heat detection may be substituted with specific approval from the Fire Prevention Division.

51-4.15.3.4 Notification of the required fire alarm system shall be throughout the building in accordance with NFPA 101 and NFPA 72, whichever editions that are currently adopted by the State of New Hampshire.

51-4.15.3.5 The fire alarm system shall be connected to the municipal fire alarm system or a listed central station service in accordance with section 51-4.12.1.

51-4.15.3.6 A building which has an automatic sprinkler system in accordance with NFPA 13 or NFPA 13R shall not be required to have automatic smoke detection in common areas. The building shall still be required to be in compliance with RSA 153:10-a.

51-4.15.3.7 This requirement shall not apply to 'townhouse' construction as defined in the International Residential Code.

51-4.15.4 New installation of single-station smoke alarms:

51-4.15.4.1 Any new installation of single-station smoke alarms in new or existing construction shall be powered by direct wiring to a non-dedicated electrical branch circuit for the building and by battery. Any existing smoke alarms which are less than ten years old, in good working order, or otherwise compliant with the currently adopted versions of NFPA 101, and NFPA 72 are permitted to remain.

51-5 AUTOMATIC SPRINKLER SYSTEMS

51-5.1 Purpose:

51-5.1.1 The purpose of these rules is to insure that all sprinkler systems installed in the Town of Derry, New Hampshire are designed, installed, and maintained to achieve a high degree of reliability.

51-5.1.2 These rules are intended for use by persons knowledgeable in the design, installation, use, and maintenance of sprinkler systems.

51-5.2 Permits and plan submittals:

51-5.2.1 Any installation or modification of an automatic sprinkler system shall have a permit issued from the Derry Fire Department's Fire Prevention Division. No installations or modifications shall begin without a permit being issued.

51-5.2.2 The minimum plan submittal shall be in accordance with working plans requirements of NFPA 13, NFPA 13R, or NFPA 13D as appropriate.

51-5.2.3 The submitted plans and specifications for NFPA 13 and NFPA 13R systems shall bear the stamp of a New Hampshire licensed Fire Protection Engineer. NFPA 13D systems may be submitted by individuals who have a NICET level III or higher certification.

51-5.2.4 The water supply flow test shall be within the previous twelve months.

51-5.3 Reserved:

51-5.4 Fire Department Connections:

51-5.4.1 The Fire Prevention Division shall approve the locations of all Fire Department Connections.

51-5.4.2 The fire department connection shall be a 4" Storz connection unless otherwise specified by the Fire Prevention Division.

51-5.4.3 When a building is equipped with more than one fire department connection, a sign must be permanently installed at each connection indicating the section of the building serviced by that connection.

51-5.4.4 For new buildings, a fire hydrant shall be installed within 100 feet of the fire department connection. The location of the hydrant shall be approved by Fire Prevention.

Exception: This requirement may be waived by the Derry Fire Department for buildings located outside the hydrant district. This requires specific approval from the Fire Prevention Division.

51-5.5 Zones:

51-5.5.1 All buildings with multiple tenants shall be zoned by tenant spaces.

51-5.5.2 All floors or stories of buildings shall be zoned independently. No zones shall be permitted to protect multiple floors.

51-5.6 Outside Shut Off:

51-5.6.1 All new sprinkler systems shall be equipped with a supervised (tampered) outside shut off. This can be accomplished with either a Post Indicator Valve (PIV) or a Wall Post Indicator Valve (WPIV).

51-5.6.2 The requirements of 51-5.6.1 may be satisfied by providing an exterior door which leads immediately to the sprinkler control valve. Specific approval from fire prevention is required prior to using this method. The door shall be clearly marked in accordance with section 51-5.7.

51-5.7 Signage:

51-5.7.1 If any control valves are located in a separate room or concealed space, a sign shall be provided on the entrance door or near the concealed space. The lettering shall be a minimum of one (1) inch high in a contrasting color to the background. The final placement of these signs shall be approved by the Fire Prevention Division.

51-5.8 System Acceptance:

51-5.8.1 All underground mains shall be flushed and hydrostatically tested in accordance with NFPA 24. The Contractor's Material and Test Certificate for Underground Piping shall be completed, signed, and submitted to the Fire Prevention Division prior to the acceptance test.

51-5.8.2 Prior to the acceptance test the system shall be 100% tested with the Contractor's Material and test Certificate for Aboveground Piping and the annual inspection test form completed, signed, and submitted to the Fire Prevention Division prior to the acceptance test.

Exception: The Inspector, at his/her discretion, may allow these documents to be hand-delivered at the acceptance test. No system shall be accepted prior to these certificates and reports being submitted.

51-5.8.3 The installer shall provide all necessary personnel and equipment to complete the testing. Fire department personnel will not perform any function involved with the testing procedure.

51-5.9 System Maintenance:

51-5.9.1 All sprinkler systems are required to be tested and maintained in accordance with NFPA 25. The annual system test report shall be submitted to the Fire Prevention Division within 30 days of the date of the test.

(The following text is retained from 3604.1)

51-5.10 NFPA 13D systems required:

51-5.10.1 All townhouse-type construction of three units or more in which the individual units have their own separate access and egress and are separated by fire-rated walls between both units and do not share such common areas as entries, corridors, exits, and alarm systems shall provide residential sprinkler systems as required by NFPA 13D.

51-6 KEY BOXES AND CONTACT INFORMATION

51-6.1 Key Boxes: Any building with an automatic sprinkler system, fire alarm system or firefighter elevator recall shall be provided with an emergency access key box (Knox box) compatible with the Derry Fire Department key access system. Each key box will be supplied with all necessary keys to gain access to all interior spaces within the building. The location and quantity of the key box(es) shall be approved by Fire Prevention. Property owners and occupants shall notify the Fire Department when keys or locks are changed and provide keys for the key vault.

51-6.1.2 The knox box size shall be as follows:

- For up to ten keys – use knox box 3200 series
- For ten to 24 keys – use knox box 4100 series
- For over 24 keys – use knox box 4400 series

- For residential occupancies with only two keys – use 1650 series (requires specific approval from fire prevention)

51-6.2 Emergency Contact Information: Any building with an automatic sprinkler system, fire alarm system or key box shall provide a list of not less than three people who can be contacted after normal working hours to provide information about the building or who can respond to emergency requests for assistance from the Fire Department. The owner and occupant shall notify the Fire Department of all changes to the emergency contact list.

51-7 ELEVATORS

50-7.1 Elevators: All new elevators shall be of sufficient size to fit a Derry Fire Department ambulance/medical cot while in the supine position. Where there is more than one elevator in a building, at least one must meet these criteria. This elevator must be clearly marked as to distinguish itself from the other elevators in the building. The international medical symbol for emergency medical services (star of life) shall be acceptable for this purpose. This requirement shall not apply to lifts or existing elevators.

51-7.1.2 Elevator Recall Keys: All keys needed to operate Phase I and Phase II operation shall be provided in the key box as required in section 51-6.

51-7.2 The floor which the elevator(s) recall to shall be designated by the Derry Fire Department.

(The following text is retained from 3609.1)

51-8 HEATING EQUIPMENT

51-8.1 Separation required for Oil and Gas heating equipment: A one-hour fire separation shall be attached to the ceiling area over the heating equipment and must extend a minimum of four feet in all directions from the center of the burner and have the joints taped and finished. This requirement may be satisfied by the installation of a sprinkler head installed over the heating unit and connected to an approved, automatic sprinkler system or the domestic water supply. Specific approval is required from Fire Prevention prior to using the sprinkler method.

(The following text is retained from 3610.1)

51-8.2 Safety controls for oil-fired equipment. An automatic safety switch (firematic) shall be installed over the burner area of all oil-fired heating equipment. Manual switches, identified by a red switch plate indicating the type of fuel, shall be installed at all oil fired appliances and at a remote location (separated by a door) from the appliance.

(The following text is retained from 3611.1)

51-8.3 Oil storage tank vents. In addition to conforming to the requirements of NFPA 31, all oil tank vent terminations required at the exterior of the building must have a 90° elbow, a minimum of a six-inch nipple, and a vent cap installed.

(The following text is retained 3612.1)

51-8.4 Permit Required to install gas-operated heating equipment: All installations of gas-fired heating equipment in the Town of Derry require a permit to be obtained from the Fire Department. Upon completion of the installation, a final inspection by the Fire Department is required. The permit fee is listed in the fee schedule in section 51-11.

51-8.5 Unvented Appliances: Unvented room heaters and unvented fireplaces shall not be used in any building or structure within the Town of Derry unless they meet all the following:

- a) Meet all requirements of the State Fire Code.
- b) A primary source of heat shall be present, operable, and permanently installed in any room or space serviced by an unvented room heater or unvented fireplace.
- c) Not less than one listed carbon monoxide detector be installed and maintained in accordance with manufacturer's instructions near the space where the heater is located.
- d) Unit shall be installed in complete compliance with manufacturer's instructions. A copy of these shall be provided to the inspector upon request.
- e) A permit shall be issued from the Derry Fire Department prior to installation. An inspection shall take place prior to use of the unit.

(The following text is retained from 3605.1)

51-9 MEANS OF EGRESS

51-9.1 All basement spaces shall be provided with a minimum of one direct means of egress to the exterior of the building.

51-10 AUTOMATIC EXTERNAL DEFIBRILLATORS

51-10.1 An automatic external defibrillator (AED) shall be installed in all new Places of Assembly with an occupant load of 50 or more.

51-10.2 An automatic external defibrillator (AED) shall be installed in all existing Places of Assembly with an occupant load of 50 or more within 2 years of adoption of this code.

51-10.3 All automatic external defibrillators shall be registered with the New Hampshire Bureau of Emergency Medical Services as required by RSA 153-A:33 and RSA 153-A:32 within 30 days of purchase.

51-10.4 The owner of the AED will ensure that the AED is maintained and tested according to the manufacturer’s operational guidelines and keep written records of maintenance and testing. Notification to the Derry Fire Department shall be made any time the AED is not in service.

(Retained from 3613.1)

51-11 FIRE DEPARTMENT FEE SCHEDULE

<u>ITEM</u>	<u>FEE</u>
(Retained from 3613.1)	
Assembly Permit	\$50
Gas Burner Installation	\$50
Oil Burner Installation	\$50
Gas Piping Installation	\$50
<u>Underground Storage Tanks</u>	<u>\$25</u>
<u>Installation or Modification of an Automatic Sprinkler System</u>	<u>\$1.00 per sprinkler;</u> <u>\$50 minimum</u>
<u>Installation of a Standpipe</u>	<u>\$50</u>
<u>Installation or Modification of a Fire Alarm System</u>	<u>\$1.00 per device;</u> <u>\$50 minimum</u>
<u>Installation of Modification of a Fixed Fire Suppression System</u>	<u>\$75</u>

ITEM	FEE
<u>Plan review</u>	<u>\$0.025 per square foot of affected area</u>
Day Care Facilities	
Families	\$25
Group	\$50
Center	\$75
Blasting Permit	\$75
Re-inspection	\$50
Incident reports	
Fire reports – less than one year	\$20
Fire reports – more than one year	\$25
Emergency Medical Services	\$15
(Retained from 3614.4)	
Application for master box number and basic connection	\$150
Application for radio box number and programming	\$50
Municipal alarm circuit extension charge (per pole span)	\$100
Master box disconnect service call (temporary physical disconnection from municipal system)	\$50
Master box reconnect service call (Required if not on same day as disconnect)	\$50
Master box “short arm” service call (per incident)	\$25
(Retained from 3615.5)	
Application for fire alarm listed agent	\$25
Testing fee for fire alarm listed agent	\$25
Listed agent short arm	\$60
Listed agent master box key	\$10

ITEM	FEE
(Retained from 3616.2.3)	
Radio box monitoring fees for non-Derry occupancies	
Commercial radio box	\$25 per month / \$300 per year
Residential radio box	\$20 per month / \$240 per year
Municipal radio box	No charge
(Retained from 3617.3)	
False alarm charges	
First five alarms in excess of the limit	\$50 per alarm
All false alarms in excess of the first five above the limit	\$100 per alarm

(The following text is retained from 3614)

51-12 MASTER/RADIO BOX APPLICATION FOR INSTALLATION [ADDED EFFECTIVE 7-1-2009]

51-12.1 An application fee shall be paid at the time of application for the master or radio box number to cover the cost of the basic connection or programming. All costs of the connection are the responsibility of the property owner. The basic connection charge is incorporated in the application fee and is due at time of application for number assignment.

51-12.2 The Town shall determine if there will be any additional extensions of the existing municipal fire alarm (100 milliamps) system.

51-12.3 All extensions of the existing municipal fire alarm (100 milliamp) system cable that are necessary to connect a private master box system to the municipal system, where not immediately adjacent to the property, will be installed by the Town. Such additional labor, parts, and supplies required to extend the municipal circuit to the property boundary is the responsibility of the owner. The Town will provide the applicant with a detailed invoice prior to installation.

51-12.4 Fire Department fee schedule for master/radio box: Fees are included in the fee schedule located in Chapter 51-11.

(The following text is retained from 3615)

51-13 FIRE ALARM TECHNICIANS/LISTED AGENTS [ADDED EFFECTIVE 7-1-2009]

51-13.1 Any fire alarm technician installing, making modifications, or maintaining any fire alarm system in the Town shall hold a valid and current listed agent certificate issued by the Derry Fire Department.

51-13.2 Applicants for annual registration as a listed agent in the Town of Derry shall pay a fee. Applicants may register annually or for a period not to exceed two calendar years.

51-13.3 Listed agent certificates are issued for a period not to exceed two calendar years. Certificates issued anytime within the year will expire at the end of the last day of December of each calendar year.

51-13.4 Applicants for listed agent certification for the Town must exhibit proof of competency on 100 milliamp municipal alarm systems. This proof may be submitted in the form of certification by another accepted municipality or by some other form of accepted training, the type to be determined by the Fire Chief and/or his designee. Agent applicants requiring training may have it provided by the Town at an additional one-time cost.

51-13.5 Fire Department fee schedule for fire alarm technicians/listed agent: Fees are included in the fee schedule located in Chapter 51-11.

(The following text is retained from chapter 32)

51-14 BUILDING AND PROPERTY NUMBERS

51-14.1 The Fire department shall designate the numbers to be affixed to the buildings on streets and ways in the Town of Derry. Every dwelling, building or structure (whether existing on the date of adoption of this chapter or which may exist in the future) located in the Town of Derry shall be required to have such number posted upon such dwelling, building, or structure or upon the property where such improvements exist so as to be plainly visible from the street or way which abuts the main entrance to such property.

51-14.2 For any building or structure for which a number has or shall be designated, the numbers shall be a minimum of four inches high with a ½ inch stroke.

51-14.3 The owner of any property seeking a building permit for a new building or structure shall apply for and affix to said building, prior to the issuance of an occupancy permit, a building number designation from the Fire Department.

51-14.4 No person shall affix or permit to be affixed to or shall allow to remain upon any building in the Town any different number from the one designated by the Fire Department, with the exception of dates affixed for historical purposes.

51-14.5 The owner of any building or structure who shall fail to affix such number within 30 days after written notice from the Code Enforcement Officer shall be fined not more than \$25 plus \$1 for each day that such number is not affixed.

(The following text is retained from 3616.2)

51-15 MONITORING CHARGE FOR RADIO BOX FIRE ALARM SYSTEMS – NON-DERRY OCCUPANCIES [ADDED EFFECTIVE 12-1-2009]

51-15.1 Any radio box fire alarm in the Derry catchment area that is connected to the Derry Fire Department by way of radio signal receiver shall pay a monitoring charge to the Town of Derry.

51-15.2 All commercial/residential radio fire alarm box owners shall pay an annual monitoring fee for each calendar year (see fee schedule). New systems installed shall be charged a pro rata fee per month or part of a month until December 31 of the installation year after which the annual fee will take effect on January 1.

Note: Municipal occupancies (i.e., Town offices, schools) in communities with dispatch contracts with the Derry Communications Center will be exempted from monitoring fees.

51-15.3 Fees for fire alarm monitoring. Effective December 1, 2009: Fees are included in the fee schedule located in Chapter 51-11.

(The following text is retained from 3616.5)

51-16 LIABILITY LIMITED [ADDED EFFECTIVE 7-1-2009]

51-16.1 The Town shall take every reasonable precaution to assure that the alarm signals and alarm messages received by the Fire Department are given appropriate attention and are acted upon with dispatch. Nevertheless, the Fire Department shall not be liable for any defects in operation of alarm devices, nor for the failure or neglect of any person in connection with the installation and operation of alarm signals or the receipt or relaying of such signals and messages.

51-16.2 In the event that the Fire Department finds it necessary to disconnect an alarm device, the Fire Department shall incur no liability by such action. The Fire Department does have the responsibility for immediate notification to the registered owner whose fire alarm device has been disconnected.

(The following text is retained from 3617)

51-17 FALSE ALARM CHARGE [ADDED EFFECTIVE 7-1-2009]

51-17.1 Any registered owner or lessee of a property having an alarm connected to the municipal alarm system, to an alarm agent, alarm business, or person responding to alarms which causes any signal, message, or alarm to be transmitted to the Derry Fire Department either by direct telephone or other communication and which is proven to be a false alarm shall pay a false alarm charge to the Town.

51-17.2 False alarm means the activation of an alarm system through mechanical failure, accidental tripping, in-operation, malfunction, misuse, or the neglect of the owner or lessee of an alarm system, or of his employees or agents. Upon failure of the Fire Department to find any evidence of legitimate cause for the alarm activation, a conclusive presumption of false alarm will be made. False alarms shall not include alarms caused by earthquakes, violent winds, or external causes beyond the control of the owner or lessee of the alarm system. The Derry Fire Department False Alarm Evaluation Document will be used to determine false alarm charges.

51-17.3 This charge shall be based on the number of false alarms received from the same alarm system during a calendar year. The false alarm limits shall be based on the number of alarm-initiating devices connected to the fire alarm system. Each fire alarm control panel will be considered a separate system. The false alarm charge shall be:

Number of False Alarm Charges	Fee
First five false alarms in excess of the limit	\$50 per alarm

All false alarms in excess of five above the limit	\$100 per alarm
<u>Number of devices connected to system</u>	<u>False alarm limit per year</u>
1 - 125	3
126 – 250	5
251 - 375	10
376 or more	15

51-17.4 Notification:

51-17.4.1 Registered alarm users will be notified by the Derry Fire Department in writing of all false alarm responses over the limit.

51-17.4.2 All false alarm service charges will be submitted to the alarm user in writing monthly by the Derry Fire Department.

51-17.4.3 A copy of the Derry Fire response report shall be provided to the registered owner or lessee. This shall be deemed sufficient notification to the alarm user of such response.

51-17.4.4 An alarm user may appeal false alarm service charges in writing to the Fire Chief within 10 days after receipt of the notice of penalty.

51-17.5 Payment of false alarm service charge:

51-17.5.1 Payment of the alarm service charge shall be billed to the registered owner of the building and paid to the Town of Derry office of the Tax Collector.

51-17.5.2 Payments shall be due within 30 days of receipt of notification.

51-17.5.3 Failure to make payment for alarm service charges within 30 days of receipt of notification shall result in a ten-dollar penalty charge added to the alarm service charge. Penalty charges will be assessed for each thirty-day period, not to exceed 90 days that the alarm service charge remains unpaid.

51-17.5.4 No penalty shall be assessed to an alarm user while the alarm service charge is being considered under appeal by the Fire Chief.

(The following text is extracted from 30-113.4 and 30-114.3)

51-18 VIOLATION PENALTIES

51-18.1 Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall install, modify, alter, repair, construct, or operate a building, structure, or system in violation of an approved plan or direction of the Fire Inspector shall be guilty of a violation, punishable by a fine of not more than \$275. Each calendar day that the violation continues shall be deemed a separate offense.

51-18.2 Any person who shall continue any work in or about the building after having been served with a stop order, except such work as he is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100 or not more than \$275 per calendar day.

51-19 Appeals:

51-19.1 Any person shall have the right to appeal a decision of the Fire Inspector to the Zoning Board of Adjustment pursuant to RSA 673:3, IV. An application for appeal, pursuant to RSA 674:34, can only be based on a claim that the true intent of these adopted rules have been incorrectly interpreted, the provisions of the rules do not fully apply, or an equally good or better method of complying with the intent of these rules is available. The board shall have no authority to waive requirements of the state building code or the state fire code. The appeal must be filed within twenty (20) calendar days after a notice or decision was mailed by regular mail to the last known address of the property owner or aggrieved party as recorded in the assessor's office of the town or as provided by an applicant or design professional.

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