

450-RICR-00-00-7

TITLE 450 – FIRE SAFETY CODE BOARD OF APPEAL AND REVIEW

CHAPTER 00 – N/A

SUBCHAPTER 00 – N/A

PART 7 – RI Fire Code

7.1 Fire Code

Pursuant to R.I. Gen. Laws § 23-28.3-3, the NFPA 1 – Fire Code of the National Fire Protection Association, Inc., 2018 edition, with annexes, except those portions specifically reserved, deleted, altered, added to, or otherwise amended as outlined in this Part herein, and including all of the specific amendments to NFPA 1 – Fire Code, as outlined in this Part herein, is hereby adopted by reference as the Rhode Island Fire Code. Copies of NFPA 1 – Fire Code, 2018 edition, are available from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471. The National Fire Protection Association's telephone number is 617-770-0700.

Electronic copies of the reservations, deletions, alterations, additions and other amendments to this code, also known as the Rhode Island Fire Code Part 7, will be initially made available on the Fire Board's website at <http://www.fsc.ri.gov/>. Copies shall subsequently be available from LexisNexis/Matthew Bender & Co., 701 E. Water Street, Charlottesville, VA 22902. The LexisNexis telephone number is 1-800-446-3410.

The State Fire Marshal is the sole authority having jurisdiction for the strict enforcement of the Rhode Island Fire Code. The Fire Safety Code Board of Appeal and Review is the sole authority having jurisdiction for administration of the Rhode Island Fire Code.

Except as outlined below, the Fire Safety Code Board of Appeal and Review is the sole authority having jurisdiction to grant variances, waivers, and amendments from, or to review and accept any proposed fire safety equivalencies and alternatives to, the strict adherence to the provisions of the Rhode Island Fire Code and all referenced standards therein. Notwithstanding the above, the State Fire Marshal and his or her designees are hereby authorized to approve dimensional relief within the egress systems of any existing building in accordance with NFPA 101 and its annexes. Such dimensional relief shall be known as "AHJ modifications." All "AHJ modifications" must be in writing and recorded by the State Fire Marshal's Office. Once recorded by the State Fire Marshal's Office, the "AHJ modification" shall remain as permanent relief for the building as long as the use and/or occupancy of the

building remains the same. Any change of use and/or occupancy shall subject the building to review under the relevant codes and reconsideration of the “AHJ modification” in light of the new use or occupancy.

For the purposes of uniform administration, and with the exception of “AHJ modifications” as outlined above, all other exceptions listed in the Rhode Island NFPA 1 – Fire Code and its referenced standards, allowing for a discretionary waiver by the authority having jurisdiction, shall be referred directly to the Fire Safety Code Board of Appeal and Review as outlined in Fire Safety Code § 1.7.1 of this Subchapter *et seq.* The only official formal and binding interpretations of the provisions of the Rhode Island NFPA 1 – Fire Code and its referenced standards are those approved and published by the Fire Safety Code Board of Appeal and Review pursuant to the procedures outlined in Fire Safety Code, § 1.7.1(C) of this Subchapter *et seq.*

All new buildings and structures, for which a building permit was issued on or after July 1, 2021, shall be subject to the provisions of the Rhode Island Fire Code addressing the new occupancy unless this requirement is specifically modified by the issuance of a blanket variance by the Fire Safety Code Board of Appeal and Review to allow a grace period for plans, submitted after the above date, to be reviewed under the prior Code.

All existing buildings and structures, and those buildings and structures for which a building permit was issued prior to July 1, 2021, shall be subject to the provisions of the Rhode Island Fire Code addressing the existing occupancy.

Any existing required building or structure, subject to the provisions of the Rehabilitation Building and Fire Code for Existing Buildings and Structures, shall also comply with the existing occupancy provisions of the Rhode Island Fire Code addressing the current or proposed occupancy.

All existing fire protection systems, such as sprinklers, fire alarms, emergency lighting and exit signs, installed in existing buildings, shall continue to be properly maintained. Non-required systems shall either be maintained, or have the devices removed or marked in such a manner to immediately notify the public of the lack of fire protection. Prior to the removal or marking of any non-required system, the system’s owner must first comply with the procedures outlined in the Rhode Island Life Safety Code, (NFPA 101) 2018 Edition, § 4.6.12.2.1. The above marking of any de-activated system shall be at the direction and to the satisfaction of the State Fire Marshal or his or her designee.

The provisions of NFPA 1, 2018 edition, as amended and referenced below, and incorporated herein as the “Rhode Island Fire Code”, shall be preceded by the acronym “RIFC”. All of the remaining provisions of NFPA 1, 2018 edition, adopted as the “Rhode Island Fire Code”, but not specifically addressed below, shall likewise be identified by the acronym “RIFC” preceding it. (Accordingly,

"Chapter 1" below would be identified as "RIFC 1". Likewise, "§ 1.1.2" below would be identified as "RIFC 1.1.2".)

7.1.1 CHAPTER 1 – ADMINISTRATION

(Amd) 1.1.2 Title.

The title of this Code shall be the "Rhode Island Fire Code" and may be cited as such.

(Add) 1.1.3

The "Rhode Island Fire Code" is hereby adopted pursuant to R.I. Gen. Laws Chapter 23-28.1.

(Add) 1.3.3.3

When a conflict between the language of the original 2018 Edition of the Fire Code and any specific Rhode Island amendment occurs, the Rhode Island amendment shall apply exclusively.

(Amd) 1.4.1 Equivalencies.

Nothing in this Code is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety, as determined by the Fire Safety Code Board of Appeal and Review, to those prescribed in this Code, provided a request for variance is submitted to the Fire Safety Code Board of Appeal and Review along with technical documentation to demonstrate equivalency and the system, method, or device is approved for the intended purpose.

(Amd) 1.4.2 Alternatives.

The specific requirements of this Code may be modified by the Fire Safety Code Board of Appeal and Review to allow alternative arrangements that will secure as nearly equivalent fire safety as practical.

(Amd) 1.4.3 Modifications.

The State Fire Marshal and his or her designees are hereby authorized to approve dimensional relief within the egress systems of any existing building in accordance with NFPA 101 and its annexes. Such dimensional relief shall be known as "AHJ modifications." All "AHJ modifications" must be submitted to the State Fire Marshal's Office for recording. Once recorded by the State Fire Marshal's Office, the "AHJ modification" shall remain as permanent relief for the building as long as the use and/or occupancy of the building remains the same. Any change of use and/or occupancy shall subject the building to review under the relevant codes and reconsideration of the "AHJ modification" in light of the new use or occupancy.

(Amd) 1.4.4

Buildings with alternative fire protection features approved by the Fire Safety Code Board of Appeal and Review shall be considered as conforming with this Code.

(Amd) 1.4.5

Each application for variance to allow for an alternative fire protection feature shall be filed with the Fire Safety Code Board of Appeal and Review pursuant to the provisions of the Fire Safety Code [§ 1.7.1](#) of this Subchapter *et seq.* and R.I. Gen. Laws Chapter 23-28.3. Each application shall further be accompanied by such evidence, letters, statements, results of tests, or other supporting information as may be required to justify the request. The Fire Safety Code Board of Appeal and Review shall keep a record of all actions on such applications in accordance with its records retention schedule. A written comprehensive Decision shall be signed by both the Chairperson, or the Board Member who chaired the hearing, and the Executive Director who drafted the Decision for the Board's approval. A signed Decision shall be forwarded to the Applicant, the State Fire Marshal and the local fire officials. Unless specifically noted to the contrary, the effective date of the Decision shall be the mailing date listed therein.

(Amd) 1.4.6 Approval.

. The Fire Safety Code Board of Appeal and Review may approve such alternative construction systems, materials, or methods of design when it is substantiated that the standards of this Code are at least comparable. If, in the opinion of the Fire Safety Code Board of Appeal and Review, the standards of this Code shall not be made comparable by the alternative requested, the requested relief shall not be granted. Consideration shall also be given to test or prototype installations.

(Amd) 1.6 Enforcement.

This Code shall be administered by the Fire Safety Code Board of Appeal and Review and enforced by the State Fire Marshal.

(Add) 1.6.1 Enforcement Jurisdiction.

The State Fire Marshal is the sole authority having jurisdiction for the strict enforcement of the provisions of this code. The State Fire Marshal shall have authority to appoint and certify as many Deputy State Fire Marshals and Assistant Deputy State Fire Marshals as are deemed necessary to strictly enforce the provisions of this Code. All such Deputy State Fire Marshals and Assistant Deputy State Fire Marshals maintain their certification at the pleasure of the State Fire Marshal. Accordingly, all Deputy State Fire Marshals and Assistant Deputy State Fire Marshals shall be allowed to enforce this code as long as they maintain their certification in the above positions by the State Fire Marshal.

(Amd) 1.7.1 Administration Jurisdiction.

The Fire Safety Code Board of Appeal and Review is the sole authority having jurisdiction for the administration of this Code. Accordingly, the Fire Safety Code Board of Appeal and Review is the sole authority having jurisdiction to grant variances, waivers and amendments from, or to review and accept any proposed fire safety equivalencies and alternatives to, the strict adherence to the provisions of this Code and all referenced standards herein. With the exception of “AHJ Modifications” as outlined in § 1.4.3 above, all other exceptions listed in this Code, and its referenced standards, allowing for a discretionary waiver by the authority having jurisdiction, shall be referred directly to the Fire Safety Code Board of Appeal and Review as outlined in Fire Safety Code, [§ 1.7.1](#) of this Subchapter *et seq.*

(Amd) 1.7.3.1 The Fire Safety Code Board of Appeal and Review is the sole authority to render interpretations of this Code and to make Rules and supplemental Regulations in order to carry out the application and intent of its provisions.

(Amd) 1.7.5 Delegation of Authority.

The State Fire Marshal may delegate to his or her Deputy State Fire Marshals, Division Chiefs, other members of the staff, and any other qualified individuals, such powers as are necessary for the proper enforcement of the Code. The Fire Safety Code Board of Appeal and Review may delegate to its appointed staff such powers as are necessary for the proper administration of this Code.

(Amd) 1.7.7.1

The State Fire Marshal is authorized to inspect, at all reasonable times, any building or premises for dangerous or hazardous conditions or materials as set forth in this Code and the general provisions of the Fire Safety Code. The State Fire Marshal may order any person(s) to remove or remedy such dangerous or hazardous condition or material. Any person(s) failing to comply with such an order shall be in violation of the Fire Safety Code. Any person so charged with a violation of the Fire Safety Code shall have the right to appeal the order of the State Fire Marshal to the Fire Safety Code Board of Appeal and Review. An appeal shall automatically stay the State Fire Marshal's order. However, where the State Fire Marshal, or his or her designee, advises that such an automatic stay would endanger the public and/or the owner's tenants or employees, the chairperson of the board, or his or her designee, may, for such good cause shown, suspend the automatic stay of the State Fire Marshal's order pending review by the full Board.

(Amd) 1.7.7.2 Abatement.

The State Fire Marshal, or his or her designee within the division, or an Assistant Deputy State Fire Marshal in accordance with the guidelines established by the State Fire Marshal, has the authority to summarily abate any condition which presents immediate danger to life. The conditions that present an “immediate danger to life” are outlined under the definition of “abatement or to abate a condition” found in fire safety code § 1.5 of this Subchapter. A failure to abate a condition that presents a clear and

immediate danger to life shall be grounds for the person issuing the order to abate, to require that the premises be vacated. Any such order to vacate the premises shall be approved in writing by either the State Fire Marshal or a designee of the State Fire Marshal who has been given advanced written authority by the State Fire Marshal to approve such actions.

(Add) 1.7.7.2.1 Appeal of Abatement.

Any person subject to the abatement procedure as outlined in § 1.7.6.2, shall have the right to appeal the order of the State Fire Marshal to the Fire Safety Code Board of Appeal and Review. An appeal does not automatically stay the State Fire Marshal's order. However, the Chairperson of the Board, or his or her designee, may, for good cause shown, stay the order of the State Fire Marshal pending review by the full Board.

(Amd) 1.7.7.6

Persons authorized to enter and inspect buildings, marine vessels and premises as herein set forth shall be identified by credentials recognized by the State Fire Marshal.

(Amd) 1.10 Fire Safety Code Board of Appeal and Review.

(Amd) 1.10.1

The Fire Safety Code Board of Appeal and Review was originally created in 1966 as the Fire Safety Code Commission and is currently authorized and maintained pursuant to R.I. Gen. Laws § 23-28.3-2.

(Amd) 1.10.1.1.1

The members of the Fire Safety Code Board of Appeal and Review are appointed pursuant to R.I. Gen. Laws § 23-28.3-2(a) and Fire Safety Code [§ 1.6\(A\)](#) of this Subchapter.

(Amd) 1.10.1.1.2

The current composition of the Fire Safety Code Board of Appeal and Review is outlined in R.I. Gen. Laws § 23-28.3-2(a) and Fire Safety Code [§ 1.6\(A\)](#) of this Subchapter.

(Amd) 1.10.1.1.2.1

Procedures, adopted by the Fire Safety Code Board of Appeal and Review, addressing administrative appeals, are outlined in Fire Safety Code, § 1.7.1 of this Subchapter.

(Amd) 1.10.1.1.3

Procedures, adopted by the Fire Safety Code Board of Appeal and Review, addressing administrative hearings and court appeals, are outlined in Fire Safety Code §§ 1.7.2(A) through (BB) of this Subchapter.

(Amd) 1.10.1.1.4

Procedures, adopted by the Fire Safety Code Board of Appeal and Review, addressing the Fire Board's rulemaking authority, are outlined in Fire Safety Code § 1.7.3 of this Subchapter.

(Amd) 1.10.1.1.5

Procedures, adopted by the Fire Safety Code Board of Appeal and Review, addressing code interpretation by the Fire Board, are outlined in Fire Safety Code § 1.7.4 of this Subchapter.

(Amd) 1.10.1.1.5.1

Members of the Fire Safety Code Board of Appeal and Review shall comply with the Rhode Island Code of Ethics, as outlined in R.I. Gen. Laws § 36-14-1 *et seq.*, and all relevant advisory opinions and/or decisions rendered by the Rhode Island Ethics Commission.

(Amd) 1.10.1.1.5.2

Members of the Fire Safety Code Board of Appeal and Review shall be residents of the State.

(Amd) 1.10.1.1.5.3

Members of the Fire Safety Code Board of Appeal and Review shall be composed of individuals experienced in the fields and professions as outlined in Fire Safety Code, [§ 1.6\(A\)](#) of this Subchapter.

(Amd) 1.10.1.1.6

Members of the Fire Safety Code Board of Appeal and Review shall be selected and appointed pursuant to R.I. Gen. Laws § 23-28.3-2.

(Amd) 1.10.1.1.7

Members of the Fire Safety Code Board of Appeal and Review shall not sit in judgment and vote on any case in which the member, personally, is directly interested or has a potential conflict of interest. If the actual interest of the member is unclear, the member should recuse and not participate, and then request an advisory opinion from State Ethics Commission prior to participating in comparable cases in the future.

(Amd) 1.10.1.1.8

The Governor shall designate one (1) member as Chairperson pursuant to R.I. Gen. Laws § 23-28.3-2. The Chairperson shall then designate one (1) member as Vice Chairperson subject to confirmation by the Board.

(Amd) 1.10.3.4

The Fire Safety Code Board of Appeal and Review shall have the authority to waive any requirement(s) of the code pursuant to a comprehensive plan of action as outlined in a written Decision after a hearing and vote on the matter.

(Amd) 1.10.4.1

Any building owner or operator of any regulated process or hazardous activity may request a variance from the Fire Safety Code Board of Appeal and Review in accordance with R.I. Gen. Laws § 23-28.3-5 and its referenced standards.

(Amd) 1.10.4.2

An appeal shall be submitted to the Fire Safety Code Board of Appeal and Review pursuant to the Fire Board procedures outlined in Section 6 of the Fire Safety Code, Part [1](#) of this Subchapter and R.I. Gen. Laws § 23-28.3-5.

(Amd) 1.10.4.3

Any documentation that either the Applicant or the AHJ wishes to rely upon during their scheduled hearing shall be submitted to the Fire Board, and the opposing side, at least seven (7) calendar days prior to their scheduled Fire Safety Code Board of Appeal and Review hearing. This requirement may be either shortened or waived by the Fire Board for good cause shown.

(Amd) 1.10.5.1

Depending upon its case load, the Fire Safety Code Board of Appeal and Review generally meets at least once each week in formal session and throughout the year in subcommittee sessions. All formal meetings are conducted pursuant to the Rhode Island Administrative Procedures Act (R.I. Gen. Laws § 42-35-1 *et seq.*) and notice is provided pursuant to the Rhode Island Open Meetings Act (R.I. Gen. Laws § 42-46-1 *et seq.*)

(Amd) 1.10.5.1.1

Notice is hereby provided, pursuant to R.I. Gen. Laws § 42-46-6(a), that the formal meetings of the Fire Safety Code Board of Appeal and Review are currently scheduled on Tuesday afternoons at 1:00 P.M. The time and location of the meetings are subject to change in the future. Accordingly, please consult the board website at www.fsc.ri.gov for specific public

notice and any additional information regarding the formal weekly hearings. Hearings are also posted on the Rhode Island Secretary of State's website at <http://sos.ri.gov/>.

(Amd) 1.10.5.4

The Fire Board of Appeal and Review shall keep records of its examinations, correspondence, files, meeting minutes, decisions and other official actions in accordance with its approved Records Retention Schedule.

(Amd) 1.10.5.6

A quorum of the Board shall consist of not less than five (5) members.

(Amd) 1.10.5.7

In varying the application of any provision of this Code, or in modifying an order of the AHJ, a majority vote by members present with at least five (5) members in accord shall be required.

(Amd) 1.10.6.4

Copies of the Decision shall be sent by mail or delivered in person to the Applicant, the State Fire Marshal's Office, and the local Fire Marshal or Department having territorial jurisdiction over the subject property or process.

(Amd) 1.11.1

The State Fire Marshal shall maintain a properly indexed record of all variances, issued on or after January 1, 2004, in his or her office pursuant to R.I. Gen. Laws § 23-28.3-5(b). This record shall be open to the public for inspection.

(Add) 1.11.2.1

Enforcement powers of Deputy State Fire Marshals and Assistant Deputy State Fire Marshals shall be exercised in such a manner as to avoid duplication of effort by the building owner. The Deputy State Fire Marshals and Assistant Deputy State Fire Marshals shall provide the building owner with a single written inspection report detailing the fire safety requirements necessary to bring the building into full compliance with the Rhode Island Fire Safety Code. If a building owner receives an initial written inspection report listing all of the cited fire safety deficiencies in the building, and new non-abatable deficiencies are detected within the subsequent twelve (12) months, upon written notification thereof, the building owner is urged to correct such deficiencies as soon as practical, but shall have a period of twelve (12) months from the original inspection report to correct said newly detected deficiencies. The above time extension shall not apply to the issuance of "citations" pursuant to R.I. Gen. Laws § 23-28.2-14 or issues being addressed by the abatement procedure outlined in § 1.7.6.2.

(Add) 1.11.2.2

The State Fire Marshal shall make quarterly continuing educational programs available to all Assistant Deputy State Fire Marshals who shall be required to annually attend a minimum of two (2) such continuing educational programs in order to maintain their Assistant Deputy State Fire Marshal status. The above quarterly continuing educational programs shall be in addition to any training sessions deemed mandatory by the State Fire Marshal. The quarterly continuing educational programs may be conducted by outside groups with the approval of the State Fire Marshal.

(Add) 1.11.2.3

The State Fire Marshal shall provide all Assistant Deputy State Fire Marshals with sufficient copies of a brochure explaining the inspection process and outlining the obligations and rights, including all appeal rights, of building owners under the State Fire Code. The Assistant Deputy State Fire Marshal shall provide the building owner, or onsite representative, with a copy of this brochure during the initial inspection of the building. A second (2nd) copy of the brochure shall accompany the initial written inspection report generated as a result of the above building inspection.

(Amd) 1.12.6.1

Only the State Fire Marshal, and those Deputies and Assistant Deputy State Fire Marshals specifically authorized by the office of the State Fire Marshal, shall be granted the authority to issue the permits listed under this Code. The State Fire Marshal shall not be required to issue any of the permits listed under this Code unless he or she first determines that listed permit is necessary and that there are sufficient fiscal and personnel resources available for the uniform and consistent administration of the specific permit program.

(Amd) 1.14.1

Construction documents shall be submitted, reviewed, and approved for all new construction, modification, or rehabilitation, projects prior to the start of such work as provided in § 1.14, unless any or all of these requirements are specifically waived herein. These requirements may also be waived by the AHJ.

(Amd) 1.14.2

Unless specifically waived in writing by the AHJ, the applicant shall be responsible to ensure that the following conditions are met:

1. The construction documents include all of the fire protection requirements.
2. The shop drawings are correct and in compliance with the applicable codes and standards.

3. The contractor maintains an approved set of construction documents on site.
4. Up to five (5) sets of paper drawings and a project manual shall be submitted to the AHJ unless this requirement is specifically waived by the State Fire Marshal's Office or the AHJ conducting the plan review.

(Amd) 1.14.3

Applications for plan review shall be made in the system designated by the State Fire Marshal's Office.

(Add) 1.14.3.1

The Application for plan review by the State Fire Marshal's Office shall be accompanied by a plan review fee in accordance with either § 1.14.3.2 for one (1), two (2), and three (3) family homes or § 1.14.3.3 for commercial projects.

(Add) 1.14.3.2

Plan review and inspection for the installation of smoke detection and/or carbon monoxide detection in any new and existing private dwelling occupied by one (1), two (2), and three (3) families shall be in accordance with R.I. Gen. Laws § 23-28.1-2(b)(2)(ii).

(Add) 1.14.3.3

Every request for plan review by the State Fire Marshal's Office, under the provisions of the Rhode Island Fire Safety Code, shall be accompanied by the fee prescribed in accordance with R.I. Gen. Laws § 23-28.2-26.

(Add) 1.14.3.3.1

All fees collected by the State Fire Marshal pursuant to §§ 1.14.3.2 or 1.14.3.3 shall be deposited as outlined in R.I. Gen. Laws § 23-28.2-26.

(Add) 1.14.3.4

Plan review fees, not exceeding the amounts listed in §§ 1.14.3.2 and 1.14.3.3, may be collected by the Assistant Deputy Fire Marshals of the municipal fire departments and/or fire districts, pursuant to municipal ordinance, only upon their completion of the plan review process. All such fees shall be utilized exclusively for supporting the operations of the municipal fire prevention bureau. Nothing herein shall preclude an AHJ, performing an inspection, pursuant to either Rhode Island Life Safety Code (RILSC) §§ 24.6.3.1.3.1 or 25.2.2.3.1, from being paid at the time of that inspection.

(Add) 1.14.3.5

At the request of either the applicant or the AHJ, a preliminary meeting shall be held with the applicant and the AHJ at the time of the submittal. The purpose of the meeting is to discuss the scope of the project, check that the correct codes were used, check that the plans have been stamped, and to ensure that all necessary paperwork is included with the submittal. At this time, if all of the above are not correct, the plans shall not be accepted by the AHJ and the AHJ shall immediately advise the applicant in writing of the specific deficiencies which must be addressed prior to re-submittal.

(Amd) 1.14.4

The AHJ shall either approve or render a written report to the applicant stating all of the reason(s) why the submitted construction documents cannot be approved within the following timeframes:

(Add) 1.14.4.1

One (1), two (2), and three (3) family homes shall be completed within fifteen (15) business days of receipt.

(Add) 1.14.4.2

All fire alarm plans shall be reviewed and either approved or disapproved, with full explanation, within fifteen (15) business days of submission of the plans. Fire alarm plans for existing buildings shall be limited to that portion of the building either under construction or renovation unless the State Fire Marshal specifically approves, in writing, an expanded scope of plan review. If the plans are not reviewed and approved within the above fifteen (15) business day period the project shall be allowed to proceed. The AHJ shall immediately submit written notification to the building official overseeing the project and advise that a building permit should issue pursuant to the understanding that the owner and/or contractor may proceed with the project at his or her own risk.

(Add) 1.14.4.3

Projects meeting all the requirements of §§ 1.14.4.3(1) through 1.14.4.3(5) shall be completed within twenty (20) business days of receipt:

1. Overall construction cost of under five hundred thousand dollars (\$500,000.00);
2. No change in occupancy;
3. No change in square footage of the building or occupant load;
4. Renovations not affecting egress routes and/or exits;

5. Life safety systems are compliant with no major alterations proposed.

(Add) 1.14.4.3.1

For purposes of § 1.14.4.3(5) a compliant fire alarm system is defined as a system allowed to be maintained in the facility pursuant to RILSC Chapter 9.6 and its referenced standards.

(Add) 1.14.4.3.2

For purposes of § 1.14.4.3(5) major alterations are defined as:

1. Twenty (20) or more sprinkler heads being added or relocated;
2. Ten (10) or more fire alarm devices or appliances being added or relocated;
3. Ceiling heights being reconfigured.

(Add) 1.14.4.4

Projects that have an overall cost of construction of five hundred thousand dollars (\$500,000.00) or more but less than ten million dollars (\$10,000,000.00) shall be completed within thirty (30) business days of receipt.

(Add) 1.14.4.5

All other projects, not meeting §§ 1.14.4.1, 1.14.4.2, 1.14.4.3 or 1.14.4.4, shall be completed within forty (40) business days of receipt.

(Add) 1.14.4.6

When required by the AHJ, revised construction documents or shop drawings shall be prepared and submitted for review and approval to illustrate corrections as required by the written report in § 1.14.4. The corrections shall be re-reviewed by the AHJ within ten (10) business days of receipt.

(Add) 1.14.4.7

For good cause shown, the State Fire Marshal may extend any of the timelines, outlined in §§ 1.14.4.1 through 1.14.4.6, provided that such an extension is reduced to writing and issued to both the applicant and the AHJ. In the absence of such an extension, the project shall be allowed to proceed once the above applicable time limit for plan review has been reached. Specifically, at the conclusion of the above applicable time limit, the AHJ shall immediately submit written notification to the building official overseeing the project and advise that a

building permit should issue pursuant to the understanding that the owner and/or contractor may proceed with the project at his or her own risk.

(Add) 1.14.4.8

Review and approval by the AHJ, or default submission to the building official pursuant to §§ 1.14.4.2 or 1.14.4.7, shall not relieve the applicant of the responsibility of full compliance with this Code and/or any other codes or Regulations which must be met by the applicant prior to the completion of the project.

(Add) 1.14.4.9

The AHJ shall have the discretion to waive the examination and approval of drawings when plans for the erection or alteration of a building, or its fire protection systems, are prepared by a professional engineer or registered architect who is either licensed or registered by the State of Rhode Island, and the professional engineer or architect has stated in writing that he or she has supervised the preparation of all design and technical documents and that he or she will review and approve all work drawings for the construction, and that the document shall, to the best of his or her knowledge, conform to all provisions of this code and all rules and regulations adopted under its provisions. In such a case, where the AHJ chooses to waive examination of the plans, the AHJ shall immediately submit written notification to the building official overseeing the project and advise that a building permit should be issued pursuant to the understanding that the owner and/or contractor may proceed with the project at his or her own risk as outlined above.

(Add) 1.14.4.10

The AHJ may waive the detailed department field inspection when the above-described professional engineer or architect certifies that the construction work will be built under his or her field observations and in accordance with the approved contract documents, and that he or she will certify to the best of his or her knowledge, information and belief that the construction is in compliance with the approved plans and the code.

(Add) 1.14.7

Where phased approval or approval in part is sought by the applicant pursuant to [510-RICR-00-00-1](#), SBC-1, § 106.3.3 or other applicable sections of the Building Code, a plan review letter of approval shall not be required for a fire protection system in order to obtain phased approval status from the Building Code Official. However, plans or shop drawings shall be submitted, reviewed, and approved prior to the start of work on those fire protection systems. The holder of a phased approval permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit or plan review approval for fire code compliance will be granted. Phased approval shall not relieve the applicant of the

responsibility of providing such temporary fire protection as may be required by other sections of the State Fire Safety Code.

(Add) 1.14.7

When any plan review is appealed, or when any variance request relates to a current or proposed future plan review, the State or local Fire Marshal conducting, or ultimately responsible for, the plan review shall, upon request of the Fire Safety Code Board of Appeal and Review, appear before the Board and advise the Board as to the position of the applicable State or local Fire Marshal's Office. In this case, if a written plan review is not currently available, the State or local Fire Marshal shall not be required to submit written documentation for the case to proceed.

(Amd) 1.15.1

Where pre-approved by the State Fire Marshal, the AHJ shall be permitted to require a review by an approved independent third (3rd) party with expertise in the matter to be reviewed at the submitter's expense.

(Amd) 1.16.4.1

Any person who fails to comply with the provisions of this Code, fails to carry out an order made pursuant to this Code, or violates any condition attached to a permit, approval or certificate shall be subject to the penalties set forth in the Rhode Island State Fire Safety Code.

(Res) 1.16.4.2

Reserved for future consideration by the Fire Safety Code Board of Appeal and and Review.

(Res) 1.16.4.3

Reserved for future consideration by the Fire Safety Code Board of Appeal and and Review.

(Amd) 1.16.5

Where a violation creates an imminent danger, the AHJ is authorized to abate such hazard in accordance with § 1.7.7.2.

(Res) 1.17

Reserved for future consideration by the Fire Safety Code Board of Appeal and Review.

7.1.2 CHAPTER 2 – REFERENCED PUBLICATIONS

(Amd) 2.2

NFPA 70®, National Electrical Code®, 2020 Edition, as adopted, reserved and amended by the State Building Code Standards Committee as the Rhode Island Electrical Code (SBC-5) pursuant to [510-RICR-00-00-5](#).

NFPA 72®, *National Fire Alarm and Signaling Code*, 2019 edition. Any conflict or citation inconsistency with the provisions of this edition and references to the 2016 edition, shall be resolved in favor of the most stringent requirement as determined by the State Fire Marshal subject to appeal to the Fire Safety Code Board of Appeal and Review.

(Res) NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*, 2015 edition. This standard was withdrawn by NFPA on August 14, 2018 and the requirements incorporated into NFPA 72, 2019 edition.

NFPA 5000®, Building Construction and Safety Code®, 2018 edition shall not be considered a referenced publication of this Code. Pursuant to the ongoing agreement of the Fire Safety Code Board of Appeal and Review and the Building Code Standards Committee, all references to NFPA 5000, Building Construction and Safety Code, 2018 Edition, in this Code shall be understood to reference the comparable current provisions of the Rhode Island State Building Code adopted pursuant R.I. Gen. Laws §§ 23-27.3-100.1 *et seq.* and 42-35-1 through 8; and all references to the International Fire Code in the Rhode Island State Building Code shall be understood to reference the comparable current provisions of this Rhode Island State Fire Safety Code adopted pursuant to the provisions of R.I. Gen. Laws §§ 23-28.3-3 and 42-35-1 through 8. The AHJ, having enforcement jurisdiction, shall not enforce the provisions of NFPA 5000.

7.1.3 CHAPTER 3 – DEFINITIONS

(Amd) 3.3.192.2

“Apartment Building” is a building or portion thereof containing four (4) or more dwelling units with independent cooking and bathroom facilities.

(Add) 3.3.192.17.1

Congregate Family Living Facility: A building or part thereof that contains sleeping rooms where residents share the entire house and live, cook and function together as a single housekeeping unit.

(Add) 3.5 Rhode Island Specific Definitions:

(Add) 3.5.1 “Abatement” or to “Abate a condition” means the reduction, decrease, or diminution of a hazardous condition that presents immediate danger to life. The term “immediate” denotes that action is or must be taken either instantly or without any considerable loss of time. The condition may be singular or may be a set of conditions that in combination present an “immediate danger to life”. Such conditions, that present an “immediate danger to life”, shall include improper management or use of flammable and combustible materials, liquids and gases, pyrotechnics, fireworks or explosives, malfunctioning automatic sprinklers, fire

alarms and emergency lighting, malfunctioning heating and electrical systems, blocked or inadequate exits or means of egress, the overcrowding of assembly occupancies and such other conditions as may be established by the Fire Safety Code Board of Appeal and Review.

(Add) 3.5.2 “Authority having jurisdiction (enforcement)” means, unless specifically defined to the contrary in this code, the authority having jurisdiction for the enforcement of this code shall be the State Fire Marshal. The State Fire Marshal may delegate this enforcement authority to any Deputy State Fire Marshal or Assistant Deputy State Fire Marshal that he or she certifies and appoints pursuant to R.I. Gen. Laws § 23-28.2-1 *et seq.* However, as a condition of their continued certification, all such appointed Deputy State Fire Marshals and Assistant Deputy State Fire Marshals shall apply the code, consistently and uniformly across the State, under the guidance of the State Fire Marshal.

(Add) 3.5.3 “Bed and breakfast home” means an owner and/or innkeeper occupied building that provides sleeping accommodations for up to sixteen (16) guests. Every “Bed and Breakfast Home” must further have originated as a private home and must have at least three hundred (300) square feet of common space (i.e., dining room, living room, etc.) for guest use, and must further provide breakfast. Finally, the owner and/or innkeeper must occupy the building twenty-four (24) hours a day, seven (7) days a week, while guests are utilizing the facility. The owner and/or innkeeper of the Bed and Breakfast Home shall have a plan of action, approved by the local official, to assure the safety of the guests in the event the owner or innkeeper is required to temporarily leave the facility unsupervised for limited periods during the day.

(Add) 3.5.4 “Certificate of occupancy” means after the building official inspects the building or structure and, after consultation with the AHJ enforcing the provisions of this code, finds no violations of the provisions of this code or other laws that are enforced by the Department of Building Safety, the building official issues an official document known as a “certificate of occupancy” that generally contains the following:

1. The building permit number
2. The address of the structure
3. The name and address of the owner
4. A description of that portion of the structure for which the certificate is issued
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified

6. The name of the building official
7. The edition of the code under which the permit was issued
8. The use and occupancy, in accordance with the provisions of the State Building Code
9. The type of construction as defined in the State Building Code
10. The design occupant load
11. If an automatic sprinkler system is provided, whether the sprinkler system is required
12. Any special stipulations and conditions of the building permit

(Add) 3.5.5 "Citation system" means a system of enforcement outlined in R.I. Gen. Laws § 23-28.2-14.

(Add) 3.5.6 Reserved.

(Add) 3.5.7 "Compliance order" means for the purposes of this Code, a compliance order is defined as a command or direction authoritatively given to a building owner or occupant to provide conformance with the Fire Safety Code. A compliance order takes effect when a building owner or occupant, after proper notice, has exhausted his/her administrative appeals or has failed to avail himself/herself of appropriate administrative appeals within a reasonable period of time after receiving proper notice.

(Add) 3.5.8 "Emergency shelter occupancy" means an occupancy or portion thereof used on a temporary basis to provide sleeping accommodations for transient or displaced individuals who have no other shelter arrangements during periods of severe weather or during the aftermath of a natural or man-made disaster.

(Add) 3.5.9 Reserved.

(Add) 3.5.10 "Funeral establishment" means an assembly occupancy, as defined by R.I. Gen. Laws § 5-33.2-1(11) as a "fixed place, establishment or premises, licensed by the department (of health), devoted to the activities which are incident, convenient, or related to the care and preparation, arrangement, financial and otherwise, for the funeral, transportation, burial or other disposition of human bodies and including, but not limited to, a suitable room with all instruments and supplies used for the storage and/or preparation of dead human bodies for burial or other disposition."

(Add) 3.5.11 "Organized dining facility" means a place of public accommodation which is characterized as a facility where private events are held and where the

primary source of revenue, in general, is derived from rental charges for use of the facility and service of food. Such a facility shall not provide for cover charges or have as a primary attraction any event where entertainment is provided by a live band or recorded music. Such a facility primarily provides for organized banquets, private parties, fund raisers, wedding receptions, ceremonial events and the like.

(Add) 3.5.12 “Nightclub” means a place of public accommodation, which in general is characterized by all of the following:

1. Provides entertainment by a live band or recorded music generating above normal sound levels.
2. Has as its primary source of revenue, in general, the sale of beverages of any kind for consumption on the premises and/or cover charges. Food, if served, is considered a secondary attraction.
3. Has an occupant load in total or in any single area or room of at least one hundred (100) patrons.
4. Nothing in this definition shall be construed to include any place of public accommodation or any event within a place of public accommodation, which is in its nature distinctly private.

(Add) 3.5.13 “Place of worship” means a building or structure, or an area thereof, the occupancy of which is for the religious rites and services and communal functions of a congregation, and which shall include sanctuaries, gathering halls, meeting rooms and offices and related facilities of the congregation, which may be located in the same, in connected, or in proximate structures.

(Add) 3.5.14 “Suspended ceiling” means a ceiling system consisting of a grid of channels or “T-bars” suspended from the structure above for readily removable acoustical tiles or lay-in panels.

(Add) 3.5.15 “Temporary certificate of occupancy” means the building official may issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

(Add) 3.5.16 “Three family apartment building” means a building or portion thereof containing three (3) dwelling units with independent cooking and bathroom facilities. This Code shall provide reasonable standards for the installation of smoke and carbon monoxide detection in three family apartment buildings.

7.1.4 CHAPTER 4 – GENERAL REQUIREMENTS

7.1.5 CHAPTER 5 – PERFORMANCE-BASED OPTIONS

7.1.6 CHAPTER 6 – CLASSIFICATION OF OCCUPANCY

(Amd) 6.1.8.1.5 Definition – Apartment Building. A building or portion thereof containing four (4) or more dwelling units with independent cooking and bathroom facilities.

(Add) 6.1.8.1.5.1 Definition – Three-Family Apartment Building. A building or portion thereof containing three (3) dwelling units with independent cooking and bathroom facilities.

7.1.7 CHAPTER 7 – RESERVED

7.1.8 CHAPTER 8 – RESERVED

7.1.9 CHAPTER 9 – RESERVED

7.1.10 CHAPTER 10 – GENERAL SAFETY REQUIREMENTS

(Add) 10.13.1.1.1

The AHJ shall be authorized to allow natural cut or root balled Christmas trees and/or the display of fresh-cut greens in accordance with the provisions of this Chapter in the following locations:

- (1) Rhode Island State House and any City Hall or Town Hall;
- (2) Any places of worship; and,
- (3) Any place of assembly fully protected by an approved supervised automatic sprinkler system.

7.1.11 CHAPTER 11 – BUILDING SERVICES

7.1.12 CHAPTER 12 – FEATURES OF FIRE PROTECTION

7.1.13 CHAPTER 13 – FIRE PROTECTION SYSTEMS

(Add) 13.3.1.8.1.2.1

Whenever any supervised automatic sprinkler system supervisory signal is required to sound and be displayed at a location that is constantly attended by qualified personnel or at a remotely located receiving facility, local signals that sound and are displayed in a public or common area of the building shall be deemed to be in compliance.

(Amd) 13.3.2.8.1

Where the occupant loads exceeds one hundred fifty (150), the following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with NFPA 13:

- (1) Dance Halls
- (2) Discotheques
- (3) Nightclubs
- (4) Assembly occupancies with festival seating

High-rise modifications

(Amd) 13.3.2.26.2

Existing high-rise buildings, including those containing student occupied assembly occupancies, shall be protected throughout by an approved automatic sprinkler system in accordance with this Chapter, and §§ 13.3.2.26.2.1 through 13.3.2.26.2.3.

(Amd) 13.3.2.26.2.3

The entire building shall be required to be protected by an approved automatic sprinkler system, installed pursuant to the provisions of NFPA 13, as applicable, on or before January 1, 2016. The applicable version of NFPA 13 shall be that version in force and effect at the time plans for the installation of the system were approved by the AHJ or as outlined in § 1.14.3 of this Part. (Note: This mandate was originally adopted in the 2004 edition as outlined in Section 7 (Amend) Rhode Island Fire Code § 13.3.2.22.2.3.)

(Res) 13.3.2.20

(Add) 13.6.2.7 Appeals

(Add) 13.6.2.7.1

Any person, firm, corporation and/or co-partnership aggrieved by the decision of the State Fire Marshal to suspend, revoke or refuse to issue or renew a permit may petition the Fire Safety Code Board of Appeal and Review for a hearing pursuant to [§ 1.7.1](#) of this Subchapter *et seq.* of the Fire Safety Code.

(Res) 13.6.6

(Add) 13.6.7 Sales, leasing and servicing.

The sales, leasing and servicing of portable fire extinguishers and the installation and servicing of fixed fire extinguishing systems shall be in accordance with the provisions of § 13.6.7.1 *et seq.* of this Code.

(Add) 13.6.7.1 General

(Add) 13.6.7.1.1 Issuance of Certificate of Registration:

Any firm desiring to engage in the business of servicing portable fire extinguishers shall make a written application to the State Fire Marshal. A Certificate of Registration shall be required for each separate location where there are facilities to service extinguishing equipment. The application must be signed by the sole proprietor, or each partner, or by an officer of the corporation.

Any firm desiring to engage in the business of installing, repairing and servicing fixed systems shall make a written application to the State Fire Marshal. A Certificate of registration shall be required for each separate location where there are facilities to service extinguishing equipment. The application must be signed by the sole proprietor, or each partner, or by an officer of the corporation.

A firm must be the holder of both Certificates of Registration in order to service portable fire extinguishers and to engage in the business of installing, repairing and servicing fixed systems. No person(s) shall service portable fire extinguishers or install, repair and service fixed systems without first obtaining the appropriate license to do so.

(Add) 13.6.7.1.2

The State Fire Marshal shall issue or renew such Certificate of Registration authorizing the applicant to engage in the business of selling or leasing portable fire extinguishers, or selling or leasing fixed systems or both, provided the requisite fee(s) have been paid and all applicable requirements have been met.

(Add) 13.6.7.1.3

All persons engaged in the business of servicing, installing, repairing and testing portable/fixed fire extinguisher systems shall be required to be certified. Certification requires that the person pass a test administered by an organization acceptable to the Office of the State Fire Marshal.

(Add) 13.6.7.2 License/Permits

(Add) 13.6.7.2.1 Issuance of License

Upon approved certification, the State Fire Marshal shall issue a license having an identifying number to the Applicant.

(Add) 13.6.7.2.2 Issuance of Apprentice Permit

Any person desiring to service portable fire extinguishers and/or fixed systems, as an apprentice, shall file an application for a permit on forms provided by the State Fire Marshal. The application must be signed by the employer who holds an appropriate certificate of registration. The prescribed fee shall be paid at time of filing.

(Add) 13.6.7.2.3

An Apprentice shall not service any portable fire extinguishers and/or fixed systems except under the personal and immediate supervision of a journeyman holding a valid license to install, repair and/or service fixed fire extinguishing systems.

(Add) 13.6.7.2.4

The State Fire Marshal shall issue each Apprentice Permit an identifying number and each such permit shall be readily identifiable as an Apprentice Permit for portable fire extinguishers or fixed systems. Time served as an apprentice must be a minimum of six (6) months for fixed systems; four (4) months for portable fire extinguishers.

(Add) 13.6.7.2.5

An Apprentice Permit shall be valid for a period of one (1) year from date of issuance.

(Add) 13.6.7.2.6

An apprentice desiring to remain as same beyond the expiration date of said permit must make application for a new permit.

(Add) 13.6.7.2.7

Services performed after the expiration of certificates, licenses or permits issued by the State Fire Marshal shall be deemed a violation of these Regulations.

(Add) 13.6.7.2.8 Renewal of Licenses or Certificates

All licenses or certificates must be renewed annually.

(Add) 13.6.7.3 Fees

(Add) 13.6.7.3.1

Initial fee for certification for firms selling, leasing, or servicing portable fire extinguishers is one hundred dollars (\$100.00).

(Add) 13.6.7.3.2

Initial fee for certification of firms installing, repairing and/or servicing fixed extinguishing systems is one hundred dollars (\$100.00).

(Add) 13.6.7.3.3

Renewal of certification for firms selling, leasing or servicing portable fire extinguishers is one hundred dollars (\$100.00) annually.

(Add) 13.6.7.3.4

Renewal of certification for firms installing, repairing and servicing fixed fire extinguishing systems is one hundred dollars (\$100.00) annually.

(Add) 13.6.7.3.5

Initial fee for examination and license for portable fire extinguisher journeyman is fifty dollars (\$50.00).

(Add) 13.6.7.3.6

Initial fee for examination and license for fixed fire extinguishing systems journeyman is fifty dollars (\$50.00).

(Add) 13.6.7.3.7

Renewal of Journeyman Licenses is fifty dollars (\$50.00) annually.

(Add) 13.6.7.3.8

Fee for portable fire extinguishers Apprentice Permit is five dollars (\$5.00).

(Add) 13.6.7.3.9

Fee for fixed fire extinguishing Apprentice Permit systems is five dollars (\$5.00).

(Add) 13.6.7.4 Administrative

(Add) 13.6.7.4.1

By March 1st of each year, holders of a Certificate of Registration shall report annually the name, address, license number, and Apprentice Permit number of each licensee and apprentice in their employ to the State Fire Marshal.

(Add) 13.6.7.4.2

The State Fire Marshal may either refuse to issue or renew, or it may suspend or revoke any Certificate of Registration, License, Apprentice Permit or Hydrostatic Testing Approval for any of the following reasons:

1. Any violation as listed in the Enabling Act.
2. Having obtained or having attempted to obtain a License, Apprentice Permit, Hydrostatic Testing Approval or Certificate of Registration, by fraudulent misrepresentation.
3. Gross malpractice or gross incompetency.
4. Advertising for the sale or servicing of fixed or portable fire extinguisher system by means of knowingly false or deceptive statements.
5. Violation of any provision of these Regulations.

13.7 Detection, Alarm and Communications Systems

§§ 13.7.1 through 13.7.4.7.6 are hereby reserved by the Fire Safety Code Board of Appeal and Review. Fire Alarm requirements are found in the Rhode Island Life Safety Code ([Part 8](#) of this Subchapter) Chapter 9.6 and Chapters 12-44 as applicable.

7.1.14 CHAPTER 14 – MEANS OF EGRESS

7.1.15 CHAPTER 15 – FIRE DEPARTMENT SERVICE DELIVERY CONCURRENCY EVALUATION (RESERVED)

7.1.16 CHAPTER 16 – SAFEGUARDING CONSTRUCTION, ALTERATION, AND DEMOLITION OPERATIONS

7.1.17 CHAPTER 17 – WILDLAND URBAN INTERFACE

7.1.18 CHAPTER 18 – FIRE DEPARTMENT ACCESS AND WATER SUPPLY

7.1.19 CHAPTER 19 – COMBUSTIBLE WASTE AND REFUSE

7.1.20 CHAPTER 20 – OCCUPANCY FIRE SAFETY

7.1.21 CHAPTER 21 – AIRPORTS AND HELIPORTS

7.1.22 CHAPTER 22 – AUTOMOBILE WRECKING YARDS

7.1.23 CHAPTER 23 – CLEANROOMS

7.1.24 CHAPTER 24 – DRYCLEANING

7.1.25 CHAPTER 25 – GRANDSTANDS AND BLEACHERS, FOLDING AND TELESCOPIC SEATING, TENTS AND MEMBRANE STRUCTURES

(Add) 25.2.6 Permitting of Tents

(Add) 25.2.6.1 All tents, exceeding three hundred fifty (350) square feet, shall further conform to the mandates of R.I. Gen. Laws § 23-28.19-1 *et seq.*

(Add) 25.2.6.1.1 For the purposes of this section, the AHJ shall have no jurisdiction over tents on the property of one (1) or two (2) family private dwellings.

(Add) 25.2.6.2 The AHJ having enforcement jurisdiction shall have the authority to re-approve the licensing of tents, covered under R.I. Gen. Laws § 23-28.19-1, for successive thirty (30) day periods provided he or she is satisfied that the tent continues to be properly operated and maintained in accordance with the provisions of R.I. Gen. Laws § 23-28.19-1 *et seq.* A re-inspection of previously licensed tents shall not be required more than once in a twelve (12) month period unless deemed necessary by the AHJ.

7.1.26 CHAPTER 26 – LABORATORIES USING CHEMICALS

7.1.27 CHAPTER 27 – MANUFACTURED HOME AND RECREATIONAL VEHICLE SITES

(Amd) 27.3

The construction of recreational vehicle parks and campgrounds that offer temporary living sites for use by recreational vehicles and camping units shall comply with NFPA 1194, *Standard for Recreational Vehicle Parks and Campgrounds*. Chapter 7 of NFPA 1194, titled “Environmental Health and Sanitation” is hereby reserved in its entirety and the requirements for all equipment, systems and facilities regulated thereunder shall be transferred to the jurisdiction of the State Building Code [SBC-1], [510-RICR-00-00-1](#) and the State Plumbing Code [SBC-3], [510-00-00-3](#).

7.1.28 CHAPTER 28 – MARINAS, BOATYARDS, MARINE TERMINALS, PIERS, AND WHARVES

(Amd) 28.1.1.4

No requirement in this Chapter is to be construed as reducing applicable building, fire and electrical codes. For the purpose of plan review and inspection compliance, storage occupancies will be treated as industrial occupancies if there is mixed or intermingled use within the building. Designated high hazard areas in industrial buildings will be protected with localized fire suppression and one-hour separation.

(Amd) 28.1.2.2.1.3*

In existing facilities, considering water supply availability and adequacy, and the size of the facility, where clearly impracticable for economic or physical conditions, the Authority Having Enforcement Jurisdiction shall either exempt the building from this requirement or assist the owner in the development of reasonable alternative protection for the building. Such alternative protection may involve the use of the natural water source, on which the marina is located, as the fire department and/or suppression system water supply.

(Amd) 28.1.2.2.2.2*

In existing facilities, considering water supply availability and adequacy, and the size of the facility, where clearly impracticable for economic or physical conditions, the Authority Having Enforcement Jurisdiction shall either exempt the building from this requirement or assist the owner in the development of reasonable alternative protection for the building. Such alternative protection may involve the use of the natural water source on which the marina is located as the fire department and/or suppression system water supply.

(Amd) 28.1.1.2.2.3.4*

In existing facilities, considering water supply availability and adequacy, and the size of the facility, where clearly impracticable for economic or physical conditions, the Authority Having Enforcement Jurisdiction shall either exempt the building from this requirement or assist the owner in the development of reasonable alternative protection for the building. Such alternative protection may involve the use of the natural water source on which the marina is located as the fire department and/or suppression system water supply.

(Add) 28.1.2.2.3.5

Where sprinkler system installation is required, or installed at the discretion of the building owner, the Office of the State Fire Marshal will review the plans for consistency of enforcement in cooperation with the AHJ. Alternative suppression systems shall be subject to approval by the Rhode Island Fire Safety Code Board of Appeal and Review.

(Add) 28.1.2.2.3.6

An approved water supply shall be provided within one hundred feet (100') (30.5 m) of the pier/land intersection or fire department connection serving fire protection systems. Access between water supplies and pier/land intersections or fire department connections shall be by roadway acceptable to the AHJ. In existing facilities, considering water supply availability and adequacy, and the size of the facility, where clearly impracticable for economic or physical conditions, the Authority Having Enforcement Jurisdiction shall either exempt the owner from this requirement or assist the owner in the development of reasonable alternative protection for the building. Such

alternative protection may involve the use of the natural water source, on which the marina is located, as the fire department and/or suppression system water supply.

(Amd) 28.1.2.5

Hydrants and Water Supplies. Except as outlined below, hydrants and water supplies for fire protection in marinas and boatyards shall be provided in accordance with NFPA 13, NFPA 14 and NFPA 24. Notwithstanding the above, the marina management of existing facilities may provide supplemental water supply access for responding firefighters with an approved performance designed alternative system, to include dry hydrants, at existing facilities, subject to the approval of the local AHJ.

(Add) 28.1.4.2.8

Marina management shall work with local fire officials to provide and maintain emergency access to all facility structures and to the onsite water supply.

(Add) 28.1.4.2.9

Marina management shall work with local fire departments to maintain adequate fire department access for exterior winter boat storage.

(Add) 28.1.4.2.10

Marina management will provide a floor plan, signage and marking for interior boat storage areas that provide for acceptable access to exterior exits subject to the approval of the local AHJ.

7.1.29 CHAPTER 29 – PARKING GARAGES

7.1.30 CHAPTER 30 – MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES

7.1.31 CHAPTER 31 – FOREST PRODUCTS AND BIOMASS FEEDSTOCKS

7.1.32 CHAPTER 32 – MOTION PICTURE AND TELEVISION PRODUCTION STUDIO SOUNDSTAGES AND APPROVED PRODUCTION FACILITIES

7.1.33 CHAPTER 33 – OUTSIDE STORAGE OF TIRES

7.1.34 CHAPTER 34 – GENERAL STORAGE

7.1.35 CHAPTER 35 – ANIMAL HOUSING FACILITIES

7.1.36 CHAPTER 36 – TELECOMMUNICATION FACILITIES AND INFORMATION TECHNOLOGY EQUIPMENT

7.1.37 CHAPTER 37 – FIXED GUIDEWAY TRANSIT AND PASSENGER RAIL SYSTEMS

7.1.38 CHAPTER 38 – MARIJUANA GROWING, PROCESSING, OR EXTRACTION FACILITIES

7.1.39 CHAPTER 39 – RESERVED

7.1.40 CHAPTER 40 – DUST EXPLOSION AND FIRE PREVENTION

7.1.41 CHAPTER 41 – WELDING CUTTING AND OTHER HOT WORK

(Add) 41.1.3 (8) All blacksmith operations, forging and related historical practices.

7.1.42 CHAPTER 42 – REFUELING

7.1.43 CHAPTER 43 – SPRAYING, DIPPING, AND COATING USING FLAMMABLE OR COMBUSTIBLE MATERIALS

7.1.44 CHAPTER 44 – SOLVENT EXTRACTION

7.1.45 CHAPTER 45 – COMBUSTIBLE FIBERS

7.1.46 CHAPTER 46 – RESERVED

7.1.47 CHAPTER 47 – RESERVED

7.1.48 CHAPTER 48 – RESERVED

7.1.49 CHAPTER 49 – RESERVED

7.1.50 CHAPTER 50 – COMMERCIAL COOKING

(Amd) 50.5.2.8 Certificates of inspection and maintenance shall be forwarded to the AHJ within ten (10) business days.

(Add) 50.5.4.1 Any business that is open less than six (6) months a year shall be considered a seasonal business with low-volume cooking operations and as such, shall be exempt from the semiannual maintenance requirements of § 96:11.4 and shall only be required to perform said maintenance annually prior to reopening for the season.

(Amd) 50.5.6.15 Certificates of inspection and cleaning and reports of areas not cleaned shall be forwarded to the AHJ within ten (10) business days.

7.1.51 CHAPTER 51 – INDUSTRIAL OVENS AND FURNACES

7.1.52 CHAPTER 52 – ENERGY STORAGE SYSTEMS

7.1.53 CHAPTER 53 – MECHANICAL REFRIGERATION

7.1.54 CHAPTER 54 – OZONE GAS-GENERATING EQUIPMENT

7.1.55 CHAPTER 55 – CLEANING AND PURGING OF FLAMMABLE GAS PIPING SYSTEMS

7.1.56 CHAPTER 56 – RESERVED

7.1.57 CHAPTER 57 – RESERVED

7.1.58 CHAPTER 58 – RESERVED

7.1.59 CHAPTER 59 – RESERVED

7.1.60 CHAPTER 60 – HAZARDOUS MATERIALS

7.1.61 CHAPTER 61 – AEROSOL PRODUCTS

7.1.62 CHAPTER 62 – RESERVED

7.1.63 CHAPTER 63 – COMPRESSED GASES AND CRYOGENIC FLUIDS

7.1.64 CHAPTER 64 – CORROSIVE SOLIDS AND LIQUIDS

7.1.65 CHAPTER 65 – EXPLOSIVES, FIREWORKS AND MODEL ROCKETRY

(Amd) 65.2.3 Fireworks Permits.

Permits shall comply with the provisions of § 65.2.3.1 *et seq.*

(Add) 65.2.3.1 Application for Permits

(Add) 65.2.3.1.1

No application for permit shall be issued by the local fire authority, unless applicant is holder of a valid Certificate of Competency issued by the State Fire Marshal.

(Add) 65.2.3.1.2

Application for permit to operate a display of fireworks or pyrotechnics in conformance with the terms of R.I. Gen. Laws Chapter 23-28.11 shall be made in writing on forms provided by the State Fire Marshal, and delivered in person to the Chief of the Fire Department or his or her designee of the city, town, district or municipality in which the display is to be held.

(Add) 65.2.3.1.3

Such application and any addendum necessary shall set forth:

1. The name of the organization sponsoring the display.

2. The name of the company and/or individuals actually in charge of firing the display.
3. Evidence of financial responsibility.
4. The date and time of day at which the display is to be held.
5. The exact location planned for the display.
6. The license number of the person firing the display along with all the names of the persons who will be assisting him or her.
7. The number, kinds and sizes of fireworks and/or pyrotechnics to be discharged.
8. The manner and place of storage of such fireworks and/or pyrotechnics prior to the display.
9. A diagram of the grounds, for all outdoor displays, on which the display is to be held showing the point at which the fireworks are to be discharged, the locations of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph, electric, municipal fire alarm and/or communications cables, telephone lines or other overhead obstruction.
10. A diagram of the interior of the building, for all pyrotechnic displays, for where the display is to be held showing the points where the pyrotechnics are to be discharged, the height of the ceilings or overhead obstructions, the distance to interior walls, the distances to the audience, the proximity to persons performing in relation to the pyrotechnics.
11. A copy of the up to date permit issued by the State Fire Marshal's Office for the vehicle that will be used to transport the commercial fireworks for the display.
12. A copy of the letter from an attorney, a member of the Rhode Island Bar Association, stating that they represent the nonresident shooter of fireworks and/or pyrotechnics upon whom all processes in any action or proceeding against the person may be served.

(Add) 65.2.3.1.4

Upon receipt of such application at least fifteen (15) days in advance of the date set for this display, the Chief of the Fire Department shall make, or cause to be made, an investigation of the site of the proposed display for the purpose of determining whether the provisions of these

Regulations are complied with in the case of the particular display. The Chief of the Fire Department or his or her designee shall endorse the Application, stating that he or she approves the display as being in conformance with all parts of the law and with these Regulations.

(Add) 65.2.3.1.5

The Chief of the Fire Department, or his or her designee, upon endorsement of the application and after receipt of evidence of financial responsibility and proof of an attorney for nonresident shooters as required by law, shall issue a nontransferable permit authorizing the display.

(Add) 65.2.3.4 General

(Add) 65.2.3.4.1

Fire protection and extinguishing equipment shall be provided and required by the Chief of the Fire Department, or his or her designee.

(Add) 65.2.3.4.2

The person to whom a permit has been issued shall arrange for the detailing of one (1) member of the local fire department or such larger number as may be deemed necessary by the Chief of the Fire Department or his or her designee. Fire Department personnel shall be on duty from the time the fireworks are delivered at the site until the termination of the display and the removal of all fireworks and debris from the site. The expense for such firefighters shall be paid by the permittee.

(Add) 65.2.3.4.3

All disputes arising as a result of the administration of these Rules and Regulations shall be referred to the State Fire Marshal.

(Add) 65.2.3.4.4

Any person, firm, corporation and/or co-partnership aggrieved by the decision of the State Fire Marshal, as outlined in § 65.2.3.4.3 above, may file an appeal and request a hearing before the Fire Safety Code Board of Appeal and Review pursuant to R.I. Gen. Laws § 23-28.3-3(d) and § 1.7.1 of this Subchapter, the Fire Safety Code.

(Add) 65.6.1 Model Rocketry Permits.

Permits shall comply with the provisions of this Code and NFPA 1122, *Code for Model Rocketry*.

(Add) 65.6.1.1

Any person who handles, stores, sells, buys, transports or ignites a rocket motor must have a permit from the Head of the Fire Department or must be accompanied by and be under the supervision of a person with a permit.

(Amd) 65.9.2 Explosives Permits.

Permits shall comply with the provisions of this Code.

(Add) 65.9.3 General Provisions

(Add) 65.9.3.1

Storage, handling and firing of explosives shall be in accordance with the provisions of the Fire Safety Code, NFPA 495, 2013 edition and applicable Federal and State Regulations.

(Add) 65.9.3.2

A permit to blast shall be obtained from the State Fire Marshal at least three (3) working days prior to requested blast time. Working days are Monday through Friday, with Saturday, Sunday and Holidays excluded.

7.1.66 CHAPTER 66 – FLAMMABLE AND COMBUSTIBLE LIQUIDS

7.1.67 CHAPTER 67 – FLAMMABLE SOLIDS

7.1.68 CHAPTER 68 – HIGHLY TOXIC AND TOXIC SOLIDS AND LIQUIDS

7.1.69 CHAPTER 69 – LIQUEFIED PETROLEUM GASES AND LIQUEFIED NATURAL GASES

(Amd) 69.1.2 Permits.

Any firm desiring to engage in the business of storing, handling or dispensing LPG and/or LNG shall make written application to the State Fire Marshal, on forms provided by the State Fire Marshal. A certification of registration and permit shall be required for each separate facility. The application must be signed by the sole proprietor, or each partner, or by an officer of the company responsible for the acceptance of service of process.

(Add) 69.1.3

Upon receipt of said application, the State Fire Marshal may schedule a fire safety inspection of the facility in accordance with the provisions of Chapter 69 of this Code and its referenced standards.

(Add) 69.1.4

All permits must be renewed annually.

(Add) 69.1.5 Permit fee.

Each annual application for a permit hereunder shall be accompanied by a permit fee of seventy-five dollars (\$75.00), by check or money order made payable to the State of Rhode Island.

(Add) 69.1.6 Expiration of permits.

All permits hereunder shall expire on the date specifically noted on the permit.

(Add) 69.1.7 Revocation.

The State Fire Marshal may either refuse to issue or renew, or he or she may suspend or revoke, any Certificate of Registration or Permit, for cause.

(Add) 69.1.8

Sufficient cause includes, but is not limited to, the following:

1. A gross malpractice or gross incompetence in the handling, storage or dispensing of LPG or LNG.
2. Violation of any provision of the Fire Safety Code in general and/or this Chapter 69 in particular.
3. A fire, explosion or other comparable incident at any facility under the control of the permit holder.

(Add) 69.1.9 Hearings and review.

Any person, firm, corporation, and/or co-partnership aggrieved by the decision of the State Fire Marshal to suspend, revoke or refuse to issue or renew a permit may petition the Fire Safety Code Board of Appeal and Review for a hearing pursuant to § 1.7.1 of this Subchapter *et seq.* of the Fire Safety Code.

(Add) 69.7.1

In addition to the requirements set forth in § 69.7, all existing, new, and modified liquefied petroleum gas plants and systems, having a total container water capacity in excess of one thousand (1,000) gallons, shall further provide the AHJ with an engineering study evaluating the liquefied petroleum gas plant and system's susceptibility to earthquake damage using the current procedures recommended by FM Global, the Army Corps of Engineers and the seismic evaluation standards issued by FEMA.

(Add) 69.7.2

All new, existing, and modified liquefied petroleum gas plants and systems first shall further comply with earthquake protection standards outlined in NFPA 59, 2015 edition, along with all other safety requirements mandated by the AHJ after his or her review of the engineering study outlined in § 69.7.1.

(Add) 69.8.1

In addition to the requirements set forth in § 69.8, all existing, new, and modified liquefied natural gas plants and systems, having a total container water capacity in excess of one thousand (1,000) gallons, shall further provide the AHJ with an engineering study evaluating the liquefied natural gas plant and system's susceptibility to earthquake damage using the current procedures recommended by FM Global, the Army Corps of Engineers and the seismic evaluation standards issued by FEMA.

(Add) 69.8.2

All new, existing, and modified liquefied natural gas plants and systems shall further comply with earthquake protection standards outlined in NFPA Chapter 59A, 2013 edition, along with all other safety requirements mandated by the AHJ after his or her review of the engineering study outlined in § 69.8.1.

7.1.70 CHAPTER 70 – OXIDIZER SOLIDS AND LIQUIDS

7.1.71 CHAPTER 71 – PYROPHORIC SOLIDS AND LIQUIDS

7.1.72 CHAPTER 72 – UNSTABLE (REACTIVE) SOLIDS AND LIQUIDS

7.1.73 CHAPTER 73 – WATER-REACTIVE SOLIDS AND LIQUIDS

7.1.74 CHAPTER 74 – AMMONIUM NITRATE

7.1.75 CHAPTER 75 – ORGANIC PEROXIDE SOLIDS AND LIQUIDS

7.1.76 ANNEX A

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TITLE 450 - FIRE SAFETY CODE BOARD OF APPEAL AND REVIEW

CHAPTER 00 - N/A

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PART 7 - RI FIRE CODE (450-RICR-00-00-7)

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