

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 – Fire Safety Code

7.1 NFPA 1- FIRE CODE

Pursuant to Public Laws Chapter 12-337, the NFPA 1- Fire Code of the National Fire Protection Association, Inc., 2012 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 NFPA 1- Fire Code. Copies of NFPA 1 – Fire Code, 2012 edition, are available from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101. The National Fire Protection Association's telephone number is 1-800-344- 3555. Copies of NFPA 1-Fire Code, 2012 edition, have also been made available to the state-operated libraries in Rhode Island.

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., 1275 Broadway, Albany, N.Y. 12204-2694. 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 NFPA 1- Fire Code. The Fire Safety Code Board of Appeal & Review is the sole authority having jurisdiction for administration of the Rhode Island NFPA 1- Fire Code.

Except as outlined below, the Fire Safety Code Board of Appeal & 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 NFPA 1- 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 & Review as outlined in Fire Safety Code Section § 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 & 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 January 1, 2013, 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 & 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 January 1, 2013, 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 other fire safety requirements, along with the regulation of hazards and processes, listed in the original Rhode Island Uniform Fire Code, became effective on January 1, 2004 and shall be superseded by the Rhode Island NFPA 1- Fire Code on January 1, 2013.

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, 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) 2012 Edition, Section 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 effective date of the occupancy sections of the "Rhode Island Fire Code" was February 20, 2004 and these occupancy sections shall be superseded by the Rhode Island NFPA 1- Fire Code on January 1, 2013.

The effective date of the remaining sections of the "Rhode Island Uniform Fire Code", regulating all other hazards and processes, was January 1, 2004 and these remaining sections shall be superseded by the Rhode Island NFPA 1- Fire Code on January 1, 2013.

The provisions of NFPA 1, 2012 edition, as amended and referenced below, and incorporated herein as the "Rhode Island NFPA 1- Fire Code", shall be preceded by the acronym "RIFC". All of the remaining provisions of NFPA 1, 2012 edition, adopted as the "Rhode Island NFPA 1- 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, "Section 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 NFPA 1- Fire Code" and may be cited as such.

(Add) 1.1.3

The "Rhode Island NFPA 1- 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 2012 Edition of NFPA 1- 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 & Review, to those prescribed in this Code, provided a request for variance is submitted to the Fire Safety Code Board of Appeal & 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 & 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 & 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 & 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 & 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 & 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 & 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 & 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 & Review is the sole authority having jurisdiction for the administration of this Code. Accordingly, the Fire Safety Code Board of Appeal & 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 section 1.4.3 above 1.4.3, 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 & 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 & 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 & Review may delegate to its appointed staff such powers as are necessary for the proper administration of this Code.

(Amd) 1.7.6.1

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 & 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) 1.7.6.2 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 section 4. 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) 1.7.6.2.1 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 & 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.

(Res) 1.7.15 Imminent Danger (The Fire Board hereby reserves section 1.7.15 and its subsections 1.7.15.1, 1.7.15.2 and 1.7.15.3 for further study.)

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

(Amd) 1.10.1

The Fire Safety Code Board of Appeal & 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 & Review are appointed pursuant to R.I. Gen. Laws § 23-28.3-2(a) and Fire Safety Code Section 5.

(Amd) 1.10.1.1.2

The current composition of the Fire Safety Code Board of Appeal & Review is outlined in R.I. Gen. Laws § 23-28.3-2(a) and Fire Safety Code Section 5.

(Amd) 1.10.1.1.2.1

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

(Amd) 1.10.1.1.4

Procedures, adopted by the Fire Safety Code Board of Appeal & Review, addressing the Fire Board's rule making 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 & 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 & 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) 1.10.1.1.6

Members of the Fire Safety Code Board of Appeal & 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 & 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 not participate, abstain from voting, 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 member as Chairperson pursuant to R.I. Gen. Laws § 23-28.3-2. The Chairperson shall then designate one member as Vice Chairperson subject to confirmation by the Board.

(Amd) 1.10.3.4

The Fire Safety Code Board of Appeal & 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 & 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 & Review pursuant to the Fire Board procedures outlined in Section 6 of the Fire Safety Code 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 calendar (7) days prior to their scheduled Fire Safety Code Board of Appeal & 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 & Review generally meets at least once each week in formal session and throughout the week 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 & Review are currently scheduled on Tuesday afternoons at 1:00 PM. The meetings are currently located at One Regan Court (Varley Building #46) Cranston, Rhode Island. The time and location of the meetings are subject to change in the future. Accordingly, please consult our 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 & 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 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 section 1.7.6.2.

(Add) 1.11.2.2

Effective January 1, 2013, 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

Effective January 1, 2013, 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 copy of the brochure shall accompany the initial written inspection report generated as a result of the above building inspection.

(Add) 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 Section 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.
5. An additional set of drawings and a project manual shall also be submitted in an electronic format approved by the State Fire Marshal's Office.
6. Upon completion of the project, an "as built" set of drawings and project manual, in the approved electronic format, shall be submitted to the AHJ for archival purposes.

(Amd) 1.14.3

Applications for plan review shall be made on the forms 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 section 1.14.3.2 for one (1), two (2), and three (3) family homes or section 1.14.3.3 for commercial projects.

(Add) 1.14.3.2

Plan review and inspection for the installation of smoke detector and/or carbon monoxide detection in any new and existing private dwelling occupied by one (1), two (2), and three (3) families shall charge no more than a seventy-five dollar (\$75.00) fee for a one family unit, a hundred twenty-five dollar (\$125.00) fee for a two (2) family unit, and a one hundred

seventy-five dollar (\$175.00) fee for a three (3) family unit for the smoke detector and carbon monoxide detector plan review together with any subsequent detection inspections.

(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 section 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 sections 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 section 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 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 20 business days of receipt:

1. Overall construction cost of under \$500,000;
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 moved;
2. Ten (10) or more fire alarm devices being added;
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 sections 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 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 sections 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 section 1.14.4.2 or section 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.

(Amd) 1.14.5

When required by the AHJ, revised construction documents or shop drawings shall be prepared and submitted for review and approval to illustrate corrections or modifications necessitated by field conditions or other revisions to approved plans.

(Add) 1.14.6

Where phased approval or approval in part is sought by the applicant pursuant to 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 & 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 party with expertise in the matter to be reviewed at the submitter's expense.

(Res) 1.16.5

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 5000 shall not be considered a referenced publication of this Code. Pursuant to the ongoing agreement of the Fire Safety Code Board of Appeal & Review and the Building Code Standards Committee, all references to NFPA 5000, Building Construction and Safety Code, 2012 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 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.

(Add) 2.2.1 Additional NFPA Referenced Publications.

NFPA 720, Standard for Installation of Carbon Monoxide (CO) Detection and Warning Equipment, 2012 edition.

7.1.3 CHAPTER 3 - DEFINITIONS

(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 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 hours a day, seven 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 "Code" means this Fire Safety Code established under the provisions of R.I. Gen. Laws § 23-28.1-1.

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

(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 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 dwelling units with independent cooking and bathroom facilities. This Code shall provide reasonable standards for the installation of smoke and carbon monoxide detectors in three family buildings.

7.1.4 CHAPTER 4 - GENERAL REQUIREMENTS

7.1.5 CHAPTER 5 - PERFORMANCE-BASED OPTIONS

7.1.6 CHAPTER 6 - RESERVED

7.1.7 CHAPTER 7 - RESERVED

7.1.8 CHAPTER 8 - RESERVED

7.1.9 CHAPTER 9 - RESERVED

7.1.10 CHAPTER 10 - GENERAL FIRE SAFETY

7.1.11 CHAPTER 11 - BUILDING SERVICES

7.1.12 CHAPTER 12 - FEATURES OF FIRE PROTECTION

7.1.13 CHAPTER 13 - FIRE PROTECTION SYSTEMS

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, 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 are approved by the AHJ or as outlined in section 1-14-3. (Note: This mandate was originally adopted in 2004 as outlined in Section 7 (Amend) RIFC 13.3.2.22.2.3.)

(Add) 13.6.7.1.1

All fire extinguisher administrative programs, rules and procedures, adopted pursuant to The Comprehensive Fire Safety Act of 2003, in force and effect within the Office of the State Fire Marshal on December 31, 2012, as outlined in § 1.83 of this Part (RIFC Annex H), including but not limited to all Rhode Island specific permits, fees, testing and certification programs for fire extinguishers, shall continue in full force and effect on and after January 1, 2013 and remain fully enforceable by the State Fire Marshal.

(Add) 13.6.7.6 Appeals

(Add) 13.6.7.6.1

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 & Review for a hearing pursuant to § 1.7.1 of this Subchapter *et seq.* of the Fire Safety Code.

13.7 Detection, Alarm and Communications Systems

13.7.1 through 13.7.4.7.7 are hereby reserved by the Fire Safety Code Board of Appeal & Review. Fire Alarm requirements have been transferred to the Rhode Island Life Safety Code (Part 8 of the Rhode Island Fire Code) Chapter 9.6 and Chapters 12-42 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) 25.7 Permitting of Tents

(Add) 25.7.1 All tents, exceeding one hundred twenty square feet (120 sq. ft.), shall further conform to the mandates of R.I. Gen. Laws § 23-28.19-1 *et seq.*

(Add) 25.7.2 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.*

- 7.1.26 **CHAPTER 26- LABORATORIES USING CHEMICALS**
- 7.1.27 **CHAPTER 27- MANUFACTURED HOME AND RECREATIONAL VEHICLE SITES**

**7.1.28 CHAPTER 28- MARINAS, BOATYARDS, MARINE TERMINALS,
PIERS, AND WHARVES**

(Amd) 28.1.5

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) 28.1.6.2.1.3*

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) 28.1.6.2.2.2*

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) 28.1.6.2.3.4*

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) 28.1.6.2.3.5

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 & Review.

(Add) 28.1.6.2.3.6

An approved water supply shall be provided within 100 ft (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) 28.1.6.5

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 Section 13.2, Section 13.3, and Section 13.5.1. 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) 28.1.7.2.1.8.4

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) 28.1.7.2.1.8.5

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

(Add) 28.1.7.2.2.6

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**
- 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 (RESERVED)**
- 7.1.36 CHAPTER 36- TELECOMMUNICATION FACILITIES AND INFORMATION TECHNOLOGY EQUIPMENT**
- 7.1.37 CHAPTER 37- FIXED GUIDEWAY TRANSIT AND PASSANGER RAIL SYSTEMS**
- 7.1.38 CHAPTER 38- RESERVED**
- 7.1.39 CHAPTER 39- RESERVED**
- 7.1.40 CHAPTER 40- DUST EXPLOSION 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 EQUIPMENT**

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

(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- STATIONARY STORAGE BATTERY SYSTEMS**
- 7.1.53 CHAPTER 53- MECHANICAL REFRIGERATION**
- 7.1.54 CHAPTER 54- OZONE GAS-GENERATING EQUIPMENT**
- 7.1.55 CHAPTER 55- RESERVED**
- 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 & CRYOGENIC FLUIDS

7.1.64 CHAPTER 64- CORROSIVE SOLIDS AND LIQUIDS

**7.1.65 CHAPTER 65- EXPLOSIVES, FIREWORKS AND MODEL
ROCKETRY**

(Add) 65.1.1.1

All Explosives, Fireworks and Model Rocketry administrative programs, rules and procedures, adopted pursuant to The Comprehensive Fire Safety Act of 2003, in force and effect within the Office of the State Fire Marshal on December 31, 2012, as outlined in Annex I, including but not limited to all Rhode Island specific permits, fees, testing and certification programs for Explosives, Fireworks and Model Rocketry, shall continue in full force and effect on and after January 1, 2013 and remain fully enforceable by the State Fire Marshal. In addition to all statutory requirements outlined in R.I. Gen. Laws § 23-28.11-3 *et seq.*, and all regulations adopted thereunder shall remain in force and effect. Any conflict between the regulations outlined in Annex I, and the above statute, shall be resolved in favor of the statute.

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 (\$75.00) dollars, 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 & 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 section 69.7, all existing, new, and modified liquefied petroleum gas plants and systems, having a total container water capacity in excess of 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 Factory Mutual, 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, 2012 edition, along with all other safety requirements mandated by the AHJ after his or her review of the engineering study outlined in section 69.7.1.

(Add) 69.8.1

In addition to the requirements set forth in section 69.8, all existing, new, and modified liquefied natural gas plants and systems, having a total container water capacity in excess of 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 Factory Mutual, 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, 2009 edition, along with all other safety requirements mandated by the AHJ after his or her review of the engineering study outlined in section 69.7.1.

7.1.70 CHAPTER 70- OXIDIZERS AND ORGANIC PEROXIDES

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
7.1.77	ANNEX B
7.1.78	ANNEX C
7.1.79	ANNEX D
7.1.80	ANNEX E
7.1.81	ANNEX F
7.1.82	ANNEX G
7.1.83	ANNEX H

H.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.

H.13.6.7.1 General

H.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 on forms provided by that Division. 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 on forms provided by that Division. 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.

H.13.6.7.1.2

If the State Fire Marshal finds, after reviewing the applicant's record, that the granting or renewing of a Certificate of Registration would not be contrary to public safety and welfare, it 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. Each Certificate of Registration shall be assigned an identifying number.

H.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 pass an examination administered by the State Fire Marshal.

Examination of Applicants

The examination shall test applicant's ability, knowledge and skill as may be applicable to the type of certificate being sought, as generally indicated in the listing below. These written examinations shall consist of multiple choice, fill-in, true or false or essay questions.

1. Portable fire extinguishers: charging, recharging, altering, repairing, testing, inspection, installation and servicing.
2. Engineered fixed fire extinguishing systems: charging, recharging, altering, repairing, testing, inspection, installation and servicing.

3. Pre-engineered fixed fire extinguishing systems: same as “2” above.
4. Hydrostatic testing of fire extinguishers and cylinders for fixed systems: self- explanatory.
5. These examinations shall be held at such places and at such times as the State Fire Marshal deems necessary, but must be within 30 days of receipt of application.

H.13.6.7.2 License/Permits

H.13.6.7.2.1 Issuance Of License

Upon successful completion of an examination, the State Fire Marshal shall issue a license having an identifying number to the Applicant.

H.13.6.4.2.2 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.

H.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.

H.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.

H.13.6.7.2.5

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

H.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.

H.13.6.7.2.7 Issuance of Hydrostatic Testing Approval

Upon successful completion of a written exam, an applicant may be issued a certificate or license with "Hydrostatic Testing Approved" stamped thereon.

H.13.6.7.2.8

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

H.13.6.7.2.9

Duplicates may be issued by the State Fire Marshal to replace any valid licenses and/or permits which have been lost or destroyed. Written documentation of loss and a ten dollar (\$10.00) fee will be required.

H.13.6.7.2.10 Renewal of Licenses Or Certificates

All licenses or certificates must be renewed by March 1, annually.

H.13.6.7.3.1 Fees

Initial fee for certification for firms selling, leasing, or servicing portable fire extinguishers \$100.00.

H.13.6.7.3.2

Initial fee for certification of firms installing, repairing and/or servicing fixed extinguishing systems \$100.00.

H.13.6.7.3.3

Renewal of certification for firms selling, leasing or servicing portable fire extinguishers \$100.00 annually.

H.13.6.7.3.4

Renewal of certification for firms installing, repairing and servicing fixed fire extinguishing systems \$100.00 annually.

H.13.6.7.3.5

Initial fee for examination and license for portable fire extinguisher journeyman \$60.00.

H.13.6.7.3.6

Initial fee for examination and license for fixed fire extinguishing systems journeyman \$60.00.

H.13.6.7.3.7

Renewal of Journeyman Licenses is \$50.00 annually.

H.13.6.7.3.8

Fee for portable fire extinguishers Apprentice Permit is \$5.00.

H.13.6.7.3.9

Fee for fixed fire extinguishing Apprentice Permit systems is \$5.00.

H.13.6.7.4 Administrative

H.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.

H.13.6.7.4.2

The State Fire Marshal shall keep and maintain records of all licenses, apprentice permits and Certificates of Registration. Such records shall be available for review by any person desiring to review same. Records may be reviewed by appointment only.

H.13.6.7.4.3

The licensing and registration provisions of Section 13.6.7, and its subsections, shall not apply to any firm which services only its own portable fire extinguishers for its own use by maintaining its own fire extinguisher servicing facilities adequate for the purpose and utilizing its own personnel specifically trained by the State Fire Marshal's office, for such servicing.

H.13.6.7.4.4

When a person or firm exempt from the licensing provisions as provided under Section 13.6.7.4.3, services a portable fire extinguisher he shall affix thereto a tag that at least states:

1. The month and year when the service was performed.
2. Manufacturer and serial number.
3. The name of the person performing the services.
4. The type of service performed.

H.13.6.7.5 Service Tags for Fixed Fire Extinguishing Systems and Portable Fire Extinguishers

Service tags are required and shall be in conformity with the following provisions:

H.13.6.7.5.1

Tags shall be not more than and not less than five and one-fourth inches (5 1/4") in height, and two and five-eighths inches (2 5/8") in width. Service tags shall not be red in color.

H.13.6.7.5.2

One service tag shall be attached to each fixed extinguisher system and each portable extinguisher in such a position as to be conveniently inspected, but not to hamper the operation of the system/ extinguisher.

H.13.6.7.5.3

Service tags may be printed or otherwise established for any number of years not in excess of five (5) years.

H.13.6.7.5.4

Every tag attached to a system serviced by a licensed firm shall be an approved service tag conforming to these rules and regulations.

H.13.6.7.5.5

Service tags shall bear the following information:

1. Servicing firm's name
2. Address of servicing firm
3. Certificate of registration number
4. Type of service performed
5. Date service performed
6. License number of individual who performed or supervised the service or services performed.
7. Apprentice permit number when applicable
8. Signature of licensee
9. Owner and location of extinguisher

H.13.6.7.5.6

All above information in Items 1 through 7 shall appear on one (1) side of the service tag. Other printing or information shall be placed on the reverse side of the tag.

H.13.6.7.5.7

No person or persons shall remove, deface, modify or alter any valid service tag attached to or required to be attached to any fixed fire extinguisher system or portable fire extinguishers.

H.13.6.7.5.8

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.

7.1.84 ANNEX I - EXPLOSIVES, FIREWORKS AND MODEL ROCKETRY

I.65.2.3 Permits.

Permits shall comply with the provisions of 65.2.3.1 et seq.

I.65.2.3.1 Application for Permits

I.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.

I.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.

I.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 or 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.

I.65.2.3.1.4

Upon receipt of such application at least 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.

I.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.

I.65.2.3.2 Conduct of Display

I.65.2.3.2.1

In addition to the guidelines set forth by NFPA 1123, Code for Fireworks Display, the following shall apply:

1. No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than twenty (20) miles per hour.
2. The point from where the fireworks are to be fired shall be at least fifty (50) feet from any overhead obstruction.
3. Any aerial shell which fails to function must be turned over to the State Fire Marshal's office for disposal.

I.65.2.3.3 Qualification of Operators.

I.65.2.3.3.1

The person in actual charge of the firing of the fireworks or pyrotechnics in a display shall be able-bodied, at least 21 years of age, competent for the task, and so certified by the State Fire Marshal. Such operator shall have his or her Certificate of Competency in his or her possession when engaged in conducting a display and shall exhibit same on request of any authorized person. Said Certificate of Competency may be revoked by the State Fire Marshal for any violation of these regulations or when the holder's conduct or condition of sobriety is such as to imperil the public's safety. Each person assisting the certified operator shall be able-bodied, at least 18 years of age and capable of reading, writing, speaking, and understanding the English language.

I.65.2.3.3.2

There shall be at all times no fewer than two (2) operators of the display constantly on duty during the discharge, at least one of whom shall be certificated.

I.65.2.3.4 General

I.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.

I.65.2.3.4.2

The person to whom a permit has been issued shall arrange for the detailing of one 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.

I.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.

I.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 section 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.

I.65.2.3.5 Additional Requirements

I.65.2.3.5.1

Dealers and manufacturers of Class B explosives, DOT 1.3, and Class C explosives, DOT 1.4, which includes commercial fireworks and pyrotechnics, shall be subject to provisions of R.I. Gen. Laws Chapter 23-28.28 entitled EXPLOSIVES, and the requirements of Chapter 65 of this Code, and no permit or license shall be issued until all requirements of R.I. Gen. Laws Chapter 23-28.28 and the requirements of Chapter 65 of this Code are fulfilled.

I.65.3.3 Permits.

Permits shall comply with the provisions of 65.2.3.1 et seq. of this Code.

I.65.4.2 Permits.

Permits shall comply with the provisions of 65.2.3.1 et seq. of this Code.

I.65.5.2 Permits.

Permits shall comply with the provisions of 65.2.3.5.1 of this Code.

I.65.6.1 Rockets

I.65.6.1.1

Model rockets shall comply with the following requirements prior to launch, operation and flight:

1. Gross weight, including the model rocket motor, shall not exceed 1500 grams (53 ounces).
2. No more than 62.5 grams (2.2 ounces) of propellant materials shall be contained in a single model rocket motor and no more than 125 grams (4.4 ounces) of propellant shall be contained in a model rocket at the time of launch.
3. Model rockets shall contain means for retarding decent to the ground so that the structure shall not be substantially damaged and no hazard shall be created to persons or property on the ground.
4. Construction shall be of wood, plastic, paper, rubber or similar materials, and without any metal as structural parts.
5. Design and construction shall include attached aerodynamic surfaces or other suitable means which will provide stabilizing and restoring forces necessary to maintain a substantially true and predictable flight path.
6. A model rocket shall not contain any type of explosive or pyrotechnic warhead.

I.65.6.1.2

Any person who has knowledge of fire or accident caused by a model rocket or rocket motor shall notify the head of the fire department and the Marshal. Failure to comply with this rule shall be cause for revocation of permit.

I.65.6.2 Solid Propellant Rocket Motors

I.65.2.1

A solid propellant rocket motor shall be a device produced by a commercial manufacturer. It shall have all of the propellant preloaded into the casing in such a manner that the propellant cannot be removed without destroying the motor. Delay trains and ejection charges may be included as an integral part of the motor or may be preloaded and packaged separately if:

1. The auxiliary package is a single pre-assembled unit containing all of the remaining combustible material, and
2. The auxiliary package is so designed that an individual would have no difficulty handling or using it safely.

I.65.6.2.2

A solid propellant rocket motor casing shall be made of nonmetallic material of low thermal conductivity so that the temperature of the external surface of the model rocket motor shall not exceed 200 degrees Celsius (392 degrees Fahrenheit) during or after operation.

I.65.6.2.3

A solid propellant rocket motor casing shall be so designed and constructed that it will not fragment if it should rupture.

I.65.6.2.4

A solid propellant rocket motor shall be so designed and constructed as to be incapable of spontaneous ignition in air, in water, as a result of physical shocks, jarring, impacts or motion under conditions that would reasonably be expected to occur during shipment, storage and use, or when subjected to a temperature of 80 degrees Celsius (176 degrees Fahrenheit) or less.

I.65.6.2.5

A solid propellant rocket motor shall contain no more than 62.5 grams (2.2 ounces) of propellant material and shall produce less than 160 Newton-seconds (35.855 pound- seconds) of total impulse with average thrust not greater than 100 Newtons.

I.65.6.2.6

A manufacturer of solid propellant rocket motors shall subject a random sample of one percent (1%) of each motor production lot to a static test which shall measure and record the rocket motor's total impulse, delay time and action of ejection charge, if included. Solid propellant rocket motor production lots shall be corrected, destroyed or retested by the manufacturer under any of the following conditions:

1. Total impulse of any test item departs more than twenty percent (20%) from the established mean value for the motor type,
2. The time delay of the test item departs more than twenty percent (20%) from the established mean value for the motor type but in no case shall this variation exceed three (3) seconds,
3. The ejection charge, if any, of the test item does not function properly,
4. Any test item malfunctions in any other manner that affects the safety of its shipment, storage, handling or uses. Static tests shall be conducted with the test item at ambient temperature. For a retest, a manufacturer shall test a minimum additional two percent (2%) of the production lot in question. If any additional test item displays any of the above mentioned conditions, the entire production lot shall be corrected or destroyed by the manufacturer.

I.65.6.2.7

A solid propellant rocket motor type whose performance deviates from the sample test criteria and performance limits detailed above within one (1) year from the date of manufacture shall be withdrawn from commercial sale and redesigned to provide reliable operation when ignited within a period of one (1) year from the date of manufacture. All solid propellant rocket motors shall have imprinted upon the exterior surface of their motor casing the date of manufacture or equivalent coding.

I.65.6.2.8

A solid propellant rocket motor shall be shipped and stored with no ignition element installed that can be activated by open flame at a temperature of less than 150 degrees Celsius (302 degrees Fahrenheit) or by incident radio frequency radiation normally encountered in shipping, storage and use. No manufacturer, distributor, or any other person shall sell, expose for sale, or

otherwise make available to the public any type of rocket motor ignition device that is intended to be initiated by a hand-held flame.

I.65.6.2.9

A model rocket motor shall be shipped and sold with complete instructions for storage, handling and use. The instructions shall contain a warning to read and follow all instructions carefully and to use the motor only in accordance with instructions. In addition, the instructions shall contain the following information:

1. How to safely ignite the motor safely by electrical means,
2. Performance data on the model rocket motor type to include propellant weight, total impulse, average thrust, time delay and representative thrust time curve,
3. Any specific first aid data or action to be taken in the event of burns or oral ingestion of the propellant,
4. Proper and safe disposal of the rocket if it has become too old, been subjected to conditions that may impair its performance or, in the opinion of the user, may have become unsafe,
5. Any special action that must be taken to fight any fire in which stored rocket motors may be involved.

I.65.6.2.10

The competent person responsible for handling the rocket motors shall notify the Marshal whenever he is aware of defects in such motors. He should describe the defect and include the manufacturer's name and model or catalog number of the defective device.

I.65.6.3 Location For Operation

I.65.6.3.1

Flight areas shall be located in areas that will not create a hazard to persons and property in the vicinity of the area.

I.65.6.3.2

A model rocket launch site shall be at least one hundred feet (100') from the nearest building and fifty feet (50') from a public way or the nearest natural or man-made obstruction or at a distance equal to the height of such obstruction, whichever is greater.

(Add) I.65.6.3.3

Flight areas shall not contain or be located adjacent to limited access highways, buildings over four (4) stories in height or other similar obstacles.

I.65.6.4 Launching

I.65.6.4.1

The competent person responsible for supervising the launching of model rockets shall make certain that these rules and regulations are being adhered to by all present at the launch site and shall also be familiar with and conduct the launch in accordance with the instructions supplied with the model rockets or rocket motors and these regulations shall take precedence.

I.65.6.4.2

All model rockets shall be launched from a launch rod or other device that provides rigid guidance until the rocket has reached a speed adequate to ensure a safe flight path. The launcher shall have a jet deflector device to prevent the motor exhaust from hitting the ground directly. (NFPA 1122 A-2.8.)

I.65.6.4.3

Launching or ignition shall be conducted by remote electrical means fully under the control of the person launching the model

I.65.6.4.4

All persons within one hundred (100) feet of the launch site shall be notified of the timing of each launch by an audible warning and count down.

I.65.6.4.5

A model rocket shall not be launched so as to create a hazard to aircraft.

I.65.6.4.6

A model rocket shall not be used as a weapon against ground or air targets, nor shall it be equipped with an explosive or incendiary device of any kind designed to ignite on rocket impact.

I.65.6.4.7

All materials such as recovery system wadding or igniter holding devices which are subject to high temperatures and ejected from the rocket during the launch and recovery sequence shall be of a sufficiently flame resistant nature so as to prevent any ignition upon landing.

I.65.6.4.8

All personnel conducting or assisting in the launching shall remain at least fifteen (15) feet from models containing motors totaling 30 Newton-seconds or less of total impulse and at least thirty (30) feet from models exceeding this limit, during the countdown and launching. Spectators and others not participating in the launching activities shall maintain a distance of at least one hundred (100) feet from the launching device.

I.65.6.5 Test and Experiments

I.65.6.5.1

Model rocket motors may be tested on the ground for the purpose of determining performance or may be used as the motive power of an experiment conducted on the ground under the supervision of a competent person with a permit.

I.65.6.5.2

The model rocket motor shall be securely affixed to a testing device or to an immovable structure in such a manner that such motor shall not become free during the conduct of such test or experiment.

I.65.6.5.3

The model rocket motor shall be ignited only by remotely operated electrical means fully under the control of the person conducting the test or experiment.

I.65.6.5.4

When tests or experiments are conducted indoors, the exhaust from each model rocket motor so tested shall be directed into a non-flammable hood or vent which shall lead to the outside of the building.

I.65.6.5.5

Before a model rocket motor may be tested or used experimentally on the ground its exhaust path shall be cleared of all flammable objects prior to the igniting of such motor.

I.65.6.5.6

Persons who conduct, participate in or observe static or ground testing of a model rocket motor shall stand a distance no less than five (5) feet away from such motor, and never within a thirty (30) degree angle of a direct line with its longitudinal axis during the conduct of the test.

I.65.6.5.7

Static test shall be conducted with the test item at a temperature of less than 50 degrees Celsius (122 degrees Fahrenheit).

I.65.6.5.8

The competent person with a permit shall inspect each model rocket motor to be tested and the testing device to be used before such test may be conducted.

I.65.6.6 Permits

I.65.6.6.1

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.

I.65.6.6.2

Any person eighteen (18) years of age or older desiring to oversee the launching of model rockets propelled by a model rocket motor shall first obtain a permit from the head of the fire department.

I.65.6.6.3

A person under eighteen (18) years of age but not less than fourteen (14) years of age wishing to handle transport or detonate model rocket motors may do so only after first receiving consent from a parent or legal guardian on the proper forms and having been approved by the fire authority having responsibility for the prevention and suppression of fire in that city or town. In the case where there is no fire authority, these forms shall be approved by the State Fire Marshal or his Deputies.

I.65.6.6.4

The head of the fire department shall issue the permit to a competent person after that person has shown proof of age and the fact that he has in his possession a copy of these regulations. Such permit shall be valid for a period of one (1) year unless otherwise revoked.

I.65.6.6.5

Any person wishing to handle, store, buy, transport or ignite rocket motors must first obtain a permit from the head of the fire department in the city or town of his residence at the time of such application or in the city or town wherein he intends to comply with these rules and regulations.

I.65.6.6.6

A competent person who wishes to ignite or supervise the launching of motors in another city or town may do so after first receiving permission from the fire department of the city or town in which he expects to conduct the launch. The requirement for repeated notification on return visits to such city or town shall be left to the discretion of the head of the fire department of that city or town.

I.65.6.6.7

Any person requiring a permit under these regulations who is not a resident of the State of Rhode Island may obtain a permit from the head of the fire department in the city or town where he is living at the time or where he intends to comply with these rules and regulations.

I.65.6.6.8

Rocket motors shall be kept at all times during storage and transportation in a sturdy metal or wooden box, complete with a cover which may be latched or locked closed.

I.65.6.6.9

Any person, corporation or firm wishing to sell solid propellant rocket motors must first obtain a permit for storage and sale from the head of the fire department of the town in which the storage and sale is to be made. Such permits shall be in effect for one (1) year after the date of issue, unless otherwise revoked.

I.65.6.6.10

Any solid propellant rocket motors which are being stored for sale shall be kept in a sturdy metal or wooden chest or drawer which must be kept securely clamped or locked shut when not in use. Such containment units must be located in a space approved by the head of the fire department, at least ten (10) feet from any flammable liquids. Failure to comply with this rule may be cause for revocation of the permit.

I.65.6.6.11

Whenever the solid propellant rocket motors are loaded or manufactured, they shall be considered Class B explosives and shall be handled in compliance with the Fire Safety Code, Chapter 28-28.

I.65.6.6.12

Quantities of solid propellant rocket motors in excess of ten thousand (10,000) shall be classified as Class B explosives and shall be handled, transported and stored in accordance with the Fire Safety Code, Chapter 28.28.

I.65.6.6.13

Quantities of Solid propellant rocket motors of ten thousand (10,000) or less shall be classified as Class C explosives in accordance with the Fire Safety Code, Chapter 28.28.

I.65.7.2 Permits.

Permits shall comply with the provisions of section 65.6.1 et seq. of this Code.

I.65.8.2 Permits.

Permits shall comply with the provisions of section 65.6.1 et seq. of this Code.

I.65.9.2

Permits shall comply with the provisions of section 65.9.3.1 et seq. of this Code.

I.65.9.3 General Provisions

I.65.9.3.1

The handling and firing of explosives shall be performed by a person possessing a license to conduct blasting operations and a user's permit.

I.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.

I.65.9.3.3

No person shall handle explosives while under the influence of intoxicants or narcotics, or while in an emotional state.

I.65.9.3.4

Blasting shall be conducted so as to prevent injury, hazards or unsafe conditions to persons or damage to property outside the controlled blasting site, and the State Fire Marshal may require certain precautionary procedures at any time to protect life and property. The State Fire Marshal may suspend, revoke or deny a permit to blast at any location for just cause if no precautionary steps are available to adequately protect life and property.

I.65.9.3.5

No person shall carry matches or smoke while handling explosives, or while in the vicinity thereof. There shall be no open flame in the vicinity.

I.65.9.3.6

Blasting operations shall be conducted between sunrise and sunset; exceptions may be authorized by the State Fire Marshal.

I.65.9.3.7

Precautions shall be taken to prevent accidental discharge of blasting caps and explosives from current induced by radios, radar transmitters, lightning, adjacent power lines, dust storms, or other sources of extraneous electricity. These shall include:

1. The suspension of all blasting operations and removal of persons from the blasting area during the approach and progress of an electrical storm.
2. The posting of signs warning against the use of mobile radio transmitters on all roads within three hundred feet (300') of the blasting site.
3. Caution must be taken by following the recommendations of the Institute of Makers of Explosives, and/or by the use of non-electric blasting caps, in the one and one-half (1 ½) mile radius of radios, transmitters, or high tension power lines.

I.65.9.3.8

Whenever blasting is being conducted in the vicinity of gas, electric, water, fire alarm, telephone, or any other utility, the blaster shall immediately notify the appropriate representatives of such utilities in advance of blasting, specifying the location and intended time of blasting.

I.65.9.3.9

Persons authorized to prepare explosive charges or conduct blasting operations shall use every reasonable precaution including, but not limited to, warning signals, flags, barricades, or woven wire mats to ensure the safety of the general public and workmen.

I.65.9.3.10

Water-gels, binary energy agents, or any similar agents manufactured for the purpose of producing an explosive material shall be transported, stored, and used as specified for explosives in these rules and regulations.

I.65.9.3.11

Empty boxes and paper and fiber packaging materials which have previously contained explosives shall not be used again for any purpose, but shall be destroyed by burning at an approved isolated location out of doors and no person shall be nearer than one hundred feet (100') after burning has started.

I.65.9.4 Use of Explosives:

I.65.9.4.1

No spark-producing tools shall be used to open kegs or wooden cases or any other explosives container.

I.65.9.4.2

Wood containers of explosive materials shall not be opened within fifty feet (50') of any magazine.

I.65.9.4.3

No explosives shall be carried in the pockets, on clothing, or elsewhere on a person.

I.65.9.4.4

No explosive materials shall be abandoned in any location, or for any reason. No explosives shall be left unattended where they may be accessible to unauthorized persons or children.

I.65.9.4.5

No primers shall be made up in excess of the immediate needs.

I.65.9.4.6

No primers shall be made up in a magazine or near an excessive amount of explosives.

I.65.9.4.7

Nothing other than a fuse shall be inserted into the open end of a blasting cap and no blasting cap shall be tampered with.

(Add) I.65.9.4.8

When a safety fuse is used, the blasting cap shall be securely attached to the fuse only with an approved cap crimper.

I.65.9.4.9

No blasting cap shall be forced into any explosive, but shall be inserted into a hole made with suitable punch.

I.65.9.4.10

Primers shall be made up with proven and established methods from the Dupont Blasters' Handbook. The cap shall be securely encased in the explosive and so secured that no tension be placed on the wires or the fuse at the point of entry into the cap.

I.65.9.4.11

No explosives that have been water-soaked shall be reclaimed for use without first determining from the manufacturer if explosives are usable.

I.65.9.4.12

When blasting is done in a congested area, or in close proximity to a structure, railway, or highway, or any other installation that may be damaged, the blast shall be covered before firing with a mat constructed so that it is capable of preventing fragments from being thrown.

I.65.9.4.13

Before a blast is fired, the person in charge shall make certain all surplus explosives are in a safe place, all persons' vehicles and equipment are at a safe distance or under sufficient cover, and that a loud warning signal has been sounded.

I.65.9.4.14

If there are any misfires while using cap-and-fuse, all persons shall remain away from the charge for at least one (1) hour. If electric blasting caps are used and a misfire occurs, this waiting period may be reduced to thirty (30) minutes. Misfires shall be handled under the direction of the person in charge of the blasting and wires shall be carefully traced and a search made for unexploded charges.

I.65.9.4.15

Blasters, when testing circuits to charged holes, shall use only blasting galvanometers designed for this purpose, or other instruments approved for the purpose by a nationally recognized testing laboratory.

I.65.9.4.16

Only the man making leading wire connections in electrical firing shall fire the shot. All connections shall be made from the bore hole back to the source of firing current, and the lead wires shall remain shorted and not be connected to the blasting machine or other source of current until the charge is to be fired.

I.65.9.4.17

All explosives shall be handled carefully at all times and be protected against sudden shock or any such source which may cause detonation or deflagration.

I.65.9.4.18

There shall be no smoking, matches, or any source of fire or flame within one hundred (100) feet of an area in which explosives are being handled or used, nor shall explosives be placed where they may be exposed to flame, excessive heat, sparks, or impact.

I.65.9.4.19

All connections, such as the connecting of blasting caps to detonating cord, shall be done according to methods recommended by the manufacturer.

I.65.9.4.20

Dynamite that has been removed from the cartridge shall not be tamped.

I.65.9.4.21

Explosives in bore holes shall be confined with sand, earth, clay, or other suitable non-combustible stemming material.

I.65.9.4.22

Caution shall be taken so as not to kink or damage fuse or electric blasting cap wires when tamping or loading.

I.65.9.4.23

The electric firing circuit shall be completely insulated from the ground and other conductors.

I.65.9.4.24

Only electric blasting caps of the same type and function from the same manufacturer shall be used in the same circuit.

I.65.9.4.25

All electric blasting caps shall be connected with good contact made and all firing shall be done with no less than the minimum current specified by the manufacturer.

I.65.9.4.26

Fuse shall be handled carefully so as to avoid damaging the covering or separating the filler.

I.65.9.4.27

A sufficient length of fuse shall be used so as to allow ample time to reach a place of safety. Never use less than two (2) feet.

I.65.9.4.28

In cutting, seating and crimping the fuse to the cap, the recommended methods from the Dupont Blaster's Handbook shall be used.

I.65.9.4.29

All drill holes shall be sufficiently large to admit freely the insertion of the packages of explosive material.

I.65.9.4.30

No holes shall be loaded, except those to be fired in the next round of blasting. After loading, all remaining explosives shall be immediately returned to an authorized magazine.

I.65.9.4.31

No person shall be allowed to deepen drill holes which have contained explosives.

I.65.9.4.32

Drilling shall not be started until all remaining butts of old holes are examined with a wooden stick for unexploded charges and, if any are found, they shall be re-fired before work proceeds.

I.65.9.4.33

Upon the discovery of any unfired explosives, all working operations in that area shall be stopped until such explosives are properly disposed of.

I.65.9.4.34

Pneumatic loading of blasting agents into blast holes primed with electric blasting caps or other static systems shall conform to the following requirements:

1. A positive grounding device shall be used to prevent the accumulation of static electricity.
2. A semi-conductor discharge hose shall be used.
3. A qualified person shall evaluate all systems to assure that they will adequately dissipate static potential under field conditions.

I.65.9.4.35

No explosive material shall be extracted from a hole that has once been charged or has misfired unless it is impossible or hazardous to detonate the unexploded charge by insertion of an additional primer.

I.65.9.4.36

Tamping shall be done only with wood rods without exposed metal parts but, non-sparking metal connectors may be used for jointed poles. Violent tamping shall be avoided. Primed cartridges shall not be tamped.

I.65.9.4.37

No holes shall be loaded, except those that are to be fired the same day.

I.65.9.4.38

No bore hole shall be loaded until it has been carefully checked with a wooden tamping pole to determine its condition.

I.65.9.4.39

Surplus explosives shall not be kept near the working area during loading.

I.65.9.4.40

Detonating cord, extending into a bore hole, shall be cut from the spool before the remainder of the charge is loaded.

I.65.9.4.41

No bore hole shall be loaded after being drilled or sprung until it is certain that it is cool and that it does not contain any hot metal or burning or smoldering material. No bore hole shall be loaded if its internal temperature approaches or exceeds 150 degrees.

I.65.9.4.42

No bore hole shall be sprung with explosives while near another bore hole loaded with explosives.

I.65.9.4.43

No hole, or series of holes, shall be fired in the vicinity of another loaded hole or series of loaded holes unless they are to be fired in an instantaneous or delayed series as approved by the manufacturer.

I.65.9.4.44

No damaged leading or connecting wire shall be used in any blasting circuits.

I.65.9.4.45

Frozen or partially frozen explosives shall not be placed or used in bore holes.

I.65.9.4.46

Caution shall be taken not to drop a large size heavy cartridge directly on the primer.

I.65.9.4.47

When blasting near power lines, no leg or lead wires shall be long enough to come into contact with the electric power lines.

I.65.9.5 Storage of Explosives on Land

I.65.9.5.1

Explosives shall be stored only in magazines which are clean, dry, well ventilated where appropriate, reasonably cool, properly located, substantially constructed, bullet and fire resistant, and securely locked.

I.65.9.5.2

No explosives shall be stored near oil, gas, cleaning solvents, or any other flammable or corrosive substances.

I.65.9.5.3

Explosives shall be stored in an approved magazine at least five hundred feet (500') away from blasting operations.

I.65.9.5.4

No explosives shall be stored near any source of possible heat, fire or flame, nor shall combustible or flammable debris be allowed to accumulate near explosives.

I.65.9.5.5

In the event that nitroglycerin from deteriorated explosives has leaked onto a floor or other area, the manufacturer shall be consulted as to the desensitizing process. The State Fire Marshal shall also be notified.

I.65.9.5.6

No smoking, burning, discharging of firearms, or other possible source which could cause detonation or deflagration of explosives shall be allowed in the vicinity of any explosives magazine.

I.65.9.5.7

Each magazine shall at all times be under the control of a competent person.

I.65.9.6 Transportation of Explosives

I.65.9.6.1

No person shall deliver to any other person any Class "A" or Class "B" explosives unless the person to whom such explosives are delivered exhibits a license to conduct blasting operations and a permit to possess or a permit to use explosives issued by the State Fire Marshal. All such explosives shall, except as otherwise provided, be delivered directly to an approved magazine as required by State and Federal Law. No person shall buy, receive, or accept delivery of any Class "A" or Class "B" explosives unless he possesses adequate storage facilities as required by State and Federal Law.

I.65.9.6.2

The provisions of this rule as they apply to storage facilities of the receiver may be waived if delivery is made in an approved magazine direct to the job site for immediate placement in previously prepared drill holes and further provided that the explosives are to be detonated in their entirety prior to sunset of the day of delivery.

I.65.9.6.3

All explosive contents of portable magazines shall be removed and placed into an approved permanent magazine at the end of each day. No explosives shall be stored in a portable magazine overnight.

I.65.9.6.4

If fire should come into contact with explosives, all personnel shall be removed to a safe location and the area guarded against intruders and no attempt shall be made to fight such a fire except from a safe distance or shelter.

I.65.9.6.5

Any vehicle used to transport explosives shall be in proper working condition and shall be equipped with the proper magazine or magazines which shall be securely attached to the vehicle to prevent falling off. The explosives shall be so located so as not to be in contact with any source of heat, such as an exhaust pipe.

I.65.9.6.6

No metal, flammable, or corrosive substances shall be transported with explosives.

I.65.9.6.7

All explosives shall be handled carefully and never thrown from the vehicle.

I.65.9.6.8

Radio transmitters shall be shut off on vehicles transporting explosives.

I.65.9.6.9

No smoking shall be allowed on any vehicle containing Class "A" or Class "B" Explosives.

I.65.9.7 Additional Requirements

RIFC I.65.9.7.1

Any situation not covered by these Rules and Regulations shall be covered by NFPA Standard 495 and 498 referenced in section 65.9.1 of this Code.

I.65.10.2 Permits.

Permits shall comply with the provisions of section 65.9.3.1 of this Code.

(Res) I.65.11.2 through 65.11.12.7.

Note: RIFC Sections 65.11.2 through 65.11.12.7 were reserved due to the fact that the retail sale of consumer fireworks was a prohibited activity in the State of Rhode Island.

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 - Fire Safety Code (450-RICR-00-00-7)

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Editorial Note: This Part was filed with the Department of State prior to the launch of the Rhode Island Code of Regulations. As a result, this digital copy is presented solely as a reference tool. To obtain a certified copy of this Part, contact the Administrative Records Office at (401) 222-2473.