

ORDINANCE

GILFORD, NEW HAMPSHIRE

AN ORDINANCE TO AMEND THE FIRE PREVENTION CODE FOR THE TOWN OF GILFORD TO ENFORCE THE STATE FIRE CODE AND ADOPT ADDITIONAL PROVISIONS THERETO FOR THE CONSTRUCTION AND MAINTENANCE OF ALL COMMERCIAL/MULTIFAMILY BUILDINGS AND STRUCTURES.

Section 1 AUTHORITY

1.01 This Ordinance is adopted pursuant to the authority granted under RSA 674:51; RSA 675:2-4; RSA 154:2 II, RSA 154:2 III and RSA 154:18.

1.02 REPEAL OF PREVIOUS FIRE CODE

This Ordinance shall supersede and replace the Ordinance known as the Fire Prevention Code as adopted on March 9, 2010. Portions of previously adopted ordinance are contained within this Code and remain in effect as originally adopted.

Section 2 GENERAL PROVISIONS

2.01 TITLE

These regulations as set forth herein shall be known as the Fire Prevention Code of the Town of Gilford and are herein referred to as such or as "this code".

2.02 PURPOSE

The purpose and intent of this code is to prescribe minimum requirements and controls to safeguard life, property or public welfare from the hazards of fire and explosion arising from the storage, handling or use of substances, materials or devices and from conditions hazardous to life, property or public welfare in the use or occupancy of buildings, structures, sheds, tents, lots or premises.

2.03 This code is intended to insure minimum levels of fire safety protection to life and property. The provisions of the code should not be considered maximum limits of desirable or necessary fire protection, nor is this code intended to guarantee sufficient fire safety protection for any building or occupancy. This code does not take precedence over any other code or requirement, whether state, local or federal, which may be more stringent.

Section 3 ADOPTED CODES AND STANDARDS

3.01 Town of Gilford hereby adopts the New Hampshire State Fire Code (SAF-C 6000).

3.02 The State Fire Code will be administered and enforced by the Gilford Fire Chief or designee under the direction of the Gilford Fire Chief and authority as delegated by the NH State Fire Marshal.

Section 4 GENERAL CONDITIONS

4.01 DEFINITIONS

AHJ (authority having jurisdiction): This shall be the Gilford Fire Chief or his/her designee.

APPLICANT: Applicant means a person who files an application for a permit to install equipment regulated by the Town of Gilford.

FIRE ALARM SYSTEM: A fire alarm system is a combination of devices that provides the general fire alarm needs of the protected premises to include automatic detection, occupant and fire department notification in accordance with NFPA 72 National Fire Alarm and Signaling Code.

LRMFA: Lakes Region Mutual Fire Aid.

NFPA: National Fire Protection Association.

PUBLIC WATER SUPPLY: For the purposes of this Ordinance; a water supply, which has been granted a franchise to operate in the Town of Gilford by the State of New Hampshire Public Utilities Commission.

TOWN: Town shall refer to the Town of Gilford.

4.02 Where terms are not specifically defined in this ordinance; their meaning shall be derived from adopted codes. Where the terms are not defined under any adopted code their meaning shall be their ordinarily accepted meanings within the context they are used.

4.03 REQUIRED PLANS

4.03.1 All new or replacement life safety system designs must be reviewed and approved prior to the start of installation. These systems include fire alarm, sprinkler, commercial ventilation control and fire protection of commercial cooking. The plan submissions must include, but not limited to, the following:

Equipment cut sheets.
Hydraulic calculations (where applicable)
Plans depicting equipment layout

4.03.2 When in the opinion of the AHJ the submitted plans do not readily verify code or local ordinance compliance, the AHJ reserves the right to require the plans to be reviewed and certified by a NH licensed Fire Protection Engineer.

Section 5 INSPECTIONS

5.01 The AHJ is authorized to inspect, at all reasonable times, any building or premises for the purpose of:

- Verifying code and ordinance compliance
- Place of assembly inspections
- Complaint investigations
- Fire prevention inspections

- 5.02 All non-residential occupancies shall at the time of a change of ownership or tenancy; notify the fire department of said change and arrange for a life safety inspection.

Section 6 DEPARTMENT FIRE CODE HANDBOOK

The Gilford Fire Chief or his designee shall create and maintain a document known as the “The Town of Gilford Fire Code Handbook”. This document shall contain and outline the fire department policies for permits, inspections, codes being used. Other items as needed to provide the adequate information for design and operational requirements for fire safety prevention will also be included.

Section 7 EMERGENCY LIGHTING, EXIT SIGNS, FIRE EXTINGUISHERS, AND FIRE ALARM SYSTEMS

7.01 EMERGENCY LIGHTING

Whereas not specified by the adopted codes, all new nonresidential construction and renovations shall have emergency lighting in exits, exit discharges and in all restrooms.

7.02 EXIT SIGNS

Whereas not specified by the adopted codes, all new nonresidential construction and renovations shall have exit signs in exit paths.

7.03 FIRE EXTINGUISHERS

7.03.1 Whereas not specified by the adopted codes, all new nonresidential construction and renovations shall have fire extinguishers at all exits and access to the extinguisher not to exceed a travel distance of seventy-five feet (75’).

7.03.2 Fire extinguishers shall be a minimum of five (5) pound ABC or as specified by the Gilford Fire Department.

7.03.3 All fire extinguishers required by the preceding sections or by any of the adopted codes must be serviced and maintained per NFPA 10 Standard for Portable Fire Extinguishers or the appropriate governing NFPA standard.

7.04 FIRE ALARM SYSTEMS

7.04.1 Whereas not specified by the adopted codes, all new nonresidential construction or additions of structures shall install an approved fire alarm system. If the building addition is not separated from the original building by a fire rated wall system, the entire building shall have an approved fire alarm system installed.

7.04.2 All fire alarm systems required by codes and town ordinances shall be in accordance with NFPA 72 National Fire Alarm and Signaling Code.

7.04.3 All existing fire alarm systems must be maintained in a manner consistent with their original approval and acceptance.

7.05 FINES FOR FALSE ALARM NOTIFICATIONS

7.05.1 The Fire Chief / Police Chief shall assess fines when personnel and equipment are dispatched to a structure for alarm system notifications being received due to system malfunctions or repeated inadvertent triggering of initiation devices. The fines to be assessed for false alarms within any 12-month period are as follows:

Third Alarm \$100.00
Fourth Alarm \$150.00
Fifth Alarm \$200.00
Sixth alarm \$250.00
Subsequent Alarms \$500.00

7.05.2 If in the opinion of the Fire Chief / Police Chief the automatic initiation and subsequent dispatch of personnel and equipment is due to blatant disregard for the protection of alarm system integrity and the lack of prudent precautions to prevent inadvertent device initiation. Then the fine shall be a minimum of \$500.00 for each and every event.

7.05.3 The alarm system owner or occupant of a building serviced by an alarm will be notified of a false alarm either in person by responding emergency personnel, written notice, or regular mail. If the fine has not been received within thirty days of notice and there is no appeal pending on the validity of the alarm, the Fire Chief / Police Chief may initiate a reduced response policy; the enforcement of penalties or a disconnect process that may require the building to be vacated.

7.05.4 The Fire Chief / Police Chief have the right to waive any or all false alarm assessments if determined to be in the best interest of the Town of Gilford.

Section 8 FIRE SUPPRESSION SYSTEMS

This section of the ordinance is only applicable to those structures where suppression systems are not required by any adopted code.

8.01 NON-RESIDENTIAL SPRINKLER/SUPPRESSION SYSTEMS

8.01.1 After the date of adoption of this Ordinance, in locations where a public water supply presently exists, all new construction, nonresidential structures of three (3) or more stories and/or totaling at least twelve thousand square feet (12,000 s.f.) shall have automatic sprinkler protection in accordance with NFPA 13 Standard for the Installation of Sprinkler Systems.

8.01.2 After the date of adoption of this Ordinance, in locations where a public water supply does not exist, all new construction of nonresidential structures shall have an automatic fire sprinkler system as required by the adopted codes.

8.01.3 In those cases where additions to existing structures bring the total gross square footage of the entire structure to or above the 12,000 s.f. threshold, both the new construction and the pre-existing area shall be sprinklered.

8.02 AUTOMOTIVE FUELING FACILITIES

All motor vehicle fuel dispensing facilities shall be protected by a fully automatic suppression system, complying with NFPA 17 Standard for Dry Chemical Extinguishing Systems, located at the dispensing location.

8.03 SPRINKLER/SUPPRESSION SYSTEM MAINTENANCE

All systems required by the preceding sections or by any of the adopted codes must be serviced and maintained by their appropriate governing NFPA standard. Documentation of the maintenance must be submitted to Gilford Fire-Rescue on an annual basis.

Section 9 FIRE DEPARTMENT ACCESS

9.01 LOCK BOXES

9.01.1 All buildings and structures of assembly, mercantile, business, educational, storage, health care, industrial and multi-family residential (whether existing on the date of adoption of this ordinance or which may exist in the future) having a monitored fire alarm system shall have a key depository lock box installed and paid for by the property owner. Type/Style of lock box and location to be approved by the Fire Chief or designee.

9.01.2 The installation, required keys and list of emergency contacts shall be in place prior to occupancy. The owner shall notify the Fire Department whenever locks, keys and or emergency contacts are to be changed.

9.03 GATED ACCESS TO GATED COMMUNITIES AND PRIVATE PROPERTY

9.03.1 The Fire Department shall have the authority to require fire department access to Gated Communities and Individual Properties through the use of an approved device or system.

9.03.2 The owner or occupant of a structure or area with the required fire department access shall notify the fire department whenever the required access is modified in such a manner as to prevent fire department access.

Section 10 REQUIRED PERMITS & FEES

10.01 PERMITS & FEES

Fees are charged for some permits and associated inspections in accordance with the fee schedule as adopted by the Board of Selectmen with an effective date of January 1, 2009. The Board of Selectmen has the authority to revise the fee schedule after a duly noticed public hearing has been held. The fee schedule is contained in Appendix A.

10.02 REQUIRED PERMITS

Permits shall be required by the Town of Gilford to ensure the minimum requirements and controls to safeguard life, property or public welfare from the hazards of fire and explosion

arising from the installation of heating equipment and appliances; storage, handling or use of flammable and combustible substances; use and storage of explosive materials or devices. These permits are in addition to any required by Federal, State law or other local ordinances and regulations. A list of permits required by the Town of Gilford is located in Appendix A.

Section 11 MOBILE COOKING OPERATIONS

11.01 FARMER'S MARKET, TENTS AND SIMILAR SITUATIONS

11.01.1 All cooking equipment that does not create grease laden vapors shall have a minimum of (1) 5 pound or 2A10BC minimum rated multi-purpose dry chemical extinguishers readily accessible to the operator.

11.01.2 All Cooking equipment that creates grease laden vapors shall have a minimum of (1) 6 liter Class K fire extinguisher.

11.02 MOBILE OR TEMPORARY COOKING OPERATIONS

Mobile or temporary concessions such as trucks, buses or trailers shall be required to have an inspection and operational permit issued by Gilford Fire-Rescue to operate in the Town of Gilford. The permit to operate shall be valid for one (1) year from the date of approved inspection unless sooner revoked.

Section 12 PENALTIES

Where violation penalties are not called out in a specific section of this ordinance; the fines, penalties, and remedies for violations of this chapter shall be the same as for violations of title LXIV, as stated in RSA 676:15 and 676:17.

Section 13 SEVERABILITY

If any section, provision, or part of this Ordinance should be held invalid for any reason whatsoever, such decision shall not affect the remaining portions, which shall remain in full force and effect; and, to this end, the provisions of this Ordinance are severable.

Section 14 APPEALS OF DECISION

Any person that is aggrieved by the enforcement of this Code has the right to appeal the decision and notice of violation. The appeal process shall be as follows:

14.01 APPEAL OF ADOPTED NFPA CODE

Appeal of a decision resulting from enforcement of an adopted NFPA code shall be made to the NH State Fire Marshal. The process shall follow that which is established in the NH State Fire Code (Saf-C 6000).

14.02 APPEAL OF NON NFPA CODE PORTIONS

Appeal of the portions of this Code that are not related to the adopted NFPA Codes shall be made to the Gilford Zoning Board of Adjustment. The process for this appeal is established by the Department of Planning and Land Use.

Section 15 EFFECTIVE DATE

This ordinance shall become effective upon passage as voted on March 9, 2021.