

Chapter 260

FIRES AND FIRE PREVENTION

GENERAL REFERENCES

Fire Department — See Ch. 40.

Hazardous materials — See Ch. 279.

Life safety — See Ch. 314.

ARTICLE I

Payment for Fire Department Services

ARTICLE II

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

ARTICLE I

Payment for Fire Department Services

[Adopted by the Board of Selectmen Town Council 5-11-1959 (Ch. 190 of the 1995 Code)]

§ 260-1. Payment required.

Any person or persons starting a fire which results in calling the Fire Department shall pay for the services of the Fire Department.

ARTICLE II
Fire Prevention
[Adopted by the 2009 Town Meeting (Ch. 187 of the 1995 Code)]

§ 260-2. Title. [Amended by the ~~Board of Selectmen~~ Town Council 11-2-2015¹]

This article shall be known as the "Town of Salem Fire Prevention Code."

§ 260-3. Adoption of standard code. [Amended by the 3-18-2017 Town Meeting]

Under the authority of RSA 49:B-8, 155, 155-A:2, VI, 153:5, 674:51 and 674:51-a, the Town of Salem hereby adopts the International Fire Code as published by the International Code Council, being particularly the ~~2015~~ current adopted NFPA 1 edition year by the state ~~edition~~ thereof and the whole thereof as amended, deleted or modified by this chapter, for the purpose of prescribing regulations governing the construction, remodeling, change of occupancy, alteration, addition or erection of buildings, structures or systems within the Town of Salem. Furthermore under the authority of RSA 49:B-8, 155, 155-A:2, VI, the Town of Salem hereby adopts the National Fire Protection Association Uniform Fire Code (NFPA 1) being particularly ~~the 2015 edition~~ current adopted edition by the state thereof and the whole thereof as amended, deleted or modified by this chapter, for the purpose of prescribing regulations governing existing conditions hazardous to life and property from fire and explosion, as hereinafter deleted, modified, or amended by this chapter, and the same codes are hereby adopted and incorporated as fully as if set out at length, and from the date that this chapter shall take effect, the provisions thereof shall be controlling within the Town of Salem, New Hampshire.

§ 260-4. Bureau of Fire Prevention.

- A. The Fire Prevention Code as contained in this article and all related federal and state laws, Town ordinances and referenced codes, standards and regulations shall be enforced by the Fire Department of the Town of Salem. Within the Fire Department, there is hereby established a Division of Fire Prevention which shall be operated under the supervision of the Fire Chief.
- B. The Fire Chief shall recommend and the Town Manager shall appoint a Chief of the Division of Fire Prevention, who shall be known as the "Fire Marshal," and such other members (Inspectors) of the Division of Fire Prevention as shall from time to time be necessary.
- C. A report of the Division of Fire Prevention shall be made annually and transmitted to the Town Manager. It shall contain all proceedings under this article, with such statistics as the Fire Chief decides to include therein. The Fire Chief shall also recommend any amendments to the code which, in his judgment, shall be desirable.
- D. The Fire Chief, Fire Marshal, Fire Inspectors, and all members of the Fire Department may request and shall receive, so far as may be necessary, in the discharge of their duties, the assistance and cooperation of other officials of the municipality.
- E. The Fire Chief, Fire Marshal, Fire Inspectors and other designated members of the Department shall have the authority to enforce any federal, state or local law, ordinance, standard, code, or regulation pertaining to fire and building safety and the control of combustible or hazardous materials, or both, the design of exits, and other fire safety measures, including the International Building and Mechanical Codes as adopted by the State of New Hampshire, Chapter 314, Life Safety, of this Code, this article and the State Fire Code enacted pursuant to RSA 153:5.
- F. The Fire Chief and duly authorized members of the Fire Department shall have the authority to inspect all buildings, structures, or other places in the Town of Salem, including but not limited to any place where any combustible or hazardous material, including wastepaper, rags, shavings, waste, leather, rubber, crates, boxes, barrels, rubbish or other combustible material, that is or may become dangerous as a fire menace to such

1. Editor's Note: This enactment also repealed original § 187-2, Repealer, which immediately followed this section.

- § 260-4 buildings, structures or other places has been allowed to accumulate or where such authorized member of the Fire Department has reason to believe that such material of a combustible or hazardous nature has accumulated. If consent for such inspection is denied or not reasonably obtainable, the authorized member of the Fire Department may obtain an administrative inspection warrant under RSA 595-B.
- G. The Fire Chief and duly authorized members of the Fire Department, upon complaint or whenever they shall deem it necessary, may inspect all buildings, excluding single-family dwellings and residences in multiunit dwellings containing not more than two units, and premises within the Town of Salem.
- H. Whenever any member of the Fire Department finds any condition that such member deems to be hazardous to life or property or in violation of any law, ordinance, code, standard or regulation, the member shall order the hazardous condition to be remedied by written order setting forth a compliance date or time. In cases of de minimis violations, a notice of hazard may be issued setting forth the violation and providing a fixed time for compliance as determined by the Fire Department member issuing the notice. If such order or notice of hazard requires a structural change or alteration, it shall be reviewed and approved by the Fire Chief or Fire Marshal before it is shall take effect. Such order or notice shall be complied with by the owner, occupant, responsible party or other person in receipt of the order or notice within the time limit specified in such order or notice; provided, however, that any such owner who is aggrieved by an order may, within 20 days, file an appeal. All orders issued under this section shall be posted in a conspicuous place and shall not be removed, defaced or altered except by permission of the fire official. **[Amended by the Board of Selectmen Town Council 11-2-2015]**
- I. The Division of Fire Prevention may investigate fires of suspicious origin to determine the origin and cause. Specially trained and certified members may be empowered to seek the arrest and prosecution of those responsible under RSA 153:11.

§ 260-5. Interpretation of terms.

- A. Where the term "authority having jurisdiction," "code official" or "fire official" is used in the State Fire Code and in all codes and standards issued by the National Fire Protection Association, it shall be held to mean the Fire Chief or in his absence the Chief of the Fire Prevention Division (Fire Marshal). **[Amended by the Board of Selectmen Town Council 11-2-2015]**
- B. Where the term "governing jurisdiction" or "jurisdiction" is used, it shall be held to mean the Town of Salem, New Hampshire.

§ 260-6. Occupancy registration.

- A. All assembly, educational, institutional, detention and correctional, residential, mercantile, business, factory, high hazard, storage, utility and miscellaneous, and storage occupancies as defined in the International Building Code, Chapter 3, established within the Town of Salem shall register said establishment with the Bureau of Fire Prevention. One- and two-family dwellings are exempt from this requirement. Registration shall be annually on form provided by the Town.
- B. No person, corporation, business or partnership shall occupy a building or structure for which a building permit has been issued unless required inspections have been completed and the certificate of occupancy has been cosigned by the fire official. No change in the existing occupancy classification of a building or structure or portion thereof shall be made until the certificate of occupancy has been issued. **[Amended by the Board of Selectmen Town Council 11-2-2015]**
- C. In addition to penalties provided for in § 260-18, the fire official may seek injunctive relief from a court of competent jurisdiction to order vacated any building in violation of this section.²

2. Editor's Note: Original § 187-7, Amendments to the standard code, which immediately followed this section, was repealed by the Board of Selectmen 11-2-2015.

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§ 260-7. Modifications.

The Fire Chief shall have the authority to modify any of the provisions of the fire prevention codes and referenced standards upon application in writing by the property owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the codes, provided that the spirit of the code is observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Fire Chief thereon shall be entered upon the records of the Department, and a signed copy shall be furnished to the applicant.

§ 260-8. Amendments to the standard code.³

A. The International Fire Code is hereby amended by the addition of Section 104.1.1 as follows:

104.1.1 The Fire Chief shall have the authority to specify suitable fire protection devices, appliances, systems and modifications to the Fire and Building Codes as may be required to provide safety to life and property. Said rules and regulations shall be available for public review and no building shall be built or occupied in violation of rules, regulations or modifications to codes and standards as specified by the Fire Chief.

B. The International Fire Code is hereby amended by the deletion of Section 108.1 and the following inserted in place thereof:

SECTION 108 Means of Appeal

108.1 Appeal. Any person shall have the right to appeal a decision of the Code Official to the Zoning Board of Adjustment. An application for appeal can only be based on a claim that the true intent of this code or the rules adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better method of complying with the intent of the International Fire Code, Uniform Fire Code, International Building Code and referenced documents is available. The appeal must be filed within 20 calendar days after the person filing the appeal was notified, in writing, of a decision or hazard or 20 calendar days after a notice or decision was mailed by regular mail to the last known address of the property owner or aggrieved party as recorded in the Assessor's office of the Town or as provided by an applicant or design professional.

C. The International Fire Code is hereby amended by the addition of Sections 107.4.1 and 107.4.1.1 which shall read as follows:

107.4.1 Criminal mischief. No person shall, without privilege to do so, move, tamper, destroy, obstruct or otherwise improperly tamper with any safety device, the property of another or the property of the offender when required or placed for the safety of others or the offender, so as to destroy or diminish its effectiveness or availability for its intended purpose.

107.4.1.1 Safety device. "Safety device" shall be defined as any fire extinguisher, fire hydrant, fire hose, or fire axe, or any fire escape, exit or exit component, or emergency escape equipment, or any life line, or any alarm, light, signal, exit sign, emergency light or notice intended to warn of danger or emergency, or intended for other safety purposes, or any other device, apparatus, or equipment intended for protecting property or preserving the safety of persons.

D. The International Fire Code is hereby amended by the modification of Section 105.1.1 which shall read as follows:

3. Editor's Note: As a result of the inclusion of this section, and at the direction of the Town, former §§ 260-8 through 260-18 were renumbered as §§ 260-9 through 260-19, respectively.

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105.1.1 Permits. Permits required by the International Fire Code and Uniform Fire Code shall be obtained from the code official. The Fire Chief shall select those permits contained in the International Fire Code and Uniform Fire Code that he feels shall be in the best interest of the Town. Permit fees as established by the ~~Board of Selectmen~~ Town Council shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by any member of the Fire Department or any other Town inspector. Any permit that is issued after work or processes have begun will be surcharged an amount equal to the original fee but not less than \$50. The issuance of a permit and/or review of construction documents does not relieve the applicant or any agent of the applicant from complying with the laws, ordinances, codes, standards or regulations enacted by the Town of Salem or the State of New Hampshire.

E. The International Fire Code is hereby amended by the modification of Section 105.4.1 which shall read as follows:

105.4.1 Construction. Any and all construction for which a building permit is required under Section 105 of the International Building Code (~~2009 edition~~), except Use Group R-3, shall be submitted to the Fire Code Official for review and evaluation. No building or other permit shall be issued until plans have been reviewed by the Fire Code Official and released for construction. Construction documents shall be submitted in two or more sets and in such form and detail as required by the Fire Code Official. A reviewed set of plans shall be maintained on the job site for examination by the code official at all times. When deemed necessary, the Chief of the Division of Fire Prevention (Fire Marshal) may require:

1. That proposed building construction plans bear the seal of a licensed professional engineer or registered architect, indicating that the plans as submitted comply with all applicable codes, standards and regulations of the Town.
2. That a third-party reviewer of the Town's choosing may be retained to review all aspects of the construction and may recommend corrections, modifications or additions. All costs incurred for these services shall be paid by the applicant as a special permit fee. No certificate of occupancy shall be issued until all fees and permits are paid.
3. Where proposed projects and/or developments are of a technical nature, the code official may select a consultant to examine the plans and/or field conditions and to perform any necessary testing or inspections to determine the adequacy of construction, safety systems and utilities to determine that work performed is in compliance with approved plans, state and Town codes and nationally recognized standards for construction and safety. The cost of the consultant and all related testing shall be paid by the applicant to the Town of Salem as a special permit fee. No occupancy certificate may be issued unless and until the special permit fee has been paid in full and all conditions of approval and inspections have been completed and approved by the Fire Department.
4. Permits issued for installation, repair, modification or addition shall expire 180 days after issuance unless there has been continuous progress towards completion of the permitted activity. Renewal of permits is at the discretion of the fire official. The fee for the reissuance of a permit shall be 1/2 the original fees.

F. The International Fire Code is hereby amended by the addition of Section 105.1.3 which shall read as follows:

105.1.3 A copy of all proposed site and subdivision plans shall be submitted to the Bureau of Fire Prevention for review of all aspects pertaining to life safety and fire protection prior to being heard by the Town of Salem Planning Board or Zoning Board of Adjustment.

G. The Fire Prevention Code is hereby amended by the deletion of Section 109.3 and replaced by § 260-19.

H. The International Fire Code is hereby amended by the modification of Section 901.6.2 which shall read as 260:7

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follows:

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901.6.2 Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of one year and copies shall be forwarded to the Bureau of Fire Prevention by the property owner and servicing contractor within 30 days of inspection or test.

I. The International Fire Code is hereby amended by the addition of Section 3804.2 which shall read as follows:

3804.2 Bulk storage. The areas in which bulk storage of liquefied petroleum gas or liquid is permitted are hereby established as follows:

1. The Commercial-Industrial B District west of Interstate 93 as defined in the Town of Salem Zoning Ordinance.

J. The International Fire Code is hereby amended by the modification of Section 3301.1, which shall read as follows:

3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use or explosion of Division 1.3G and 1.4G (Class B and C) fireworks is prohibited.

Exception:

1. The possessions, storage, handling and use of specific types of Division 1.3G fireworks (Class B) shall be permitted for public and private display, provided that a State Department of Safety and a Salem Fire Department permit are issued and such fireworks comply with CPSC 16 CFR 1500 through 1507, and DOTn 49 CFR 100 through 178, inclusive. All displays of Division 1.3G (Class B) fireworks shall be in accordance with NFPA 1123 (2015 Edition).

K. The following appendixes contained in the International Fire Code are hereby specifically incorporated as part of this chapter and the Salem Fire Code and shall be enforced by the Division of Fire Prevention:

Appendix B Fire Flow Requirements for Buildings

Appendix C Fire Hydrant Locations and Distribution

Exception; Table C105.1 note C shall read: Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 500 feet.

Appendix D Fire Apparatus Access Roads

Exception; D103.1 shall be amended by removing the "26 feet" reference and inserting "24 feet."

Exception; D103.5 Section 6 shall be amended to read: Manual opening gates shall not be locked without special authorization from the Bureau of Fire Prevention. Approved locks shall be compatible with the Salem Fire Department Knox lock system.

Addition; D103.5 Section 8: Gated areas shall not be used for snow storage, and gate operation shall not be interrupted by plowing or snow accumulation.

Addition; D103.6.3: Fire Lanes shall be painted with six-inch-wide yellow paint causing a grid or hashed pattern and shall include the words "FIRE LANE NO PARKING" in not less than twenty-four-inch letters.

Appendix E Hazard Categories

Appendix F Hazard Ranking

Appendix G Cryogenic Fluids

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§ 260-11

§ 260-9. Conflicts. [Amended by the Board of Selectmen Town Council 11-2-2015]

Where a conflict between codes, within codes or between a code and a referenced document occurs, the specific requirement shall prevail over the general, and that provision which provides for the greatest degree of public safety, as determined by the fire official, shall prevail. Where a specific state law addresses a specific fire safety requirement, the state law shall prevail over the provision of the Town ordinance and codes, provided that the state law provides a level of protection not less than would be required by the Town ordinance or codes.

§ 260-10. New materials, processes or occupancies which may require permits.

The Town Manager or, in the absence of the Town Manager, a Council member designated by the full Board of Selectman, the Chief of the Fire Department, and the Chief of the Division of Fire Prevention (Fire Marshal) shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, conditions, processes, or occupancies which shall require permits, in addition to those now enumerated in this article and referenced codes and standards.

§ 260-11. Sprinkler and standpipe regulations.

A. An automatic sprinkler system shall be installed and maintained in accordance with the most recent revisions of NFPA 13, 13D, 13R, 14, and 25, as applicable, Salem Fire Department Automatic Sprinkler Rules and Regulations and the contents of this article, in the locations specified herein and where required by the International Building Code (IBC), as adopted. **[Amended by the Board of Selectmen Town Council 11-2-2015]**

- (1) All buildings or portions thereof classified as a place of assembly with an occupant load of 100 or more people as calculated by the tabular area method (IBC Use Group A).
 - (a) In addition the following new assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system regardless of the occupant load:
 - [1] Bars.
 - [2] Dance halls.
 - [3] Discotheques.
 - [4] Nightclubs.
 - [5] Assembly occupancies with festival seating.
 - (b) In existing occupancies where occupant loads exceed 100, the following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system:
 - [1] Bars.
 - [2] Dance halls.
 - [3] Discotheques.
 - [4] Nightclubs.
 - [5] Assembly occupancies with festival seating.
- (2) All buildings or portions thereof classified as an educational occupancy, including day-care centers, with an occupant load of 50 or more people as calculated by the tabular area method (IBC Use Group E).
- (3) All buildings or portions thereof classified as institutional, regardless of the occupant load. Day-care centers providing care for five or more children under the age of 30 months shall be classified as

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institutional (IBC Use Group I).

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- (4) All buildings or portions thereof classified as hotels, motels, dormitories, lodging houses, rooming houses and boardinghouses (IBC Use Groups R-1 and R-2).
 - (5) All buildings or portions thereof classified as apartments or residential condominiums, with four or more dwelling units and/or three or more stories in height, and residential care facilities with more than five clients but fewer than 16 clients, provided that the clients are capable of self-preservation (IBC Use Groups R-2 and R-4).
 - (6) All buildings or portions thereof classified as mercantile which have a gross floor area exceeding 9,999 square feet (IBC Use Group M).
 - (7) All buildings or portions thereof classified as business which have a gross floor area exceeding 9,999 square feet (IBC Use Group B).
 - (8) All buildings or portions thereof classified as factory or industrial which have a gross floor area exceeding 9,999 square feet or are over 30 feet in height at any point measured to the grade at a point 20 feet from the foundation wall (IBC Use Group F).
 - (9) All buildings or portions thereof classified as storage which have a gross floor area in excess of 9,999 square feet or are over 30 feet in height at any point measured to the grade at a point 20 feet from the foundation wall (IBC Use Group S).
 - (10) All buildings or portions thereof classified as high hazard by the fire official in accordance with the Building Code (IBC Use Group H). Exception: Where in the opinion of the fire official the installation of a water-based fire suppression system increases the hazard, alternate fire suppression shall be provided.
 - (11) All buildings or portions thereof with a floor level three or more stories above the level of Fire Department access shall be provided with standpipes installed in accordance with NFPA 14.
 - (12) All buildings, or portions thereof, where required by the International Building Code as adopted by the State of New Hampshire or Town of Salem.
- B. The Fire Chief may issue regulations concerning the specific methods and materials to be used when installing fire sprinkler systems. These regulations are incorporated herein. For the purpose of this section, "floor area" and "gross floor area" are as defined in the International Building Code Section 1002.1 and shall include all attic spaces with permanent or temporary flooring.
- C. Compliance.
- (1) Any building, other than those listed in Subsection A(1)(b), not in compliance with this section that is remodeled or altered to an extent that the cost of building modifications exceeds 50% of the assessed value as determined by the Town Assessor and Fire Marshal shall install all required fire protection systems prior to occupancy.
 - (2) Any building, other than those listed in Subsection A(1)(b), not in compliance with this section that is remodeled or altered to an extent that the building modifications increase the size of the building by 50% of the original gross square footage shall install all required fire protection systems throughout prior to occupancy.
 - (3) For the purpose of this section, any remodeling, renovation, addition or other construction started, finished or for which permits have been issued within the previous year (365 days) shall be included in determining the extent of remodel, alteration or revaluation.
- D. Responsibility. The owner, operator and occupant of any building shall be individually and separately responsible for compliance with this section.

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E. Installation. No person, firm, company or corporation shall install, repair, or operate any fire sprinkler equipment without having first obtained a certificate of fitness from the Fire Department. Emergency repairs shall require prior authorization from the Fire Department.

§ 260-12

§ 260-12. Fire alarm regulations.

A. Fire alarm systems shall be installed in accordance with the most recent revision of NFPA 72, the National Fire Alarm Code, NFPA 70, the National Electrical Code, International Building Code (IBC), State Fire Code, Salem Fire Department Fire Alarm Rules and Regulations, and the contents of this article in the following locations: **[Amended by the Board of Selectmen Town Council 11-2-2015]**

- (1) Any location identified in the International Building Code, State Fire Code and NFPA 101 (Life Safety Code).
- (2) All places of assembly with an occupant load of 50 or more persons as calculated by the tabular area method, IBC Use Group A.
- (3) All educational buildings or portions thereof with an occupant load of 50 or more persons as calculated by the tabular area method (IBC Use Group E).
- (4) All buildings or portions thereof classified as Use Group I in accordance with IBC.
- (5) All buildings or portions thereof of Use Groups R-1 and R-2 as defined by IBC.
- (6) All buildings or portions thereof of Use Group R-4 where more than one individual is being cared for.
- (7) All buildings or portions thereof classified as mercantile in accordance with IBC and having more than 2,999 gross square feet of area.
- (8) All buildings or portions thereof classified as business in accordance with IBC and having more than 2,999 gross square feet of area.
- (9) All buildings or portions thereof classified as factory in accordance with IBC and having more than 2,999 gross square feet of area or which are two or more stories in height, including basements.
- (10) All buildings or portions thereof classified as storage in accordance with IBC and having more than 2,999 gross square feet.
- (11) All buildings or portions thereof classified as high hazard in accordance with IBC.
- (12) All buildings or portions thereof that are protected by automatic sprinklers except one- and two-family dwellings.

B. All fire alarm systems installed in compliance with this section or installed in compliance with any previous regulations shall transmit alarm, supervisory and trouble signals to the Fire Department by way of a radio alarm transmitter approved by the Fire Department.

C. The Fire Chief may issue regulations concerning the specific methods to be used when installing fire alarm systems. These regulations are incorporated in the Salem Fire Department Fire Alarm Rules and Regulations and herein.

D. Existing buildings.

- (1) Existing buildings not in compliance with this section shall be allowed to continue to be occupied provided there is no change in use group classification caused by a change of occupant or change of operations.
- (2) Any building not in compliance with this section that is remodeled or altered to an extent that the cost

- § 260-12 of building modifications exceeds 25% of the assessed value as determined by the Town Assessor shall install all required fire alarm systems prior to occupancy. § 260-13
- (3) Any building not in compliance with this section that is remodeled or altered to an extent that the size of building modifications exceeds 25% of the gross square footage shall install all required fire alarm systems prior to occupancy.
- (4) For the purpose of this section any remodeling, renovation, addition or other construction started, finished or for which permits have been issued within the previous year (365 days) shall be included in determining the extent of remodel, alteration or revaluation.
- E. No person, firm, company or corporation shall install, repair, or operate any fire alarm equipment without having first obtained a certificate of fitness from the Fire Department. Emergency repairs shall require prior authorization from the Fire Department.
- F. The owner, operator and occupant of any building shall be individually and separately responsible for compliance with this section.
- G. All required fire alarm systems monitored or supervised by the Salem Fire Department shall be assessed an annual monitoring fee as set forth on the fee schedule adopted by the Town of Salem ~~Board of Selectmen~~ Town Council. **[Amended by the Board of Selectmen Town Council 11-2-2015]**

§ 260-13. Key vault.

Any building with an automatic sprinkler system, fire alarm system or firefighter elevator recall shall be provided with an emergency access key vault (Knox-Box®) compatible with the Salem Fire Department key system. Each key vault will be supplied with all necessary keys to gain access to all interior spaces within the building. Property owners and occupants shall notify the Fire Department when keys or locks are changed and provide keys for the key vault.

§ 260-14. Emergency contact information.

Any building with an automatic sprinkler system, fire alarm system or key vault will provide a list of not fewer than three people who can be contacted after normal working hours to provide information about the building or who can respond to emergency request for assistance to the Fire Department. The owner and occupant shall notify the Fire Department of all changes to the emergency contact list.

§ 260-15. Elevators.

- A. In buildings constructed after the adoption of this section in which elevators are provided or required by this or other codes, including the Americans with Disabilities Act, at least one elevator car in each bank of elevators shall have a minimum inside clear dimension of 60 inches by 96 inches with a minimum door opening of 42 inches. The elevator shall be designated by the international medical symbol for emergency medical services (Star of Life).
- B. Firefighter recall Phase I and II shall be provided. Key access to the firefighter recall shall be by use of a 3502 key and cylinder. The 3502 key shall be located in the key vault required by § 260-12.

§ 260-16. False alarms.

- A. Any building that causes more than one Fire Department emergency response in any thirty-calendar-day period or more than three in any three-hundred-sixty-five-day period due to a faulty fire alarm or sprinkler system shall be charged a nuisance fee established by the ~~Board of Selectmen~~ Town Council and payable to the Town Clerk.

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B. Any detection device which activates without cause shall be marked on the first occurrence with a single line.

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Upon a second false activation the device shall be marked with an X and shall be replaced.

§ 260-15

- C. Any sprinkler system that improperly reports an alarm condition shall, upon order of the fire official, be inspected by a person holding a valid certificate of fitness. Any system that for lack of maintenance or repair, improper installation or failure of the piping system is not in proper working order as determined by the fire official shall be subjected to an air tightness test of 40 pounds per square inch. Any system that leaks more than 10 pounds of air in 24 hours shall be repaired or replaced.

§ 260-17. Fire protection water supply.

- A. The owner and occupant of any property on or adjacent to which is placed a public or private fire hydrant shall maintain the hydrant in an unobstructed condition for a ten-foot diameter at all times. Obstructions shall include but are not limited to:
- (1) Snow and ice.
 - (2) Parked or standing vehicles.
 - (3) Storage.
 - (4) Vegetation.
 - (5) Fences and landscaping.
- B. All water mains and related fire protection piping and hydrants shall be installed in compliance with Salem Water Division regulations. Private fire hydrants shall be painted in accordance with the most recent edition of NFPA 25. **[Amended by the Board of Selectmen Town Council 11-2-2015]**
- C. With the exception of Town of Salem employees, no person, firm or corporation shall use, open, or otherwise access the municipal water system without the express written authorization of the Salem Water Division. **[Amended by the Board of Selectmen Town Council 11-2-2015]**
- D. Any development or site approval that is within 500 feet of an existing municipal water supply shall be provided with municipal water for fire protection. Water mains and hydrants shall be installed in accordance with the State Fire Code and Salem Water Division regulations. All water main extensions shall be installed or bonded to the Town at the time of the site approval, and no certificate of occupancy may be issued until the water main and all associated testing are completed and the Water Division has released the construction for use. Exception: Site approvals and developments of not more than two additional lots for single-family homes not exceeding 3,000 square feet may be waived upon special request for an exception to the Fire Chief. **[Amended by the Board of Selectmen Town Council 11-2-2015]**
- E. Fire cisterns. In areas where municipal water is not available and approval has been granted by the Fire Chief, cisterns may be installed in lieu of water mains. Cisterns shall not be approved where the development is located within 500 feet of an existing water service. Cisterns shall be provided whenever there is a subdivision of land creating three or more residential lots, including the original lot. Any commercial development that is located more than 500 feet from a municipal water service shall be provided with a cistern or a water main extension.
- (1) Cisterns shall be sized in accordance with the State Fire Code by multiplying the fire flow in gallons per minute by the required duration converted to minutes. Construction types shall be as defined in the International Building Code. **[Amended by the Board of Selectmen Town Council 11-2-2015]**
 - (2) Cistern locations shall be approved by the Bureau of Fire Prevention and shall be installed in accordance with regulations published by the Salem Fire Department. All cistern installations shall be bonded to the Town and shall be certified liquid-tight for one year after acceptance.

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- (3) Exception. Owners of site approvals and developments of single-family homes may install and maintain residential sprinkler systems complying with the most recent revision of NFPA 13D.

§ 260-18. Fire protection installation and maintenance. [Amended by the Board of Selectmen Town Council 11-2-2015]

All fire protection systems, devices, systems and related components shall be installed in accordance with the requirements of the International Building Code, State Fire Code, International Mechanical Code, NFPA and other recognized standards. Where there is a conflict between codes, that code which provides the highest degree of safety as determined by the fire official shall prevail. All systems, devices, and related components shall be maintained in accordance with the most recent revision of NFPA 25 and the State Fire Code. All private fire hydrants shall be flow tested annually and shall be color coded in accordance with the most recent revision of NFPA 25.

§ 260-19. Violations and penalties. [Amended by the Board of Selectmen Town Council 11-2-2015]

Pursuant to RSA 31:39 and RSA 155-A, violations of this article shall be subject to the civil penalty set forth in RSA 676:17.

§ 260-20. Burning Permits.

No person shall kindle or cause to be burned any material in an open fire on public or private property without first obtaining a permit from the Fire Department; the cost for this permit is \$0. The current State laws and rules shall apply while burning in the Town of Salem.