

Chapter 70

FIRE PREVENTION

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

GENERAL REFERENCES

Building construction — See Ch. 31.
Outdoor burning — See Ch. 38.

Fireworks — See Ch. 73.

ARTICLE I Fire and Smoke Detectors [Adopted 3-13-1979 ATM by Art. 49]

- § 70-1. Installation required.

No single-family dwelling or multiple occupancy shall be sold and no structural change or repair of a value in excess of \$1,000 shall be made thereto unless and until the structures have installed therein an approved fire detection product of combustion system. The detectors shall be sensitive to any of the products of combustion, except that detectors sensitive only to heat

are not acceptable. Alarm signaling devices shall be clearly audible in all bedrooms when all intervening doors are closed. For the purpose of installation and maintenance only, the applicable sections of National Fire Protection Association Pamphlet No. 74, Standard for the Installation, Maintenance and Use of a Household Fire Warning System, shall be considered accepted engineering practices.

- A. Location.** At least one smoke detector shall be installed to protect each sleeping area. A sleeping area is defined as the area or areas of the family living unit in which the bedrooms (or sleeping rooms) are located. Where bedrooms or rooms ordinarily used for sleeping are separated by other use areas (such as kitchens or living rooms, but not bathrooms or closets) they shall be considered as separate sleeping areas for the purpose of this section.

**NFPA 74 2-1.1.1. and 6-1 and 6-2 1989 Edition.

2.1.1.1. Smoke detectors shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the family living unit including basements and excluding crawl spaces and unfinished attic.

6-1 and 6-2 deal with maintenance and tests or inspections.

- B. Installation. In new residential buildings, smoke detectors shall be wired directly (hard wired) to the building's power supply. In other existing dwellings it is preferred that smoke detectors be wired directly to the power supply; however, said detectors may be powered by self-monitored battery or operated in a plug-in outlet which is fitted with a plug retainer device, provided the outlet is not controlled by any switch other than the main power supply. All detectors must be Underwriters' Laboratory or Factory Mutual approved.
- C. Certification at change of occupancy. At every change of occupancy of every dwelling unit occasioned by or incidental to a sale, lease, or sublease of said unit, it shall be the duty of the grantor thereof (i.e., the seller, lessor, or sublessor as the case may be) to certify, before occupancy, to the occupant that all smoke detectors as required by this section (or other applicable laws) are installed and in proper working condition. Failure to comply with this subsection shall be punishable as set forth therein; provided, however, that this subsection shall not be construed to violate or render void any contract, lease, or sublease subject thereto.

§ 70-2. Kindergartens and day-care centers.

All kindergartens and day-care centers in the Town of Plaistow having one to four children enrolled are required to install smoke detectors as per specifications of the governing body. All kindergartens and day-care centers in the Town of Plaistow having five to 15 children enrolled are required to install smoke detectors with an outdoor audible alarm as per specifications of the governing body. All kindergartens and day-care centers in the Town of Plaistow having over 15 children enrolled must have an automatic fire and smoke detection system which is connected to the dispatch center as per requirements of the governing body.

§ 70-3. Deadline for compliance.

Compliance with this section will be mandatory by January 1, 1981.

§ 70-4. Severability.

If any section, paragraph, subdivision, clause, phrase or provision of this article or of the building code shall be judged invalid or unconstitutional, the same shall not affect the validity of this article as a whole or any part or portion thereof, other than that portion so decided to be invalid or unconstitutional.

§ 70-5. Violations and penalties. [Amended 3-11-1980 ATM by Art. 21]

Any firm, person, or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction in the District Court, shall be subject to a fine not to exceed \$25 for each offense, and each and every day such violation continues it shall constitute a separate offense, with a maximum fine not to exceed \$200.

§ 70-6. When effective.

The above article shall take effect 90 days after passage by the town. By January 1, 1981, it will be mandatory that all single-family and multiple dwellings in the Town of Plaistow be protected with fire and smoke detectors as described in this article.

ARTICLE II**Wood Stoves**

[Adopted 3-11-1980 ATM Art. 22]

§ 70-7. Permit required; inspections.

Before the installation of any wood stove and chimney connected thereto in any building in the Town of Plaistow, New Hampshire, a cost-free permit must be obtained from the Building Inspector. The Plaistow Fire Department must inspect and approve every installation prior to using the system at no cost to the installer.

§ 70-8. Violations and penalties.

Any violation of this article may result in a fine not to exceed \$100.

ARTICLE III**Unvented Space Heaters**

[Adopted 3-8-1983 ATM Art. 51]

§ 70-9. Authority.

Pursuant to RSA 158:28 as amended, a permit (PFD Form SH-01) issued by the Fire Chief of the Town of Plaistow, or his designee, shall be required for the purchase of any unvented space heater that is to be used or operated in the Town of Plaistow, New Hampshire.

§ 70-10. Prohibited uses.

It shall be unlawful to operate an unvented space heater:

- A. In places of public assembly such as educational facilities, medical facilities, day-care centers and kindergartens.
- B. In areas used for sleeping accommodations either in a home, motel, hotel, dormitory or boardinghouse.
- C. In other than single-family dwellings.
- D. In any mercantile business, industrial or storage facility.
- E. In any building without approved smoke and heat detectors and fire extinguishers installed.

§ 70-11. Inspection.

Upon application for a permit pursuant to RSA 158:28 as amended, the Fire Chief may require a fire prevention inspection of the area where said heater is to be used.

§ 70-12. Violations and penalties.

A person violating any provision of the unvented space heater rules and regulations (state and local) shall be punished by a fine of not more than \$100 for each offense.

§ 70-13. Recognized models and brands.

Only those models and brands of unvented space heaters approved by the State Fire Marshal (list furnished to local fire officials) shall be offered for sale in the Town of Plaistow, New Hampshire.

§ 70-14. Fuel.

No fuel other than that recommended by the manufacturer shall be used. All fuel must be certified as being 1K fuel before being used in any unvented space heater. Under no circumstances shall any type of fuel additive be used.

- A. No unvented space heater shall be stored in any habitable area of any structure.
- B. All unvented space heater fuel must be stored in approved containers.
- C. No unvented space heater shall be filled with fuel in any manner other than that directed by the manufacturer of said heater.
- D. In no event shall an unvented space heater be filled with fuel while inside a habitable building or while said heater is hot.
- E. Filling the space heater with fuel is defined as the process of pouring, injecting, or otherwise introducing fuel into a space heater.

§ 70-15. Compliance with all instructions and rules required.

The safe use of an unvented space heater is totally dependent on the proper use. This means full compliance with all of the instructions, rules and regulations issued by the manufacturer and the state and local authorities. Proper use, proper fueling and refueling are required each and every time the heater is used.

ARTICLE IV
Occupant Load Requirement
[Adopted effective 5-28-1986
by the Board of Selectmen]

§ 70-16. Emergency lights, exit signs and means of egress.

The number and location of emergency lights, exit signs, and means of egress in places of assembly and mercantile businesses shall be determined by the Fire Chief through the Fire Department Inspection Division, but in no instance shall the requirements be less than Classification C occupant load.

ARTICLE V
Roof Vents, Sprinkler Heads,
Emergency Lights and Exit Signs
[Adopted 3-12-1987 ATM by Arts. 46, 47 and 48]

§ 70-17. Regulations.

In compliance with the National Fire Safety Codes, the following regulations have been promulgated:

- A. Automatic roof vents, with curtain boards, shall be required in all new commercial and industrial buildings and/or units thereof which have a square foot area of 2,000 feet or over.
- B. Sprinkler heads shall be installed in all new commercial and industrial buildings and/or units thereof which have a square foot area of 2,000 feet or over.
- C. Emergency lights and exit signs shall be the responsibility of the building owner and not the tenant in all commercial buildings.

Chapter 73

FIREWORKS

§ 73-1. Authority.

§ 73-3. Definitions.

§ 73-2. Prohibited acts.

§ 73-4. Violations and penalties.

[HISTORY: Adopted by the Board of Selectmen of the Town of Plaistow effective 5-27-1988. Amendments noted where applicable.]

§ 73-1. Authority.

Pursuant to Chapters 158 and 160-A of the New Hampshire Revised Statutes Annotated, and their amendments, the Plaistow Board of Selectmen promulgates the following chapter.

§ 73-2. Prohibited acts.

- A. It shall be illegal for any person to sell, purchase, possess or display any Class C common fireworks within the Town of Plaistow, New Hampshire.
- B. It shall be illegal for any person to sell, purchase, possess or display any Class B special fireworks within the Town of Plaistow, New Hampshire, with the following exception: fireworks displays by professional entities for public displays may be permitted by the Fire and Police Chiefs of the Town of Plaistow when:
 - (1) Proof has been presented that all state laws governing Class B special fireworks displays have been met;
 - (2) A permit from the New Hampshire State Police has been obtained; and
 - (3) Local permit fees have been paid.

§ 73-3. Definitions.

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

CLASS B SPECIAL FIREWORKS — The same as Class B special fireworks in 49 CFR 173:88(d), packaged or unpackaged.

CLASS C COMMON FIREWORKS — The same as Class C common fireworks defined in 49 CFR 173:100(r), packaged or unpackaged.

DISPLAY — The use, explosion, activation, ignition, discharge, firing or any other activity which is intended or which does cause a firework to do what it was manufactured to do.

SELL — To sell, give or transfer to another with or without consideration.

§ 73-4. Violations and penalties.

Any person who violates any of the provisions of the above shall be guilty of a misdemeanor and shall be liable, in any civil action, to any person for damages resulting from the illegal sale or use of fireworks, and neither assumption of risk nor contributory negligence shall be a defense for such violator.