

Order 53-13/14
Given first reading on 9/16/13
Public Hearing & Passage 8-0 (Anton absent) 10-7-13

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 10. FIRE PREVENTION AND PROTECTION
ARTICLE I - LIFE SAFETY CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS**

*That Chapter 10, Article I, Section 10-3 (Amendments) of
the City of Portland Code is hereby amended to read as follows:*

. . .

Sec. 10-3. Amendments.

The NFPA 101: Life Safety Code adopted by section 10-1 is amended and changed in the following respects:

. . .

Sec. 10-3. Amendments.

The NFPA 101: Life Safety Code adopted by section 10-1 is amended, modified and deleted in the following respects:

...

(e) Unvented fuel-fired heaters shall not be used in a bedroom or bathroom or in a manufactured home.

(f) Section 43.6.4.1; delete only the automatic sprinkler requirement for one and two-family dwelling units undergoing renovations.

~~(fg)~~ Section 39.3.4.4. Fire department notification shall be accomplished in accordance with section 9.6.4.

| (~~gh~~) *Stair risers, guards, treads, and tread nosing.* The maximum height of risers as prescribed in Chapter 24, Section 24.2.5 is modified to permit a maximum 7 $\frac{3}{4}$ " riser for newly constructed stairs in one and two family dwellings only. The minimum height of guards as prescribed in Chapter 24, Section 24.2.5 is modified to permit a minimum guard height of 36" for newly constructed stairs in one and two family dwellings only. The minimum tread depth as prescribed in Chapter 24, Section 24.2.5 shall be amended to permit a 10" tread depth for newly constructed stairs in one and two family dwellings only. Tread nosing as prescribed in Chapter 7, Section 7.2.2.3.5 is modified to permit a nosing at least $\frac{3}{4}$ " but not more than 1 $\frac{1}{4}$ " in depth for newly constructed one and two family dwellings.

| (~~hi~~) All new single and multiple-station smoke alarm installations shall comply with section 9.6.2.10 without exception. New detectors shall not use ionization detection technology. Therefore, the following sections shall be *deleted*:

Section 24.3.4.3
Section 31.3.4.5.4

| (~~ij~~) Section 7.2.2.5.5 is amended as follows:

7.2.2.5.5 *Exit Stair Path Markings.* Exit stair path marking shall be installed for all new high-rise buildings in accordance with 7.2.2.5.5.1 through 7.2.2.5.5.11.

| (~~jk~~) Annex B, *Elevators for Occupant-Controlled Evacuation Prior to Phase I Emergency Recall Operations*, is hereby incorporated by reference.

| (~~kl~~) All residential occupancies, and all new multiple occupancies containing parking structures shall be protected in accordance with NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*, 2009 edition.

| (~~lm~~) The provisions of the Life Safety Code shall not apply to one and two-family occupancies existing prior to

the adoption of this ordinance, unless such structures are being used for a purpose which requires a state or municipal license, including, but not limited to, daycare facilities, or are rented in their entirety and are the subject of a complaint to the City's Office of Building Inspections and Code Enforcement.

| (~~mn~~) Inspections. The authority having jurisdiction, whenever any governmental agency having jurisdiction over a particular premises should request it to do so, upon proper identification, shall have the right to enter at any and all reasonable times into or upon any premises subject to this Code for the purpose of inspecting the premises in order to determine compliance with the provision of this Code. It shall be a violation of this article for any person either to interfere with or to prevent such inspection.

| (~~no~~) **Appeals**. Appeals shall be governed by Chapter 10, Article III, Enforcement and Appeals, §10-23 of the Portland City Code.

| (~~op~~) All new buildings shall comply with the authority having jurisdiction's Standards for Building, Stair, Floor, Suite and Room designation system.

| (~~oq~~) Existing buildings shall comply with the authority having jurisdiction's Standards for Building, Stair, Floor, Suite and Room designation system where practicable as determined by the authority having jurisdiction.

| (~~or~~) Section 4.6.4.3. Rehabilitation projects in buildings or structures shall not be considered historic buildings under the provisions of this Code by this fact alone. The provisions of section 43.10 shall apply to buildings or structures designated or eligible for designation or located within a historic district if deemed necessary by the Department of Planning and Urban Development or as required by Article IX of the Portland City Code or to comply with the Secretary of the Interior Standards for Historic Preservation under federal or state review requirements.