



TOWN OF SANFORD CODE

CHAPTER 91. FIRE PREVENTION CODE

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[HISTORY: Adopted by the Town of Sanford 4-11-1977 as Ch. 2, Ch. 4, Arts. II and III, and § 5.2(2) and (3) of the 1977 Code. Amendments noted where applicable.]

ARTICLE I. General Regulations

ARTICLE I §91-1. Sanford Fire Department Office of the Fire Marshal.

The Fire Prevention Code shall be enforced by the Sanford Fire Department Office of the Fire Marshal, which has been established and operated under the supervision of the Chief of the Department. The Chief of the Department may detail such members as inspectors as shall from time to time be necessary for the enforcement of said codes. (MRSA Title 25, §2361)

ARTICLE I §91-2. Fire Marshal within Fire Department; duties generally.

The position of Fire Marshal is a position within the Fire Department. The Fire Marshal is primarily responsible for enforcement of the Sanford Fire Prevention Code, and other such duties as are assigned by the Chief of the Fire Department. (MRSA Title 25, §2352; MRSA Title 25, §2353; MSRA Title 25, §2360; MSRA Title 25, §2361)

ARTICLE I §91-3. Penalty for violating codes.

Any person, being the owner or tenant or having control of any property or structure or part thereof which violates any of the provisions of the said Fire Prevention Code and/or another section of this article or who fails to conform to any of the provisions thereof, after having received a ten-day notice of such violation, shall be subject to the penalty provisions of MRSA Title 30-A, § 4452. The Fire Marshal, Chief of the Department, or a person designated by the Chief of the Department may cause a notice of violation or order to be served on the person responsible for the violation or non-compliance condition, in violation of the provisions hereof, or in violation of a plan or of a detail statement made with a permit application. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

If the notice is not complied with promptly, the Fire Marshal, Chief of the Department, or a person designated by the Chief of the Department may contact a law enforcement officer to issue a civil summons, or may request that the Town legal department institute the appropriate proceedings, in law or in equity; to restrain, correct or abate such violation.

Such violations shall be punishable by a fine, as set forth in the Town of Sanford Codes, together with such injunctive relief or administrative remedies, as may be available. Each and every day such a violation continues after such ten-day notice period shall constitute a separate offense. (Ord. §280-11; MRSA Title 30A§4452; MRSA Title 25, §2358)

ARTICLE I §91-4. Board of appeals.

The Zoning Board of Appeals shall act as the Fire Prevention Code Board of Appeals in order to hear appeals of orders, decisions, or determinations made by the Code Official, relative to application and interpretation of this Code. Appeals to the Zoning Board of Appeals shall be submitted as otherwise set forth in the Town Code section 280, Zoning, regarding administrative appeals, subject to the payment of any fees as may be determined by the Municipal Officers from time to time. (Ord. §280-20 through 23 §280-28 through 30)

ARTICLE I §91-5. Conflicts of Interest.

Board of Appeals members shall not be officers, agents, or employees of the jurisdiction.

No member of the Board of Appeals shall sit in judgment on any case in which the member, personally, is directly interested.

ARTICLE I §91-6. Knox Box Program.

The Knox Box Program in the Town of Sanford shall be used for access of buildings for emergency purposes only. The Town of Sanford Fire Marshal shall serve as the administrator for the Knox Box Program, as defined by the Knox Company. No person shall make application, place into service, or continue use of, any Knox branded product, without the written permission of the Sanford Fire Marshal or designee. All Knox products found in violation of this provision shall be removed and discontinued.

ARTICLE II. Fire Alarm Provisions

ARTICLE II §91-7. Alarms and Sprinkler Systems.

No person shall reset a Fire Alarm or Sprinkler System that has caused the Fire Department to respond without approval of the Fire Department.

ARTICLE II §91-8. Connection of fire alarm reporting equipment.

When Town ordinance, the National Fire Prevention Code, or other regulation requires that a building or structure be equipped with a fire alarm, such system shall include approved supervisory equipment, which shall transmit an alarm to an approved receiver. Such supervision shall be by connection to a private alarm station that has been approved as a fire alarm monitoring service by Underwriters' Laboratories, Inc. and accepted by the Sanford Fire Department Office of the Fire Marshal. (NFPA 72)

The time required from initiation of the fire alarm, to receipt of alarm by the Fire Department shall not exceed 180 seconds total.

ARTICLE II §91-9. Fire alarm modification.

No fire alarm system, once installed and operational, shall be modified or extended without the prior approval of the Sanford Fire Marshal. Neither shall such a system be removed, rendered inoperable, disconnected from the supervisory system, interrupted in any manner, without the prior knowledge of the Sanford Fire Marshal. The person(s) engaged in such work shall be licensed by the State of Maine appropriately, or shall be ordered to cease and desist. The Sanford Fire Marshal shall be responsible for maintaining vendor registration application process and rules for installation schedule for the Town of Sanford.

ARTICLE III. Fire Sprinkler Provisions and Water Supplies for Fire Fighting

Editor's Note: The provisions in this section were originally adopted as follows: Subsection A, 12-5-1972; Subsections B and C, 12-3-1973, effective 1-1-1974; and Subsection D, 5-17-1976.

ARTICLE III §91-10. Sprinkler Systems Required.

- a) All buildings constructed in the Town of Sanford after the effective date of this section or amendment thereto shall conform to the following: buildings designed or used to house three or more families or which are greater than three stories in height, of any construction, shall be equipped with sprinkler systems that meet the current NFPA and State of Maine installation standards. [Ord. §90-3, A, Amended 11-20-1984]
- b) Any building renovated so as to house three or more families shall comply. [Ord. §90-3, B]
- c) Any building or series of buildings joined together by any means that will house three or more families shall comply. [Ord. §90-3, C]
- d) For renovations only, the requirements of a sprinkler system may be waived by the Fire Chief or his designee when alternative fire safety measures, such as hardwired smoke alarms and fire-rated doors and/or walls, are to be employed if in the opinion of the Fire Chief or his designee such alternative fire safety measures will achieve substantially the same measure of protection for the occupants. [Ord. §90-3, E, Amended 5-23-1995]

ARTICLE III §91-11. Sprinkler Systems to remain in Service.

Occupied or unoccupied buildings or portions thereof of any construction shall maintain all sprinklers and standpipe systems and all component parts in a workable condition at all times, and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection these systems provide, except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations, or additions. The Sanford Fire Marshal shall be notified before such tests, repairs, alterations, or additions are started. Nothing of a lesser nature in the NFPA and/or State of Maine installation standards shall negate anything in this section. [Ord. §90-3, D. Amended 2-5-2008]

ARTICLE III §91-12. Subdivision Fire Protection.

- a) Any subdivision as dictated by the rules of the Town of Sanford Code section 275, with more than 3 lots, shall cause to be installed a reliable water supply for fire-fighting. If public fire hydrants are not available within 0.5 mile of each lot, the subdivider shall be responsible for providing adequate fire protection water supply. Subdivisions shall provide adequate fire protection water supply in accordance with NFPA 1231. Acceptable methods include, but are not limited to, fire ponds with an approved dry hydrant, underground storage reservoirs with an

- b) If fire hydrants are not provided and the Planning Board determines that a fire protection water supply is needed, a minimum storage capacity of 10,000 gallons plus additional storage of 2,000 gallons per lot or principal building or such other amount as required by the Fire Chief shall be provided. Where fire ponds are proposed for water storage, the capacity of the pond shall be calculated based on the lowest projected water level less an equivalent of three feet of ice. A detailed plan of the required pond, dry hydrant, piping, and/or access road shall be submitted as part of the application. The Town Engineer and Fire Chief shall approve the design of all storage facilities. Subject to the review and approval of the Sanford Fire Marshal, individual fire suppression systems may be utilized for fire protection.

[Ord. §275-50-B.2, Ord. §275-32-A-3.D]

ARTICLE IV. Heating Appliance Provisions

Editor's Note: This article was originally adopted 12-5-1960, effective 1-1-1961.

ARTICLE IV §91-13. Improper equipment deemed dangerous.

The Sanford Fire Marshal finds that improperly installed or serviced appliances burning oil for fuel and used for the heating of buildings, heating of water, or cooking are dangerous to persons and property. The use of such equipment shall be discontinued. [Ord. §90-4]

ARTICLE IV §91-14. Access to records.

The Sanford Fire Marshal shall be duly authorized to have access at reasonable times to the records of all suppliers of oil-burning equipment in this Town for the purpose of ascertaining to whom such equipment has been sold or supplied. [Ord. §90-5]

ARTICLE IV §91-15. Oil burner standards.

No oil-burning equipment and no fuel storage tank to be used in connection therewith shall be installed, maintained or used in this Town unless it shall conform to the standards established by the State of Maine Oil and Solid Fuel Board; and Propane and Natural Gas Board pursuant to the provisions of 32 M.R.S.A. Ch. 33, as amended, and with the standards herein prescribed, whichever shall be higher. No such equipment or storage tank shall be installed, maintained or used which shall be unsafe or which shall endanger life or property. [Ord. §90-6]

ARTICLE IV §91-16. Application for Certificate.

No person, firm or corporation shall install any such equipment or tank without application for a certificate therefore having first been made to the Sanford Fire Marshal. Such application shall describe the installation to be made, the premises upon which it is to be made, the name of the person, firm or corporation making such installation, such installer(s) license numbers by the State of Maine Oil and Solid Fuel Board; and Propane and Natural Gas Board, and such other matter as may be required by the Sanford Fire Marshal. Application for such certificate shall be in writing, signed either by the owner of the premises upon which such equipment or tank is to be installed or by the person who shall make such installation. The fee for such certificate shall be \$1.50, payable to the Town of Sanford. [Ord. §90-7]

ARTICLE IV §91-17. Inspections.

After such equipment or tank has been installed and within 72 hours after notice thereof from the applicant, the Sanford Fire Marshal shall inspect the said installation. No person, firm or corporation shall use any such equipment or tank, or maintain the same until inspected by the Sanford Fire Marshal. [Ord. §90-8]

ARTICLE IV §91-18. Inspection not required for existing installations.

No inspection shall be required for the maintenance or use of any such equipment or tank where such equipment or tank was installed prior to the effective date of this article. All such equipment and tanks shall conform to the standards set in § 91-16 hereof. [Ord. §90-9]

ARTICLE IV §91-19. Enforcement.

If such equipment or tank should not comply with the standards set in § 91-16 hereof, Sanford Fire Marshal should notify the installer and set forth wherein the installation does not meet the specifications of the standards. The installer shall have Ten days after date of notification to comply with the standards in § 91-16_ hereof. If at the end of a specified time limit the Sanford Fire Marshal shall determine that the installation is still in violation of the standards as set forth in § 91-16, he shall give written notice that such equipment or tank does not conform to the standards set forth in § 91-16 hereof to the State of Maine Oil and Solid Fuel Board; and Propane_ and Natural Gas Licensing Board. [Ord. §90-10]

ARTICLE IV §91-20. Violations and penalties.

Violation of this article shall be punished by a fine as set forth in MRSA Title 30A, Section 4452. Each day of violation shall be a separate offense. [Ord. §90-12]

ARTICLE V. Building Construction and Review

ARTICLE V §91-21. Building Permits.

All Building permits, except for those issued for one and two family dwellings, shall be issued by the Sanford Codes Enforcement Officer after review and approval by the Sanford Fire Marshal. [NFPA 1-1.7.12]

ARTICLE V §91-22. Occupancy Permits.

All Occupancy permits, except for those issued for one and two family dwellings, shall be issued by the Sanford Codes Enforcement Officer after review and approval by the Sanford Fire Marshal. [MRSA 25§2357 NFPA 1-1.7.13]

ARTICLE V §91-23. Construction Plan Review.

The Sanford Fire Marshal shall conduct a Construction Plans Review, as based upon the provisions of the Sanford Fire Prevention Code, on any public building changing use or obtaining a building permit, with the exception of one and two family dwellings, which shall be handled by the Codes Enforcement Officer. The Town of Sanford shall remain in compliance with MRSA 25§2448. The Sanford Fire Marshal shall be responsible for maintaining a permit application process. [MRSA 25§2448 NFPA 1-1.7.11]

ARTICLE VI. Adoption of Codes

Editor's Note: This article was originally adopted 12-3-1973.

ARTICLE V §91-24. Adoption of Codes by Reference and Ordinance.

A. The following basic codes which relate, either in whole or in part, to fire prevention are in effect in the Town of Sanford:

- a) NFPA 1 Uniform Fire Code, as amended by the State of Maine Fire Marshal, using the current version as adopted by the State of Maine Fire Marshal. [MSRA 25§2361; MRSA 25§2465; MRSA 25§2452; MRSA 5§8001 through 11008]
- b) NFPA 101 Life Safety Code, as amended by the State of Maine Fire Marshal; using the current version as adopted by the State of Maine Fire Marshal. [MSRA 25§2361; MRSA 25§2452; MRSA 25§2465; MRSA 5§8001 through 11008]

Copies of the above Codes shall be kept on file in the office of the Building Inspector for examination by the public. Editor's Note: Original § 2.1.1, Amendments and additions to codes adopted by reference, which immediately followed this section, was repealed 5-27-2003.

ARTICLE VII. Fire Lanes.

ARTICLE VII §91-25. Establishment of fire lanes in the Town.

- a) Each application for residential or nonresidential approval, excluding one and two family dwellings, and each application for site plan review submitted to the planning board shall be reviewed by the Sanford Fire Marshal to determine the location of such fire lanes as are necessary under this article, and report his findings and designation of fire lanes to the planning board in writing. Findings and designations of fire lanes shall be made a part of the record of proceedings before the planning board on each such site plan review application.

- b) In any application for a building or occupancy permit, excluding one and two family dwellings, not requiring site plan review and approval but otherwise included within article VII, the Codes Enforcement Officer shall notify the Sanford Fire Marshal of the application for permit and the Sanford Fire Marshal shall designate directly to the owner, owners or agent of the premises for which permit application is made the location of required fire lanes. [NFPA 1-18.2.3]

ARTICLE VII §91-26. Maintenance and identification of fire lanes.

- a) Fire lanes established under this article shall be kept free of ice and snow and rubbish containers or other obstructions. The owner, owners, agent or occupant of any premises to which this article is applicable shall cause to be erected, installed and maintained at their own expense, permanent, adequate signs bearing the words "FIRE LANE--NO PARKING--VEHICLES WILL BE TOWED AT OWNER'S EXPENSE" in or adjacent to said fire lane and in accordance with section ARTICLE VII §91-25

- b) Such owner, owners, agents or occupants shall cause such other and further designations as are reasonably required by the Sanford Fire Marshal to warn persons to keep said fire lanes unobstructed. Failure to maintain a fire lane in accordance with this section shall render the owner, owners, agent or occupant of said development liable to a fine in accordance with the general penalty provision of this Code with each continuing day of such violation constituting a separate offense.

- c) Signs shall be located within three (3) feet of each end of a fire lane and/or fire access and spaced a maximum of seventy-five (75) feet apart thereafter along each fire lane and/or fire access. Signs shall be within three (3) feet of the side of the fire lane and/or fire access. In addition, one (1) sign is required for every twenty (20) foot increment or portion thereof on any island adjacent to a fire lane and/or fire access. Signs may be mounted on buildings or existing posts or may be mounted on their own permanently set posts.
[NFPA 1-18.2.4]

ARTICLE VII §91-27. Compliance.

Notice of establishment of fire lanes shall prescribe a reasonable time for compliance. If compliance is not obtained within said time, then such owner, owners or agents shall be subject to a fine in accordance with 91-28b of this Code. Each day following such specified time for compliance shall constitute a new and separate violation.

ARTICLE VII §91-28. Parking prohibited.

- a) No person shall park or permit to stand a motor vehicle in any fire lane established in accordance with this article.

- b) Whenever any vehicle shall be found parked in violation of the regulations as established above, any police officer may attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of the regulations. Such owner or operator shall pay to the town a sum not less than twenty-five dollars (\$25.00) nor greater than one hundred dollars (\$100.00), payment of which shall be due within five (5) business days of the issuance of the notice of said violation. The registered owner of said motor vehicle shall be presumed to be the operator of such vehicle. Any motor vehicle found parked or standing in a fire lane that has been established in accordance with this article, in addition to the foregoing, may be towed upon the direction of a police officer, to any public or private parking facility and all expense of such towing, and any subsequent storage shall be borne by the registered owner or operator of such vehicle.

Article VIII. Registration and Permits.

Article VIII §91-29. Permit Required.

The following professional designations shall be required to register with the Fire Marshal's Office prior to commencement of any work or activity:

Automatic Fire Suppression Systems

For installation or modification of commercial cooking fire suppression system, or industrial fire suppression systems, excluding fire sprinkler systems. [NFPA 1-13.1.1.1; 50.4.2]

Exhibit, Trade Show, Special Outdoor Events, Carnivals and Fairs

For operation of all exhibits and trade shows held within a jurisdiction, to conduct a Special Outdoor Event, Carnival or Fair. [NFPA 1-10.15.1; 20.1.4.5.1]

Explosives

Manufacture, sell, dispose, purchase, storage, use, possess, or transport of explosives within the jurisdiction. [NFPA 1-65.9.2]

Fire Alarm and Detection Systems

Installation or modification to fire alarm and detection systems and related equipment. [NFPA 1-13.1.1.1]

Article VIII §91-30. Registration Required.

The Sanford Fire Marshal shall have the authority to require registration for individuals and/or companies performing activities related to fire or life safety within the jurisdiction. The Sanford Fire Marshal shall be responsible for maintaining a registration process. Registration may be revoked by the Sanford Fire Marshal when services or work has been found to be contrary to this Code. Registration with the Sanford Fire Marshal shall be obtained prior to working within the Jurisdiction: [NFPA 1-1.13.1]

R1. Inspection, servicing, or recharging of portable fire extinguishers.

R2. Installation, servicing, or recharging of fixed fire extinguishing systems, excluding fire sprinkler systems.

R3. Installation or servicing of fire alarm or fire communication systems [NFPA 1-1.13.1]