
SPRINKLER SYSTEM ORDINANCE

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ADOPTED JULY 7, 1987

EFFECTIVE AUGUST 6, 1987
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JULY 10, 1990

REVISED SEPTEMBER 4, 2001
EFFECTIVE OCTOBER 7, 2001

ARTICLE I. PURPOSE:

Section I. To establish an ordinance governing the installation of sprinkler systems in certain buildings within the Town of Gorham.

ARTICLE II. Definitions and Requirements:

Section I. An approved automatic sprinkler system shall mean a system installed in accordance with the National Fire Protection Association NFPA Standard 13, NFPA 13R or NFPA 13D and in accordance with the provisions of this ordinance and approved by the State Fire Marshal's Office, and shall remain subject to the Fire Chief's approval under Section III below.

Section II. Any structure requiring the installation of a Standard 13 System shall have a Fire Department connection, The location of the Fire department connection shall be approved by the Fire Chief and properly signed Fire Department sprinkler connection.

The department connection shall be kept clear of any obstruction such as bushes, grass, or debris.

Section III. The type of system to be installed and its adequacy of life safety from fire in accordance with the provisions of this ordinance shall be reviewed and approved by the Fire Chief or his designee in accordance with this ordinance, provided adequate provisions are made for life and property safety. Any sprinkler system installed whether complete or partial at the choice of the owner occupant shall meet the requirements of this ordinance.

Section IV. A permit shall be obtained from the Fire Chief before the start of construction of the system. A set of blue prints showing the entire sprinkler system and the rate of flow shall be provided when the permit is obtained. A fee of \$25.00 shall be charged for the permit.

A copy of the permit shall be forwarded to the Code Enforcement Office and no Certificate of Occupancy shall be issued until the system has been properly installed, tested and approved by the Fire Chief or his designee. The test papers from the installer shall be forwarded to the fire Department upon completion of the system and prior to issuing the certificate of occupancy.

Section V. All sprinkler systems installed under this ordinance shall have the following:

1. Any sprinkler system installed, extended, modified or altered within the Town of Gorham shall be done by a State of Maine Licensed installer.
2. Any sprinkler system that is installed that contains twenty (20) or more sprinkler heads, or the modifications of an existing sprinkler system which includes twenty (20) additional sprinkler heads, shall have the plans approved by the State Fire Marshal's Office.
3. A tamper switch alarm at the system shut off.
4. A flow switch alarm that shall activate an approved supervisory alarm system, which will transmit to an approved receiver or Municipal alarm receiver. The determination of what systems and receivers are approved shall be made by the Gorham Fire Department in order to insure that systems are compatible.
5. An evacuation alarm for the building that will sound when the sprinkler system is activated. The activation alarm shall be audible throughout the entire structure.
6. An outside water flow alarm.
7. Butterfly valves will not be allowed on any standard 13 system.
8. Sprinkler heads above and below ceilings, and in all areas with a 6" inch or more vertical void and a 24" inch or greater connecting horizontal space.

Section VI. Occupied and unoccupied buildings or portions thereof of any construction having a sprinkler system in place, shall maintain all sprinklers and standpipe systems and all component parts in a workable condition at all times, and shall be unlawful for any owner or occupant to reduce the effectiveness of the protection these systems provide, except that this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary for the purpose of conducting test, repairs, alterations, or additions. Provided that the test, repairs, alterations, or additions are done in such a way as to avoid the creation of a safety hazard.

The Chief of the Fire Department or his designee shall be notified before such test, alterations, or additions are started.

Section VII. For the purpose of this ordinance, the term "building" shall mean any structure, (excluding any barn, or stable used exclusively for agricultural purposes) having a roof supported by columns or walls and intended for the shelter, storage, housing use, or enclosure of persons, animals, or chattel.

The term "building" shall also include any garage, out building or other accessory building used for any commercial or industrial purposes.

Section VIII. For the purpose of this ordinance, portions of buildings separated from other portions by a firewall shall not be considered a separate building.

Section IX Unit of occupancy – means any interior space with defined boundaries described in a deed, lease, license or agreement in which a discreet business, residential living unit, commercial, office, service, professional institutional, or industrial or industrial activity by interior or exterior walls.

Section X. Any building having more than one sprinkler riser shall have the risers separately zoned and wired to a local Fire Alarm Control Panel to provide zone identification upon activation.

The Fire Alarm Control Panel shall be located as near as possible to the main exit door. There shall also be a building map located at the Fire Alarm Control Panel showing each zone.

Section XI. A lock box or boxes shall be provided outside the structure at locations designated by the Fire Department on any buildings regulated hereunder, containing a key to allow access to all Fire Department areas.

Section XII. Any structure containing a sprinkler system shall be required to have a yearly test completed on the system by a qualified sprinkler technician. A written copy of the yearly test report shall be forwarded to the Fire Chief's Office.

ARTICLE III. VIOLATIONS AND LEGAL ACTION

Section I. When any violation of any provision of this ordinance shall be found to exist the Town Attorney, as designated by the Municipal Officers and upon notice from the Fire Chief or his designee, is hereby authorized and directed to institute any and all actions and proceedings either legal or equitable, that may be appropriate or necessary to enforce the provisions of this ordinance in the name of the Town.

ARTICLE IV. FINES

Section I. Any person, firm or corporation being the owner or having control or use of any building or premises who violates any of the provisions of this ordinance, shall be guilty of a Civil Offense and shall be fined not less than \$25.00 nor more than \$100.00 for each offense. Each day such violation is permitted to exist after notification shall constitute a separate offense.

ARTICLE V. NEW BUILDING CONSTRUCTION

Section I. An approved automatic sprinkler system shall be installed in all areas of all new buildings meeting any or all of the following requirements.

- A. Three or more stories in height or
- B. 36 or more feet in height or
- C. 100,000 cubic feet in volume or 10,000 square feet in floor area or
- D. Multiple family (3 or more) or new construction of 3 or more multiple occupant dwelling and/or lodging units which are attached to one another, whether vertically or horizontally, in a configuration of three or more units. Examples include, but not limited to, multiplex housing, condominium units, garden apartments, hotels, motels, boarding homes and lodging houses, or any residential unit attached horizontally, or vertically to a commercial or industrial unit or
- E. Mixed occupancy – mixed occupancies shall be defined as any occupancy while in the same structure and that share any common egress. (see Section IX for definition of unit of Occupancy)
- F. Non-residential units of occupancy which are attached to one another, whether vertically or horizontally, in a configuration of three or more units. (see Section IX for definition of Unit of Occupancy)

Section II. Changes of Occupancy: In any building or structure, whether necessitating physical alteration or not, a change from one occupancy classification to another, or from one occupancy sub classification to another sub classification of the same occupancy, shall be permitted only if such structure, building, or portion thereof conforms with the requirements of the NFPA 101 Life Safety Code and this ordinance applying to new construction for the purpose of new use. This section complies with the NFPA 101 Life Safety Code Section 1-3.12 as adopted by the Town of Gorham and State of Maine.

ARTICLE VI. BUILDING ADDITIONS

Section I

A. When a building is enlarged, altered, or renovated, an approved Automatic sprinkler system must be installed in the enlarged, altered, or renovated portion if, as a result of the enlargement, alteration, or renovations, the building as a whole will meet the criteria listed in Article V Section 1 A through E or if the renovations is equal to or greater than fifty percent (50%) of the then current building value as shown on the assessment records of the Tax Assessor of the Town of Gorham. When the area and/or volume of such enlarged, altered, or renovated portion, together with the area and/or volume of any other enlargements, alterations, or renovations occurring since the effective date of this ordinance, exceeds 25% of the area and/or volume of the building existing on the effective date of this ordinance, then an approved automatic sprinkler system must be installed.

B. When an existing building containing 3 or more units of occupancy is enlarged, altered or renovated and the enlarged, altered, or renovated portion, together with the area and/or volume of any other enlargements, alterations, or renovations occurring since the effective date of this ordinance, does not exceed 25% of the area and/or volume of the building existing on the effective date of the ordinance, then an approved automatic sprinkler system is not required. When the area and/or volume of such enlarged, altered, or renovated portion, together with the area and/or volume of any enlargements, alterations, or renovations occurring since the effective date of this ordinance, exceeds 25% of the area and/or volume of the building existing on the effective date of this ordinance, then an approved automatic sprinkler system must be installed in the entire building.

C. When a new dwelling or lodging unit is created in or added to an existing building, an approved automatic sprinkler system must be installed in the entire building if, as a result of the creation of the new unit, the building as a whole will meet the criteria of Article V Section 1 D. or E.

D. When any other applicable ordinance, code, regulation, rule or statute requires, an approved automatic sprinkler system must be installed accordingly.

ARTICLE VII SPRINKLER SYSTEMS FOR ONE AND TWO FAMILY HOMES

Section 1 Whenever single family and/or two family dwellings are required to be sprinkled under the requirements of the Town of Gorham's Land Use Ordinance, any other code, regulation, rule of statute, and/or by the Owner's free choice, the automatic sprinkler system shall comply with the following:

A. Single family and two family dwellings shall be equipped with an NFPA 13D or 13R automatic sprinkler system. All areas of the building will have sprinkler coverage, with the following exceptions:

- 1) Closets as allowed under 13D or 13R unless they are used for laundry room or storage of flammable liquids.
- 2) Attics – when the attic is not boarded over, has no stairway or ladder leading to the attic, and the schuttle hole is not bigger than 24" X 24" or 576 square inches, and the attic is not used for storage and that at least two (2) smoke detectors, hard wired, into the other detectors in the house are placed in the attic.
- 3) Attached garages, if there is no living area above or in the garage space and a two-hour firewall is placed between the house and garage.
- 4) The sprinkler system is not required to be monitored by an outside source. However, an electric alarm bell located on the outside of the building is required.
- 5) A single two and one half inch (2 1/2) Fire Department connection is to be placed on the outside of the building.

ARTICLE VIII APPEALS

Section 1 Appeals shall lie from the decision of the Fire Chief to the Board of Appeals and from the Board of Appeals to the Superior Court as provided by law.

A. The Board of Appeals shall have the following powers and duties:

- 1) Administrative Appeals – To hear and decide where it is alleged there is an error in any order, requirement, decision, or determination made by the Fire Chief in the enforcement of this Code. The account of the Fire Chief may be modified or reversed by the Board of Appeals by majority vote.

Section 2 In all cases, a person aggrieved by a decision of the Fire Chief shall commence his appeal within thirty (30) days after issuance of a written decision by the Fire Chief. The appeal shall be filed with the Town Clerk on forms to be approved by the Town Council, and the aggrieved person shall specifically set forth on said form the grounds for said appeal. A fee in such amount (s) and for such purpose(s) as the Town Council may from time to time establish by Council order shall be paid by the appellant to the Town of Gorham at the time of filing his appeal, which shall not be refundable. Each appeal shall be filed on a separate form. A separate fee shall be assessed for each appeal except that a single fee shall be assessed for multiple appeals filed by the same appellant, concerning the same property, and scheduled to be heard by the Board of Appeals at the same proceeding.

Section 3 Before taking action on any appeal, the Board of Appeals shall hold a public hearing. The Town Clerk shall cause notice of the appeal to be published in a newspaper of general circulation in the Town at least seven days prior to the date of hearing. The notice of appeal shall be in a form which the Town Clerk deems to be an adequate summary of the appeal.

Section 4 Following the filing of an appeal, the Town Clerk shall notify the Fire Chief and the appeal shall be in order for hearing within sixty (60) days of the receipt of the appeal.

Section 5 For the purposes of this section, the owners of property shall be considered to be the parties listed by the Assessor of Taxes for the Town of Gorham as those against whom taxes are assessed. Failure of any property owner to receive a notice of public hearing shall not necessitate another hearing or invalidate any action by the Board of Appeals.

Section 6 At any hearing, a party may appeal by agent or attorney. Hearing shall not be continued to other times except for good cause.

Section 7 The Fire Chief or his representative as designated by the Town Manager shall attend all hearings and may present to the Board of Appeals all plans, photographs, or other material he deems appropriate for an understanding of the appeal.