

## ORDINANCE #

## THE CITY OF PORTSMOUTH ORDAINS

That Chapter 12, Part I – **INTERNATIONAL BUILDING CODE**, and Part II – **INTERNATIONAL RESIDENTIAL CODE** of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

### CHAPTER 12 Part I

#### **INTERNATIONAL BUILDING CODE, 20092015** **(Adopted 12/04/2017--eff. 01/01/2018 \_\_\_\_\_)**

The International Building Code, **20092015** IBC Edition as published by the International Code Council, Inc., and provisions of national codes model codes or standards referred to within the IBC unless specifically excused by this Chapter, is hereby adopted as **Chapter 12, Part I** of the Ordinances of the City of Portsmouth, New Hampshire subject to the following amendments, additions and deletions:

#### **SECTION 101 GENERAL**

**101.4.45 Property maintenance.** The City of Portsmouth does not adopt the International Property Maintenance Code and any reference to it in this Code shall not direct the reader to its contents or requirements.

#### **SECTION 110 INSPECTIONS**

**110.7 Reinspection fee.** If, upon being called for any inspection, the work is not in compliance with this Code, ~~verbal notice will be given as to the deficiencies and such deficiencies shall be noted on the building official's report~~ **written notice (including the specific code sections) will be provided clearly identifying the deficiencies.** The permit holder shall be responsible for correcting the item(s) and for notifying the building official to reinspect said deficiencies. If when called to reinspect these deficiencies, all is correct, no further action will be taken. However, if during the first reinspection, the originally deficient work has not been corrected, there will be a reinspection fee assessed as determined by the adoption of fees by budget resolution of the City Council in accordance with Chapter 1, Article XVI, which must be paid at the Inspection Office before a third inspection will be made. For each subsequent reinspection of the same deficiency or deficiencies, a like procedure and fee shall be assessed.

During any inspection, the building official may find new item(s), not previously discovered, to be nonconforming. These item(s) will be noted on the building official's report, and will require reinspections. Reinspection fees will not be assessed for items newly found or for their first reinspection. However, said fees shall be assessed for these items if a third inspection is required. The same procedures as outlined above shall govern. Failure to pay any reinspection fees shall be just cause to revoke the permit under which the work was being done. Furthermore, no future permits will be issued to any person who owes the City of Portsmouth said reinspection fees, until all outstanding fees are paid.

## SECTION 503 GENERAL HEIGHT AND AREA LIMITATIONS

*General note pertaining to Table 503:*

**Table 503** as published in this Code has been *replaced* with **Table 503** as published by the State of New Hampshire Building Code Review Board. ~~Said new Table 503 is a modified version of the former BOCA Table 503, 2009.~~

*Section 506 amendments by the State of New Hampshire Building Code Review Board:*

## SECTION 506 BUILDING AREA MODIFICATIONS

*Change subsections to read as follows:*

**506.1 General.** The provisions of this section shall modify the area limitations of the amended Table 503 as herein specified.

**506.23 Frontage increase.** Where a building or structure has more than 25 percent of the building perimeter fronting on a street or other unoccupied space, the area limitations specified in Table 503 shall be increased 2 percent for each 1 percent of such excess frontage. The unoccupied space shall be on the same lot or dedicated for public use, shall not be less than 30 feet (9144 mm) in width and shall have access from a street or posted fire lane not less than 18 feet (5486 mm) in width.

**506.3.1 Automatic sprinkler system increase.** Where a building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, the area limitations specified in Table 503 shall be increased 200 percent for one- and two-story buildings and 100 percent for buildings more than two stories in height.

### Exceptions:

1. The automatic sprinkler system increase shall not apply buildings with an occupancy of Group H-1.
2. The automatic sprinkler system increase shall not apply to any fire area with an occupancy of Group H-2 or H-3.

## SECTION 507 UNLIMITED AREA BUILDINGS

*Change subsection to read as follows:*

**507.34 Sprinklered, one story.** The area of a one-story, Group A-4, B, F, M or S building, of Type I or II construction, shall not be limited when the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, and is surrounded and adjoined by public ways or yards not less than 60 feet (18,288 mm) in width.

### Exceptions:

*Exceptions 1 and 2 remain unchanged.*

*Edit first section in subsection as follows:*

**507.3.1 Mixed occupancy buildings with A-1 and A-2 of Type I and II.**

*Change subsection to read as follows:*

**507.45 Two story buildings.** The area of a two story, Group B, F, M or S building, of Type I or II construction, shall not be limited when the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, and is surrounded and adjoined by public ways or yards not less than 60 feet (18,288 mm) in width.

## SECTION 706 FIRE WALLS

### 706.8 Openings.

*Delete Exception 1 without substitution:*

- ~~1. Openings are not permitted in party walls constructed in accordance with Section 706.1705.~~

*Edit Exception 2 as follows:*

2. Openings shall not be limited to 156 square feet where both buildings are equipped **throughout throughout** with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the wall is not a *party wall*.

## SECTION 7156 OPENING PROTECTIVES

*Add new sentences to end of subsection. Exceptions remain unchanged:*

**715.4.86.5.9 Door closing.** “The building or fire official shall approve the type of closing device to be used and when magnetic hold-open devices shall be required based on the occupancy classification, door use and location within the building. In Group E Occupancies and in Group B educational occupancies, magnetic hold-open devices shall be installed on all fire doors leading into enclosed exit stairs.”

## SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

~~*Change subsection to read as follows, with exception remaining unchanged:*~~

~~[Refer to City Ordinance, Chapter 5, Fire Department and Prevention Regulations]~~

## SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

~~[Refer to City Ordinance, Chapter 5, Fire Department and Prevention Regulations]~~

~~*Add new sentence to end first paragraph in subsection:*~~

~~[F] 907.2 Where required. “A manual, automatic or combination manual and automatic fire alarm system shall also be provided in accordance with NFPA 101 as listed in Chapter 35.”~~

~~[F] 907.2.1 Group A.~~

~~*Delete Exception without substitution.*~~

~~*Edit subsections as follows:*~~

~~[F] 907.2.2 Group B.~~

~~Delete Exception without substitution.~~

~~[F] 907.2.3 Group E.~~

~~Delete Exception 3 without substitution.~~

~~[F] 907.2.4 Group F.~~

~~Delete Exception without substitution.~~

~~[F] 907.2.6.1 Group I-1.~~

~~Delete Exception 1 without substitution.~~

~~[F] 907.2.6.2 Group I-2.~~

~~Delete Exceptions 1 and 2 without substitution.~~

~~[F] 907.2.7 Group M.~~

~~Delete Exceptions 1 and 2 without substitution.~~

~~[F] 907.2.8.1 Manual fire alarm system.~~

~~Delete Exception 2 without substitution.~~

~~Change subsection to read as follows with exception remaining unchanged:~~

~~[F] 907.2.8.2 Automatic fire alarm system. System smoke detectors shall be installed in all common spaces and in means of egress components such as exit access corridors, exit enclosure stairs and basements and shall be installed to provide coverage based on the manufacturers listing for the devices.~~

~~Change subsection to read as follows:~~

~~[F] 907.2.9 Group R-2. A manual and automatic fire alarm system shall be installed and maintained in all Group R-2 occupancies where any dwelling unit is located three or more stories above the lowest level of exit discharge; or where any dwelling unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit; or when said building contain more than 11 dwelling units.~~

**Exeeptions:**

- ~~1. A fire alarm system is not required in buildings not more than two stories in height where all dwelling units or sleeping units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least 1-hour fire partitions and each dwelling unit or sleeping unit has an exit directly to a public way, egress court or yard.~~
- ~~2. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and are protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, provided that dwelling units either have a means of egress door opening directly to~~

~~an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1026.6, Exception 4.~~

~~[F] 907.2.9.1 Smoke detector coverage. System smoke detectors shall be installed in all common spaces and in means of egress components such as exit access corridors, exit enclosure stairs and basements and shall be installed to provide coverage based on the manufacturers listing for the device.~~

*Add new item 4 to end of subsection:*

~~[F] 907.2.1 Group R-1.~~

~~4. In all exit access corridors, all exit enclosure stairs and in common areas on each floor level, including basements, when the building is not equipped with an automatic fire alarm system, single and multiple station smoke alarms in common areas shall be interconnected but shall not be interconnected with guest room smoke alarms.~~

*Add new item 4 to end of subsection:*

~~[F] 907.2.2 Groups R-2, R-3, R-4, and I-1.~~

~~4. In all exit access corridors, all exit enclosure stairs and in common areas on each floor level, including basements, when the building is not equipped with an automatic fire alarm system. Single and multiple station smoke alarms in common areas shall be interconnected but shall not be interconnected with dwelling unit smoke alarms. In some Group R-2 or R-3 occupancies, as determined by the building official, additional single and multiple station smoke alarms may be required in the basement, interconnected with a dwelling unit(s) alarm(s).~~

*Add new subsection to read as follows:*

~~[F] 907.2.11.4.1 Smoke alarm circuits. Smoke alarms in individual units shall be wired to a branch circuit containing lighting loads of the dwelling unit or guestroom. Smoke alarms in common spaces shall be wired to a circuit used for common habitable space lighting. All smoke alarms shall be wired ahead of any switch on the circuit. The electric panel shall be clearly labeled as to which circuit the smoke alarms are wired.~~

*Add new subsection to read as follows:*

~~[F] 907.2.11.5 Groups E, I-2 and I-4. Single and multiple station smoke alarms shall be installed and maintained on all stories and all sleeping rooms of Group #E day care facilities, Group I-2 child care facilities, Group I-4 day care facilities and Group I-4 child care facilities as defined in Sections 305.2, 308.3.1, 308.5 and 308.5.2 respectively.~~

~~Exception: Single and multiple station smoke alarms shall be not required when the building is equipped with an automatic fire alarm system with smoke detection in all common areas and sleeping rooms.~~

*Change subsection to read as follows with exceptions remaining unchanged:*

~~[F] 907.14 Monitoring. Fire alarm systems required by this chapter or the International Fire Code shall be monitored by an approved supervising station or by a Auxiliary Fire Alarm System in accordance with NFPA 72.~~

## SECTION ~~916~~17 FIRE SERVICE BUILDING ACCESS

~~[F] 916.1917~~ **General.** Where required by Chapter 9, IBC, key storage access boxes shall be installed at buildings in the required quantities, and in the required locations as specified by the fire code official.

## SECTION 101~~13~~ EXIT SIGNS

*Change subsection to read as follows with exception remaining unchanged:*

**1011.23.3 Illumination.** Exit signs shall be internally illuminated with the primary power source from the building electric system. Exit signs shall also be provided with a battery backup power source or from the building emergency power supply system if so equipped. Self-illuminated (nuclear) exit signs are not an approved source of illumination.

*Change subsection to read as follows:*

**1011.53.6 Externally illuminated exit signs.** When approved by the building official, externally illuminated exit signs shall comply with Sections 1011.5.1 through 1011.5.3.

## SECTION 102~~9~~30 EMERGENCY ESCAPE AND RESCUE

*Change exception 1 in subsection to read as follows:*

**102~~9~~30.1 General.**

**Exception 1:** In buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

*Add new exception to read as follows:*

## SECTION 1208 INTERIOR SPACE DIMENSIONS

*Add new exception ~~4~~5 to subsection to read as follows:*

**1208.2 Minimum ceiling heights.**

**Exception ~~4~~5:** Within dwelling units, the minimum ceiling height above lavatories and water closets shall be 6 foot 8 inches (6'-8"), as measured vertically from the ceiling to the floor at the operating handle end of the fixture. The minimum ceiling height above bathtubs and shower stalls shall be 6 foot 8 inches (6'-8"), as measured vertically from the ceiling to the floor or tub bottom at the operating handle end of the fixture and shall be maintained for a 30 inch by 30 inch clear area from the walls adjacent to the operating handles.

## SECTION ~~1704~~ 1705 SPECIAL INSPECTIONS AND TESTS

**1704.3.45.2.4 Cold-formed steel trusses.** Special inspections shall be required for all light gauge metal roof or floor truss installations. The special inspection shall verify and document the

proper installation of all required bracing, both temporary and permanent, and any special connection details required by either the design professional or the truss manufacturer.

**1704.65.5.2 Metal-plate-connected wood trusses.** Special inspections shall be required for all metal-plated-wood roof or floor truss installations. The special inspection shall verify and document the proper installation of all required bracing, both temporary and permanent, and any special connection details required by either the design professional or the truss manufacturer.

*Add new subsections to read as follows:*

**1704.171705.17 Fire-resistant penetrations and joints.** In buildings of four or more stories above grade plane, special inspections for through-penetrations, membrane penetration firestops, fire-resistant joint systems, and perimeter fire barrier systems that are tested and listed in accordance with Sections 7134.3.1.2, 713.44.3.1.1.2, **714.3 715.3** and **714.4 715.4** shall be in accordance with Section 1704.17.1 or 1704.17.2

**17041705.17.1 Penetration firestops.** Inspections of penetration firestop systems that are tested and listed in accordance with Sections 713.3.12. and 713.4.1.1.2 shall be conducted by an approved inspection agency in accordance with ASTM E 2174.

**17041705.17.2 Fire-resistant joint systems.** Inspection of fire-resistant joint systems that are tested and listed in accordance with Sections 714.3.1.2 and 714.4.2 shall be conducted by an approved inspection agency in accordance with ASTM E 2393.

## **SECTION 1809 SHALLOW FOUNDATIONS**

*Amend Item 1 of subsection to read as follows:*

**1809.5 Frost protection.** 1. Extending to 4 feet (1219 mm), as measured to the bottom of the footing from the adjoining finish grade.

## **SECTION 2701 GENERAL**

*Change subsection to read as follows:*

**[Refer to National Electrical Code, City Ordinance Chapter 15 Part IV]**

**2701.1 Scope.** ~~This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this Code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the *National Electric Code*, NFPA 70. The State of New Hampshire adopts new editions of NFPA 70 on a three year cycle. The edition that is State adopted at the time of a new electrical design or installation shall govern the requirements of that installation.~~

*Add new sections to read as follows:*

## **SECTION 2703 INSPECTIONS AND TESTS**

**2703.1 Concealing work.** ~~Work in connection with an electric system for which a permit is required, shall not be covered or concealed until such work has been inspected and permission to conceal such work has been given by the building official. It shall be the responsibility of the electric permit holder to contact the building official for said~~



~~inspections. Furthermore, the permit holder shall allow a minimum of two work days (48 hours) from the time the building official is notified to the time the inspection is performed.~~

~~2703.2 Service Inspection. All service equipment shall be installed, grounded and bonded before a request is made for a service inspection. It shall be the responsibility of the permit holder to contact the building official for said inspection. The same inspection notification time allowance is required as in Section 2703.1. After satisfactory completing said inspection, the building official shall issue written notification to the local electric utility to allow for meter installation and power connection. It shall be the responsibility of the permit holder to contact the local electric utility for scheduling this power connection.~~

~~2703.3 Final inspection and tests. After all work is complete, all systems have been supplied power and all systems have been tested by the installer, a request for final inspection shall be made by the permit holder. The same inspection notification time allowance is required as in Section 2703.1. Copies of all test results shall be provided to the building official at this time. The building official shall inspect the work and cause tests to be made of the operation of the entire system to insure compliance with all requirements.~~

~~2703.4 Records. Records of all inspections shall be kept by the respective building official. Said records shall list date of inspections, observed nonconformances, corrective actions required and the building official's initials. Follow-up inspections shall be required to confirm the completed corrective actions. All inspection records shall be maintained by the building officials and be available for public access. The owner shall provide for special inspections in accordance with Section 1704.~~

## ~~SECTION 2704 QUALIFICATIONS OF ELECTRICIANS~~

~~2704.1 General. All persons performing electrical work in the City of Portsmouth shall be licensed in accordance with the provisions of RSA 319-C of the State of New Hampshire; except owners of detached single family homes, who reside in said home, may do electrical work without a license. All electrical work requires an electrical permit unless exempt by Section 105.2.~~

~~2704.2 Responsibilities of electricians. When an electrical installation is required to be performed by a licensed New Hampshire Electrician, the permit for said work shall be obtained by the Master Electrician responsible for the work. Said electrician or company, shall be responsible for all work done under said permit.~~

## **SECTION [P] 2901 GENERAL**

*Change subsection to read as follows:*

*[Refer to City Ordinance, Chapter 15 Part 1 International Plumbing Code.]*

~~[P] 2901.1 Scope. The design and installation of building plumbing systems shall conform to Chapter 15, Part I of the City Ordinances (Plumbing Code) and Chapter 29 of this Code. The design and installation of building sewer and building water supply piping (city side of water meters) shall conform to the requirements of the Public Works Department, Water/Sewer Division. Private sewage disposal systems shall conform to the requirements of the State of New Hampshire Water Supply and Pollution Control Subsurface Waste Disposal Division.~~

## ~~SECTION [P] 2902 MINIMUM PLUMBING FACILITIES~~



*Change exception 2 in subsection to read as follows:*

~~[P] 2902.2 Separate facilities.~~

~~Exception 2: In other than mercantile occupancies, separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers of 24 or less.~~

*Add new sentences to end of subsection:*

~~[P] 2902.3 Require public toilet facilities. "Plumbing features and facilities shall also comply with the accessibility requirements of Section 1109."~~

*Add new subsection to read as follows:*

~~[P] 2902.5 Renovations to existing buildings. Where an existing toilet room or rooms is (are) present and renovations are being undertaken, the existing toilet room(s) shall not be removed if said removal will call the new occupancy to have less fixtures than what is required under this code for new installation. In a case where there are more toilet rooms existing than what are required under this code, toilet rooms in excess of the minimum required may be removed but at least one shall remain.~~

## ~~[F] SECTION 3003 EMERGENCY OPERATIONS~~

*Add new subsection to read as follows:*

~~[F] 3003.2.1 Elevator recall key. Where required by ASME A17.1, all new elevators shall be equipped with a Yale #3502 fire service elevator recall key.~~

## SECTION 3306 PROTECTION OF PEDESTRIANS

*Add new subsection to read as follows:*

**3306.10 Hazardous excavations.** All open excavations left unattended, when deemed a hazard by the building official, shall be guarded or fenced in accordance with the criteria in Sections 1013.2. and 1013.3. The hazard judgment shall be based on public accessibility to the excavation, time period left open, falling hazard, and the pooling of surface or ground water at the bottom of the excavation. All appeals to the building official's order shall be made in writing and will follow the appeals process in Section 113.

General note pertaining to Chapter 34:

The State of New Hampshire Building Code Review Board has adopted the 2009~~15~~ Edition of the International Existing Building Code (IEBC) as published by the International Code Council. All IBC Chapter 34 code users shall utilize the technical provisions of the IEBC in lieu of the provisions of Chapter 34 of the IBC. The following amendments to Chapter 35 of the IBC apply:

## CHAPTER 35 REFERENCED STANDARDS

*Insert the following Codes and Standards:*

New Hampshire State Building Code  
Department of Safety

33 Hazen Drive Drive  
Concord, NH 03305  
(603) 271-~~329~~**47965**  
[bldgcodebrd@dos.nh.gov](mailto:bldgcodebrd@dos.nh.gov)

### **New Hampshire Architectural Barrier Free Design Code**

Governor's Commission on Disability  
121 South Fruit Street, Suite 101  
Concord, NH 03301-8518  
(603) 271-2773  
1-800-852-3405 (NH)  
<http://www.nh.gov/disability/abcommittee.html>

### **New Hampshire Energy Code**

Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429  
(603) 271-2431  
[www.puc.state.nh.gov/EnergyCodes/energypg.htm](http://www.puc.state.nh.gov/EnergyCodes/energypg.htm)  
[puc@puc.nh.gov](mailto:puc@puc.nh.gov)

### **New Hampshire Elevator and Accessibility Lift Law, RSA 157-B**

NH ~~Labor~~ Department of **Labor**  
Boiler & Elevator Division  
PO Box 2076  
Concord, NH 03302-2076  
(603) 271-~~629~~**42585**  
[www.nh.gov/labor/inspection/boilers-elevators.htm](http://www.nh.gov/labor/inspection/boilers-elevators.htm)

*Insert in the NFPA section the following referenced Codes and Standards:*

<b>54-<del>09</del><b>15</b></b>	National Fuel Gas Code	101.4.1, 2801.1, 3401.3
<b>70-<del>11</del><b>17</b></b>	National Electric Code	101.4.1, 2701.1
<b>101-09</b>	Life Safety Code (Or as Adopted by the SFM)	903.2, 907.2, 1003.2, 1008.5.2

*Amend in the NFPA section the following referenced Standards:*

*Change **13-07** to **13-13** Design & Installation of Sprinkler Systems*

*Change **13D-07** to **13D-13** Design & Installation of Sprinkler Systems in 1 & 2 Family Dwellings*

*Change **13R-07** to **13R-13** Design & Installation of Sprinkler Systems in Residential Occupancies 4 Stories in Height or Less*

*Change **72-07** to **72-13** National Fire Alarm Code*

### **APPENDIX L – M**

**Appendix L and M are not adopted as part of this ordinance.**

**CITY ORDINANCE - CHAPTER 12**  
**Part II**

**INTERNATIONAL RESIDENTIAL CODE, 200915**  
**(Adopted 12/04/2017 -- eff. 01/01/2018)**

The International Residential Code, 200915 Edition (IRC) as published by the International Code Council, Inc. is hereby adopted as **Chapter 12, Part II** of the Ordinances of the City of Portsmouth, New Hampshire subject to the following amendments, additions and deletions:

**SECTION R102 APPLICABILITY**

*Add new subsections to read as follows:*

**R102.4.13 Electrical.** The provisions of the *National Electric Code*, NFPA 70 shall apply to the installation of electrical systems including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Wherever this Code references the *International Electric Code* the reader shall substitute that reference with the *National Electric Code*, NFPA 70 as adopted by the State of New Hampshire. The City of Portsmouth does not adopted Article 80, Administration and Enforcement, of NFPA 70.

**R102.4.24 Gas.** The provisions of the *National Fuel Gas Code*, NFPA 54, shall apply to the installation of gas piping from the point of delivery to gas appliances and related accessories as covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of the appliances and the installation and operation of residential gas appliances and related accessories. Wherever this Code references the *International Fuel Gas Code* the reader shall substitute that reference with the *National Fuel Gas Code*, NFPA 54.

**R101.4.35 Plumbing.** The City of Portsmouth does not adopt the *International Sewage Disposal Code* and any reference to it in this Code shall not direct the reader to its contents or requirements.

**R102.4.4-6 Property maintenance.** The City of Portsmouth does not adopt the *International Property Maintenance Code* and any reference to it in this Code shall not direct the reader to its contents or requirements.

**SECTION R105 PERMITS**

**R105.910 Qualifications of persons doing trade work.** Electrical, plumbing and mechanical work is allowed to be done by resident homeowners engaged in said trade work and conducted within the single-family dwelling in which they reside. Gas piping shall be done by a licensed plumber or another *qualified person or agency*, individual, firm, corporation or company that either in person or through a representative, is engaged in and is responsible for (a) the installation or replacement of gas piping or (b) the connection, installation, repair or servicing of gas equipment; and who is experienced in such work and is familiar with all the precautions required. For plumbing work refer to State RSA 329-A:13 and for electrical work refer to State RSA 319-C. All trade work require city permits.

**SECTION R107 TEMPORARY STRUCTURES AND USES**

## SECTION R109 INSPECTIONS

**R109.5 Reinspection fee.** If, upon being called for any inspection, the work is not in compliance with this Code, **written notice (including the specific code section) will be provided clearly identifying the deficiencies** ~~verbal notice will be given as to the deficiencies and such deficiencies shall be noted on the building official's report~~. The permit holder shall be responsible for correcting the item(s) and for notifying the building official to reinspect said deficiencies. If when called to reinspect these deficiencies, all is correct, no further action will be taken. However, if during the first reinspection, the work in question has not been corrected, there will be a reinspection fee assessed as determined by the adoption of fees by budget resolution of the City Council in accordance with Chapter 1, Article XVI, which must be paid at the Inspection Office before a third inspection will be made. For each subsequent reinspection of the same deficiency or deficiencies, a like procedure and fee shall be assessed.

During any inspection, the building official may find new item(s), not previously discovered, to be nonconforming. These item(s) will be noted on the building official's report, and will require reinspections. Reinspection fees will not be assessed for items newly found or for their first reinspection. However, said fees shall be assessed for these items if a third inspection is required. The same procedures as outlined above shall govern. Failure to pay any reinspection fees shall be just cause to revoke the permit under which the work was being done. Furthermore, no future permits will be issued to any person who owes the City of Portsmouth said reinspection fees, until all outstanding fees are paid.

## SECTION R301 DESIGN CRITERIA

**Flood Hazard: Flood Insurance Rate Map May 17, 2005**~~Current Flood Insurance Study, Sep. 2002~~

## SECTION R302 FIRE-RESISTANT CONSTRUCTION

*Amend Exception 1 in subsection to read as follows:*

### **R302.3 Two-family dwellings.**

**Exception 1:** A fire-resistance rating of ½ hour shall be permitted in two-family dwellings protected throughout with an automatic fire sprinkle system in accordance with ~~Section 2904~~, NFPA 13R or NFPA 13D as listed in Chapter 44.

## SECTION R310 EMERGENCY ESCAPE AND RESCUE OPENINGS

### **R310.1 Emergency escape and rescue openings required.**

All Emergency Escape and Rescue openings on new construction shall meet the requirements outlined in IRC, Section R310. However, Emergency Escape and Rescue openings for structures located within the Historic District will be reviewed on a case by case basis. Change of occupancy shall be considered new construction.

*Add new exception 2 to read as follows:*

**Exception 2:** Emergency escape and rescue openings are not required when the entire structure is protected throughout with an automatic fire suppression system conforming to Section 290, NFPA 13R or NFPA 13D as listed in Chapter 44.

*Add new subsections to read as follows:*

~~**R310.7 Renovations to existing finished basement areas.** When existing basement areas are being remodeled for uses other than sleeping rooms and when such basements do not have an emergency escape and rescue opening or route as required by Sections R310.1, R310.2, R310.3 or R310.6; smoke and carbon monoxide alarms shall be installed in accordance with Section R314 and R315.~~

*Change section to read as follows:*

## **SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS**

*Change subsection to read as follows:*

**R313.1.1 Design and installation.** Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with ~~Section P2904 or~~ NFPA 13R as listed in Chapter 44.

*Add new subsection to read as follows:*

**R313.1.2 Fire sprinkler system alarm monitoring.** Townhouse fire sprinkler systems shall be monitored by water flow, supervisory and trouble conditions and shall automatically transmit signals to an approved central station, ~~remote~~ supervising station or proprietary supervising station as defined in NFPA 72 and shall sound an audible and visual signal on the building exterior in a publicly visible location.

**Exception.** When approved by the fire official, townhouse fire sprinkler systems shall sound **an audible notification within the dwelling unit and** an audible and visual signal on the building exterior in a publicly visible location and not require off site monitoring.

*Delete subsection without substitution:*

~~**R313.2 One and two family dwellings automatic fire systems.**~~

## **SECTION R314 SMOKE ALARMS**

*Add new sentence to end of subsection:*

~~**R314.**~~**4314.6 Power source.** Smoke alarms shall be supplied by a branch circuit that also supplies lighting loads serving habitable spaces. Smoke alarm circuit(s) shall be clearly labeled in the electric panel. The branch overcurrent protective device supplying the smoke alarms shall be clearly labeled "Smoke Alarms" in a manner that distinguishes it from other overcurrent protective devices.

## **SECTION R315 CARBON MONOXIDE ALARMS**

*Change section to read as follows:*

**R315.2.3 Where required in existing dwellings.** In existing dwellings within which fuel-fired appliances are present or which have attached garages and where alterations, repairs or additions that require a building permit are being undertaken or when additional sleeping rooms are being created; carbon monoxide alarms shall be installed in locations as required in Section 315.21. ~~The exceptions of Section R314 shall also apply to retrofitting interconnected hard-wired carbon monoxide alarms.~~

*Add new subsection to read as follows:*

**R315.4315.5 Power source and alarm types.** Single-station carbon monoxide alarms shall be hard wired to the building's electric system in the same manner as required in Section R314 for smoke alarms. Carbon monoxide alarm devices may be individually powered or may be interconnected between devices when the device listing allows for interconnection. Carbon monoxide alarm devices may be combination devices such that they serve both the buildings smoke alarm and carbon monoxide alarm requirements. When combination units are used, they shall be interconnected and shall be capable of sounding different alarm signals for either a smoke or a carbon monoxide condition.

## SECTION R501 GENERAL

*Add new subsection to read as follows:*

**R501.3 Fire protection of floors.** Floor assemblies, not required elsewhere in this code to be fire-resistance rated, shall be provided with a minimum of ½-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing members.

### Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with **Section P2904**, NFPA 13D or NFPA 13R.
2. Floor assemblies located directly over a crawl space not intended for storage or fuel-fired appliances.
3. Portions of floor assemblies can be unprotected when complying with the following:
  - 3.1 The aggregate area of the unprotected portions shall not exceed 80 square feet per story
  - 3.2 Fire blocking in accordance with Section R302.11.1 shall be installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.

## CHAPTER 35 REFERENCED STANDARDS

*Insert the following Codes and Standards:*

### New Hampshire State Building Code

Department of Safety  
33 Hazen Drive Drive  
Concord, NH 03305  
(603) 271-**32947965**

**[bldgeodebrd@dos.nh.gov](mailto:bldgeodebrd@dos.nh.gov)**

### New Hampshire Architectural Barrier Free Design Code

Governor's Commission on Disability  
121 South Fruit Street, Suite 101  
Concord, NH 03301-8518  
(603) 271-2773

1-800-852-3405 (NH)

<http://www.nh.gov/disability/abecommittee.html>

**New Hampshire Energy Code**

Public Utilities Commission

21 South Fruit Street, Suite 10

Concord, NH 03301-2429

(603) 271-2431

[www.puc.nh.gov/EnergyCodes/energypg.htm](http://www.puc.nh.gov/EnergyCodes/energypg.htm)

[puc@puc.nh.gov](mailto:puc@puc.nh.gov)

**New Hampshire Elevator and Accessibility Lift Law, RSA 157-B**

NH ~~Labor~~ Department of Labor

Boiler & Elevator Division

PO Box 2076

Concord, NH 03302-2076

(603) 271-~~6294~~2585

[www.nh.gov/labor/inspection/boilers-elevators.htm](http://www.nh.gov/labor/inspection/boilers-elevators.htm)

*Insert in the NFPA section the following referenced Codes and Standards:*

**13D-13** Design & Installation of Sprinkler Systems in 1 & 2 Family Dwellings R 302,3,  
R310.1

**13R-13** Design & Installation of Sprinkler Systems in  
Residential Occupancies 4 Stories in Height or Less R310.1, R313.1.1,

**54-152** National Fuel Gas Code R102.4.2, G2501.1

**211-13** Chimneys, Fireplaces,  
Vents, and Solid R1001.1, R1003.1  
Fuel-Burning Appliances

*Amend in the NFPA section the following referenced Standards:*

Change: **70-08** to **70-11** National Electric Code R102.4.1, E3401.1

Change: **72-07** to **72-13** National Fire Alarm Code R313.1.2

**~~APPENDIX G—SWIMMING POOLS, SPAS AND HOT TUBS~~**

~~Appendix G is adopted as part of this ordinance without amendments.~~

**SEE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE**

**~~APPENDIX Q—INTERNATIONAL RESIDENTIAL CODE ELECTRICAL  
PROVISIONS / NATIONAL ELECTRIC CODE CROSS REFERENCE~~**

~~Appendix Q is adopted as part of this ordinance without amendments.~~



The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

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Jack Blalock, Mayor

ADOPTED BY COUNCIL:

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Kelli L. Barnaby, City Clerk