

R-39 Rev. 03/2012
(Title page)

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

NAME OF AGENCY

DEPARTMENT OF CONSTRUCTION SERVICES

Concerning

SUBJECT MATTER OF REGULATION

CONNECTICUT STATE FIRE SAFETY CODE

2012 AMENDMENT
TO THE 2005 CONNECTICUT STATE FIRE SAFETY CODE

Section 1: Section 29-292-1e of the Regulations of Connecticut State Agencies is amended to read:

29-292-1e. The Connecticut State Fire Safety Code: Title and Applicability

- (a) The regulations of the Department of Public Safety, sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies and their adopted standards, shall be known as the Connecticut State Fire Safety Code, hereinafter referred to as “the code” or “this code”.
- (1) Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.
 - (2) Validity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions hereof, which are determined to be legal; and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions.
 - (3) Provisions in excess of code requirements. Nothing in this code shall be construed to prohibit a better type of building construction, an additional means of egress, or an otherwise safer condition than that specified by the minimum requirements of this code.
- (b) Sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies shall apply to all buildings and areas adjacent thereto except premises used for manufacturing. The provisions of the code shall only apply to detached private dwellings occupied by one or two families and townhouses with respect to smoke alarms and carbon monoxide detectors as specified by the State Building Code.

Buildings designed, [and] constructed and occupied in accordance with the provisions of

the International Residential Code® shall be deemed single-family dwellings for the application of this code and section 29-305 of the Connecticut General Statutes.

- (c) The provisions of sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies shall only apply to temporary tents, temporary portable shelters and temporary tension-membrane structures as defined in Section 2401.2 of section 29-292-17e of the Regulations of Connecticut State Agencies to the extent called for by the regulations adopted under the authority of section 29-140 of the Connecticut General Statutes, known as the Connecticut Tent and Portable Shelter Code.
- (d) The provisions of sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies shall not apply to portable grandstand and bleachers providing seating for fewer than 100 persons located outside of a building.
- (e) The provisions of sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies shall not apply to any federal agency performing construction or operating on federally owned land or on leased land totally under the control of the federal government.

Sec. 2. Section 29-292-3e of the Regulations of Connecticut State Agencies is amended as follows:

29-292-3e. Authority Having Jurisdiction

- (a) For the purposes of the regulations adopted by reference under section 29-292 of the Connecticut General Statutes, the authority having jurisdiction shall mean the State Fire Marshal regarding the proper administration, application, interpretation and modification of the requirements contained within sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies.
- (b) The local fire marshal shall make the initial determination concerning compliance with sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies, except as expressly provided in the wording of a section or in subsection (c) of this section. A decision of a local fire marshal may be appealed to the State Fire Marshal as provided in subsection (a) of 29-292-3e.
- (c) The State Fire Marshal shall make the determination concerning compliance with sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies on state-owned property.
- (d) A decision of the local fire marshal or State Fire Marshal may be appealed to the Codes and Standards Committee in accordance with section 29-309 of the Connecticut General Statutes.

Sec. 3. Section 29-292-7e of the Regulations of Connecticut State Agencies is amended as follows:

29-292-7e. Inspections

- (a) Each local fire marshal, the State Fire Marshal and their respective designees shall

conduct inspections as prescribed in section 29-305 of the Connecticut General Statutes of buildings and facilities regulated by sections 29-292-1e to [29-292-25e] 29-292-21e, inclusive, of the Regulations of Connecticut State Agencies within their jurisdictions.

- (b) Each local fire marshal, the State Fire Marshal and their respective designees may conduct inspections as often as may be necessary during the construction of new buildings, structures or additions, and during the course of renovations, alterations or modernizations for the purpose of satisfying themselves that all work is in accordance with the approved plans, [and] specifications and this Code.
- (c) The minimum requirements for the frequency of inspections as prescribed in section 29-305 of the Connecticut General Statutes shall be as follows:
 - (1) Annual inspections for the occupancy classifications, all R Residential, A-1, A-2, E, H-1, I-1.
 - (2) Inspections every two years for the occupancy classifications, A-3, H-2, I-2, I-3, I-4, B-Medical, B-College.
 - (3) Inspections every three years for occupancy classifications B, H-3, M, S-1, A-4, A-5.
 - (4) Inspections every four years for the occupancy classifications, F-1, F-2, H-4, H-5, S-2, U.

Sec. 4. Section 29-292-10e of the Regulations of Connecticut State Agencies is amended as follows:

29-292-10e. Application

- (a) The provisions of Part I [.] and Part II [and Part V] of this code shall apply to all occupancies and uses located within a building or structure.
- (b) For building permit applications made on or after the effective date of this code, the provisions of Part III of this code shall apply to:
 - (1) The design and construction of new buildings and structures, and
 - (2) Buildings undergoing repairs, alterations and additions, and
 - (3) Buildings and structures undergoing a change of occupancy or use as specified in section 29-292-11e of the Regulations of Connecticut State Agencies.
 - (4) For existing occupancies subject to an abatement order for violations of Part IV of this code, only new fire protection, electrical and mechanical system work shall be subject to the requirements of Part III.
- (c) The provisions of Part IV of this code shall only apply to existing occupancies and uses located within existing buildings and structures.

Sec. 5. Section 29-292-17e of the Regulations of Connecticut State Agencies is amended as follows:

(Amd) **906.1** Portable fire extinguishers shall be installed and maintained as required in [Section 13.6 of Part V of] the Connecticut State Fire [Safety] Prevention Code and as required in Section 906.1.1.

NEW (Del) Sections 906.2 through 906.10, inclusive.

Sec. 6. Sections 29-292-22e to 29-292-25e, inclusive, of the Regulations of Connecticut State Agencies are repealed.

Statement of Purpose

With the adoption of the Connecticut State Fire Prevention Code, a Regulation of Connecticut State Agencies adopted under the authority of section 29-291a of the Connecticut General Statutes, numerous provisions of the Connecticut State Fire Safety Code were included in that regulation, which enhanced the enforcement abilities of the fire marshal community. This technical revision to the Connecticut State Fire Safety Code eliminates duplication and confusion over applicable requirements.

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(Certification page—see Instructions on back)

CERTIFICATION

This certification statement must be completed in full, including items 3 and 4, if they are applicable.

- 1) I hereby certify that the above (check one) Regulations Emergency Regulations
- 2) are (check all that apply) adopted amended repealed by this agency pursuant to the following authority(ies): (complete all that apply)
 - a. Connecticut General Statutes section(s) 29-292.
 - b. Public Act Number(s) _____.
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on February 12, 2012;
(Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) And that a public hearing regarding the proposed regulations was held on N/A;
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) And that said regulations are EFFECTIVE (check one, and complete as applicable)
 - When filed with the Secretary of the State
 - OR on (insert date) _____

DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED
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APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE	SIGNED (Attorney General or AG's designated representative)	OFFICIAL TITLE, DULY AUTHORIZED
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Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

(For Regulation Review Committee Use ONLY)

- Approved Rejected without prejudice
- Approved with technical corrections Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)
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Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY
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(For Secretary of the State Use ONLY)

GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Sections 4-168 and 4-170 as amended by Public Act 11-150, Sections 18 and 19.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in brackets []. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The Certification Statement portion of the form must be completed, including all applicable information regarding *Connecticut Law Journal* notice publication date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf.

CERTIFICATION STATEMENT INSTRUCTIONS

(Numbers below correspond to the numbered sections of the statement)

1. Indicate whether the regulation is a regular or an emergency regulation adopted under the provisions of CGS Section 4-168(f).
2.
 - a) Indicate whether the regulations contains newly adopted sections, amendments to existing sections, and/or repeals existing sections. Check all cases that apply.
 - b) Indicate the specific legal authority that authorizes or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
3. Except for emergency regulations adopted under CGS 4-168(f), and technical amendments to an existing regulation adopted under CGS 4-168(g), an agency must publish notice of its intent to adopt a regulation in the *Connecticut Law Journal*. Enter the date of notice publication.
4. CGS Section 4-168(a)(7) prescribes requirements for the holding of an agency public hearing regarding proposed regulations. Enter the date(s) of the hearing(s) held under that section, if any; also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law.
5. As applicable, enter the effective date of the regulation here, or indicate that it is effective upon filing with the Secretary of the State. Please note the information below.

Regulations are effective upon filing with the Secretary of the State or at a later specified date. See CGS Section 4-172(b) which provides that each regulation is effective upon filing, or, if a later date is required by statute or specified in the regulation, the later date is the effective date. An effective date may not precede the effective date of the public act requiring or permitting the regulation. Emergency regulations are effective immediately upon filing with the Secretary of the State, or at a stated date less than twenty days thereafter.