Code of Ordinances, City of Ellsworth

CHAPTER 4
FIRE PROTECTION AND PREVENTION

A true copy, attest:

Suzanne McLean
City Clerk

The FRIENDLY CITY
Ellsworth
Maine

HISTORICAL NOTE: ADOPTED JULY 21, 2008 (EFFECTIVE DATE SEPTEMBER 1, 2008); AMENDED JUNE 20, 2011; AMENDED APRIL 15, 2013; AMENDED APRIL 17, 2017; AMENDED DECEMBER 21, 2020; AMENDED AUGUST 16, 2021; AMENDED MAY 19, 2025; AMENDED JULY 1, 2026.

CHAPTER 4
FIRE PROTECTION AND PREVENTION

ARTICLE 1 EFFECTIVE DATE

This Chapter 4 shall be effective September 1, 2008.

ARTICLE 2 ADOPTED STATE CODES BY REFERENCE

201 ADOPTED CODES

The City hereby adopts the following codes by reference pursuant to 30-A M.R.S.A. § 3003:

201.1 National Fire Protection Association (NFPA) codes and standards set forth in Appendix 4-A to this Chapter 4.

201.2 Maine Uniform Building and Energy Code (MUBEC), as required by 10 M.R.S.A. § 9724, which is composed of the International Codes adopted by the State of Maine Technical Building Codes and Standards Board (codified at 16-642 C.M.R. ch. 1, § 6), except that the appendix to the MUBEC containing optional energy conservation and efficiency requirements, as provided by 10 M.R.S.A. § 9722(6)(O) and known as the MUBEC Stretch Code is not adopted.

A copy of these codes adopted by reference, and any amendments thereto, must be on file with the City Clerk and available for public inspection during regular business hours.

STATE LAW REFERENCE—10 M.R.S.A. CH. 1103 (MAINE UNIFORM BUILDING AND ENERGY CODE); 25 M.R.S.A § 3003 (ADOPTION OF CODES BY REFERENCE).

202 REVIEW OF PUBLIC BUILDING CONSTRUCTION PROJECTS

202.1 The City shall review construction projects of public buildings as described in 25 M.R.S.A. § 2468.

202.2 Fire Protection and Prevention Inspection Fee.

1. The City hereby establishes the following methodology for calculating the fire protection and prevention inspection fee for the examination of all plans for construction, reconstruction, or repairs submitted to the City that require review for fire and life safety compliance.

2. This inspection fee is in addition to any other applicable fees for construction-related permits, inspections, or life safety-related projects, including those fees established by Chapter 1, Articles 3 and 4.

Schedule 1. Fire Protection and Prevention Inspection Fee Schedule

EXPLANATION OF CATEGORIES	
Base	This is the approximate cost to have the Fire Inspector conduct a two-hour inspection. The base rate is $125.00
Building Class	Building class is established in accordance with the current edition of the International Building Code (IBC). A modifier is used to reflect the hazards associated with occupancy, which increase the complexity of the inspection.
Square Footage	This modifier reflects the cost table established in the current Permit Fee Schedule.

OCCUPANCY HAZARD CLASSIFICATIONS

Hazard Class	Modifier	**Description of Hazard Classification** in accordance with the current adopted edition of the International Building Code (IBC)
Low	**1**	▪ Small assembly spaces without compounding factors ▪ Religious and educational rooms with occupancy loads of less than 100 without compounding factors. ▪ Assembly group A-5
Low	**2**	▪ Assembly group A-1, A-3, A-4 ▪ Business group B, except for the following: — Dry cleaning (the actual process) – **Moderate** — Laboratories – **Moderate** — Food processing with onsite bulk haz-mat – **Very High** ▪ Factory group F-2 ▪ All of group I ▪ All of group R ▪ Storage group S-2
Moderate	**3**	▪ Assembly group A-2 ▪ Factory group F-1 ▪ Storage group S-1
High	**4**	▪ As noted
Very High	**5**	▪ All of group H except for section 307.1.1. Section 307.1.1 should be classified as **High**.

CALCULATING THE INSPECTION FEE

Square Feet	Square Footage Modifier
1-2,000	= 0.2
2,001 – 5,000	= 0.3
5,001 – 10,000	= 0.4
10,001 – 15,000	= 0.5
15,001 – 20,000	= 0.6
20,001 – 25,000	= 0.7
25,001 and above	= 0.8

Example: For a 2000 square foot call center, the calculation would be as follows:

Base fee x square footage modifier x hazard classification modifier = amount due

$125.00 x 0.2 = $25.00
$125.00 + $24 = $150.00
$150.00 x 2 = $300.00

ARTICLE 3 FIRE PREVENTION

301 FIRE PREVENTION CODE

This Chapter 4 shall be administered and enforced by the Fire Chief or designee and the Code Enforcement Officer or designee.

302 FIRE INSPECTOR

The position of Fire Inspector shall be established within the Fire Department, and the Fire Chief may detail full-time employees as inspectors, as shall be necessary for the enforcement of said codes. The inspector(s) shall work under the supervision of the Fire Chief and serve as the Fire Chiefs' designee for issues related to this code.

303 INDOOR OPEN-FLAME DEVICES AND PYROTECHNICS

The use of indoor open flame devices and indoor pyrotechnics is prohibited within the City, except as follows:

303.1 Candles on Tables: Candles must be securely supported on substantial noncombustible bases, and the candle flame must be protected.

303.2 Candles are allowed in religious ceremonies if under the control of the facility management.

304 PERMITS AND APPROVALS.

304.1 The Fire Chief or designee shall have the authority to issue permits for the following operations:

1. **Ventilation and Fire Extinguishing Systems for Commercial Cooking Operations.** Installation of, replacement of, or modification to any ventilation control and automatic fire extinguishing system for commercial cooking operations. Required periodic maintenance performed in accordance with NFPA 96 and manufacture specifications is not considered a modification and does not require a permit.

2. **Fire Extinguishing Systems.** Installation of, replacement of, or modification to any dry chemical, wet chemical or clean agent automatic fire extinguishing systems. Required periodic maintenance performed in accordance with NFPA and manufacture specifications is not considered a modification and does not require a permit.

3. **Fire Alarm Systems and Related Equipment.** Installation, of, replacement of, or modification to any fire alarm and detection systems and related equipment. Required periodic maintenance performed in accordance with NFPA 72 and manufacture specifications is not considered a modification and does not require a permit.

4. **Sprinkler Systems and Related Equipment.**

   (a) Installation of, replacement of, or modification to sprinkler systems and all related equipment. Required periodic maintenance performed in accordance with NFPA 25 and manufacturer's specifications is not considered a modification and does not require a permit.

(b) *Fire Protection in Accessory Dwelling Units*. Fire suppression sprinklers are not required for an accessory dwelling unit unless the accessory dwelling unit is within or attached to a structure of more than two dwelling units, including accessory dwelling units. As used in this section, "accessory dwelling unit" has the same meaning as in Chapter 56 (UDO).

5. **Outdoor Open Fires—Open burning permit required.** No person shall kindle, maintain, or assist in maintaining any outdoor fire within the City without obtaining a permit from the Fire Chief or designee. The use of outdoor grills and fireplaces for recreational purposes such as preparing food is permissible without a permit provided that no fire hazard is created thereby.

304.2 Applications for permits shall be made to the Fire Chief or designee on forms provided by the Ellsworth Fire Department. Applications for permits shall be accompanied by additional information as required by the Fire Chief or designee.

304.3 The Fire Chief or designee shall review all applications submitted and issue permits as required. If an application for a permit is rejected, the applicant shall be advised in writing of the reasons for such rejection. The requirement for a written explanation does not apply to open burning permits.

304.4 A copy of the permit shall be posted or otherwise readily accessible at each activity site.

304.5 Any activity authorized by any permit issued under this Chapter 4 shall be conducted by the permittee or the permittee's agents or employees in compliance with all applicable requirements of this Chapter 4 and in accordance with the previously reviewed plans and specifications. No permit issued under this Chapter 4 shall be interpreted to justify a violation of any provision of this Chapter 4 or any other applicable law or regulation. Any addition to or alteration of previously reviewed plans or specifications shall be re-evaluated and reviewed in advance by the Fire Chief, as evidenced by the issuance of a new or amended permit.

304.6 Any application for, or acceptance of, any permit requested or issued pursuant to this Chapter 4 shall constitute agreement and consent by the person making the application or accepting the permit to allow the Fire Chief to enter the premises at any reasonable time to conduct such inspections as required by this Chapter 4.

304.7 Any attempt to defraud or otherwise deliberately or knowingly design, install, service, maintain, operate, sell, offer for sale, falsify records, reports, or applications, or other related activity in violation of the requirements prescribed by the codes and standards set forth in this Chapter 4, including the adopted codes, is a violation of this Chapter 4. Such violations shall be cause for suspension or revocation of any related licenses, certificates, or permits in accordance with Chapter 1, Section 510.6, and may be subject to civil legal action per Article 9.

304.8 The Fire Chief or designee shall have the authority to require an inspection of the activity site prior to the issuance of a permit.

304.9 A permit issued under this Chapter 4 shall continue until suspended or revoked, or for the period of time designated on the permit. The permit shall be issued to one person or business only and for the location or purpose described in the permit. Any change that affects any of the conditions of the permit shall require a new or amended permit.

304.10 The Fire Chief or designee shall have the authority to grant an extension of the permit time period upon presentation by the permittee of a satisfactory reason for failure to start or complete the work or activity authorized by the permit.

305 CERTIFICATE OF OCCUPANCY INSPECTION REQUIREMENT

All property owners requesting a certificate of occupancy must request and pass a comprehensive fire and life safety inspection conducted by the Fire Chief or designee before the certificate of occupancy is issued by the Fire Chief or designee. For new construction, this inspection must specifically confirm that all equipment, devices, or systems that were reviewed and permitted to be installed have been fully installed, are operational, and have been tested by the installer, with testing witnessed by the Fire Chief or designee.

306 KNOX BOX ©

The Ellsworth Fire Department utilizes the Knox Box© system. All facilities that are required to have a fire alarm or a sprinkler system or have an existing fire alarm or sprinkler system shall have a secure Knox Box©, containing keys to the entire building and current contact information. Multiple Knox Boxes may be required for larger structures or where there are multiple secured occupancies within a building or complex.

306.1 **Complex with Mixed, Multiple Occupancies or Buildings.** A complex with mixed or multiple occupancies or buildings shall have a Knox Box© located at each main entrance of the buildings or in a location that is approved by the Fire Chief or designee.

306.2 **Single Buildings with Mixed and Multiple Occupancies.** When two (2) or more occupancies are located in one common building, each individual occupancy shall have their own Knox Box© located at the front entrance of the occupancy or in a location as approved by the Fire Chief or designee.

306.3 **Limited Fire Department Access Knox Box© Locations.** When a building or buildings provide limited fire department access due to the size of the building or buildings, location of the building or buildings on the property, property size or obstructions to fire apparatus or fire department personnel, Knox Box© or boxes shall be located as determined by the Fire Chief or designee.

306.4 **Knox Box© Installation.** The Knox Box© or boxes shall be installed as approved by the Fire Chief or designee, outside of the entrance with the closest access to the fire alarm panel, remote annunciator and/or the main entrance of the building or both. The Knox Box© or boxes shall be installed so as to be clearly visible to approaching fire apparatus. The Knox Box© or boxes shall be located at a height of 48 inches to 60 inches from the closest finished grade of the building.

306.5 **Knox Box© Size.** The Knox Box© shall be sized according to the number of keys required to gain entry into and throughout the building or individual occupancy. The number of keys shall not exceed the Knox Box© specifications for key storage. If changes to the building or individual occupancy require adding additional keys to the Knox Box© and the number of keys exceed the manufactures' specifications for key storage, then a new Knox Box© of the proper size shall be required to be installed.

.**306.6** **Knox Box Use.** All private, residential, non-residential, mixed-use, commercial or industrial, buildings or developments that utilize a key box rapid entry system shall utilize key boxes manufactured by the Knox Box © Company.

307 DOOR NUMBERING

Occupancies with a gross area in excess of 3,000 square feet shall have all exterior doors numbered, sequentially in a clockwise manner from the main entrance on both the exterior and interior of the doors. The numbers shall be a minimum of 5 inches in height with a 6-inch background so as to be readily visible. Signs shall have white reflective numbers on a blue reflective background. This requirement shall not apply to one- and two-family dwellings.

308 E-911 ROAD NAMING SYSTEM

308.1 All roads that serve two or more private, residential, non-residential, mixed-use, commercial, or industrial buildings or structures shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, service road or similar paved, gravel, or dirt thoroughfare. Road names shall be assigned by the City of Ellsworth E-911 Addressing Officer and approved by the Fire Chief, Police Chief, and Public Works Director or their designee. A road name assigned by the City shall not constitute or imply acceptance of the road as a public way.

308.2 The following criteria shall govern the naming system:

1. No two roads shall be given the same name (ex. Pine Road and Pine Lane).
2. No two roads shall have similar-sounding names (ex. Beech Lane and Peach Lane).
3. Each road shall have the same name throughout its entire length.

308.3 Building 911 Address Numbering. Buildings other than one- and two-family dwellings shall have numbers affixed to their exterior that identifies the building's assigned 911 address. The number(s) will be located at the direction of the Fire Chief or designee. The size of the numbers shall be 11 inches in height with a 12-inch background to be readily visible. Signs shall have white reflective numbers on a blue reflective background.

308.4 Apartment Building 911 Address Identification (Three or more dwelling units) Individual apartment identification of a multiple unit apartment building or complex of buildings shall be identified by utilizing capital letters, starting with "A". Letter sizes shall be 3 inches on a 5-inch background and no more than 6 inches on a 7-inch background. Apartment letter identification shall be assigned from left to right or "counterclockwise." Letters shall be white reflective numbers on a blue reflective background.

308.5 Multi-Unit Commercial Building 911 Addressing of Individual Suites. Individual commercial units within a multi-unit commercial building shall be identified as "Suites" and utilize capital letters to identify the suite, starting with "A". Letter sizes shall be 4 inches on a 5-inch background. Suites and their respective letter identification shall be assigned from left to right or "counterclockwise." Letters shall be white reflective on a blue reflective background.

308.6 Two-family (Duplex) Building and Dwelling Unit 911 Addressing. Duplex family buildings shall be numbered according to Chapter 56, Article 8 (Performance Standards) and Chapter 56, Section 814.1. The number(s) will be located at the direction of the Fire Chief or designee. The numbers shall be the following:

1. Building single-digit numbers shall be 7 inches in height with a ¾-inch stroke on a vertical 8-inch by 11-inch background to be readily visible. Numbers shall be white reflective numbers on a blue reflective background.

2. Building double-digit numbers shall be 7 inches in height with a ¾-inch stroke on a horizontal 8- by 11-inch background to be readily visible. Numbers shall be white reflective numbers on a blue reflective background.

3. Individual dwelling units shall be identified by utilizing capital letters, starting with "A". Letter sizes shall be 3 inches on a 5-inch background and no more than 6 inches on a 7-inch background. Dwelling unit letter identification shall be assigned from left to right or "counterclockwise." Letters shall be white reflective numbers on a blue reflective background.

309 SINGLE FAMILY RESIDENCE 911 ADDRESS NUMBERING

Single family dwellings shall be numbered according to Chapter 56 Article 8 (Performance Standards) and Chapter 56, Section 814.1. The number(s) will be located at the direction of the Fire Chief or designee. The numbers shall be 3 inches on a 5-inch background to be readily visible. Numbers shall be white reflective numbers on a blue reflective background.

310 BUILDING TRUSS SIGNAGE

The owner of any commercial or industrial structure utilizing truss assemblies shall be required to mount warning signs meeting the following minimum requirements.

310.1 A sign of five (5) inches by four (4) inches, consisting of a piece of aluminum, shall be used. In the center of the sign there shall be a series of letters of white reflective lettering "R-T" or "F-T" or "R/F-T" which is 2 ½ inches in height on a blue reflective background.

1. R-T = Roof Truss
2. F-T = Floor Truss
3. R/F-T = Roof and Floor Truss

310.2 A sign shall be mounted directly to the right of each series of entrance doors (front, rear, and sides of the building or structure) at a height of five (5) feet up from the finished grade. Additional signs may be required by the Fire Chief or designee when the distance between entrance doors or the length of a series of entrance doors would require additional warning signs for visibility by Fire Department personnel. If the property has a Knox Box© on site, then a sign shall be located directly above the Knox Box©.

310.3 It shall be the responsibility of each property owner to mount, maintain, and prevent obstruction of the warning sign mounted on the building or structure.

311 FEATURES OF FIRE PROTECTION SYSTEMS DOCUMENTATION

Before requesting final review of the installation, the installing contractor(s) shall furnish a written statement stating that the Fire Protection system has been installed in accordance with reviewed plans and tested in accordance with the manufacturer's published instructions and the appropriate NFPA requirements.

311.1 A lockable documentation cabinet with a key supplied to the fire department to be located in the Knox Box©, shall be installed at an approved location at the protected premises. The size of the documentation cabinet shall be determined by the Fire Chief or his designee. Documentation cabinets shall be red in color. The documentation cabinet shall be prominently labeled "Fire Department Documents." For security reasons, the location of the cabinet shall be determined by the Fire Chief or designee and the occupancy stakeholders.

311.2 All Fire Protection System documentation records, as set forth in Section 311.4, shall be stored in the documentation cabinet. The contents of the cabinet shall be accessible to the Ellsworth Fire Department and authorized personnel only.

311.3 Where the documentation cabinet is not in the same location as the fire alarm system control unit or the remote annunciator, the location of the documentation cabinet shall be identified at the system control unit.

311.4 Final written documentation, including floor plans as required by the Ellsworth Fire Department and documentation required by applicable NFPA standards, shall represent the minimum documentation required for new systems and additions or alterations to existing systems. In addition, final written documentation must include:

1. Floor plan drawings, which shall be provided to the owner and the Ellsworth Fire Department.
2. Contractors' certificates, records of completion, and any other supporting documentation for the occupancy fire protection systems.
3. Occupancy contacts.
4. Fire Protection Systems contacts.
5. All signs and plaques properly installed on all fire protection systems.

312 ELEVATOR NUMBERING AND FLOOR RECALL

Prior to any elevator being designed and/or installed, the elevator contractor shall meet with the Fire Chief or designee and review plans of the elevator. Numbering of floors and /or levels shall be reviewed and preapproved by the Fire Chief or designee. Elevator floor recall shall be reviewed and preapproved by the Fire Chief or designee.

313 LIQUEFIED PETROLEUM GAS PIPING AND FIRE RATED WALLS

LPG piping shall not be installed or mounted within enclosed chase cavities of common fire rated firewalls, fire barrier walls and party walls of any rating.

314 FIRE APPARATUS ACCESS ROADS

314.1 Fire apparatus access roads shall be designed and maintained to support the imposed live and dead loads of fire apparatus and shall be provided with a surface as follows, in compliance with Chapter 56, Article 9:

1. Commercial development, industrial development, and multi-family subdivisions (apartments/townhouses) shall have a **paved** all-weather driving surface.
2. Single- and two-family residential subdivisions shall have an all-weather driving surface.

314.2 The turning radius of a fire apparatus access road shall have:

1. Not less than a 32-foot inside turning radius; and
2. Not less than a 40-foot outside turning radius.

314.3 Dead-end streets and roads, as well as turnarounds shall comply with the following requirements:

1. All streets, as defined in the UDO, shall provide adequate vehicle turn-around in compliance with NFPA 1-"Fire Department Access."

2. Any dead-end street or road of more than 150 feet in length shall include a vehicle turnaround consisting of a "T" or a "Y" turn. The location(s) of the turn-around shall be determined by the Fire Chief or designee.

3. If the "T" or "Y" configuration is used, it shall be a minimum length of 70 feet on each leg of the "T" or "Y" at the terminus. The 70-foot distance is measured from the centerline of the closed street that is dead-ending.

4. Any curb radii to the "T" or "Y" shall be 35 feet, at minimum, except as follows: The 35-foot minimum turning radii may be reduced if the applicant submits a turning template drawing showing turning curb-radii acceptable to the Fire Chief or designee.

315 CANNABIS PROCESSING OR TESTING FACILITIES

This section shall apply to all facilities and occupancies engaging in cannabis (i.e. cannabis and extract derivatives) processing, or testing.

315.1 Extraction Prohibited. The act of extraction, including the extraction of oils and fats by use of a solvent, desolventizing of the raw material and production of the miscella, distillation of the solvent from the miscella, and solvent recovery, is prohibited.

315.2 General Compliance. All facilities and occupancies engaging in cannabis (i.e. cannabis and extract derivatives) growing, processing, extraction, or testing shall comply with the minimum requirements of NFPA 1.

316 SMOKE, CARBON MONOXIDE, AND FUEL GAS DETECTORS

316.1 All buildings and structures shall comply with 25 M.R.S.A. Ch. 317, including § 2464 (Smoke Detectors), § 2468 (Carbon Monoxide Detectors), and § 2469 (Fuel Gas Detectors). All detectors and associated systems must be maintained in operational condition by the owner.

1. **Residential Requirements (One- and Two-Family Dwellings).** All residential properties shall comply with the specific detector type, power source, and location requirements of 25 M.R.S.A. Ch. 317, including requirements for dual-powered smoke detectors in new construction and photoelectric technology, carbon monoxide detectors, and fuel gas detectors.

2. **Multi-Family Residential (Three or More Units) and Non-Residential Requirements.** All multi-family residential buildings and non-residential buildings shall be equipped with a fire alarm system that meets the requirements of NFPA 72 (National Fire Alarm and Signaling Code) and NFPA 101 (Life Safety Code), which incorporate smoke detection, occupant notification, and system requirements consistent with the building's occupancy classification (e.g., apartments, businesses, assembly). Such buildings shall also comply with the specific detector type, power source, and location requirements of 25 M.R.S.A. Ch. 317, including requirements for dual-powered smoke detectors in new construction and photoelectric technology, carbon monoxide detectors, and fuel gas detectors.

STATE LAW REFERENCE—25 M.R.S.A CH. 317 (PREVENTIVE MEASURES AND RESTRICTIONS).

ARTICLE 4 COMMERCIAL COOKING VENTILATION AND FIRE EXTINGUISHING SYSTEMS

401 GENERAL

This article is intended to reduce the potential fire hazard from cooking operations, irrespective of the type of cooking equipment used and whether used in public or private facilities.

402 COMMERCIAL COOKING EXHAUST HOOD PERMIT

No person shall install, alter, or replace a commercial cooking exhaust hood within the City without first obtaining a permit from the Fire Chief or designee.

402.1 Commercial Cooking Exhaust Hood Plans and Specifications. Shop drawings and manufactures' specifications of the commercial cooking exhaust hood system shall be submitted for review with the permit application to the Fire Chief or designee. Drawings and specifications shall comply with NFPA 96.

402.2 Design and Maintenance. All systems shall comply with NFPA 96 "Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations." This standard shall not apply to facilities where all of the following are met:

1. Only residential equipment is being used.
2. Fire extinguishers located in all kitchen areas in accordance with NFPA 10, Standard for Portable Fire Extinguishers.
3. Facility is not an assembly occupancy.
4. Subject to inspection and approval by the Fire Chief or designee.

403 COMMERCIAL COOKING HOOD FIRE EXTINGUISHING SYSTEMS PERMIT

No person shall install, alter, or replace a fire extinguishing system in public facilities or in public buildings within the City of Ellsworth without first obtaining a permit from the Fire Chief or designee.

403.1 Commercial Cooking Hood Fire Extinguishing Systems Plans. Shop drawings and manufacturer's specifications of the commercial cooking hood fire extinguishing systems shall be submitted for review with the permit application to the Fire Chief or designee. Drawings and specifications shall comply with NFPA 96 and NFPA 17A.

403.2 Design and Maintenance. All systems shall comply with the NFPA standards for wet chemical fire extinguishing systems.

403.3 Extinguishing System Service Technician Certification. Service technicians shall possess a certification issued by the manufacturer or testing organization in accordance with NFPA 17A for the type of commercial cooking hood fire extinguishing system being installed, serviced, maintained, or replaced.

404 APPLICATION PROCEDURES

Application for a commercial cooking exhaust hood or commercial cooking hood fire extinguishing system permit shall be made to the Fire Chief or designee using forms provided by the Ellsworth Fire Department by the owner of the premises to be protected, or by the owner's authorized agent. The application form shall at a minimum require the name, telephone number and address of the owner of the premises to be protected, a designated agent if applicable and the installers of the commercial exhaust hood and/or commercial cooking hood extinguishing systems. The application form shall also require a description of the principal

use of the premises to be protected, a description of the proposed system and the location of its installation and such other data as the Fire Chief or designee may reasonably require.

405 PERMIT REVOCATIONS

The Fire Chief or designee may revoke the installation permit for any system in accordance with Chapter 1, Section 510.6. Such revocation shall not be effective until the Fire Chief or designee has given the permit holder or designated agent written notice concerning the following: (i) any deficiency identified during the installation and reported to the owner that is not corrected within 48 hours, or such longer time as the Fire Chief or designee may permit; and (ii) any data provided in the application form for such system found to have been falsified willfully or through gross negligence of the applicant.

406 CIVIL VIOLATIONS

In addition to the foregoing grounds for revocation of an installation permit hereunder, the following events shall each constitute a civil violation, punishable as set forth in Article 9:

406.1 The installation, alteration or replacement of a commercial cooking exhaust hood system or commercial cooking hood fire extinguishing System in the absence of an effective permit signed by the Fire Chief or designee.

406.2 The falsification of any data provided on an installation permit application form for a commercial cooking ventilation system or any type of commercial cooking exhaust hood fire extinguishing system, done willfully or through gross negligence.

ARTICLE 5 FIRE ALARM SYSTEMS

501 GENERAL

This article recognizes the need for regulation of the installation and use of fire alarm systems:

A. To avoid use of improper equipment,

B. To ensure compliant installation of equipment,

C. To minimize accidental or malicious alarms,

D. To compensate for response of municipal resources in response to nuisance alarms, and

E. To clarify the rights and responsibilities of the property owner and of the City.

502 PERMIT REQUIRED

No person shall install, alter, or replace a fire alarm system within the City without obtaining a permit from the Fire Chief or designee.

502.1 **Application Procedure.** Application for a fire alarm system shall be made to the Fire Chief or designee using forms provided by the Ellsworth Fire Department by the owner of the premises to be protected, or by the owner’s authorized agent. The application form shall at a minimum require the name, telephone number and address of the owner of the premises to be protected, a designated agent if applicable, and the installers of the alarm system, and if a monitored system, the name, address and phone number of the central receiving station that will monitor the alarm.

503 DESIGN

All systems shall comply with NFPA 101 Life Safety Code, the Maine Uniform Building and Energy Code (MUBEC), and NFPA 72 National Fire Alarm and Signaling Code.

503.1 Minimum Requirements. Fire alarm system designs shall meet the minimum requirements of NFPA 72. Fire alarm control panels shall be of the addressable design with a Point Source Identification Communicator; Digital Alarm Communicator Transmitter (ID DACT).

503.2 Design Plans Submission. Plans, diagrams, system information, and device information shall be submitted to the Fire Chief or designee for review prior to issuance of a permit for the installation of the fire alarm system.

503.3 Drawings and Schematics. Shop drawings and manufacturer's specifications of the fire alarm system shall be submitted with the application. Drawings and specifications shall be in compliance with NFPA 72 and shall include:

1. A description of the principal use of the premises to be protected.

2 A description of the proposed system and the location of its installation.

3. And such other data as the Fire Chief or designee may reasonably require.

503.4 Monitoring of Fire Alarm Systems. All fire alarm systems shall be monitored by a U.L. Listed central receiving station. This requirement does not apply to one- and two-family dwellings.

503.5 Audio Visual Notification and Voice Announcement Programming. When activating the silencing mode of the fire alarm system, audio notification, or voice announcement, the programming of the fire alarm system shall allow the audio notification or voice announcement to be canceled immediately and the visual strobe notification shall continue operating until the system is fully reset and restored.

504 INSTALLATION TESTING AND MAINTENANCE

When a new alarm system is installed, the Fire Chief or designee shall be notified 48 hours prior to the final testing of the fire alarm system. The Fire Chief or designee will schedule to be at the site of the installation to witness the test and receive training on the operation of the fire alarm system by the qualified fire alarm technician. A written copy of the test results shall be maintained on the premises and available to the Fire Chief or designee.

504.1 Only qualified technicians shall perform installation, testing and maintenance of fire alarm systems. Technicians shall meet the minimum qualification requirements of NPFA 72.

504.2 Qualified personnel shall include the following:

1. Technicians who are factory trained and certified for the specific type and brand of fire alarm system being installed or serviced.

2. Technicians who are certified by a nationally recognized certification organization acceptable to the Fire Chief.

3. Technicians who are employed and qualified by an organization listed by a nationally recognized testing laboratory for the installation or servicing of fire alarm systems within the scope of this Chapter 4.

504.3 Location of FACP and Remote Annunciator. The fire alarm control panel or fire alarm remote annunciator shall be located by the building's main entrance or as approved by the Fire Chief or designee.

504.4 Smoke detectors and Air supplies. Smoke detection devices shall not be located closer than three (3) feet from any air supply diffuser or return air opening. Smoke detectors shall not be located directly in the air stream of any return and supply registers of high velocity air supplies diffusers.

1. **Fire Doors and Smoke Doors (Self-Closing / Positive Latching).** Any door that is required to be closed at all times and is a self-closing / positive latching door shall be equipped with magnetic hold open devices that will release when the fire alarm or smoke alarms are activated.

2. **Smoke Alarms.** In buildings without a fire alarm system, and where doors are required to be closed, 120-volt smoke alarms shall be installed on either side of the door, that control the magnetic hold-open device. The magnetic hold open device shall release when either smoke alarm is activated.

3. **Roof-Top HVAC Monitoring and Notification.** Roof-Top-Units RTU-HVAC that require duct detection (2000 cfm) either on the supply or the return side or both shall be equipped with an audio / visual notification device located in the occupied space as close as possible to the location of the detector(s) or RTU-HVAC that they are monitoring. The location of the audio / visual notification device shall be determined by the Fire Chief or designee prior to installation. If the building or occupancy is monitored by a fire alarm system the RTU-HVAC duct detector devices shall be integrated with the fire alarm panel.

504.5 Exterior Weatherproof Horn / Strobe. A direct viewing type exterior weatherproof horn/strobe shall be installed outside all individual buildings/tenant spaces that have a fire alarm system and or sprinkler system. The horn/strobe shall activate on the individual building/tenant space indicating/identifying the building with which the fire alarm or sprinkler has been activated. This requirement does not apply to one- and two-family dwellings.

504.6 Programming of Fire Alarm Initiation Devices. Programming identification of all fire alarm devices, including manual initiation, automatic initiation and zones, shall be preapproved by the Fire Chief or designee.

505 PROHIBITED SYSTEMS

No system shall be permitted that automatically transmits to the Ellsworth Dispatch Center.

505.1 City Property Option. At the discretion of the City Council, property owned by the City that is protected by a fire alarm system may automatically transmit to the Ellsworth Dispatch Center.

506 ALARM RESPONSES

The property owner or designated agent(s) shall respond to each alarm at the request of the Ellsworth Fire Department for securing the premises.

507 NUISANCE ALARM SERVICE AND REPAIR

In the event the activation of an alarm system is deemed by the Fire Chief or designee to be a nuisance alarm, the building owner shall be required to return a completed report of service/repair or a plan of correction within 15 days of the fire alarm activation to the Fire Chief or designee. The report shall verify that: (i) the fire alarm system has actually been examined by a qualified fire alarm technician, and (ii) a bona fide attempt has been made to identify and correct any defect of design, installation or operation of the fire alarm system which was identifiable as the cause of the nuisance alarm activation. Failure to return a report of service/repair or a plan of correction within the 15-day period shall result in a written warning and reminder of the penalties of Section 508 of this Article.

508 NUISANCE ALARMS

The owner of the property of any alarm system that causes the transmittal of a nuisance alarm three (3) times within a six (6) month rolling cycle not to exceed four (4) in calendar year, shall pay an initial penalty of $250 for each subsequent nuisance alarm in excess of that number, not to exceed $1000/ repeat violation.

508.1 The Fire Chief or designee shall give suitable written warning to any building owner, or to his designated agent, whose alarm system sends a third nuisance alarm within a six (6) month rolling cycle**.**

508.2 In the event an alarm is activated as a result of a natural or unnatural event beyond the property owner's control, the alarm activation will not be considered a nuisance alarm.

509 FIRE ALARM SYSTEM DOCUMENTATION

Color-coded as-built drawing floor plans shall be provided, indicating the specific building zones or areas being protected by the fire alarm system, as follows.

509.1 Color coded as-built drawing floor plans shall be submitted in BOTH print form and digital PDF of a size and "drawing layers" to be approved by the Fire Chief or designee.

509.2 All fire alarm documentation records shall be stored in the documentation cabinet. Document record cabinets shall be NFPA 72 compliant.

509.3 The Ellsworth Fire Department utilizes the Space-Age Electronics© Document Records cabinet system. All facilities that are required to have a fire alarm or a sprinkler system or have an existing fire alarm or sprinkler system, or both, shall install a Space-Age Electronics© Document Records cabinet system.

509.4 For new construction, a certificate of occupancy may not be signed by the Fire Chief or designee until the required documentation has been submitted and reviewed by the Fire Chief or designee.

510 CIVIL VIOLATIONS

The following events shall each constitute a civil violation, punishable as set forth on Article 9:

510.1 The installation, alteration or replacement of an alarm system in the absence of a permit signed by the Fire Chief or designee.

510.2 The falsification of any data provided on an application form for an alarm system, whether done willfully or through negligence.

ARTICLE 6 SPRINKLER SYSTEMS

601 DESIGN AND MAINTENANCE

All systems shall comply with NFPA 101 Life Safety Code, NFPA 13 Standard for the Installation of Sprinkler Systems, NFPA 13D "Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes," or NFPA 13R "Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height" and the Maine Life Safety System according to the State Fire Marshal's Rules and Policies for sprinkler systems, and the Maine Uniform Building and Energy Code (MUBEC).

602 DESIGN PLANS

All plans for construction of or alteration to fire sprinkler systems must be submitted for review to the Fire Chief or designee along with a State Fire Marshal's Office installation permit prior to the installation of the sprinkler system. A copy of the State Fire Marshal's Office permit shall be forwarded to the Fire Chief or designee. The State Fire Marshal's preliminary review permit is not sufficient to comply with this requirement.

603 ACCEPTANCE TESTING FOR NEW INSTALLATION

The Fire Chief or designee shall be notified 48 hours prior to the final acceptance test of the underground and aboveground piping system. The Fire Chief or designee will schedule to be at the site of the installation to witness the underground flush test and the acceptance test. Test procedures shall follow the requirements of NFPA 13, and the Ellsworth Water Department policies and procedures. After the testing, contractor test certificates shall be filed with the Fire Chief or designee.

603.1 Required Acceptance Test Certificates:

1. Contractor's Material and Test Certificate for Underground Piping (NFPA 13).
2. Contractor's Material and Test Certificate for Aboveground Piping (NFPA 13).

604 INSPECTION, TESTING, AND MAINTENANCE

Any building containing a sprinkler system shall have the system inspected, tested, and maintained by an inspector licensed by the State Fire Marshal's Office. Inspections, testing, and maintenance shall be in accordance with NFPA 25, to provide at least the same level of performance and protection as designed. A written copy of the test results shall be maintained on the premises and available to the Fire Chief or designee.

605 RESPONSIBILITY FOR MAINTENANCE

The owner, occupant, or agent of any occupied or unoccupied buildings or portions thereof having a sprinkler system in place, whether or not such a system is required by this Chapter 4, shall maintain all sprinklers, standpipe systems, and all component parts in workable condition at all times. It shall be unlawful for any owner, occupant, or agent of either to reduce the effectiveness of the protection, those systems provide. This Section 605 does not prevent the owner, occupant or agent of a building from temporarily reducing or discontinuing the protection when necessary in order to conduct testing, repairs, alterations or additions to the system, provided that the testing, repairs, alterations or additions are done in such a way to avoid the creation of a safety hazard, follow the requirements of NFPA 25, and the requirements of the State Fire Marshal's sprinkler technical policy.

605.1 Notification of System Shutdown or Impairments. Inspection, testing, maintenance, and impairment of water based fire protection systems shall be implemented in accordance with NFPA 25, Standard for the Inspection, Testing and Maintenance of Water Based Fire

Protection Systems, the manufacturer's instructions, and Ellsworth Water Department policies and procedures.

1. The property owner or designated representative shall notify the authority having jurisdiction, the Fire Chief or designee, the Ellsworth Water Superintendent, and the alarm receiving facility before testing or shutting down a system or its supply.

2. The notification of system shutdown shall include the purpose for the shutdown, the system or component involved, and the estimated time of shutdown. All preplanned and emergency impairments shall follow the procedures of NFPA 25 Chapter 15.

3. The Fire Chief or designee, the Ellsworth Water Superintendent, and the alarm receiving facility shall be notified when the system, supply, or component is returned to service.

4. All impairments, whether emergency or preplanned, to water-based fire protection systems shall comply with NFPA 25.

606 SPRINKLER RISERS

Any building having one or more sprinkler risers shall have each riser physically identified. Each riser shall be monitored by an alarm system that will provide the individual riser identification upon sprinkler system activation.

606.1 Multi-Story Building Control Valves. In multi-story buildings (two or more stories) protected throughout by an approved, supervised automatic sprinkler system in accordance with NFPA 101.9.7, an electronically supervised sprinkler control valve and electronically supervised water-flow device shall be provided for each floor.

606.2 Special Structures or Construction Features or Areas. Special structures or construction features or areas protected by an approved, supervised automatic sprinkler system in accordance with NFPA 101.9.7, shall be provided with an electronically supervised control valve and electronically supervised water-flow device.

606.3 Elevator Shaft Protected by a Sprinkler System. If an elevator shaft is protected by an approved, supervised automatic sprinkler system then that portion of the system protecting the shaft shall be provided with an electronically supervised control valve and electronically supervised water-flow device.

606.4 Control Valves and Water flow Devices. Electronically supervised control valves and electronically supervised water-flow devices shall be connected to the fire alarm system in such a manner that tampering with the control valve will activate a supervisory signal of the alarm system indicating the location of the control valve. The operation of the sprinkler water flow device will activate a full fire alarm signal. Control valves and water flow devices shall be installed in an easily accessible location and shall be readily identified. Identification markings shall be legible from the finished floor level.

606.5 Testing Bypass-Loop for Sprinkler System Backflow Valves. A bypass loop shall be installed to accomplish the required annual full forward flow test of the sprinkler system backflow valve. The bypass loop shall be installed around the sprinkler check valve in the fire department connection line with a control valve in the normally closed position. The normally closed control valve shall be chained and locked and may be monitored by the fire alarm system that shall activate a fire alarm system supervisory signal when the valve is operated. This requirement does not apply to 13-D and 13-R systems.

607 NEW BUILDING CONSTRUCTION

607.1 Mandatory Automatic Sprinkler Systems. An approved automatic sprinkler system shall be installed in all areas of all new buildings as required by NFPA 101 Life Safety Code, the Maine Uniform Building and Energy Code (MUBEC) and State Fire Marshal's Rules and Policies for sprinkler systems. This requirement does not apply to one- or two-family dwellings.

607.2 Voluntary Residential Sprinkler Systems in Subdivisions. In accordance with NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, the City recommends the installation of approved residential fire sprinkler systems for all one- and two-family residential buildings within subdivisions. The installation of such systems is optional. If the option is exercised, the system's design and installation must comply with the requirements of NFPA 13D and all applicable rules of the State Fire Marshal's Office.

608 ADDITIONAL REQUIREMENTS OF SPRINKLER SYSTEMS

All automatic sprinkler systems shall be monitored by an approved addressable fire alarm system with a Point Source Identification Communicator; Digital Alarm Communicator Transmitter (ID DACT) and by an approved, proprietary alarm receiving facility, a remote station, or a central station as defined in NFPA 72, National Fire Alarm Code.

608.1 A multiple unit apartment building equipped with an automatic sprinkler system or an apartment in a mixed or multiple use complex of buildings equipped with an automatic sprinkler system shall include an evacuation alarm, which will sound an audible and visual alarm within each individual living space / area and throughout the entire building common areas when the sprinkler system is activated.

608.2 A monitored tamper switch at the system shut off which transmits a nonemergency trouble signal to the alarm monitoring station shall be installed.

608.3 An outside water flow alarm shall be installed. This requirement does not apply to one- and two-family dwellings.

608.4 Exterior Weatherproof Horn / Strobe. A direct viewing type exterior weatherproof horn/strobe shall be installed outside all individual buildings/tenant spaces that have a fire alarm system and or sprinkler system. The horn/strobe shall activate on the individual building/tenant space indicating/identifying the building with which the fire alarm or sprinkler has been activated. This requirement does not apply to one- and two-family dwellings.

609 RESERVED

610 FIRE DEPARTMENT CONNECTIONS

Any building requiring the installation of a Standard 13, 13D, 13R sprinkler system shall have a fire department connection (FDC) as required by the standard the Fire Chief or designee.

610.1 FDC Location and Size.

1. The location of the FDC shall be approved by the Fire Chief or designee and properly marked "Fire Department Connection".
2. All FDCs shall be configured with "self-locking" 4-inch or 5-inch Storz couplings, and a 30-degree elbow and cap.

(a) *Exception.* The size of the FDC, for systems meeting the NFPA 13-R, or State of Maine approved life safety systems, may be 2.5-inch NH thread with a cap.

610.2 FDC Proximity. To ensure immediate and unobstructed access to water supply during fire suppression operations, all new construction and system installations requiring an FDC shall comply with the following minimum requirements:

1. **Maximum Distance and Path of Travel.**

   (a) *Maximum Distance.* The FDC shall be located not more than 100 feet from the nearest approved, or newly installed fire hydrant.

   (b) *Measurement.* This distance shall be measured along the approved, unobstructed path of fire department vehicle travel and fire hose deployment.

2. **Hydrant Location and Roadway Obstruction.**

   (a) *Same Side of Road.* The required fire hydrant serving the FDC shall be located on the same side of the street or fire apparatus access road as the FDC itself.

   (b) *Prohibition.* Positioning the hydrant across a street, roadway, or median that would require hose lines to cross traffic lanes is prohibited unless approved by the Fire Chief or designee due to site-specific constraints, and only if an approved means of protecting the hose is provided. The intent is to prevent the impeding of traffic during firefighting operations.

3. **Clearance and Accessibility.**

   (a) *Clearance.* A minimum 36-inch clear space shall be maintained immediately around the FDC and the hydrant to allow for hose connections and operational access.

   (b) *FDC Protection.* The FDC shall be located so that fire apparatus and connected hose lines do not obstruct primary building access or other essential firefighting functions.

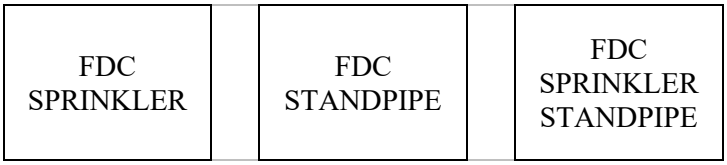
610.3 FDC Signage.

1. For any building served by more than one Sprinkler or standpipe, the FDC shall have signs approved by the Fire Chief or designee clearly noting what each connection serves.

2. Where an FDC services multiple buildings, structures, locations, or partial buildings, structures, or locations, a sign at the FDC shall be provided indicating the buildings, structures, or locations served.

3. Fire department sprinkler or standpipe connection collars shall be of a contrasting color of the building to which they are installed.

4. Sprinkler and Standpipe FDCs shall have a rectangular sign mounted above the connection or connections. The sign shall have white reflective letters on a blue background. Letters shall be one inch in height. Signs shall indicate the following:



5. When a system is temporarily removed from service, regardless of an emergency or preplanned, a tag shall be posted at each FDC and system control valve, indicating which system, or part thereof, has been removed from service.

610.4 Fire Department Connection Obstruction. Any person, property owner or occupant shall immediately clear an obstructed FDC of snow, dumpsters, miscellaneous materials, or any other obstructions.

611 SPRINKLER SYSTEM DOCUMENTATION

Color coded as-built drawing floor plans shall be provided to the Fire Chief or designee, indicating the specific building zones or area(s) being protected by the sprinkler system. The drawings shall indicate by color code which riser is protecting an individual zone or area.

611.1 Occupancies with multiple sprinkler risers shall have each individual sprinkler riser identified with a sign indicating which zone the riser is protecting.

611.2 Occupancies with sprinkler risers that supply individual isolated electronically supervised control valve(s) and electronically supervised water-flow device(s) shall provide color-coded as-built drawing floor plans indicating the location of the control valve(s) and waterflow device(s) at the sprinkler riser.

611.3 Occupancies with isolated individual electronically supervised control valve(s) and electronically supervised water-flow device(s) shall indicate the physical location(s) of the device(s) on the floor plan(s). The floor plan(s) shall also show the area(s) that the electronically supervised control valve(s) and electronically supervised water-flow device(s) are protecting.

611.4 Color-coded as-built drawing floor plans shall be protected and waterproof. Drawings shall be framed and properly mounted on the wall of the main sprinkler riser room.

611.5 Color coded as-built drawing floor plans shall be of a size to be determined and approved by the Fire Chief or designee to provide fast and easy reference.

611.6 A set of sprinkler system documentation records and as-built drawing floor plans shall be stored in the occupancy Fire Department documentation cabinet. Floor plans shall be submitted in BOTH print form and digital PDF of a size and “drawing layers” to be approved by the Fire Chief or designee.

611.7 For new construction, a certificate of occupancy may not be signed by the Fire Chief or designee until the required sprinkler system documentation has been submitted, reviewed and approved by the Fire Chief or designee.

ARTICLE 7 WATER SUPPLIES FOR FIRE FIGHTING

701 FIRE HYDRANTS

No person shall install, relocate, modify or disconnect from the City supply main for service, any fire hydrant, whether such fire hydrant is located in a public way or on private property, except in accordance with the requirements of this Section 701.

701.1 All hydrant systems shall comply with NFPA 24.

701.2 All fire hydrants shall be maintained in proper operating condition at all times.

701.3 Owners of hydrants shall be responsible for all required inspections and maintenance including but not limited to, removing accumulations of snow/ ice from the fire hydrant(s) and draining the hydrant(s) prior to winter freeze.

701.4 Hydrant inspections shall be conducted at least once a year according to NFPA 25 Standard for the Inspection, Testing and Maintenance of Water Based Fire Protection Systems. Prior to annual flow testing, the Ellsworth Water Superintendent must be notified. Yearly inspection results shall be maintained by the owner and copies delivered to the Water Superintendent and Fire Chief or designee.

701.5 If at any time an inspection reveals that a fire hydrant is inoperative or not in proper operating condition, the Fire Chief or designee and the Ellsworth Water Superintendent shall be immediately notified.

701.6 Water mains proposed to provide water supply to fire hydrants in private, residential, nonresidential, mixed-use or commercial subdivisions or developments shall be at least six (6) inches in diameter.

701.7 All private, residential, non-residential, mixed-use or commercial subdivisions or developments shall install hydrants in compliance with NFPA 1, Chapter 18.4 and 18.5.

701.8 No fire hydrant shall be so installed, relocated, or modified unless it conforms to the specifications set forth in the City Code and as acceptable to the Ellsworth Water Superintendent

701.9 Upon the installation, relocation, or modification of any fire hydrant, the owner or contractor for the owner of any such fire hydrant shall immediately notify the Ellsworth Water Superintendent and the Fire Chief or designee.

702 FIRE PROTECTION AT CONSTRUCTION SITES

As soon as a construction site begins to accumulate combustible materials, a water supply for fire protection either temporary or permanent, may be required at the discretion of the Fire Chief or designee. The Fire Chief or designee shall approve the water supply.

703 REQUIRED PUBLIC WATER SUPPLY FOR FIRE PROTECTION

Any proposed residential, non-residential, mixed-use or commercial subdivisions or development whose vehicular entrance or closest point of said property is located within 600 feet to a public water line must connect to the public water system. The developer shall provide a written statement from the Ellsworth Water Superintendent that adequate water for both domestic and firefighting purposes can be provided without placing an undue burden on the source, treatment facilities or distribution system involved. The developer shall be responsible for paying the costs of system improvements necessary to serve the

development. The minimum size and location of mains, gate valves, hydrants, and service connections shall be reviewed and approved in writing by the Water Superintendent and the Fire Chief or designee.

704 FIRE HYDRANT OBSTRUCTIONS

704.1 No person or persons shall obstruct or permit to be obstructed by any means any fire hydrant located within the City. A 10-foot area around any hydrant shall be clear of all obstructions.

704.2 Nothing shall be attached or affixed to any hydrant, except that hydrants may be fitted with location indicators.

704.3 Hydrants shall not be decorated, except as follows:

1. Hydrants owned by the City may be painted by the Ellsworth Water Department or the Ellsworth Fire Department.

2. Private hydrants shall be painted in conjunction with the following City hydrant flow color coding requirements.

COLOR (BONNET/CAPS)	**FLOW RATE** (GPM)	**NFPA CLASS**	**RATING**
Light Blue	>1500	AA	Very Good Flow
Green	1,000-1,499	A	Good Flow
Orange	500-999	B	Marginally Adequate Flow
Red	< 500	C	Inadequate Flow

704.4 Any person, property owner, or occupant causing snow to obstruct any fire hydrant shall immediately clear the obstructed fire hydrant. Failure to clear the obstructed hydrant shall result in the City clearing the fire hydrant. The person, property owner or occupant responsible for obstructing the fire hydrant may be liable for all costs associated therewith. This provision does not apply to City or MaineDOT highway crews performing snow removal from state and local roadways.

705 FIRE PROTECTION FOR SUBDIVISIONS

705.1 Within subdivisions for residential or commercial use, water supplies for fire suppression purposes shall be provided using one of the following options. A narrative of the water supply option selected shall be included in the recorded deeds, identified as part of the property covenant requirements, and included on the final recorded subdivision plan signed by the Planning Board.

Option 1. Water supply for fire protection shall be provided by water mains and fire hydrants as specified in this Article 7.

Option 2. Water supply for fire protection shall be provided by installing underground stationary water tanks of no less than 10,000 gallons capacity, at not more than 2,000-foot intervals measured along vehicular access and travel routes throughout the development. Minimum requirements for a static water supply system shall comply with NFPA 1142 Standard on Water Supplies for Suburban and Rural Firefighting.

Option 3. Residential sprinklers in accordance with Section 607.2 and NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes.

705.2 Fire Protection Maintenance. Except for water mains and hydrants that are accepted by the Ellsworth Water Department as public infrastructure, upkeep and maintenance of the chosen fire protection option shall remain the responsibility of the developer, property owner or road/property owners association.

705.3 Responsible Party Documentation. Documentation shall be filed with the Fire Chief identifying the responsible party, whether the developer, property owner or road/property owners' association, describing in detail, the responsibilities of upkeep and maintenance of the chosen fire protection option. Documentation shall be noted on site plans and subdivision plans; in the association bylaws, covenants, conditions and restrictions; and in the property deeds approved by the Planning Board and reviewed by the Fire Chief or designee prior to the Planning Board's final signature of approval.

705.4 Open Static Water Sources. Fire protection water supply from penstocks, flumes, rivers, lakes, ponds, fire ponds, reservoirs or private pools for subdivisions are prohibited, except as follows.

1. **Existing Open Static Water Sources.** All previously approved and existing open static dry hydrant water supply sources may continue. Such sources shall be accessible year-round. An existing open water supply source shall be maintained as approved or shall be replaced according to Option 2 or Option 3 of Section 705.1.

ARTICLE 8 DEFINITIONS

For purposes of this Chapter 4, the following terms have the following meanings:

Activity Site. The physical location, property or structure where any activity requiring a permit under this Chapter 4 will be conducted.

Alteration. Any structural change to an existing structure other than repair or addition.

Assembly Occupancy. An occupancy (1) used for a gathering of 50 or more persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation, or similar uses; or (2) used as a special amusement building, regardless of occupant load. [NFPA 101:3.3]

Apartment Building. A building or portion thereof containing three or more dwelling units with independent cooking and bathroom facilities. [NFPA 101-3.3.32.3]

Approved Automatic Sprinkler System. A system installed in accordance with NFPA Standards and approved by the State Fire Marshal's Office.

Approved Supervisory Alarm System. A system, which complies with the requirements of NFPA 72 National Fire Alarm and Signaling Code.

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing, use or enclosure of persons, animals or property.

Ellsworth Dispatch Center. The Dispatch Center for the City public safety departments.

Fire Chiefs' Designee. The position of Fire Inspector shall be established within the Fire Department as the Fire Chiefs' designee. The Fire Chief may detail full-time employees as inspectors as shall be necessary for the enforcement of this Chapter and other provisions of the City Code. The inspector(s) shall work under the supervision of the Fire Chief and serve as the Fire Chiefs' designee for issues related to this Chapter and other provisions of the City Code.

Fire Alarm System. Any mechanism, equipment or device designed to automatically transmit a signal, message or warning indicating fire, water flow, emergency or like need for public safety assistance, from any mode, telephone, dialer, private third party monitors, etc., directly or indirectly to the Ellsworth Dispatch Center.

Indoor Open Flame Devices. Any device including but not limited to, decorative torches, flaming batons, flaming swords, fuel fire lanterns, flares, candles, or any other machines or process liable to start or cause a fire.

Nuisance Alarm. A nuisance alarm means the activation of any alarm system including the alarm being transmitted to the Ellsworth Dispatch Center, which results in requiring a response from the fire department. A nuisance alarm shall include: alarms caused by malfunctioning equipment, mechanical failure, improper installation, lack of proper maintenance, negligent activation of the alarm, or improperly monitored equipment.

One- and Two-Family Dwelling Unit. A building that contains not more than two dwelling units with independent cooking and bathroom facilities. [NFPA 101-3.3.61.2]

Private Fire Hydrant. A valved connection on a water supply system having one or more outlets and that is used to supply hose and fire department pumpers with water on private property. Where connected to a public water system, the private hydrants are supplied by a private service main that begins at the point of service designated by the authority having jurisdiction, usually at a manually operated valve near the property line.

Pyrotechnics. Controlled exothermic chemical reactions that are timed to create the effects of heat, gas, sound, and dispersion of aerosols, emission of visible electromagnetic radiation, or a combination of these effects to provide the maximum effect from the least volume.

Sprinkler Riser. An aboveground horizontal or vertical pipe between the water supply and the overhead piping to which the sprinklers are installed. A sprinkler riser is fitted with a control valve and a water flow alarm device located between the water supply and the overhead piping. Sprinkler riser waterflow alarm device activates the fire alarm system when the sprinkler system is in operation.

Throughout. In or through all parts of a structure including normally unoccupied areas and spaces. "Throughout; as being throughout all the building and areas within the building." [NFPA, Fire Protection Handbook]

Townhouse. A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

Unit of Occupancy. Any interior space with defined boundaries described in a deed, lease, license or agreement in which a discrete business, commercial, office, service, professional, institutional or industrial activity is conducted and which is separated from any other business, commercial, office, service, professional, institutional or industrial activity by interior or exterior walls.

Trusses. Pre-engineered wood or steel, fabricated with diagonal members and used to construct roofs and floors.

ARTICLE 9 PENALTIES AND FINES

901 AUTHORITY

The CEO and Fire Chief are responsible for enforcing the provisions of this Chapter 4 by inspecting premises, investigating complaints, issuing notices of violation, suspending or revoking permits, licenses, or approvals, and participating in legal prosecution of violations as needed, in accordance with Chapter 1, Section 510 of the City Code.

The CEO shall serve as the building official, as defined in 25 M.R.S.A. § 2371, for purposes of administering and enforcing the MUBEC, including performing the required building inspections, issuing building permits, and issuing certificates of occupancy.

The Fire Chief shall serve as the authority having jurisdiction (AHJ), as that term is defined and used in the NFPA codes and standards, for purposes of interpreting and enforcing this Chapter 4 and the codes adopted by reference set forth in Article I, Section 2.1.

APPENDIX 4-A
NATIONAL FIRE PREVENTION ASSOCIATION (NFPA) CODES ADOPTED BY REFERENCE

- **Fire Prevention Code**
  - NFPA 1, Uniform Fire Code, 2018 edition.
- **Water-Based Fire Protection Systems**
  - NFPA 13, Standard for the Installation of Sprinkler Systems, 2019 edition.
  - NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2019 edition.
  - NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies Up To and Including Four Stories in Height, 2019 edition.
  - NFPA 14, Standard for the Installation of Standpipe, Private Hydrants and Hose Systems, 2019 edition.
  - NFPA 15, Standard for Water Spray Fixed Systems for Fire Protection, 2017edition o NFPA #16 Standard for the Installation of Foam- Water Sprinkler and Foam-Water Spray Systems, 2019 edition.
  - NFPA 20, Standard for the Installation of Stationary Fire Pumps for Fire Protection, 2019 edition.
  - NFPA 22, Standard for Water Tanks for Private Fire Protection, 2018 edition.
  - NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2019 edition.
  - NFPA 25, Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems, 2017 edition.
  - NFPA 214, Standard on Water Cooling Towers, 2016 edition.
  - NFPA 318, Standard for the Protection of Semiconductor Fabrication Facilities, 2018 edition.
  - NFPA 409, Standard on Aircraft Hangers, 2016 edition.
  - NFPA 418, Standard for Heliports, 2016 edition.
  - NFPA 750, Standard on Water Mist Fire Protection Systems, 2019 edition.
- **Fire Extinguishers and Fire Extinguishing Systems**
  - NFPA 10, Standard for Portable Fire Extinguishers, 2018 edition.
  - NFPA 11, Standard for Low, Medium, and High- Expansion Foam Systems, 2016 edition.
  - NFPA 12, Standard on Carbon Dioxide Extinguishing Systems, 2018 edition.
  - NFPA 17, Standard for Dry Chemical Extinguishing Systems, 2017 edition.

- NFPA 17A, Standard for Wet Chemical Extinguishing Systems, 2017 edition.
- NFPA 18, Standard on Wetting Agents, 2017 edition.
- NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems, 2018 edition.

- **Dry Cleaning Plants**
  - NFPA 32, Standard for Dry cleaning Plants, 2016 edition.
- **Spray Applications**
  - NFPA 33, Standard for Spray Application Using Flammable or Combustible Materials, 2018 edition.
- **Dip Tanks**
  - NFPA 34, Standard for Dipping and Coating Processes Using Flammable or Combustible Liquids, 2018 edition.
- **Stationary Combustion Engines and Gas Turbines**
  - NFPA 37, Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines, 2018 edition.
- **Bulk Oxygen and Hydrogen Systems**
  - NFPA 55, Standard for the Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationary Containers, Cylinders, and Tanks, 2020 edition.
- **Welding, Cutting and Allied Processes and Acetylene Cylinder Charging Plants**
  - NFPA 51, Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting and Allied Processes, 2018 edition.
  - NFPA 51A, Standard for Acetylene Cylinder Charging Plants, 2012 edition.
  - NFPA 51B, Standard for Fire Prevention During Welding, Cutting, and Other Hot Work, 2019 edition.
- **National Fuel Gas Code**
  - NFPA 54, National Fuel Gas Code, 2018 edition.
- **Fire Protection Rules for Medical Facilities and Equipment**
  - NFPA 99, Standard for Health Care Facilities, 2012 edition.
  - NFPA 99B, Standard for Hypobaric Facilities, 2005 edition.
  - NFPA 110, Standard for Emergency and Standby Power Systems, 2005 edition.
- **Storage and Handling of Liquefied Petroleum Gases**
  - NFPA 58, Liquefied Petroleum Gas Code, 2020 edition.
  - NFPA 59, Utility LP-Gas Plant Code, 2018 edition.

- **National Fire Alarm Code**
  - NFPA 72, National Fire Alarm Code, 2019 edition.
- **Carbon Monoxide Alarms**
  - NFPA 720, Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment (portions of), 2009 edition.
- **Vapor Removal from Cooking Equipment**
  - NFPA 96, Standard for the Ventilation Control and Fire Protection of Commercial Cooking Operations, 2017 edition.
- **Fire Safety in Buildings and Structures**
  - NFPA 80, Standard for Fire Doors and other Opening Protectives, 2019 edition.
  - NFPA 101, Life Safety Code, 2018 edition.
  - NFPA 220, Standard on Types of Building Construction, 2018 edition.
  - NFPA 221, Standard for High Challenge Fire Walls, Fire Walls and Fire Barrier Walls 2018 edition.
  - NFPA 241, Standard for Safeguarding Construction, Alteration, and Demolition Operations, 2019 edition.
- **Tents and Grandstands Air Supported Structures for Places of Assembly**
  - NFPA 102, Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures, 2016 edition.
- **Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances**
  - NFPA 211, Standard for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances, 2019 edition.
- **Purged and Pressurized Enclosures for Electrical Equipment**
  - NFPA 496, Standard for Purged and Pressurized Enclosures for Electrical Equipment, 2019 edition.
- **Display of Fireworks**
  - NFPA 1122, Code for Model Rocketry, 2018 edition,
  - NFPA 1123, Code for Fireworks Display, 2018 edition,
  - NFPA 1124, Code for the Manufacture, Transportation, and Storage of Fireworks and Pyrotechnic Articles, 2017 edition,
- **Pyrotechnics Before a Proximate Audience**
  - NFPA 160, Standard for Flame Effects Before an Audience, 2016 edition.
  - NFPA 1126, Standard for the Use of Pyrotechnics before a Proximate Audience, 2016 edition.

- **Manufacture, Transportation, Storage and Use of Explosive Materials**
  - NFPA 495, Explosive Materials Code, 2018 edition.
- **Flammable and Combustible Liquids**
  - NFPA 30, Standards for Flammable and Combustible Liquids, 2018 edition.
  - NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages, 2018 edition.
  - NFPA 30B, Code for Manufacture and Storage of Aerosol Products, 2019 edition.
  - NFPA 385, Standard for Tank Vehicles for Flammable and Combustible Liquids, 2017 edition.
- **Consumer Fireworks**
  - NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles: Chapter 7, Retail Sales of Consumer Fireworks, 2017 edition.