

## **Minutes from Sprinkler Ordinance Committee meeting**

**Dec. 4, 2017**

**Present:** Councilors Rosie Krueger, Anne Watson and Jean Olson  
City Staff Robert Gowans, Chris Lumbra and Sue Allen  
Planning Commissioner Barbara Conrey  
Draft Ordinance Amendment attached

Meeting called to order at 4:45 p.m. Minutes from Nov. 20 meeting approved.

Councilor Olson asked if Burlington or the State require single family homes to be sprinkled. Lumbra confirmed they do not.

It was suggested that “trailer mounted tiny houses” be added to the ordinance. Councilor Krueger suggested getting legal advice on that because these tiny houses do not appear in any other City building codes. City Attorney Paul Giuliani said trailer mounted tiny houses should not be added for that reason.

Lumbra outlined some suggestions for amending the current ordinance that focused on clarifying requirements, including intention of phrase “change of use.”

After much discussion about a suggested ordinance exemption for houses less than 1,000 square feet, Councilors chose to remove the specific square foot reference, and grant an exemption for: “Single story, single family homes with at least two exterior doors, all living spaces have exists or emergency escape openings at grade level.”

Councilors chose not to delete the ordinance altogether and create a Downtown Fire District. In addition, they rejected a suggestion that all single family homes be removed from the ordinance. Instead, at Councilor Krueger’s suggestion, they chose to give the Variance Committee more flexibility and work-arounds for some single-family applicants. Krueger noted that the sprinkler requirement has saved money in terms of fewer fire fighters hired.

The variances added include:

- Homes with low water volume
- Applicants who present to the Variance Committee alternative safety compliance measures
- Proximity to neighboring structures

Krueger asked Lumbra and Gowans to decide if other variances should be added.

Meeting adjourned at 6:10. Next meeting will be scheduled and warned for Dec. 22.

## 201-4. AMENDMENTS

In addition to the provisions of the Vermont Fire & Building Safety Code, all new construction including additions and changes of use shall be protected throughout by an approved automatic sprinkler system. Commercial projects which include adding commercial kitchens, mixed uses, storage or use of flammable materials or which house other activities which may, at the determination of the Fire Chief, present a discernable fire risk must also be protected throughout by an approved automatic sprinkler system. Sprinkler systems shall be installed in accordance with NFPA 101 Section 9.7 Automatic Sprinklers.

Projects complying with the following exceptions are not required to have sprinkler protection:

*Exception No.1:* Manufactured mobile homes or detached structures such as wood sheds, residential garages or accessory type structured deemed insignificant by the City.

*Exception No.2:* Automatic sprinkler systems installed in any one- or two-family dwelling may be installed in accordance with NFPA 13D.

*Exception No.3:* Automatic sprinkler systems installed in residential occupancies up to and including four stories in height may be installed in accordance with NFPA 13R, except as provided in the Vermont Fire and Building Safety Code.

*Exception No.4:* Residential additions which do not exceed 50% of the square footage of the previously existing building or, in any case, 1,000 square feet.

*Exception No.5:* Commercial additions which do not exceed 50% of the square footage of the previously existing building. ~~Notwithstanding this exception No. 5, commercial additions which contain kitchens, mixed uses, storage or use of flammable materials or which will house other activities which may, at the determination of the Fire Chief, present a discernible fire risk must be sprinkled. Commercial additions which do not exceed 50% of the square footage of the previously existing building must, however, file an alternate fire safety compliance plan approved by the Fire Chief.~~

*Exception No. 6:* Changes of use from commercial or multi-family residential to single-family residential.

*Exception No. 7:* New dwelling units may be added within existing residential properties provided they have a direct exit to the exterior, and are separated from all other portions of the building by fire barriers having a 1-hour fire resistance rating with no openings therein.

*Exception No. 8:* Single story, single family homes ~~less than 1000 square feet,~~ with at least two exterior doors and all living spaces having exits or emergency escape openings at grade level.

*Exception No. 9:* Properties not supported by the City water system.

The Committee shall have authority to grant a variance based on criteria including:

- Inadequate water volume;
- Alternative compliance measures, including but not limited to:
  1. Proximity to other buildings
  2. Fire separation
  3. Occupancy

## **201-5. PERMITS**

The grant of any permit relating to construction shall be conditioned upon compliance with the Montpelier Building and Fire Code. The grant of any permit relating to new construction, including additions, shall be conditioned upon approval of a design for the installation of an automatic sprinkler system in accordance with the Montpelier Building and Fire Code. For those buildings that are classified as a “public building” pursuant to 20 V.S.A., Chapter 173, such approval shall be obtained from the City of Montpelier pursuant to authority granted by the State of Vermont. For all buildings that are not classified as “public buildings” pursuant to 20 V.S.A., Chapter 173, including but not limited to single family residence and additions to single-family residences, such approval shall be obtained by the City.

### **201.5a. VARIANCE**

Upon written request of the applicant, the Building Inspector may grant a variance from provisions of this chapter solely on the grounds that compliance is not physically possible at the location for which a permit is being sought. The applicant may request a variance decision of the Building Inspector to the Housing and Building Code Board of Appeals as per Article 6.