

LCB File No. R102-08

PROPOSED REGULATION OF THE STATE FIRE MARSHAL

Chapter 477.### of the NAC is hereby amended by adding thereto a new section to read as follows:

“Casino” defined. “Casino” means the room or rooms wherein gaming is conducted and includes any bar, cocktail lounge or other facilities housed therein as well as the area occupied by the games, except restricted gaming operations as defined by NRS 463.0189

NAC 477.281 is hereby amended to read as follows:

1. The State Fire Marshal hereby adopts by reference the following nationally recognized codes with additions and deletions as noted in NAC 477.283:

(a) *International Fire Code*, ~~[2003]~~ 2006 edition, ~~[Volume 1]~~. A copy is available from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, or from the International Code Council at the Internet address <<http://www.iccsafe.org/e/category.html>> , at the price of \$64.00 ~~\$53~~ for members and \$85.50 ~~[\$70]~~ for nonmembers, plus \$5.99 for shipping and handling.

(b) *International Building Code*, ~~[2003]~~ 2006 edition~~[, Volumes 1 and 2]~~. A copy is available from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, or from the International Code Council at the Internet address <http://www.iccsafe.org/e/category.html> , at the price of \$78.75 ~~[\$65]~~ for members, plus \$9.00 ~~[\$5.99]~~ for shipping and handling, and \$105.00 ~~[\$86]~~ for nonmembers, plus \$9.00 ~~[\$6.99]~~ for shipping and handling.

(c) *Uniform Mechanical Code*, ~~[2003]~~ 2006 edition. A copy is available from the International Association of Plumbing and Mechanical Officials, 5001 East Philadelphia Street, Ontario, California 91761-2816, or from the International Association of Plumbing and Mechanical Officials at the Internet address <<http://publications.iapmo.org>> ,at the price of \$93 ~~[\$64 for members and \$89 for nonmembers]~~, plus \$8 for shipping and handling

2. In addition to the codes adopted pursuant to subsection 1, the State Fire Marshal hereby adopts by reference codes and standards *Appendix B, C, and F of the International Fire Code, 2006 edition, and the following codes and standards from the National Fire Protection Association,:* 10, 11, *12, 12A*, 13, 13D, 13R, 14, 15, 17, 17A, 20, 22, 24, 25, *30*, 30B, 50, 50B, 52, 58, 72, 86, 90A, 90B, 96, 99, 110, 111, 140, 160, 385, 407, 409, 410, *418, 495*, 704, 1123, 1126, *1141, 1142, 1144*, 1403, *1961, 1962, 1963 and 1965* and 2001 of the *National Fire Codes* to supplement other codes adopted in this chapter. A copy of the *National Fire Codes* is available from the N.F.P.A., 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, at the price of \$1,272 ~~[\$1,120]~~.

Chapter 477.283 of NAC is hereby amended by adding thereto the provision set forth as section 477.283 1, 477.283 1(f), of the regulation.

1. The following changes are made to the ~~[2003]~~ 2006 edition of the *International Fire Code* as adopted by reference by the State Fire Marshal:

(f) Section ~~[903.2.1.6 is deleted and replaced with]~~ *903.2.1.2 is revised by adding a new paragraph to read as follows “Occupancies containing Casinos, regardless of occupancy*

classification (unknown tenants and/or floor layout) ~~are classified as drinking establishments and must~~ shall be designed and built with a sprinkler system classified as an ordinary Hazard Group 2.

Chapter 477.283 of the NAC is hereby amended by adding thereto a new section to read as follows:

~~*(-) Section 202 under occupancy classification “Casinos are added to A-2”*~~

Chapter 477.283 1(j) is hereby amended by adding thereto a new section to read as follows:

(j) Section 906.1 is revised to read as follows: “When required, portable fire extinguishers must be installed in all group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies. No exceptions will apply.”

~~*() Section 906.2 Exception 2 “three” is deleted and replaced with “annual”*~~

~~*() Section 906.2 Exception 2.4 “three” is deleted and replaced with “annual”*~~

NAC 477.283 1 (k), 477.283 1 (n), 477.283 2 and 477.283 2 (a) is hereby amended to read as follows:

(k) In sections 907.2.12, 907.9.2 and ~~[1019.1.8]~~ **1020.1.7**, “75 feet” is deleted and replaced with “55 feet.”

(n) Section 3301.1.3 is amended to read as follows: ~~“The possession, manufacture, storage, sale, use and handling of fireworks (Class 1.4 and Class 1.3) are prohibited except where permitted by local ordinance.”~~ **“The possession, manufacture, storage, sale, use and handling of Class 1.3 and Class 1.4 pyrotechnics (fireworks) are only allowed in jurisdictions where specifically approved by local ordinance.”**

2. The following changes are made to the ~~[2003]~~ **2006** edition of the **International Building Code** as adopted by the State Fire Marshal:

(a) To section 112 ~~is added the following provision: “This section does not apply to the State Fire Marshal of Nevada.”~~ **is deleted**

Chapter 477.283 1 of the NAC is hereby amended by adding thereto a new section to read as follows:

~~*() To appendix B section B105.2 “75 percent” is deleted and replaced with “50 percent”*~~

NAC 477.283 1 is hereby amended to read as follows:

~~*() Section 308.3.1 Open-flame cooking device is deleted*~~

~~*() Section 308.3.1.1 Liquefied-petroleum-gas-fueled cooking devices is deleted*~~

Chapter 477.283 2 is hereby amended by adding thereto a new section to read as follows:

Section 903.2 is revised by adding a second, third and fourth paragraph to read as follows:

In all occupancies except group R-3 and U occupancies, a building that is more than 2 stories in height, including any height added by useable floor space, must have an automatic sprinkler system throughout.

~~**“An R-1 or R-2 occupancy that has more than two stories must have an N.F.P.A. 13 system installed. An R-1 or R-2 occupancy that has two stories or less must have an N.F.P.A. 13 system or an N.F.P.A. 13R system installed.”**~~

~~—“A building that is more than two stories in height, including any height added by usable floor space, must have automatic sprinkler systems installed throughout.”~~

~~—“Where allowed, an R-1 or R-2 building that has two stories or less must have automatic sprinkler systems installed throughout in accordance with N.F.P.A. 13 or N.F.P.A. 13R. An R-1 or R-2 building that has more than two stories must have automatic sprinkler systems installed throughout in accordance with N.F.P.A. 13.”]~~

NAC 477.283 (o) is hereby amended to read as follows:

(o) Section ~~[1019.1.8]~~ **1020.1.7** is deleted and replaced with: “In a building having a floor level used for human occupancy which is more than 55 feet above or below the level of access for a vehicle of the fire department, all required exit enclosures must be pressurized in accordance with this section. Pressurization must occur automatically upon activation of an approved fire alarm system. The exception and the relief venting provisions remain as written.”

NAC 477.283 () is hereby amended to read as follows:

() Section 903.2.9 Group S-2 is revised by adding a second exception:

Exception 2 will state “Any open parking garage which the definition in section 406.3 of the International Building Code (is exempt from sprinkler)

NAC 477.314 1(a) is hereby amended to read as follows:

(a) Developed by the State Fire Marshal~~[;]~~ **or**

NAC 477.314 1(b) is hereby amended to read as follows:

(b) Developed and given by the National Fire Academy~~[;]~~ **or**

Chapter 477.3122 is hereby amended by adding thereto a new section to read as follows:

5. Fire departments that provide training to firefighters using techniques or exercises that involve the use of fire or any device that produces or may be used to produce fire shall follow the requirements as outlined in the current edition of the National Fire Protection Association’s 1403, Standard on Live Fire Training Evolutions

6. Professional certifications for fire service personnel shall be developed by the Fire Service Standards and Training Committee which shall establish a professional certification manual that outlines position requirements

NAC 477.3144 2(a) is hereby amended to read as follows:

(a) Be recognized by the State Fire Marshal division as being qualified to be an instructor~~[;]~~ **or**

NAC 477.3144 2(b) is hereby amended to read as follows:

(b) Be currently employed as an instructor of fire science or fire technology within the ~~[University and Community College System of Nevada;]~~ **Nevada System of Higher Education** **or**

NAC 477.3144 2(c) is hereby amended to read as follows:

(c) Have completed a development course for instructors offered by the State Fire Marshal Division~~[;]~~ **or**

NAC 477.3144 2(d) is hereby amended to read as follows:

(d) Have at least 4 semester units of upper division credit in educational materials, methods and curriculum development~~[-] or~~

Chapter 477.323 of NAC is hereby amended by adding thereto the provision set forth as section 477.323 1, 477.323 4 and 477.323 5 inclusive, of the regulation.

Permit to Store Hazardous Material, *Explosive and Fireworks*

1. A person shall not store a hazardous material in excess of the amount set forth in the *International Fire Code 2006 edition*, as adopted pursuant to NAC 477.281, unless he has been issued an *operational* permit by the State Fire Marshal to store that material. A permit must be renewed annually.

4. Except as otherwise provided in subsection 5, a permit may be issued to store, transport on-site, dispense, use or handle hazardous materials in excess of the amount listed in the *International Fire Code*, ~~[2003]~~ *2006* edition, section 105.6.20, for a fee of \$90.

5. ~~[The fee established by subsection 4, or any portion of it, may be waived by the State Fire Marshal. The State Fire Marshal may issue a permit for other facilities or appliances listed in section 105 of the International Fire Code, [2003] edition, for a fee of \$55, and in addition thereto may charge a fee of \$38.50 per hour, or any fraction thereof, for inspection services and an amount equal to the actual expenses incurred for travel, salaries and administrative expenses.]~~
The State Fire Marshal ~~[may]~~ *shall* issue an ~~[annual]~~ *operational* permit for the manufacture, *storage, handling, sale* of explosives, blasting agents or fireworks for a fee \$1,100, and in addition thereto may charge a fee of \$110 for each building or structure at the facility and an amount equal to the actual expenses incurred for travel, salaries and administrative expenses.

NAC 477.680 is hereby amended to read as follows:

NAC 477.680 Sale of ~~[nonmetallic]~~ portable containers ~~[prohibited.]~~ (NRS 477.030) No person may sell or offer for sale ~~[any plastic or other nonmetallic]~~ portable container for use in storage or transportation of Class I or Class II flammable or combustible liquids *unless those containers comply with NFPA 30.*

Chapter 477.410.2 of NAC is hereby amended to read as follows:

2. Regardless of exceptions contained in the N.F.P.A.'s applicable standards, all portable fire extinguishers except the carbon dioxide extinguishers, *wet chemical*, disposable extinguishers and Halon extinguishers must be recharged at least annually and whenever the service seal has been broken or an inspection indicates that the extinguisher might fail to function. For the recharging of any dry chemical type of extinguishment cylinder to be valid, the serviceman must date and initial with a permanent marking pen on the topmost exposed portion of the pick-up tube before reassembly and recharging. The date on the pick-up tube must correspond to the date on the exterior service tag. Failure to date and initial the pick-up tube is grounds for the immediate suspension or revocation of a certificate of registration. If possible, a collar tag ring as required by N.F.P.A. 10 or an alternate collar tag ring that is approved by the State Fire Marshal must be installed at the time the extinguisher is recharged or serviced.

Chapter 477.740 of NAC is hereby amended by adding thereto the provision set forth as section 477.740 1(b), 477.740(d), 477.740 2 and 477.740 3 of the regulation.

(b) Facility for public education ~~[]~~ *of counties with a population of 400,000 or more, and when requested by the local code official or school administration.*

(d) Building, project for construction or system for protection from fire, involving public occupancy, excluding single-family detached dwellings, in any county whose population is less than ~~[50,000]~~ *100,000 or where there are no inter-local agreement in place between the State Fire Marshal Division and the Authority Having Jurisdiction* or for which a request for review is received from the owner or the authority having jurisdiction.

2. All projects requiring review must receive ~~[approval]~~ *a Certificate of Compliance of all fire life safety issues* from the State Fire Marshal ~~[before they may be used or occupied. Under certain circumstances.]~~ *prior to occupancy of the building or structure. [the State Fire Marshal may allow temporary use or occupancy if, in his determination, the safety of persons or property is not jeopardized.] If requested from the local building official the State Fire Marshal will provide input regarding possible temporary occupancy of the building or structure. [Approval or permission of]* *Certificate of Compliance from* the State Fire Marshal ~~[for occupancy]~~ may be suspended or revoked by him if his approval was granted in error or because incorrect information was supplied, or if he determines that the project is in violation of any code adopted under this chapter, this regulation or other law.

3. The plans and specifications of the project must be drawn to scale upon substantial paper or cloth and must be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it conforms to this chapter and the codes adopted under this chapter. Plans must be drawn, signed and stamped by those persons who are authorized by specific statute and the State Contractors' Board to draw plans and specifications. ~~[A list of those persons described in this subsection may be obtained from the State Fire Marshal.]~~

NAC 477.915 1(d) is hereby amended to read as follows:

(d) Meet the requirements for fire flows contained in this chapter and the *International Fire Code*, ~~[2003]~~ *2006* edition; and

Chapter 477.910 of the NAC is hereby amended by adding thereto a new section to read as follows:

4. If a State building or facility received an inspection from a local fire official other than an inspection from the State Fire Marshal Division that local fire jurisdiction must forward a copy of that report to the State Fire Marshal Division within ten (10) working days of that inspection.

NAC 477.915 1(d) is hereby amended to read as follows:

(d) Meet the requirements for fire flows contained in this chapter and the International Fire Code, ~~[2003]~~ *2006* edition; and

NAC 477.915 2 is hereby amended to read as follows:

2. Every fire in a building or area of a building owned by the State must be reported to the local fire department immediately and *immediately* to the State Fire Marshal *through the on call duty officer immediately after the local fire department is notified. A written report of the incident must be filed with the State Fire Marshal Division* within 24 hours *after the fire.* The

report must be filed by the state agency affected with the Nevada State Fire Marshal, 107 Jacobsen Way, Carson City, Nevada 89711.

Chapter 477.915 of the NAC is hereby amended by adding thereto a new section to read as follows:

5. If a State building or facility received an inspection from a local fire official other than an inspection from the State Fire Marshal officer that local fire jurisdiction must forward a copy of that report to the State Fire Marshal Division within ten (10) working days of that inspection.

Chapter 477.917 of the NAC is hereby amended to read as follows:

NAC 477.917 Existing buildings and structures: Additions, alterations and repairs.
(NRS 477.030)

~~1. [If the value of individual or cumulative additions, alterations and repairs to a building or structure in any 12-month period exceeds 50 percent of the value of the building or structure at the commencement of the 12-month period, the building or structure must conform to the requirements for a new building or structure.~~

~~—2. The State Fire Marshal will determine the value of the building or structure and the value of any additions, alterations and repairs. If the owner of the building disagrees with the value as determined by the State Fire Marshal, the owner of the building may engage a qualified and disinterested appraiser to ascertain the fair market value of the building or structure and the value of any additions, alterations and repairs.~~

~~—3. As used in this section, “addition” means any extension or increase in the floor space or height of a building or structure.]~~

1. Chapter 34 of the IBC, 2006 edition will be used to determine the need for the existing building or structure to conform to the requirements for a new building or structure.

2. Section 3410.2 Applicability – Structures existing prior to [DATE TO BE INSERTED BY THE JURISDICTION. NOTE IT IS RECOMMENDED THAT THIS DATE COINCIDE WITH THE EFFECTIVE DATE OF THE BUILDING CODES WITHIN THE JURISDICTION] will be effected by this section.

NAC 477. 283 1 (a) is hereby repealed.

~~[(a) Section 105.6.35 is revised to read as follows: “An operational permit is required to operate a place of assembly with an occupant load of 100 or more, or as otherwise required by the authority having jurisdiction.”]~~

NAC 477.283 1 (e) is hereby repealed.

~~[(e) Section [508.5.7] is [deleted and replaced with “A clear space of at least 3 feet must be maintained around the front and sides of a fire department connection. A fire department connection must be visible from the approved fire apparatus access road and must be accessible in a direct and unobstructed approved route.”]~~

NAC 477.283 2 (g) is hereby repealed.

~~[(g) Section 403.15 is deleted and replaced with: “A smoke control system must be provided and must meet the requirements of Chapter 9”]~~

NAC 477.283 2 (m)(3) is hereby repealed.

~~[(3) “75 feet” is deleted and replaced with “55 feet.”]~~

NAC 477.690 is hereby repealed

~~[NAC 477.690 Letter of compliance; required label. (NRS 477.030) Manufacturers must furnish the State Fire Marshal with a letter of compliance for each model and size container for which approval is sought. Each letter of compliance must include the label of the testing laboratory, the model number, the capacity, the safety instructions relevant to the type of liquid for which the container is to be used and the name of the liquid for which the container is to be used.]~~

NAC 477.695 is hereby repealed

~~[NAC 477.695 Color and lettering. (NRS 477.030) Gasoline containers must be solid red in color and bear the word “gasoline.” Kerosene containers shall be solid blue or solid white in color and bear the word “kerosene.” Lettering on both containers must be 1-inch high and of a contrasting color in bold-faced type.]~~

NAC 477.700 is hereby repealed

~~[NAC 477.700 Spouts; vents; closures. (NRS 477.030) Containers must be provided with an integral pouring spout, or designed to accept a pouring spout supplied with the container. Containers must be equipped with a vent which activates upon the building up of excessive pressure within the container. All openings in the container must be equipped with threaded closures containing gaskets resistant to deterioration by petroleum products.]~~

NAC 477.925 is hereby repealed.

~~[NAC 477.925 Mattresses in correctional facilities. (NRS 477.030)~~
~~— 1. Unless otherwise required by state statute or regulation or local ordinance, a mattress in a correctional facility in this State must comply with ASTM E1354-04a and ASTM F1870-99.~~
~~— 2. A copy of ASTM E1354-04a and ASTM F1870-99 is available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado 80112, or from the American National Standards Institute at the Internet address <<http://webstore.ansi.org>>, for the price of \$38 for each standard.]~~