

34.00: continued

**102.2.1.2** Add subsection:

**102.2.1.2 Other Cases Where Required.** Fire protection systems are required for the following cases:

1. Carbon monoxide alarms are required and shall be selected and installed in accordance with the applicable requirements of 527 CMR and/or 248 CMR and Chapter 9 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 9.00).
2. Existing buildings or portions thereof when changed in use to an A-2 Nightclub occupancy shall be protected with an automatic fire suppression system. Where the A-2 Nightclub occupancy is created in a mixed use building, the A-2 Nightclub occupancy, including all ingress and egress portions shall require automatic fire suppression when the occupant load is 50 or greater; additionally in such mixed use, the A-2 Nightclub occupancy shall be separated from adjacent uses by one hour horizontal and vertical fire separation assemblies in accordance with the applicable provisions of Chapter 7 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 7.00).
3. Notwithstanding the provisions of this code, automatic fire suppression systems are required in municipalities which have adopted the provisions of M.G.L. c. 148, § 26H or I; also see M.G.L. c. 143, § 97A, and M.G.L. c. 148, § 26G½ relative to statutory prospective and retroactive sprinkler requirements for A-2 nightclubs and similar uses.

**102.2.1.3** Add subsection:

**102.2.1.3 Change in Commodity or Storage Arrangement.** Existing buildings, or portions thereof, in which there is a change in occupancy classification, commodity classification, or storage arrangement, as defined by NFPA 13, requires an evaluation of the existing sprinkler system for compliance with NFPA 13 and NFPA 25.

In enforcing the provisions of this section the *building official* may require or accept engineering or other evaluations of the fire protection systems in order to identify possible noncompliant conditions and acceptable solutions. If the evaluation determines that alterations are necessary, the *building official* shall order the abatement of such conditions.

**102.2.2** Add subsection:

**102.2.2 Existing Hazardous Conditions.** This section shall apply to all existing buildings

**102.2.2.1 Existing Non Conforming Means of Egress.** The following conditions shall be corrected in all existing buildings:

1. Less than the number of *means of egress* serving every space and/or story, required by Chapter 10 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 10.00);
2. Any required *means of egress* component which is not of sufficient width to provide adequate exit capacity in accordance with section 1005.1 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 1005.1);
3. Any means of egress which is not so arranged as to provide safe and adequate *means of egress*, including exit signage and emergency lighting in accordance with Chapter 10 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 10.00); or
4. Where the occupant load of an existing Group A-2 Nightclub use is 50 or greater, the main entrance/exit door shall be a minimum 72 inches (nominal) width. This main entrance/exit door shall consist of a pair of side-hinged swinging type doors without a center mullion and shall be equipped with panic hardware (see Chapter 10 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 10.00)). As an alternative, or where construction, regulations or other conditions exist which would preclude the installation of said main entrance/exit door and associated exit access, the owner shall cause the existing means of egress system to be evaluated by a *registered design professional*. Such evaluation shall determine whether the existing means of egress is sufficient to accommodate the occupant load or whether the existing means of egress requires improvement to accommodate safely the occupant load. If the existing means of egress is insufficient to accommodate the occupant load, such inadequate means of egress will, as a minimum, be deemed in violation of this code. Calculation methodologies based on alternative approaches to life safety may be utilized in order to effect said egress evaluation.

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If not corrected, the *building official* shall cite each deficiency in writing as a violation. Said citation shall order the abatement of the non conformance and shall include such a time element as the *building official* deems necessary for the protection of the occupants thereof, or as otherwise provided for by statute.

**102.2.2.2 Exit Order for Hazardous Means of Egress.** In any *existing building* or structure not provided with exit facilities as herein prescribed and in which the exits are deemed hazardous or dangerous to life and limb, the *building official* shall declare such building dangerous and unsafe in accordance with the provisions of section 116 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 116). Any person served with any *such* order shall have the remedy prescribed in section 116 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 116).

**102.2.2.3 Fire Escapes.** Fire escapes shall be permitted in accordance with section 305.

**102.2.2.4 Testing and Certification of Egress Structures.** All exterior bridges, steel or wooden stairways, fire escapes and egress balconies and their structural anchorage shall be examined and/or tested, and certified for structural adequacy and safety every five years, by a *registered design professional*, or others qualified and acceptable to the *building official*; said professional or others shall then submit an affidavit to the *building official*.

**102.2.2.5 Unsafe Lighting and/or Ventilation.** In any existing building, or portion thereof, in which (a) the lighting or ventilation do not meet the applicable provisions in Chapter 12 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 12.00), and (b) which, in the opinion of the *building official*, are dangerous, or hazardous, to the health and safety of the occupants, the *building official* shall order the abatement of such conditions to render the building or structure occupiable or habitable as applicable for the posted use and occupant load.

In enforcing the provisions of this section the *building official* may require or accept engineering or other evaluations of the lighting and/or ventilation systems in order to evaluate possible dangerous or hazardous conditions and acceptable solutions.

Where full compliance with 780 CMR for new construction is not practical for structural and/or other technical reasons, the *building official* may accept compliance alternatives, or engineering or other evaluations which adequately address the building or structure livability for the posted use and occupant load.

**102.6** Add new section:

**102.6 Temporary Overnight helters.** Buildings, facilities or spaces continuing use or changing use to *temporary overnight shelters*, shall conform to the requirements of 780 CMR 3111.

**PART 2 – ADMINISTRATION AND ENFORCEMENT** and all sections contained within it, replace with:

**PART 2 – ADMINISTRATION AND ENFORCEMENT.** For administration and enforcement provisions refer to sections 103 through 116 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 103 through 116).

**202** Add two definitions as follows:

**COMPLIANCE ALTERNATIVE.** An alternative life-safety construction feature which meets or exceeds the requirements or intent of a specific provision of 780 CMR. The *building official* is authorized to approve or disapprove compliance alternatives. Compliance alternatives are only permitted for existing buildings.

**HOUSE MUSEUM.** A *house museum* is an *historic building* or structure. The principal use of such must be as an exhibit of the building or the structure itself which is open to the public not less than 12 days per year, although additional uses, original and/or ancillary to the principal use shall be permitted within the same building up to maximum of 40% of the gross floor area. All entries into the *house museum* list shall be certified by the Massachusetts Historical Commission. The list can be found at <http://www.sec.state.ma.us/mhc/>

**302.2** Replace the text with 'See 780 CMR Appendix G.'