RULES AND REGULATIONS OF THE SAFETY FIRE COMMISSIONER
CHAPTER 120-3-3 RULES AND REGULATIONS FOR THE STATE MINIMUM FIRE SAFETY STANDARDS

TABLE OF CONTENTS

120-3-3-.01 Promulgation and Purpose
120-3-3-.02 Application
120-3-3-.03 Definitions
120-3-3-.04 State Minimum Fire Safety Standards with Modifications
120-3-3-.05 Obstruction of and Access to Fire Hydrants
120-3-3-.06 Request for Modification of Specific Requirements
120-3-3-.07 Fire Safety Information to be Furnished in Hotels, Motels, Apartments, Community Living Arrangements and Dormitories
120-3-3-.08 Access to and Use of Public Facilities by Persons with Disabilities
120-3-3-.09 Parking Space Designation for Persons with Disabilities
120-3-3-.10 Notes
120-3-3-.11 Severability

120-3-3-.01 Promulgation and Purpose.

(1) These rules and regulations of the Safety Fire Commissioner entitled, “Rules and Regulations for the State Minimum Fire Safety Standards” are promulgated to establish the State’s minimum fire safety standards as specified in the Official Code of Georgia Annotated, (O.C.G.A.) Section 25-2-4.

(2) A primary purpose of these rules and regulations is to establish the state minimum fire safety standards and requirements for the prevention of loss of life and property from fire, panic from fear of fire, explosions or related hazards in all buildings, structures and facilities with the exception of one- and two- family dwellings, one- and two-family row houses (townhouses) separated by a 2-hour fire wall and two- family townhouses separated by a 2-hour fire wall.


120-3-3-.02 Application.

(1)(a) Pursuant to O.C.G.A. 25-2-4, rules and regulations adopted by the Safety Fire Commissioner shall have the force and effect of law and shall have statewide application as being the state minimum fire safety standards and shall not require adoption by a municipality or county. The governing authority of any municipality or county in this state is authorized to enforce the state minimum fire safety standards on all buildings and structures except one-family and two-family dwellings, one- and two-family row houses (townhouses) separated by a 2-hour fire wall and two-family townhouses separated by a 2-hour fire wall, and those buildings and structures listed in O.C.G.A. 25-2-13, except as may be required or permitted by O.C.G.A. 25-2-12 and 25-2-12.1.
(b) Pursuant to O.C.G.A. 25-2-13(f), the municipal governing authority in any incorporated area or the county
governing authority in any unincorporated area of the state shall have the authority to enact such ordinances as it deems
necessary to perform fire safety inspections and related activities for those buildings and structures not covered by O.C.G.A.

(2) Whenever the provisions of this chapter of the Rules and Regulations of the Safety Fire Commissioner offer
alternatives, as far as fire safety requirements are concerned, that were not permissible under previous editions of any Rules
and Regulations of the Safety Fire Commissioner covering the same subject matter, the provisions of this chapter may be
used by the authority having jurisdiction in determining whether a building is in compliance with the provisions of O.C.G.A.
Title 25, Chapter 2, and the rules and regulations promulgated there under.


120-3-3-.03 Definitions.

(1) “Ambulatory Health Care Occupancy.” A building or portion thereof used to provide services or treatment
simultaneously to four or more patients that (1) provides, on an outpatient basis, treatment for patients that renders the
patients incapable of taking action for self-preservation under emergency conditions without the assistance of others; or (2)
provides, on an outpatient basis, anesthesia that renders the patients incapable of taking action for self-preservation under
emergency conditions without the assistance of others. For the purpose of compliance with Centers for Medicare & Medicaid
Services (CMS) an Ambulatory Health Care Occupancy is a building or portion thereof used to provide services or treatment
for one or more patients that (1) provides, on an outpatient basis, treatment for patient(s) that renders the patient(s) incapable
of taking action for self-preservation under emergency conditions without the assistance of others; or (2) provides, on an
outpatient basis, anesthesia that renders the patient(s) incapable of taking action for self-preservation under emergency
conditions without the assistance of others

(2) “Assistive device” means a device that may restrain movement which has been determined to be required
by a licensed physician, nurse practitioner or physician’s assistant working under a protocol or job description respectively
and is applied for protection from injury or to support or correct the body alignment of the person, for the treatment of a
person’s physical condition, and may only be used as a treatment intervention where a specific written plan of care has been
developed and the resident consents to such use.

(3) “Assisted living care” means the specialized care and services provided by an assisted living community
which includes the provision of personal services, the administration of medications by a certified medication aide and the
provision of assisted self-preservation.

(4) “Assisted Living Community (ALC)” means facility serving 25 residents or more that is licensed by the
Georgia Department of Community Health and meets the requirements of an existing health care occupancy found in
Chapter 19 of the Life Safety Code or the requirements established in Chapter 34 or 35 of the Life Safety Code as may be
applicable for new or existing facilities.

(5) “Assisted self-preservation” as applied to an Assisted Living Community (ALC) means the capacity of a
resident to be evacuated from an assisted living community to a designated point of safety and within an established period
of time as determined by the Office of the Safety Fire Commissioner. Assisted self-preservation is a function of all of the
following: (A) the condition of the individual; (B) the assistance that is available to be provided to the individual by the
staff of the assisted living community, and (C) the construction of the building in which the assisted living community is
housed, including whether such building meets the safety requirements applicable to an existing Health Care Occupancy or
an Assisted Living Community as established by Chapter 34 or 35 of NFPA 101, Life Safety Code, as may be applicable
respectively to a new or existing facility, and other safety to life provisions as adopted by the Rules and regulations of the
Safety Fire Commissioner.” (Also see the definition for “Self-Preservation”)

(6) “Community Living Arrangement” means for the purpose of this chapter, any residence whether operated
for profit or not which is subject to being licensed by the State, that undertakes through its ownership or management to
provide or arrange for the provision of daily personal services, supports, care or treatment exclusively for two or more adults who are not related to the owner or manager by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Human Services, Division of Mental Health, Developmental Disabilities, and Addictive Diseases.


(7) “Evacuation Capability, Impractical” Means the total evacuation of all residents from a building or structure cannot be achieved in less than thirteen minutes whether day or night. The evacuation capabilities of residents in all cases are based on the time of day or night when the evacuation of the facility would be most difficult (e.g., sleeping residents and/or fewer staff present).

(8) “Evacuation Capability, Prompt.” Means the total evacuation of all residents from the building or structure can be achieved in three minutes or less whether day or night. The evacuation capabilities of residents in all cases are based on the time of day or night when evacuation of the facility would be the most difficult (e.g., sleeping residents and/or fewest staff present).

(9) “Evacuation Capability. Slow.” Means the total evacuation of all residents from the building or structure can be achieved in over three minutes but not in excess of thirteen minutes whether day or night. The evacuation capabilities of residents in all cases are based on the time of day or night when evacuation of the facility would be the most difficult (e.g., sleeping residents and/or fewest staff present).

(10) “Existing Building” means buildings, structures, facilities or conditions which are already in existence or constructed and officially authorized prior to the effective date for the adoption of this Chapter. This definition shall apply to all situations covered by this chapter except where otherwise noted by this chapter.”

(11) “Fire hazard” means for the intents and purposes of this Chapter 120-3-3 and the codes and standards adopted there-under, unless more specifically stated elsewhere in this Chapter, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the authority having jurisdiction determines it to be a risk to persons, to property, or to the health, safety and or welfare of the jurisdiction.”

(12) “Fire Wall” means, for the purpose of this chapter and O.C.G.A. Code Sections 25-2-4 and 25-2-13, walls of any approved noncombustible construction having sufficient structural stability under fire conditions to allow collapse of construction on either side without collapse of the wall for the duration of time indicated by the required fire-resistance rating, and that comply with the provisions for fire walls in accordance with the International Building Code, as adopted by the Georgia Department of Community Affairs. (Refer to modifications to the International Building Code, as adopted by the Board of Community Affairs regarding provisions for “double fire walls.”)

(13) “ICC Code”, means, for the purposes of the Safety Fire Commissioner’s Rules and Regulations, any of the codes, or portions thereof, as published by the International Code Council (ICC) and as adopted and modified as set forth in this Chapter or any other chapter of the Safety Fire Commissioner’s Rules and Regulations.

(14) “Limited Care (Custodial Care) Facilities”. A building, or part thereof, used on a 24-hour basis, for the housing, lodging or boarding of four or more persons who are incapable of self-preservation because of age, physical limitation(s) due to accident or illness, or mental limitation(s) such as mental illness or chemical dependency. This occupancy classification also includes, but is not limited to TBI Facilities or Traumatic Brain Injury Facilities. (See Chapters 18 and 19 of the Life Safety Code for minimum requirements. Also see 120-3-3-.03 of Chapter 120-3-3 Rules of the Safety Fire Commissioner for the definitions of “Assisted Living Community” and “Memory Care Unit”.)
(15) **Lodging or Rooming House.** A building or portion thereof that does not qualify as a one- or two-family dwelling, that provides sleeping accommodations for a total of 15 or fewer people on a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants. Foster homes, group homes, battered spouse shelters, or similar facilities providing lodging and boarding for four but not more than 15 residents or clients, not related by blood or adoption to the owner(s) or operator(s) shall be deemed a lodging or rooming house for purposes of this Chapter 120-3-3.

(16) “**Memory care unit**” means the assisted living community, or specialized unit thereof, that either holds itself out as providing additional or specialized care to persons with diagnoses of probable Alzheimer’s Disease or other dementia who may be at risk of engaging unsafe wandering activities outside the unit or assisted living community (eloping), or charges rates in excess of those charged other residents because of cognitive deficits which may place the residents at risk of eloping. (Such facilities shall comply with Chapter 34 or 35, as may be applicable, of NFPA 101, *Life Safety Code*, as adopted by this Chapter 120-3-3.)

(17) “**Mobile/portable classroom structure**”, means a portable structure built on a chassis, designed as a temporary student classroom structure for educational purposes, and designed to be used with or without a permanent foundation.”

(18) “**Mobile/portable classroom structure, Existing**”, means a mobile/portable classroom structure approved, constructed and placed in use before the effective date of this Chapter 120-3-3.”

(19) “**NFPA Code or Standard**” means, for the purposes of the Safety Fire Commissioner’s Rules and Regulations, any of the codes and/or standards, or portions thereof, as published by the National Fire Protection Association (NFPA) and as adopted and modified in this chapter or any other chapter of the Safety Fire Commissioner’s Rules and Regulations.

(20) “**Occupiable Story**” means, for the purpose of this chapter and the codes and standards adopted herein, a story occupied by people on a regular basis. Stories used exclusively for mechanical equipment rooms, elevator penthouses and similar spaces are not occupiable stories.

(21) “**Personal Care Home**” means, for the purposes of this chapter and O.C.G.A. Section 25-2-13 (b)(1)(J), a facility licensed by the Georgia Department of Community Health as a personal care home. A personal care home is further defined as any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. (Personal Care Homes not designated as an “Assisted Living Community” or a “Memory Care Unit” shall meet the provisions of Chapter 32 or 33, as applicable for Residential Board and Care Occupancies of NFPA 101, *Life Safety Code*, as adopted by this Chapter 120-3-3. See the definition for “Residential Board and Care Occupancies” in 120-3-3.03)

(22) “**Primary Level of Exit Discharge**” means, for the purpose of this chapter and the codes and standards adopted herein, that story which is level with or above finished grade by more than 50% of the cubic volume of the occupiable story. Building levels below the primary level shall not count as a story in determining the height of a building.

(23) “**Residential Board and Care Occupancies** (Specifically Personal Care Homes/Facilities means a building, or part thereof, which is used for lodging and boarding of four or more residents who are not related by blood or marriage to the owners or operators, for the purpose of providing personal care services. Such facilities may also be utilized as a Community Living Arrangement. Either use must be licensed by the State agency having licensing jurisdiction.) Any facility providing lodging and boarding and personal care for four or more residents who are mostly incapable of self-preservation, except brain injury centers, because of physical or mental disability, shall require relocation of so classified excess residents to an appropriate health care facility meeting, at the least, the provisions, for limited care facilities as set forth by NFPA 101, *Life Safety Code*. (See the definitions in 120-3-3.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner for “Assisted Living Community” and “Memory Care Unit.” Also, see the definitions for “Community
(24) “Self-Preservation,” except as defined in NFPA 101, Life Safety Code for day-care occupancies, means the ability to respond to an emergency condition, whether caused by fire or otherwise, and escape the emergency without physical, hands-on assistance from staff. The resident may move from place to place by walking, either unaided or aided by prosthesis, brace, cane, crutches, walker or handrails, or by propelling a wheelchair. (See the definition of “Assisted Self-Preservation”).

(25) “Sleeping Accommodations for Hire” means, for the purpose of this chapter and O.C.G.A. Section 25-2-13 (b)(1), and the adopted codes herein, a bed, whether single, double, queen, or king, which is for hire or rental, whether by the day, week, month, or some other period of time.

(26) “Stories” means, for the purpose of O.C.G.A. Section 25-2-13 (b)(1) and the codes and standards adopted herein, that level starting at the primary level of exit discharge and ending at the highest occupiable story. A building level below the primary level shall not count as a story in determining the height of a building (see the definition of (20) for occupiable story).

Authority. - O.C.G.A. §§25-2-4, 33-2-9, and 50-13-21

120-3-3-.04 State Minimum Fire Safety Standards with Modifications.

(1) Unless otherwise stated in this chapter, the edition of the International Fire Code (IFC), and the following editions of the codes, standards, recommended practices, guides and methods, as published in the National Fire Codes (NFC) by the National Fire Protection Association (NFPA), as adopted and modified in this Chapter, shall be the state minimum fire safety standards. Where any of the adopted publications of the NFPA references NFPA 1 or NFPA 5000, or any fire code or building code, it shall be construed that such references apply to the International Fire Code (IFC) or the International Building Code (IBC) respectively, as adopted by this Chapter 120-3-3, and the Georgia Department of Community Affairs. Where the IFC or IBC does not specifically address the referenced issue, NFPA 1 or NFPA 5000 may be applied subject to the approval of the authority having jurisdiction.

(2) Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities, assisted living homes, memory care units or other health care type occupancies or facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though the codes and standards or the editions of codes and standards adopted by that agency may not be specifically addressed or included in this chapter. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations.

(3) International Fire Code (IFC), 2018 Edition

Modifications:

(a) Modifications to Chapter 1:

1. Delete section 101.1 in its entirety and substitute in its place the following:

“101.1 Title. The International Fire Code, 2018 edition, published by the International Code Council, when used in conjunction with this Chapter, shall be known as a Georgia State Minimum Fire Prevention Code, hereafter referred to as ‘this Code’.”
2. Delete section 101.3 in its entirety and substitute in its place the following:

“101.3 Purposes and Intents of This Code. The primary purpose of this Code, as adopted, is to provide, along with other adopted codes and standards, for the reasonable minimum protection of life and property from the hazards created by fire, smoke, explosion, or panic created from a fear of fire or smoke. It is intended that the purposes of this Code be accomplished by: (1) Coordinating application and enforcement of its provisions with those of other applicable laws, rules, regulations, codes, and standards; and, (2) By coordinating the application of its provisions, where possible, with educational programs or efforts designed to bring about changes in high risk attitudes and behaviors that are the root causes of most fire related problems in Georgia; and (3) By encouraging or requiring informational and awareness programs designed to make the citizens of Georgia aware of their responsibilities for compliance with this Code as well as the other Rules and Regulations of the Safety Fire Commissioner. The intent of this Code is to establish the minimum requirements, consistent with nationally recognized good practice, for providing a reasonable level of life safety and property protection from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises and to provide safety to fire fighters and emergency responders during emergency operations.”

3. Add an exception to section 102.1 to read as follows:

“Exception: This Code does not apply to one- and two- family dwellings or one- and two- family row houses (townhouses) separated by a 2-hour fire wall containing not more than three dwelling units per structure.”

4. Add an exception to section 102.2 to read as follows:

“Exception: This Code does not apply to one- and two- family dwellings or one- and two- family row houses (townhouses) separated by a 2-hour fire wall containing not more than three dwelling units per structure.”

5. Delete section 102.3 in its entirety and substitute in its place the following:

“102.3 Change of use or occupancy. No change shall be made in use or occupancy of any building or structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this Code, as may be applicable, as well as those of the International Building Code (IBC), as adopted by the Department of Community Affairs. Pursuant to O.C.G.A. 25-2-14, due to a change of use or occupancy of a building or structure the building or structure shall be treated as a proposed (new) building. (Refer to 103.3 of this Code regarding the requirements applicable to proposed (new) buildings and structures.)”

6. Delete section 102.4 in its entirety and substitute in its place the following:

“102.4 Application of the building code. The design and construction of proposed (new) buildings and structures shall comply with the International Building Code (IBC), as modified and adopted by the Georgia Department of Community Affairs. Repairs, alterations, additions, changes in use or occupancy classification, or changes in buildings or structures required by provisions of the IFC, and which are within the scope of the IBC, shall be made in accordance with the IBC, for purposes of this Chapter.”

7. Add a new 102.5.1 to read as follows:

“102.5.1 The provisions of 102.5 shall apply to local authorities having jurisdiction unless there is a change of use or occupancy that would apply under 102.3 and which would bring the new use or occupancy under the jurisdiction of O.C.G.A. 25-2-13(b)(1)”

8. Delete section 102.6 in its entirety and insert in its place the following:

“102.6 Historic Buildings, General. O.C.G.A 25-2-13(a)(2) defines a “Historic building or structure” as “any individual building which contributes to the historic character of a historic district, so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources, or so designated pursuant to the provisions of Article 2 of Chapter 10 of Title 44, the “Georgia Historic Preservation Act.”

(A) Refer to 102.1 and 102.2 regarding the application of this Code to existing buildings. Except to the extent required by applicable laws of Georgia (O.C.G.A 25-2-13(b)(3)(D) and (E), the provisions of this Code are not mandatory for buildings or structures identified and classified by the state, or as appropriate, a local jurisdiction, as historic buildings when such buildings or structures are judged by the fire code official to be safe and in the public interest of health, safety
and welfare, based on the criteria established by the referenced provisions of the Official Code of Georgia Annotated. When evaluating the safety of historic buildings the fire official should consult O.C.G.A. Title 8, Chapter 2, Article 3 entitled, ‘Uniform Act for the Application of Building and Fire Related Codes to Existing Buildings,’ and the provisions of O.C.G.A. Sections 25-2-13 (b)(3) & 25-2-13(b)(4), and NFPA Standard 914, Code for Fire Protection of Historic Structures, as adopted by this Chapter as a recommended practice.”

9. Delete section 102.7 in its entirety and substitute in its place the following:

“102.7 Referenced codes and standards. Where the provisions of this Code or the standards referenced thereby and in Chapter 45 of this Code do not apply to the specific subjects, situations or conditions encountered that involve risks to life and property from the hazards of fire, panic from fear of fire or smoke, or related hazards, compliance with the applicable chapters of the Rules and Regulations of the Safety Fire Commissioner shall be evidence of compliance with this Code.”

10. Add a new section 102.13 to read as follows:

“102.13 Coordination of provisions. This Code shall apply to all buildings, structures and facilities as provided in subsections 102.1 and 102.2, and shall be utilized in conjunction with codes and standards specified in Table 102.13 entitled, “CODES REFERENCE GUIDE.”

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11. Delete section 103 and all sections there-under in their entirety and substitute in its place the following:

"SECTION 103 GENERAL PROVISIONS FOR EXISTING AND PROPOSED (NEW) BUILDINGS.

103.1 General Provisions. The administration, enforcement and penalty provisions of O.C.G.A. Title 25, Chapter 2, and the administrative provisions of the various chapters of the Rules and Regulations of the Safety Fire Commissioner shall apply to and regulate the application and enforcement of this Code by the Safety Fire Division of the Office of the Safety Fire Commissioner.

NOTE: Nothing herein shall be construed as prohibiting any local jurisdiction from adopting the deleted portions of Chapter 1 of this Code for local purposes, provided, however, local amendments shall not be less restrictive than this Code, and other codes and standards as adopted by the various chapters of the Rules and Regulations of the Safety Fire Commissioner.

103.1.1 The provisions of O.C.G.A. Title 25, Chapter 2, and other applicable state laws, and the applicable provisions of various chapters of the Rules and Regulations of the Safety Fire Commissioner regarding the requirements for certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. shall apply and are in addition to any requirements of local jurisdictions. Local authorities having jurisdiction need to be consulted to determine if rules and regulations of the local jurisdiction regarding the requirements for local certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. also apply.

103.1.1.1 The administrative, operational, and maintenance provisions of this Code, with regard to the Safety Fire Division of the Office of the Georgia Safety Fire Commissioner, shall be limited to the scope and intents and purposes of the Official Code of Georgia Annotated (O.C.G.A.) Title 25, Chapter 2, and the Commissioner’s Rules and Regulations.

103.1.1.1.1 Pursuant to O.C.G.A. 25-2-13(d), every person who owns or controls the use of any building, part of a building, or structure described in O.C.G.A 25-2-13 (b)(1), which because of floor area, height, location, use or intended use as a gathering place for large groups, or use or intended use by or for the aged, the ill, the incompetent, or the imprisoned, constitutes a special hazard to property or to the life and safety on account of fire or panic from fear of fire, must so construct, equip, maintain, and use such building or structure as to afford every reasonable and practical precaution and protection against injury from such hazards. No person who owns or controls the use or occupancy of such a building or structure shall permit the use of the premises so controlled for any such specially hazardous use unless he has provided such precautions against damage to property or injury to persons by these hazards as are found and determined by the Commissioner in the manner described in O.C.G.A. 25-2-13(d) to be reasonable and practical.

103.2 Existing buildings. Every building and structure existing as of April 1, 1968, which building or structure is listed in paragraph (1) of subsection (b) of O.C.G.A 25-2-13 shall comply with the minimum fire safety standards in the Rules and Regulations of the Safety Fire Commissioner promulgated pursuant to O.C.G.A. 25-2 which were in effect at the time such building or structure was constructed.

Exception 1: Any nonconformance noted under the electrical standards adopted at the time such building or structure was constructed shall be corrected in accordance with the current electrical standards adopted pursuant to O.C.G.A. 25-2.

Exception 2: A less restrictive provision contained in any subsequently adopted minimum fire safety standard pursuant to O.C.G.A. 25-2, may be applied to any existing building or structure.

103.2.1 Existing buildings to be deemed a proposed building. For the purposes of O.C.G.A. 25-2-14(b), any existing building or structure listed in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 and which comes under the jurisdiction of the Office of the Safety Fire Commissioner, pursuant to O.C.G.A. 25-2-12, shall be deemed to be a proposed (new) building in the event such building or structure is subject to substantial renovation, a fire or other hazard of serious consequence, or a change in the classification of occupancy, or a change in the occupant load or structure issued as a condition of occupancy. The term “substantial renovation”, for purposes of this subsection means any construction project involving exits or internal features of such building or structure costing more than the building’s or structure’s assessed value according to county tax records at the time of such renovation (O.C.G.A. 25-2-14). Where a change of classification is involved, also refer to 102.3 of this Code.

103.3 Proposed (new) buildings and additions to existing buildings:
103.3.1 Pursuant to O.C.G.A. 25-2-14.1(b), every proposed building and structure listed in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 shall comply with the adopted minimum fire safety standards that were in effect on the date that plans and specifications therefore were received by the state fire marshal, the proper local fire official or, state inspector for review and approval. Complete plans for proposed (new) buildings and structures recorded as received by the authority having jurisdiction for review prior to the effective date of this Chapter, may be reviewed under the codes, standards, and Rules and Regulations of the Safety Fire Commissioner in force prior to the effective date of this Chapter.

103.3.1.1 Projects receiving a construction permit under earlier editions of the codes and standards must start construction no later than 360 days from the issue date of the permit in order not to require resubmittal for review under the newer adopted codes and standards.

103.3.2 Plans and specifications for all proposed buildings which come under classification in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 and which come under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. 25-2-12 shall be submitted to and receive approval by either the state fire marshal, the proper local fire marshal, or state inspector before any state, municipal, or county building permit may be issued or construction started (O.C.G.A. 25-2-14(a)). All such plans and specifications submitted as required by O.C.G.A. 25-2-14(a) shall be accompanied by a fee in the amount provided in O.C.G.A. 25-2-4.1 and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner.

103.3.3 Pursuant to O.C.G.A. 25-2-37(a), it shall be unlawful for any person to begin construction on any proposed building or structure which comes under the classification in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 and which comes under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. 25-2-12 without first having plans approved in accordance with O.C.G.A. 25-2-14.

103.4 Proposed building construction and completion. Pursuant to O.O.G.A. 25-2-14(b), a complete set of plans and specifications approved as set forth in 103.3 shall be maintained on the construction site, and construction shall proceed in compliance with the state minimum fire safety standards under which such plans and specifications were approved. The owner of any such building or structure or his authorized representative shall notify the state fire marshal, the proper local fire marshal, or state inspector upon completion of approximately 80 percent of the construction thereof and shall apply for a certificate of occupancy when construction of such building or structure is completed.

103.5 Certificate of occupancy required. Pursuant to O.C.G.A. 25-2-14(c), every building or structure which comes under classification in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 and which comes under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. 25-2-12 shall have a certificate of occupancy issued by the state fire marshal, the proper local fire marshal, or state inspector before such building or structure may be occupied. Such certificates of occupancy shall be issued for each business establishment within the building, shall carry a charge in the amount provided in O.C.G.A. 25-2-4.1, shall state the occupant load for such business establishment or building, shall be posted in a prominent location within such business establishment or building, and shall run for the life of the building, except as provided in O.C.G.A. 25-2-14(d). (See 103.2.1of the IFC, as adopted by this Chapter.)”

12. The provisions of section 105, PERMITS, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes. Refer to section 103.3 with regard to permits required by the Rules and Regulations of the Safety Fire Commissioner.

13. The provisions of section 109, BOARD OF APPEALS, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes.

14. Delete section 110.4 and all sections there-under in their entirety and substitute in its place the following:

“110.4 Violation penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this Code, shal be guilty of violation of Section 25-2-37 of the Official Code of Georgia Annotated. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.4.1 Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a
violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.”

15. The provisions of section 113, SERVICE UTILITIES, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes.

(b) Modifications to Chapter 2:

1. Delete section 201.3 in its entirety and substitute in its place the following:
   “201.3 Terms defined in other codes. Where terms are not defined in 120-3-3-.03 of Chapter 120- 3-3 or other applicable chapters of the Rules and Regulations of the Safety Fire Commissioner, or this Code and are defined in the International Building Code (IBC), the International Fuel Gas Code (IFGC), the International Mechanical Code (IMC), or the codes and standards of the National Fire Protection Association (NFPA), as adopted by this Chapter and other Rules and Regulations of the Safety Fire Commissioner, such terms shall have the meanings ascribed to them as in those codes and standards.”

2. Delete Institutional Group I-2 in its entirety and replace with:
   Institutional Group I-2. Institutional Group I-2 occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons who are not capable of self-preservation. This group shall include, but not be limited to, the following:
   Foster care facilities
   Detoxification facilities
   Hospitals
   Nursing homes
   Psychiatric hospitals
   Assisted Living Communities
   Memory Care Units
   Limited Care Facilities (Limited Healthcare)

(c) Modifications to Chapter 3:

1. Delete section 303.5 in its entirety and substitute in its place the following:
   “303.5 Portable Fire Extinguishers. There shall be at least one portable fire extinguisher complying with Section 906 and with a minimum 2-A:40-B:C rating within 25 feet (7620 mm) of each asphalt (tar) kettle during the period such kettle is being utilized, and a minimum of one additional portable fire extinguisher with a minimum 3-A:40-B:C rating on the roof being covered.”

2. Add new exceptions 4, 5, 6, 7 and 8 to section 308.3 to read as follows:
   “Exception #4:
   In Group A public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter, pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonially or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that precautions satisfactory to the authority having jurisdiction are taken to prevent ignition of any combustible material and use of the pyrotechnic device complies with NFPA 1126, Standard for the Use of Pyrotechnics before a Proximate Audience, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration shot of all types of devices being used in the display.

Exception #5:
In Group A public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter, flame effects before an audience shall be permitted in accordance with NFPA 160, *Standard for Flame Effects Before an Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

**Exception #6**

On stages and platforms as a necessary part of a performance in public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

**Exception #7**

In Group A public assembly occupancies having an occupant load greater than 100 with fixed seating, a minimum ceiling height of 25 feet and that have a minimum of two certified fire fighters on site with proper firefighting equipment as determined by the local fire official, pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonial or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that precautions satisfactory to the authority having jurisdiction are taken to prevent ignition of any combustible material and use of the pyrotechnic device complies with NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration shot of all types of devices being used in the display.

**Exception #8:**

In public assembly occupancies having an occupant load greater than 100 with fixed seating, a minimum ceiling height of 25 feet and that have a minimum of two certified fire fighters on site with proper firefighting equipment as determined by the local fire official, flame effects before an audience shall be permitted in accordance with NFPA 160, *Standard for Flame Effects Before an Audience*, as adopted by this Chapter. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

3. Delete section 310.1 ‘General’ its entirety and substitute in its place the following:

   “**310.1 General.** The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material is prohibited in areas indicated in Sections 310.2 through 31.8, buildings, structures, or areas, or portions of buildings, structures, or areas, as indicated is this in any other code or standard as adopted by the Rules and Regulations of the Safety Fire Commissioner, or where prohibited in accordance Chapter 12A of Title 31 of the O.C.G.A.”

4. Delete section 319.1 ‘General’ its entirety and substitute in its place the following:

   **319.1 General.** Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors shall comply with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3 and this section.

5. Delete section 319.3 ‘Exhaust hood’ in its entirety and substitute in its place the following:

   319.3 Exhaust hood. Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood that complies with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3.

6. Delete section 319.4 ‘Fire protection’ in its entirety and substitute in its place the following:
319.4 **Fire protection.** Fire protection shall be provided in accordance with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3.3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

(d) **Modifications to Chapter 4:**

(4) Add section 403.1.1 to read as follows:

**403.1.1 Caregiver training.** A minimum of three hours’ initial fire safety training for receipt of a certificate of training for successful completion shall be required for all directors, operators and all staff members of day-care facilities (adult and children), and for administrator’s, directors, operators and all staff of Group I-1 and Group R-4, assisted living communities, assisted living facilities, community living arrangements, memory care units, personal care homes, and residential board and care homes, as defined in Chapter 2 of this Code or as defined by the Life Safety Code, and or as adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner. The curriculum for the fire safety training shall receive written approval by the State Fire Marshal’s Office and be taught by an instructor registered with the Safety Fire Commissioner’s Office. All persons as required herein to obtain such required training shall receive this training within 90 days from receipt of a license, being commissioned or the opening of a new facility. Such new persons shall receive a minimum of three hours’ initial fire safety training and recommendation for receipt of a certificate of training for successful completion of the training within 90 days of employment. In addition, a minimum of two hours of fire safety refresher training shall be required for receipt of a certificate of training for successful completion of the refresher training. The refresher training shall be required for all persons coming under 403.1.1, every three years from the date initial training is received. Registered instructors shall deliver the training based on policies and direction from the State Fire Marshal’s Office. Instructors found not to be delivering the training in accordance with the said policies and direction shall be removed from the registry and prohibited from delivering future training.”

2. Delete section 403.8.2 in its entirety and substitute in its place the following:

**403.8.2 Group I-2 occupancies.** Group I-2 occupancies to include Assisted Living Communities, Memory Care Units and Limited Care Facilities (Limited Healthcare) shall comply with Sections 401, 403.8.2.1 through 403.8.2.3 and 404 through 406.

(e) **Modifications to Chapter 5:**

1. Add a new section 501.5 to read as follows:

**501.5 Where buildings or facilities fall under the jurisdiction of the Georgia Safety Fire Commissioner as set forth in the Official Code of Georgia Annotated (O.C.G.A.), Title 25, Chapter 2, except for State owned facilities and State occupied facilities, it is intended that the provisions of Chapter 5 that primarily relate to fire department response, access to facilities, access to building interiors, key boxes, premises identification, fire department connection locations, and fire hydrant locations be administered by the local Fire Chief and/or Fire Code Official responsible for providing fire or other emergency response to the buildings or facilities. With regard to State owned State occupied facilities, that are not provided with a facility fire department, it is intended that the local Fire Chief and/or Fire Code Official providing fire protection to such facilities shall have input in the planning of facilities with regard to the noted provisions covered by Chapter 5.”

2. Delete section 503.1.1 in its entirety and substitute in its place the following:

**503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction as determined by the local Fire Chief and/or Fire Code Official of the responding fire department or agency. The fire apparatus access road shall comply with the requirements of this section and Appendix D of this Code. The fire apparatus access road shall extend to within 150 feet (45.7 m) of all portions of the facility or any portion of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility.
Exception: The local Fire Chief and/or Fire Code Official of the responding fire department or agency is authorized to increase the dimension of 150 feet (45.7 m) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.”

3. Add a new section 504.1.1 to read as follows:

“504.1.1 Access Doors. For fire department emergency access purposes, there shall be at least one access door in each 100 linear feet (30.5 m) or major fraction thereof of the exterior walls which face the access roadways required by Section 503, unless otherwise required in this code section. In exterior walls designed with continuous rolling dock doors, which face access roadways, there shall be at least one access door in each 200 linear feet (61 m) or fraction thereof. Required access doors shall be a minimum of 3 feet (0.9 m) wide and 6 feet 8 inches (2 m) high and shall be accessible without use of a ladder. Rolling doors are acceptable for such purposes in buildings protected throughout by an approved automatic sprinkler system(s) unless otherwise approved for unsprinklered buildings by the local Fire Chief and/or Fire Code Official.”

4. Delete section 507.5.1 in its entirety and substitute in its place the following:

“507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet (152 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrant and mains shall be provided where required by the local Fire Chief and/or Fire Code Official of the responding fire department or agency.

Exceptions:

1. For group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).”

5. Delete section 507.5.1.1 in its entirety without substitution. Refer to section 905 of this Code.

(f) Modifications to Chapter 6:

1. Add exception number 3 to 603.4 to read as follows:
3. In emergency conditions, when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer’s instructions and the authority having jurisdiction. Such devices shall be supervised during their period of operation by the establishment of a fire watch system based on the definition of “Fire Watch” in Chapter 2 of this Code. Persons assigned to perform fire watch duties shall be instructed as to their duties.

2. Delete section 604.4 in its entirety and substitute in its place the following:

“604.4 Multiplug adapters & Relocatable Power Taps (RPTs).

604.4.1 Multiplug adapters. The use of multiplug electrical outlet adapters, such as but not limited to cube adapters or plug strips, or any other similar device that is not UL listed and is not equipped with overcurrent protection shall be prohibited. Such devices that are UL listed and are equipped with overcurrent protection shall only be used in accordance
with the UL listing and in accordance with the manufacturer’s instructions. Such listed devices shall not be used where specifically prohibited by a provision of NFPA 70, *National Electrical Code*. Where there is any conflict between the UL listing and the manufacturer’s instructions, the UL listing provisions shall prevail. The suitability for the use of RTP’s shall be based, by the user, on 110.3(A)(1) of the *National Electrical Code*.

**604.4.2 Relocatable Power Taps (RPT’s):**

**604.4.2.1** Relocatable Power Taps (RPT’s) shall be UL listed and labeled in accordance with UL1363. They shall be of the polarized or grounded type, and be equipped with overcurrent protection. RPT’s shall be used in accordance with their UL listing and the manufacturer’s instructions. [NEC, 110.3(B)] Where there is any conflict between the UL listing and the manufacturer’s instructions, the UL listing provisions shall prevail. Such listed devices shall not be used where specifically prohibited by a provision of NFPA 70, *National Electrical Code*.

**604.4.2.2 RPT power supply.** RPT’s shall be directly connected to a permanently installed electrical receptacle. An RPT shall not be plugged into another RPT or into an extension cord or flexible cord. A UL listed extension cord or flexible cord having only one outlet and serving only one device may be plugged into an RPT so long as the arrangement does not cause an overcurrent condition in the RPT.

**604.4.2.3 RPT power cords.** Power cords of RPT’s shall not be extended through holes in walls, structural ceilings, or floors. Such cords shall not be run under doors or floor coverings. They shall not be run through doorways, windows, or similar openings.

**604.4.2.4 Protection from physical damage.** RPT’s shall be mounted off floors to a wall or fixture so as to be protected against physical damage. The method of mounting shall not be permanent so that the devices may be easily relocated as need dictates.

**604.4.2.5 Restricted use in Health Care Occupancies.** “Hospital grade” RPT’s listed, based on UL 1363A, for use in “patient care” or “patient sleeping rooms” of a hospital, limited care facility, nursing home, hospice, or ambulatory health care facility may be used in such locations, unless such use is specifically prohibited by this *Code*, NFPA 70, *National Electrical Code*, NFPA 101, *Life Safety Code*, NFPA 99, *Health Care Facilities Code*, or other applicable State or Federal rule or regulation.”

3. Insert an Informational Note following section 604.4.2.4 to read as follows:

“Informational Note: Based on UL1363, RPT’s are intended for indoor use as an extension of a grounding alternating-current branch circuit for general use. Where such devices are used or intended to be used for voltage surge suppression, the RPT is also required by UL1363 to meet the provisions of UL1449 for Transient Voltage Surge Suppressors. UL1363 incorporates this compliance. Such devices may be utilized for the protection of personal or laptop computers, computer related devices, word processors, memory typewriters, and other low load devices. They are not intended for use with high load equipment such as, but not limited to, refrigerators, coffee pots, microwave ovens, toasters, toaster ovens, space heaters, and other high power load devices. The labeling and manufacturer’s information and instructions need to be consulted to determine if the RPT is also listed for transient voltage suppression. In addition, some RPT devices have additional options included in the device such as “electrical noise” filtration. UL1363 would also require and ensure that component would meet UL1283. The safety requirements relative RPT’s regardless of the various extras that may be included in a device covered by UL1363 and the RPT manufacturer’s instructions. RPT’s have also been referred to as “Temporary Power Taps (TPT’s)”, “power strips”, “Surge/Spice Protectors”, or “Portable Outlets” among other designations. NFPA 70, *National Electrical Code* (NEC), 2011 edition, does not utilize the term “Relocatable Power Tap or RPT, however, for safety provisions similar to those utilized by UL, reference can be made to NEC Article 400, Flexible Cords and Cables, Article 406, Receptacles, Cord Connectors, and Attachment Plugs (CAPS), and Article 517 Health Care Facilities.”

4. Delete section 604.10 and the exception thereto, and substitute in its place the following: Sections 604.10.1 through 604.10.4 remain unchanged.
“604.10 Portable, electric space heaters. Portable, electric heaters are prohibited in all portions of occupancies in Groups A, E (including day care), I-1, I-3, R-1, R-2, and R-4. Where not prohibited by other chapters of this Code, or by provisions of NFPA 101, Life Safety Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, portable, electrical space heaters shall be permitted to be used in all other occupancy groups. Where use is permitted, portable electric space heaters shall comply with Sections 604.10.1 through 604.10.5 and 604.10.6 where applicable.”

5. Add a new section 604.10.6 to read as follows:

“604.10.6 Oil filled radiator type, portable electric space heaters that have a maximum surface temperature restriction of 250º F, may be permitted to be used in staff and employee areas that are located on floors not occupied by patient or staff sleeping areas and that are totally sprinkler protected in I-2 occupancies as defined in Chapter 2 of this Code. For single story I-2 occupancies, such devices may be used in staff and employee non-sleeping areas that are totally sprinkler protected and that are separated from staff and patient sleeping room areas by 1-hour fire rated construction. Such space heaters shall comply with 604.10.1 through 604.10.5.”

6. Add a new 604.12 to read as follows:

“604.12 Separation from Transformers. Space separation for transformers shall be as follows:

(1) Transformer pad locations shall be a minimum of 10 feet (3 m) from any building, building overhangs, canopies, exterior walls, balconies, exterior stairs and/or walkways connected to the building.
(2) Transformer pad edges shall be not less than 14 feet (4.3 m) from any doorway.
(3) Transformer pad edges shall be not less than 10 feet (3 m) from any window or other opening.
(4) If the building has an overhang, the 10 foot (3 m) clearance shall be measured from a point below the edge of the overhang only if the building is three stories or less. If the building is four stories or more, the 10 foot (3 m) clearance shall be measured from the outside building wall.
(5) Fire escapes, outside stairs, and covered walkways attached to or between buildings, shall be considered as part of the building.

604. 12.1 Transformer pads may be located closer to noncombustible walls than the above required minimum clearances in 605.12(1) upon written approval of the authority having jurisdiction, however, in no case shall the transformer location be less than 3 feet (0.9 m) from the building.

604. 12.2 Transformer pads existing prior to December 31, 1994, are exempted from the requirements of 605.11. When buildings are modified, reductions in space separations may be less than the above required minimum clearances upon written approval of the authority having jurisdiction.”

7. Delete section 607 in its entirety and substitute in its place the following:

“607.1 General. Commercial kitchen exhaust hoods and residential cooking appliances in commercial and public buildings shall comply with the requirements of NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, as adopted by this Chapter 120-3-3.”

7. Delete section 609.2 in its entirety and substitute in its place the following:

“607.2 Where required. A commercial hood complying with NFPA 96, as adopted by this Chapter 120-3-3, shall be installed in any occupancy at or above all commercial cooking appliances, and domestic cooking appliances used for commercial purposes and which produce grease laden vapors.

607.2.1 The provisions of 607.2 shall not apply where provided for in the scoping provisions of subsection 1.1.4 of NFPA 96, as adopted by this Chapter 120-3-3.”

8. Delete 607.3 in its entirety and substitute in its place the following:

“607.3 Operations and maintenance. Commercial cooking appliances, and domestic cooking appliances used for commercial purposes and which produce grease laden vapors, and all components of ventilation systems serving such
appliances shall be installed, operated and maintained in accordance with the provisions of NFPA 96 as adopted by this Chapter 120-3-3.”

(g) Modifications to Chapter 7:

1. Add a new 701.2.2 to read as follows:

“701.2.2 Barrier Identification. All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Suggested wording is, “(__) Hour Fire and Smoke Barrier-Protect All Openings.”

(h) Modifications to Chapter 8:

1. Delete section 801.1 in its entirety and substitute in its place the following:

“SECTION 801 GENERAL,

801.1Scope. The provisions of this Code, as adopted by this Chapter shall govern furniture, furnishings, decorative vegetation, and decorative materials, as defined in Chapter 2 of this Code, in buildings and structures. Section 803 shall be applicable to all existing buildings, structures, or spaces constructed and issued the required certificate of occupancy prior to the effective date of this Chapter 120-3-3. Sections 804 through 808 shall be applicable to such existing buildings, structures, and or spaces, and to proposed (new) buildings, structures, or spaces. For the purposes of this Code, wall padding, wall mounted gym pads, crash pads, or other pads mounted or secured to walls shall meet the provisions of this NFPA 101, Life Safety Code applicable to interior finish materials. Gym pads or other pads used on floors shall be considered as furnishings. Interior finish and trim in proposed (new) buildings shall be regulated by NFPA 101, Life Safety Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

(i) Modifications to Chapter 9:

1. Delete section 901.3 in its entirety and substitute in its place the following:

“901.3 Approvals and Permits. Fire protection systems shall be approved as set forth by the authority having jurisdiction. Local authorities having jurisdiction may require permits as required and set forth in 105.6 and 105.7 of this Code.”

2. Delete section 901.4.1 in its entirety and substitute in its place the following:

“901.4.1 Required fire protection systems. Fire suppression systems required by this Code, the International Building Code, the Life Safety Code, or other codes and standards adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner, shall be installed, operated, tested, repaired and maintained in accordance with this Code and applicable standards adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner.”

3. Delete section 901.4.2 in its entirety and substitute in its place the following:

“901.4.2 Provisions in excess of the minimum code requirements shall, as a minimum, be installed to meet the provisions of the currently adopted code(s) and/or standard(s) which may be applicable to the provision at the time of its installation. Any non-required fire protection system which is added onto, interconnected with, any required fire protection system (of a similar type), shall be designed, installed, and maintained in accordance with the provisions of the currently adopted code(s) and/or standard(s) which may be applicable to the provision at the time of its installation.

901.4.2.1 The provisions of 901.4.2 shall not apply to other installations not conforming with the provisions of the currently adopted code(s) and/or standard(s) applicable to the provision at the time of its installation if such installations
are reported and filed with the local responding fire department and the authority having jurisdiction. In addition such systems shall be identified as required by the authority having jurisdiction.

901.4.2.2 The provisions of 901.4.2 shall not apply for non-required systems designed, reviewed, installed and approved in accordance with local codes and/or ordinances.”

4. Delete section 903.2 in its entirety and substitute in its place the following:

“903.2 Where required. (a) Approved automatic sprinkler systems for proposed (new) buildings and structures approved for construction as set forth in 103.3.1 of this Code, or where specifically required for existing buildings and structures, shall as the minimum level of protection, be that required by the applicable provisions of NFPA 101, Life Safety Code and applicable provisions of other codes and standards adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner, and this Code section; provided, however, the International Building Code (IBC) shall govern the requirements for sprinkler protection that are related to minimum building construction types, or to increases in building area and height limitations imposed by the IBC.” (Refer to Table 102.13, CODES REFERENCE GUIDE)

(b) Where a new automatic sprinkler system is required by this Code or other code, standard, rule or regulation, the system shall be designed and installed in accordance with the requirements applicable to systems in proposed (new) buildings and structures.

(c) In addition, an automatic sprinkler system may be required for new or existing buildings, structures, spaces, or conditions by other NFPA standards adopted by this Chapter 120-3-3, or other Rules and Regulations of the Safety Fire Commissioner.

(d) The requirements for the installation, design, and testing of automatic sprinkler systems shall be as applicable, NFPA 13, Standard for the Installation of Sprinkler Systems, NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height; and NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, or as adopted and modified by this Chapter 120-3-3.

903.2.1 The sprinkler protection provision of 903.2 shall not be mandatory for spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with a supervised automatic fire alarm system, and are separated from the remainder of the building by fire barriers consisting of walls and floor/ceiling assemblies having a fire resistance rating of not less than 2-hours.  

NOTE: NFPA 76, Fire Protection of Telecommunications Facilities, should be consulted. Refer to the edition adopted by this Chapter 120-3-3.”

5. Delete section 903.3.7 of this Code in its entirety and substitute in its place the following:

“903.3.7 Fire department connections. The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of this Code, adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

6. Delete section 904.2.2 in its entirety and substitute in its place the following:

“904.2.2 Commercial hood and duct systems. Each required commercial kitchen exhaust hood and duct system required by Section 607 to have a commercial hood complying with NFPA 96, shall be protected with an approved automatic fire-extinguishing system installed in accordance with this Code and applicable provisions of NFPA 96.”

7. Delete section 904.12 in its entirety and substitute in its place the following: “904.12 Fire Protection for Commercial Cooking Operations.

904.12.1 The requirements for, as well as the design, installation, protection and maintenance of cooking equipment, shall be as required by NFPA 101, Life Safety Code and NFPA 96, Standard for the Ventilation Control and Fire
Protection of Commercial Cooking Operations, as adopted by this Chapter 120-3-3.” (Refer to Table 102.13, CODES REFERENCE GUIDE)

904.12.2 Fire suppression systems approved for the protection of commercial cooking appliances shall be designed, installed, and maintained in accordance with the applicable standards adopted in this Chapter.

904.12.3 Portable fire extinguishers for commercial cooking appliances. Portable fire extinguishers shall be installed in kitchens or other commercial cooking areas in accordance with NFPA 10 and NFPA 96, as adopted by this Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner. Class K portable fire extinguishers and the required operation sequence signage required by NFPA 10, shall be located between 5 feet and 10 feet from the manual release device(s) of the kitchen exhaust hood fire suppression system(s).”

8. Delete section 905.1 in its entirety and substitute in its place the following:
“905.1 General. The State's minimum requirements for standpipe systems shall be as required by the International Building Code (IBC) or This Code. Standpipe systems shall be designed, installed and tested in accordance with NFPA 14, Standard for the Installation of Standpipe, and Hose Systems as adopted by this Chapter 120-3-3. (Refer to Table 102.13, CODES REFERENCE GUIDE)”

9. Insert a new subsection 905.13 to read as follows:
“905.13 Fire department connections. The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of this Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

10. Delete section 906.1 in its entirety and substitute in its place the following:
“906.1 Portable Fire Extinguishers - General. Portable fire extinguishers shall be installed in all buildings, structures and facilities falling under this Code and O.C.G.A. 25-2. For any other building, structure, facility, or condition or special hazard, portable fire extinguishers shall be provided as may be required by this Code in Table 906.1, or by various codes and standards adopted by this Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. (Refer to Table 102.13, CODES REFERENCE GUIDE).”

11. Delete section 906.2 in its entirety and substitute in its place the following:
“906.2 General requirements. The selection, distribution, installation, and maintenance of portable fire extinguishers shall comply with NFPA 10, Standard for Portable Fire Extinguishers, as adopted by this Chapter 120-3-3.

906.2.1 The maximum travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.

906.2.2 Thirty-day inspections shall not be required and maintenance shall be allowed to be once every three years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:

(a) Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.
(b) Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
(c) The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.
(d) Electronic monitoring devices and supervisory circuits shall be tested every three years when extinguisher maintenance is performed.
(e) A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to ensure that hydrostatic tests are conducted at the frequency required by NFPA 10.
906.2.3 In Group E - Educational occupancies, in lieu of locating fire extinguishers in corridors and normal paths of travel as specified in NFPA 10, Standard for Portable Fire Extinguishers, fire extinguishers may be located in rooms that open directly onto such corridors and pathways provided all of the following are met:

(a) The room in which such extinguishers are placed are located in close proximity to that portion of the corridor where a fire extinguisher would otherwise be placed in accordance with NFPA 10; Standard for Portable Fire Extinguishers,
(b) A sign which states in white letters at least one inch in height on a red background, ‘FIRE EXTINGUISHER LOCATED IN THIS ROOM,’ is placed on the corridor wall immediately adjacent to the entrance way of each such room so that it can be clearly seen at all times;
(c) The rooms in which such extinguishers are placed shall be constantly supervised during school hours; and,
(d) Those rooms cannot be subject to being locked at any time the building is occupied.”

12. Delete sections 906.3 through 906.10 without substitution (Refer to NFPA 10).
13. Delete section 907.1 in its entirety and substitute in its place the following, while retaining existing subsections:

“907.1 Fire Alarm Systems - General. (a) The State's minimum requirements for fire alarm systems in proposed (new) buildings and structures approved as set forth in 103.3.1 of this Code shall be as required by NFPA 101, Life Safety Code, as adopted by this Chapter 120-3-3. Fire alarm systems shall be designed, installed, tested, and maintained in accordance with NFPA 72, National Fire Alarm and Signaling Code, as adopted by this Chapter 120-3-3. (b) New fire alarm systems to be installed in existing buildings shall be designed, installed, and maintained in accordance with NFPA 72, as adopted by this Chapter 120-3-3. (Refer to Table 102.13 CODES REFERENCE GUIDE)”

17. Delete sections 907.2 through 907.6.6.2 in their entirety and without substitution.
18. Delete section 909.1 in its entirety and substitute in its place the following:

“909.1 Scope and purpose. This section applies to mechanical or passive smoke control systems when they are required for proposed (new) buildings or portions thereof by provisions of the Life Safety Code (LSC) or this Code, as adopted by this Chapter 120-3-3, or by provisions of the International Building Code (IBC), as adopted by the Department of Community Affairs. The purpose of this section is to establish minimum requirements for the design, installation, and acceptance testing of smoke control systems that are intended to provide a tenable environment for the evacuation or relocation of occupants. These provisions are not intended for the preservation of contents, the timely restoration of operations, or for assistance in fire suppression or overhaul activities. Smoke control systems regulated by this section serve a different purpose than the smoke and heat venting provisions found in Section 910. Mechanical smoke control systems shall not be considered exhaust systems under Chapter 5 of the International Mechanical Code (IMC).”

19. Delete section 909.2 in its entirety and substitute in its place the following:

“909.2 General design requirements. Buildings, structures, or portions thereof required by provisions of the Life Safety Code (LSC) or this Code, as adopted by this Chapter, or by provisions of the International Building Code, as adopted by the Department of Community Affairs, to have a smoke control system or systems shall have such systems designed in accordance with the applicable requirements of Section 909 of this Code and the generally accepted and well established principles of engineering relevant to the design. The construction documents shall include sufficient information and detail to describe adequately the elements of the design necessary for the proper implementation of the smoke control systems. These documents shall be accompanied with sufficient information and analysis to demonstrate compliance with these provisions.”

20. Add a new section 909.2.1 to read as follows:

“909.2.1 Smoke Control. For the purposes of 909.2 the following publications shall be considered as providing the generally accepted and well established principals of engineering relevant to design of required smoke control systems.

(1) NFPA 92, Standard for Smoke Control Systems
(2) NFPA SPP.53, Smoke Control in Fire Safety Design
21. Add a new section 909.2.1 to read as follows:

“909.2.1 Deactivation of Mechanical Pressurization Systems. The design of pressurization systems shall ensure that smoke is not introduced into the pressurized enclosure so as to result in the untenable contamination of the fresh air. Approved smoke detectors shall be installed at each intake in such approved manner that the operation of the fan providing mechanical pressurization to the enclosure where smoke is detected shall be deactivated upon detection of smoke.”

22. Add a new subsection 912.2.3 to read as follows:

“912.2.3 Location of fire department connections. The location of fire department connections for automatic sprinkler systems shall be as approved by the Fire Chief as set forth in accordance with Section 912 and Section 501.5 of this Code, as adopted by 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

23. Add a new section 914.7.3 to read as follows:

“914.7.3 Limited Use Special Amusement Buildings: Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the International Fire Code and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);
6. “NO SMOKING” signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;
7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.”
(j) Modifications to Chapter 10:

1. Delete sections 1001 through 1030 in their entirety and substitute in their place the following:

   **1001.1 General.** (A) Proposed (new) buildings or portions thereof approved for construction as set forth in 103.3 of this Code, shall be provided with means of egress and related safeguards as set forth by NFPA 101, *Life Safety Code*, as adopted this Chapter. (Refer to Table 102.13, CODES REFERENCE GUIDE)

   (B) Buildings and structures existing and approved prior the effective date of this Chapter 120-3-3, as set forth in 103.3 of this Code, having means of egress and related safeguards conforming to NFPA 101, *Life Safety Code*, under which they were approved and constructed shall be considered as complying with this Code. Means of egress and related safeguards in existing buildings constructed without approval, may be considered as complying with this code section if, in the judgment of the authority having jurisdiction, they do not constitute a distinct hazard to life. Where, in the judgment of the authority having jurisdiction, the means of egress or related safeguards provided constitute a distinct hazard to life, the hazardous condition or conditions shall be remedied based on the provisions for existing buildings of the Life Safety Code as adopted by this Chapter 120-3-3.

   (C) Exit discharge termination dispersal areas may be utilized where authorized and designed in accordance with 7.7.1.5 of the Life Safety Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

2. Add the following section 1001.2 to read as follows:

   **1001.2 Overcrowding and Life Safety Hazard Prevention.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. It is the responsibility of the manager and the person in charge of a building, structure, or portion thereof not to allow an overcrowded condition or any condition which constitutes a life safety hazard to exist, and to take prompt action to remedy an overcrowded condition or life safety hazard when evidence of such a condition is noted, or when advised or ordered by the Fire Code Official or his/her representative. (Refer to 107.6)

   **1001.2.1 Decreases in the Occupant Load.** For authorized decreases in the occupant load approved by the fire code authority having jurisdiction, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

   **1001.2.2 Increases in the Occupant Load.** For approved increases in the occupant load by the fire code authority having jurisdiction, refer to 7.3.1.5 of Subsection 7.3.1 of NFPA 101, *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

   **1001.2.3 Overcrowded Condition or Life Safety Hazard Determined.** The fire code official, upon finding any overcrowded conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected. In addition, a structure, building, room or designated portion thereof shall be deemed overcrowded if the total of occupants exceeds the exit capacity of the structure, building, room or area involved.”

(k) Modifications to Chapter 11:

1. Delete 1101.1 and substitute in its place the following:

   **1101.1 Scope.** The provisions of this chapter shall apply to existing buildings constructed prior to the effective date of this Chapter 120-3-3.

2. Delete 1101.2 and substitute in its place the following:
“1101.2 Intent. The intent of this chapter is to provide a minimum degree of fire and life safety to persons occupying buildings by providing for existing building rehabilitation activities including repair, renovation, modification, reconstruction, change of use or occupancy classification, and additions to such buildings.

3. Delete 1101.3 and substitute in its place the following:

“1101.3 Permits. Construction permits for buildings falling under State jurisdiction, as set forth in O.C.G.A. 25-2.13, shall be required for the activities noted in 4601.1 when the criteria of O.C.G.A. 25-2-14(d) for an existing building to be classified as a proposed (new) building or structure are met. For local jurisdictions, permits shall be required as set forth in Section 105.7 of this Code and the International Building Code.

4. Delete Sections 1102 through 1104 and substitute in their place a new 1102 to read as follows:

“SECTION 1102 FIRE AND LIFE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS AND STRUCTURES”

“1102.1 General. The intents and purposes of this section shall be met through the application of the applicable provisions of this Code, the Life Safety Code, and other codes and standards as adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner, as they apply to existing conditions and routine maintenance of fire and life safety protection systems and devices. For building rehabilitation activities, including repair, renovation, modification, reconstruction, change of use or occupancy classification, and additions to such buildings, the definitions and requirements of Chapter 43, of the Life Safety Code, adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner shall apply.”

(l) Modifications to Chapter 20:

1. Delete section 2003.5 in its entirety and substitute in its place the following:

“2003.5 Dispensing of flammable and combustible liquids. No dispensing, transfer or storage of flammable or combustible liquids shall be permitted inside any building or structure.

Exceptions:
1. As provided in Chapter 57 of this Code, provided, the provisions are not less protective than the provisions of any applicable Codes and standards adopted by the Rules and Regulations of the Safety Fire Commissioner.
2. When the procedures used follow the guidelines and requirements set forth in NFPA 410 – Standard for Aircraft Maintenance, adopted by this Chapter 120-3-3.”

2. Delete sections 2006.1 through 2006.21.1 in their entirety and substitute in their place a new paragraph 2006.1 to read as follows:

“2006.1 Aircraft motor vehicle fuel-dispensing stations and Airport Fuel Systems. All aircraft motor vehicle fuel-dispensing stations and airport fuel systems shall be in accordance with Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, ‘Rules and Regulations for Flammable and Combustible Liquids.”

3. Delete section 2007.1 in its entirety and substitute in its place the following:

“2007.1 General. Helistops and heliports shall be maintained in accordance with Section 2007. Helistops and heliports on buildings or structures shall be constructed in accordance with the International Building Code and the requirements set forth by NFPA 418, Standard for Heliports, adopted by this Chapter 120-3-3.”

(m) Modification to Chapter 23.

1. Delete sections 2301.1 through 2301.6 in their entirety and substitute in their place a new paragraph 2301.1 to read as follows:
“2301.1 Scope. Automotive motor fuel-dispensing facilities, marine motor fuel dispensing facilities, fleet vehicle motor fuel-dispensing facilities and repair garages shall be in accordance with Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, ‘Rules and Regulations for Flammable and Combustible Liquids’.”

Exception: This chapter shall apply to hydrogen motor fuel-dispensing and generation facilities as specified in section 2309 and repair garages where referenced by subsection 406.6, entitled, ‘Repair Garages,’ of the International Building Code.

2. Delete sections 2303 through 2308 and all other paragraphs thereunder, and section 2310 and all other paragraphs thereunder in their entirety without substitution.

(n) Modification to Chapter 31:

1. Delete 3106.5.2 in its entirety and substitute in it’s place the following:

“3106.5.2 Cooking Operations. Cooking operations shall be evaluated and comply with NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

(o) Modification to Chapter 50:

1. Add two new exceptions 12 and 13 to section 5001.1 to read as follows:


13. Storage, handling, and transportation of liquefied petroleum gas (LP-Gas) and the installation of LP-gas equipment pertinent to systems for such use as outlined Chapter 120-3-16 Rules and Regulations of the Safety Fire Commissioner entitled, ‘Rules and Regulations for Liquefied Petroleum Gases.’”

2. In Table 5003.11.1, add superscript “k” to Oxidizers in the Material column and add the following footnote “k” to read as follows:

“k. Group M occupancies with Class 2 and Class 3 oxidizers exceeding these quantities shall comply with the applicable provisions of NFPA 400, Hazardous Materials Code as adopted by this Chapter 120-3-3.”

(p) Modifications to Chapter 56:

2. Delete sections 5601 through 5607 and all related paragraphs there under in their entirety and substitute in their place the following:

“5601. Explosives and blasting. The provisions of Chapter 120-3-10 Rules and Regulations of the Safety Fire Commissioner entitled, ‘Rules and Regulations for Explosives and Blasting Agents’ shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials and small arms ammunitions.”

3. Delete section 5608.1 in its entirety and substitute in its place the following:

“5608.1 GENERAL PROVISIONS. In addition to the requirements of this Section for the display of fireworks the provisions of O.C.G.A. Title 25, Chapter 2, and Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, shall apply. Where there may be a conflict between a provision of this Section and a provision of the above referenced law or regulation, the provision of the above referenced law or regulation shall apply. Nothing in this chapter shall be construed to prohibit the use of fireworks by railroads or other transportation agencies for the signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports or for the use by military organizations.”

2. Insert a new section 5608.11 to read as follows:
“5608.11 Retail display and sale. (a) Fireworks as defined in the Official Code of Georgia (O.C.G.A.) Title 25, Chapter 10 in 25-10-1 (a)(1) shall not be made available for sale at retail or wholesale, except as provided in O.C.G.A. 25-10. (b) Non-explosive sparkling devices as defined in O.C.G.A. 25-10-1(b) are permitted for retail sales to the public, provided, however, it is unlawful for any such devices to be sold to any person under 18 years of age (O.C.G.A. 25-10-2(b)(1)). In addition, it is unlawful to sell such items to any person by any means other than an in-person, face-to-face sale. Further, such person shall provide proper identification to the seller at the time of such purchase. The term ‘proper identification’ means any document issued by a governmental agency containing a description of the person, such person’s photograph, or both, and giving such person’s date of birth and includes without being limited to, a passport, military identification card, driver’s license, or an identification card authorized under O.C.G.A. Sections 40-5-100 through 40-5-104. (c) In areas where devices are stored or displayed for retail sales, at least one pressurized-water type portable fire extinguisher complying with NFPA 10, as adopted by this Chapter shall be located not more than 20 feet and not closer than 15 feet from the storage or display location. In addition, “NO SMOKING” signs complying with Section 310 shall be conspicuously posted in areas of such storage or display, unless in a building where smoking is clearly marked as prohibited.”

(q) Modification to Chapter 57:

1. Add a new non-applicability paragraph number 12 to section 5701.2 to read as follows:

“12. The storage, transportation, use, dispensing, mixing and handling of Flammable and Combustible Liquids as outlined in Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, ‘Rules and Regulations for Flammable and Combustible Liquids.’”

(r) Modifications to Chapter 61:

1. Delete Chapter 61 in its entirety and substitute in its place the following:

“CHAPTER 61 LIQUEFIED PETROLEUM GASES. The provisions relating to the storage and handling of liquefied petroleum gases shall be those in NFPA 58, Liquefied Petroleum Gas Code, as adopted by Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner. (Refer to Table 102.13, CODES REFERENCE GUIDE)”

(s) Modifications to Chapter 80:

1. Add an Explanatory Note at the start of the Chapter to read:

“Replace the NFPA Standard Reference numbers with the year edition with the same NFPA Standard Reference numbers and titles however; each year edition shall be those as adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner Chapters 102-3-3, 120-3-10, 120-3-11 and 120-3-12.”


Modifications: None


(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

“1.1.3 This document is recognized strictly as a recommended practice for fire prevention and fire protection. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, and it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance.”

(6) NFPA 10, 2018 Edition, Standard for Portable Fire Extinguishers

Modifications:
(a) Modification to Chapter 6:

1. Delete 6.1.3.8.1 in its entirety and insert in its place the following (6.1.3.8.2 and 6.1.3.8.3 remain unchanged: “6.1.3.8.1 Portable fire extinguishers having a gross weight not exceeding 40 lb. (18.14 kg) shall be installed so that the top of the extinguisher is not more than 48 in (1.19 m) above the floor.”

2. Delete 6.1.3.10.5 in its entirety and substitute in its place the following:
6.1.3.10.5 Cabinets or wall recesses for fire extinguishers shall be installed that the top of the opening for the fire extinguisher is at 50 in. (1.27 m) above the finished floor.

6.1.3.10.5.1 The provisions of 6.1.3.10.5 shall not apply to existing installations.

(b) Modifications to Chapter 7:

1. Delete 7.1.2.1* in its entirety and insert in its place the following:
“7.1.2.1 Persons performing maintenance and recharging of extinguishers shall be licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated.”

2. Delete subparagraphs 7.1.2.1.1 thru 7.1.2.1.5 in their entirety without substitution.

3. Delete paragraph 7.1.2.3.

4. Delete subsection 7.3.4.1.1 in its entirety and substitute in its place the following:
“7.3.4.1.1 Tags shall comply the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner.”

5. Delete subsection 7.3.4.2 in its entirety and substitute in its place the following:
“7.3.4.2 Verification-of-Service Collar (Maintenance or Recharging). Verification-of-Service Collars shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner.”

6. Delete subsection 7.3.6.5.3 in its entirety and substitute in its place the following:
“7.3.6.5.3 The 6 year Maintenance internal examination label shall be blue in color and shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner.”

7. Delete subsection 7.11.3 in its entirety and substitute in its place the following:
“7.11.3 Verification-of-Service Collars shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner.”

(c) Modifications to Chapter 8:

1. Delete subsection 8.1.2.1 in its entirety and substitute in its place the following:
“8.1.2.1 Hydrostatic testing shall be performed by persons who are, licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, trained in pressure testing procedures and safeguards complying with 7.1.2, who have testing equipment, facilities, and an appropriate manufacturer’s service manual(s) available.”

2. Delete subsection 8.1.2.1.2 in its entirety without substitution.

3. Delete subsection 8.1.2.1.3 in its entirety and substitute in its place the following:
“8.1.2.1.3* Where hydrostatic testing is subcontracted to a facility described in 8.1.2.1.1, the secondary firm actually performing the hydro testing must be listed on the primary firms license(s) application on file in the Georgia State Fire Marshal’s Office.”

4. Delete subsection 8.7.2.2 in its entirety and substitute in its place the following:
“8.7.2.2 The label shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner.”
Modifications: None

(8) NFPA 12, 2018 Edition, Standard on Carbon Dioxide Extinguishing Systems
Modifications: None

Modifications: None

Modifications:

(a) Modification to Chapter 4:

1. Add a new Section 4.2.1 to read as follows:

   **“4.2.1.1 Modification of Existing Sprinkler Systems.”** In existing sprinkler systems, heads may be relocated from original installation locations. All alterations or modifications to existing branch lines shall be submitted with hydraulic calculations if work is outside of scope of subsections 4.4.1 through 4.4.4. New hydraulic data nameplate shall be placed on any modified system at the riser or sectional valve along with the existing hydraulic data nameplate.

   4.2.1.2 One additional sprinkler may be added to an original installation location if the additional sprinkler is in a remotely located or non-communicating compartment from the existing or relocated sprinkler.

   4.2.1.3 Two sprinklers may be added to an existing branch line if the additional sprinklers are in remotely located or non-communicating compartments from the existing or relocated sprinkler.

   4.2.1.4 New branch lines added to existing cross mains shall be sized the same as the existing branch lines.

   4.2.1.5 No more than two heads shall be supplied from 1 inch (25.4 mm) pipe unless the existing system was calculated to supply more than two heads. In such case, the calculated maximum for 1 inch (25.4 mm) pipe shall take precedence.”

(b) Modification to Chapter 5:

1. Add a new paragraph 5.2.2.3 to read as follows:

   “5.2.2.3 A water test taken to determine the period of highest demand and made not more than six months prior to plan submittal shall be submitted to the authority having jurisdiction with all new system designs.”

(c) Modification to Chapter 9:

1. Delete the Annex note A.9.3.5.1 to 9.3.5.1* and insert a revised A.9.3.5.1 to read follows: “A.9.3.5.1 It is the intent of this section to apply the requirement for draft stops and closely spaced sprinklers to openings in fire rated floor/ceiling assemblies. It is not the intent of this section to require draft stops and closely spaced sprinklers to the perimeter around mezzanines, raised platforms, lofts or other places where stairs or escalators ascend to a floor or landing that is open to the space below.

2. Insert a new 9.3.5.2.1 to read as follows:

   “9.3.5.2.1 Draft stops required by Section 8.15.4.1 shall not be required in Light and Ordinary Hazard Occupancies utilizing quick response sprinklers throughout.”

(c) Modification to Chapter 16:
1.) Delete paragraph 16.12.5.7 in its entirety and substitute in its place the following. The annex note shall remain.

**16.12.5.7 FDC Locations.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsections 501.5 and 912 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Where there may be conflict between subsection 501 or 912 of the *IFC* and section 8.17.2 of this *Code*, the provisions of 501 and 912 of the *IFC* shall prevail.”

**(d) Modification to Chapter 27:**

1. Add a new 27.1.2.1 to read as follows:

   “27.1.2.1 Where plan review notes returned with submitted plans or comments on submitted plans by the authority having jurisdiction (AHJ), indicating the need for corrections, such corrections shall be made by the Fire Protection Sprinkler Designer. Only after the needed corrections are made and shown on corrected plans shall changes by installation personnel be allowed. Corrected plans shall be kept at the project site and shall be firmly attached to the set of plans stamped as approved with comments by the AHJ. Submitted plans returned without the approval stamp of the AHJ shall have corrections made and be resubmitted to the AHJ for review and approval. The installation of a system shall not be allowed where plans have been returned without an approval stamp until corrected plans have been submitted, reviewed, and stamped as approved by the AHJ.”

2. Add new items (48) through (51) to subsection 27.1.3 to read as follows:

   “(48) Type of construction, (i.e. obstructed or unobstructed as defined in Section 3.7), and the distance between the sprinkler deflector and the structure in exposed structure areas.

   (49) Indicate the system is a NFPA 13 designed system.

   (50) Owner’s Certificate, provided in accordance with Section 4.2.

   (51) Name, number and signature of the Certificate of Competency holder & Designer.”

3. Add a new subsection 27.2.4.11.2.1 to read as follows:

   “27.2.4.11.2.1 There shall be a minimum 10 psi (0.69 bar) cushion between the hydraulically calculated sprinkler system demand and supply when there is a backflow prevention device present.

   27.2.4.11.2.1.1 The 10 psi (0.69 bar) cushion may be lowered to not less than 7 psi with written approval of the authority having jurisdiction based on the capability of the fire department to provide support to the system within 10 minutes of the receipt of notification of the alarm of fire in the building.”

4. Add a new subparagraph 27.2.4.11.3 to read as follows:

   “27.2.4.11.3 There shall be a minimum 15 psi (1.03 bar) cushion between the hydraulically calculated sprinkler system demand and supply in systems that do not have a backflow prevention device.

   27.2.4.11.3.1 The 15 psi (1.05 bar) cushion may be lowered to not less than 7 psi with approval of the authority having jurisdiction based on the capability of the fire department to provide support to the system within 10 minutes of the receipt of notification of the alarm of fire in the building.”

**(i) Modification to Chapter 28:**

1. Add a new item (5) to 28.1 to read as follows:

   “(5) Attach an initial “GREEN” inspection tag to the sprinkler system riser.

(a) After installation, acceptance testing, and inspection, at the time the system is initially accepted as being in a state of operational readiness, an Inspection Tag shall be completed and attached to the system at a conspicuous location so as to permit convenient inspection, and not hamper system activation.
(b) Inspection Tags must be **GREEN** in color and have a minimum dimension of 5¼ inches (133 mm) in length and 2 inches (67 mm) in width.

(c) Inspection tags shall bear at least the following information in an easy to read format:

1. **“DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.”** This order shall be in a minimum of 10pt capital letters.
2. The license number, name, and physical address of the licensed Fire Sprinkler Contractor.
3. The license number, printed name, and signature of the licensed Fire Sprinkler Inspector.
4. The properly punched day, month and year the system was inspected and placed in a state of operational readiness.
5. The name and physical address, including tenant space designation, as applicable of the facility.”

2. Add a new Section 28.7 Document Accessibility.

28.7.1 With every new system, a documentation cabinet shall be installed in the system riser room or at another approved location at the protected premises.

28.7.2 The documentation cabinet shall be sized so that it can contain all necessary documentation.

28.7.3 Required minimum documentation shall include copies of Approved Hydraulic calculations, Approved Plans, Above and Below ground contractors test, and Inventory of sprinkler heads.

28.7.4 Where the documentation cabinet is not in the sprinkler riser room, its location shall be identified at the system control valve.

28.7.5 The documentation cabinet shall be prominently labeled **SPRINKLER SYSTEM DOCUMENTS.**

28.7.6 The contents of the cabinet shall be accessible by authorized personnel only.


Modifications: None

(12) **NFPA 13R, 2019 Edition, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height**

Modifications:

(a) **Modification to Chapter 1:**

Delete Section 1.1 in its entirety and substitute in its place the following. Subsection 1.1.1 and 1.1.2 shall remain.

**“1.1 Scope.** This standard deals with the design and installation of automatic sprinkler systems for protection against fire hazards in residential occupancies, personal care homes, day-care centers and group day-care homes, up to and including four stories in height. When a single-story open-air parking structure of fire-restrictive construction having a rating greater than 2-hours is below a four-story residential occupancy, the structure is considered within this scope.”

1. Delete Section 1.2 in its entirety and substitute in its place the following:

**“1.2 Purpose.** The purpose of this standard is to provide design and installation requirements for a sprinkler system to aid in the detection and control of fires in residential occupancies, day-care centers, group day-care homes, and personal care homes, and thus provide improved protection against injury, loss of life, and property damage. A sprinkler
system designed and installed in accordance with this standard is expected to prevent flashover (total involvement) in the room of fire origin, where sprinklered, and to improve the chance for occupants to escape or be evacuated. This standard shall not be applied to “new assisted living communities” or new “memory care units” as defined in 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, and as regulated by Chapter 34 or 35, as applicable, of the Life Safety Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(b) Modification to Chapter 3:

1. Delete subsection 3.3.10 in its entirety and substitute in its place the following:

   “3.3.10 Residential Occupancies. Residential Occupancies, as specified in the scope of this standard and for the purposes of this standard, include the following, as defined by State law, or by the Rules and Regulations of the Georgia Safety Fire Commissioner: (1) Apartment buildings, (2) Lodging and rooming houses, (3) Board and care facilities, (4) Hotels, motels, and dormitories, (5) Personal care homes (prompt and slow evacuation type only), (6) Day-care centers and group day-care homes.”

2. Add a new paragraph 3.3.9.1 to read as follows:

   “3.3.10.1 Day-care Center – For purposes of NFPA 13R, a day-care facility subject to licensure or commission by the Department of Human Resources where more than 12 clients receive care. A day-care center is within the definition of a dwelling unit.”

3. Add a new paragraph 3.3.10.2 to read as follows:

   “3.3.10.2 Group Day-care Home - For purposes of NFPA 13R, a day-care facility subject to licensure or commission by the Department of Human Resources where at least seven but not more than 12 clients receive care. A group day-care home is within the definition of a dwelling unit.”

4. Add a new paragraph 3.3.10.3 to read as follows:

   “3.3.10.3 Dwelling – For purposes of NFPA 13R, any building which contains not more than one or two ‘dwelling units’ intended to be used, rented, leased, hired out to be occupied for habitation purposes, or for use as a day-care center, a group day-care home, or as a personal care home or community living arrangement.”

5. Add a new paragraph 3.3.10.4 to read as follows:

   “3.3.10.4 Outside Dwelling Unit - Any area such as, but not limited to, storage, mechanical and equipment rooms and/or other area(s) that, in the opinion of the authority having jurisdiction, constitutes a fire hazard in excess of the hazards normally found within the dwelling unit.”

6. Add a new paragraph 3.3.10.5 to read as follows:

   “3.3.10.5 Personal Care Home – For the purposes of NFPA 13R, any building or part thereof that is used as defined in Chapter 120-3-3 in 120-3-3-.03(11) of the Rules and Regulations of the Safety Fire Commissioner.”

(c) Modification to Chapter 4:

1. Add a new Section 4.6 to read as follows:

   “4.6 Minimum Pipe Sizes. Minimum pipe sizes shall be ¾ inch (19.1 mm) for copper and 1-inch (25.4 mm) for steel. For other approved pipe or tubing used, a minimum size of ¾ inch (19.1 mm) for those with a Hazen-Williams ‘C’ value of 150 or more and 1 inch (19.1 mm) for those less than 150.”

(d) Modification to Chapter 6:

1. Delete paragraph 6.6.1 in its entirety and substitute in its place the following:

   “6.6.1 Sprinklers shall be installed in all areas except where omission is permitted by 6.6.2 through 6.6.9 excluding day-care facilities. Sprinklers shall be installed in all areas of day-care facilities except where omission is permitted by 6.6.4 and 6.6.5.”

2. Add a new paragraph 6.8.11 to read as follows:
“6.8.11 A non-multipurpose piping system shall be isolated from the domestic water system by not less than two spring-loaded check valves or equivalent.”

3. Add a new paragraph 6.8.12 to read as follows:
“6.8.12 All valves controlling water supplies for sprinkler systems or portions thereof, including floor control valves, shall be easily accessible to authorized persons. Water supply connections shall not extend into or through a building unless such connection is under control of an outside listed indicating valve or an inside listed indicating valve located near an outside wall of the building.”

(e) Modification to Chapter 9:
1. Delete subsection 9.6.2.1 in its entirety and substitute in its place the following:
“Where a waterflow test is used for the purpose of system design, the test shall be conducted no more than 6 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction.”

2. Add a new subsection 9.7.2.1 to read as follows:
“9.7.2.1 A fire pump not meeting NFPA 20, Standard for the Installation of Stationary Pumps for Fire Protection, may be acceptable for small community living arrangements, day-care centers, day-care homes, and small personal care homes based upon documentation and subject to written approval of the authority having jurisdiction.”

(f) Modification to Chapter 10:
1. Add a new subsection 10.1.5 to read as follows:
“10.1.5 Upon completion of the acceptance test as set forth in this section, the installer shall attach an initial “GREEN” inspection tag to the sprinkler system riser.

(a) After installation, testing, and inspection, at the time the system is initially accepted as being in a state of operational readiness, an Inspection Tag shall be completed and attached to the system at a conspicuous location so as to permit convenient inspection, and not hamper system activation.

(b) Inspection Tags must be GREEN in color and have a minimum dimension of 5¼ inches (133 mm) in length and 2 inches (67 mm) in width.

(c) Inspection tags shall bear at least the following information in an easy to read format:
(1) “DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.” This order shall be in a minimum of 10pt capital letters.
(2) The license number, name, and physical address of the licensed Fire Sprinkler Contractor.
(3) The license number, printed name, and signature of the licensed Fire Sprinkler Inspector.
(4) The properly punched day, month and year the system was inspected and placed in a state of operational readiness.
(5) The name and physical address (including tenant space as applicable) of the facility.”

Modifications:

(a) Modifications to Chapter 1:
1. Delete Section 1-1 in its entirety and substitute in its place the following:
“1-1 Scope. The State’s minimum requirements for standpipes shall be established by the IBC (Refer to Table 102.13, CODES REFERENCE GUIDE) of the International Fire Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner). In addition, the requirements for occupant hoses are eliminated for new and existing buildings subject to the approval of the authority having jurisdiction. Where the installation of standpipes and /or hose systems is required, this standard covers the minimum requirements for the installation of standpipes and hose systems for buildings and structures. This standard does not cover requirements for periodic inspection, testing, and maintenance of
standpipe systems. (See NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems.)

(b) Modification to Chapter 7:
1. Delete 7.8 in its entirety and substitute in its place the following:

"7.8 Minimum and Maximum Pressure Limits

7.8.1 Hydraulically designed standpipe systems shall be designed to provide the waterflow rate required by Section 7.10 at a minimum residual pressure of 100 psi (6.9 bar) at the outlet of the hydraulically most remote 2-1/2 inch (65 mm) hose connection and 65 psi (4.5 bar) at the outlet of the hydraulically most remote 1-1/2 (38 mm) hose connection.

7.8.1.1 Where the local Fire Chief or local Fire Code Official having fire suppression jurisdiction permits lower than 100 psi (6.9 bar) for 2-1/2 inch (65 mm) hose connections, based upon local suppression tactics, the pressure shall be permitted to be reduced to not less than 65 psi (4.5 bar).

7.8.1.2 Where the building is protected throughout by a supervised automatic sprinkler system and the building is not a high-rise, as defined in 3.3.5, the minimum residual pressure provisions shall not be mandatory when the standpipe system piping is a minimum of eight inches (8") nominal diameter.

7.8.1.3 Existing high-rise buildings, as defined in 3.3.5, that are protected throughout by a supervised automatic sprinkler system shall be permitted a reduction of the minimum residual pressure requirement of 100 psi (6.9 bar) at the hydraulically most remote 2-1/2 inch (63.5 mm) hose connection to 65 psi (4.5 bar).

7.8.1.4 Manual standpipe systems shall be designed to provide 100 psi (6.9 bar) at the topmost outlet with the calculations terminating at the fire department connection.

2. Insert a new subsection 7.12.3.4 to read as follows:

"7.12.3.4 Location. The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of the International Fire Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(d) Modification to Chapter 10:
1. Add a new subsection 10.3 to read as follows:

"10.3 A letter certifying that all pressure restricting and pressure reducing equipment is installed and set per NFPA requirements and manufacturer’s instructions shall be presented to the inspector along with test certificates at the time of final inspection."

(e) Modification to Annex A:

1. Add a New Annex Note A.7.8.1.4 to read as follows:

"A.7.8.1.4 It is not the intent of this standard to provide an automatic water supply for manual standpipe systems. Manual standpipe systems are designed (sized) to provide 100 psi (6.9 bar) at the topmost outlet using a fire department pumper as the source of flow and pressure."

 Modifications: None

 Modifications: None

Modifications:

(a) Modification to Chapter 1:

1. Delete Section 1.6 in its entirety and substitute in its place the following:
   “1.6* Qualifications. Only persons who are properly trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service dry chemical systems.”

(b) Modification to Chapter 11:

1. Delete subsection 11.1.3 in its entirety and substitute in its place the following:
   “11.1.3 Only persons trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service dry chemical extinguishing systems, in accordance with this standard and the manufacturer’s instructions.”

2. Delete paragraph 11.1.3.1 in its entirety without substitution.

3. Delete subparagraph 11.3.1.2.4 in its entirety and substitute in its place the following:
   “11.3.1.2.4 The label shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner.”

4. Delete subparagraph 11.3.1.2.7 in its entirety and substitute in its place the following:
   “11.3.1.2.7 The collar shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner.”

5. Delete paragraph 11.3.1.10 in its entirety and substitute in its place the following:
   “11.3.1.10 Each dry chemical system shall have the required tags or labels complying with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner after each service has been conducted on the system. Only the current applicable tag or label shall remain on the system.”

6. Delete subsection 11.4.2 in its entirety and substitute in its place the following:
   Systems shall be recharged by persons who are properly trained and licensed under the requirements of Chapter 120-3-23, Rules and Regulations of the Safety Fire Commissioner, in accordance with the manufacturer’s listed installation and maintenance manual.”


Modifications:

(a) Modification to Chapter 1:

1. Delete Section 1.7 in its entirety and substitute in its place the following:
   “1.7* Qualifications. Only persons who are properly trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service wet chemical systems.”

(b) Modification to Chapter 7:

1. Delete subsection 7.3.1 in its entirety and substitute in its place the following:
   “7.3.1 A service technician who performs maintenance on an extinguishing system shall be trained and shall possess a licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated.”

2. Delete paragraph 7.3.1.1 in its entirety without substitution.

3. Delete subparagraph 7.3.3.6.1 in its entirety and substitute in its place the following:
“7.3.3.6.1 The owner or owner’s representative shall retain all maintenance reports for a period of 3 years after
the next maintenance of that type required by the standard.”

4. Delete paragraph 7.3.3.7 in its entirety and substitute in its place the following:
“7.3.3.7* Each wet chemical system shall have a tag or label securely attached, complying with the requirements
of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner. Only the current tag or label shall remain in
place.”

5. Add a new paragraph 7.5.2.4 to read as follows:
“7.5.2.4 Each stored pressure system agent cylinder that has undergone maintenance or hydrostatic testing that
includes internal examination, or that has been recharged shall have ‘Verification of Service’ collar located around the neck
of the cylinder. The collar shall contain a single circular piece of uninterrupted material forming a hole of a size that will
not permit the collar assembly to move over the neck of the cylinder unless the valve is completely removed. The collar
shall not interfere with the operation and actuation of the system cylinder. The ‘Verification of Service’ collar shall comply
with the requirements of NFPA 10, Standard for Portable Fire Extinguishers, as adopted by Chapter 120-3-3, Rules and
Regulations of the Safety Fire Commissioner.

7.5.2.4.1 The provisions of 7.5.2.4 do not apply to stored pressure system cylinders undergoing maintenance
before March 1, 2002.

7.5.2.4.2 Non-stored pressure cylinders such as cartridge cylinders for cartridge-operated systems do not require
a ‘Verification of Service’ collar for the cartridge.”

Modifications: None

Modifications: None

Modifications:
(a) Modification to Chapter 4:

1. Add new paragraphs 4.6.2.3.4 and 4.6.2.3.5 to read as follows:
“4.6.2.3.4 At 150% rated capacity or below, the pump suction supply shall not drop below 20 psi (1.38 bar).

4.6.2.3.5 Suction supply pressure may be lowered upon approval of the authority having jurisdiction.”

Modifications: None

(22) NFPA 24, 2019 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances
Modifications:
(a) Modifications to Chapter 4:

1. Delete 4.1.3 (10) in its entirety and substitute in its place the following:
“(10) Size, location, and piping arrangement of fire department connections as approved by the local Fire Chief having jurisdiction as set forth in 501.5 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

(b) Modifications to Chapter 13:

1. Delete Section 13.1 in its entirety and substitute in its place the following: “13.1* Private Service Mains.
   13.1.1 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply more than one hydrant or one hydrant on dead end mains over 500 feet (152 m).
   13.1.2 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply one hydrant and automatic extinguishing systems.
   13.1.3 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply more than one hydrant and automatic extinguishing systems on looped mains over 1,000 feet (305 m).”

2. Add the following in Annex A, A13.1:
   “A.13.1 Pipe sizing should be based upon good engineering practices based on the projected water demand, firefighting capabilities and water supply characteristics. Pipe sizes other than those specified in 13.1 may be acceptable in new or existing installations with the written approval of the authority having jurisdiction.”


Modifications:

(a) Modifications to Chapter 4:

1. Add a new Subsection 4.3.1.2 to read as follows:
   “4.3.1.2 On non-compliant or impaired systems, a copy of the inspection report shall be forwarded to the authority having jurisdiction by the owner and/or the occupant.”

2. Delete 4.3.3* in its entirety and substitute in its place the following:
   “4.3.3* Records shall be maintained by the property owner for a period of at least three years.”

3. Delete Section 4.3.5 and replace with the following:
   “4.3.5 Subsequent records shall be retained for a period of 3 years after the next inspection of that type required by the standard.”

4. Add a new subsection 4.3.6 to read as follows:
   “4.3.6 Tagging.
   4.3.6.1 Inspection Tag.
   (a) After inspection and testing, an Inspection Tag shall be completed indicating all work that has been done, and then attached to the system in such a position as to permit convenient inspection and not hamper its activation or operation. A new Inspection Tag shall be attached to each system each time an inspection and test service is performed.
   (b) Inspection Tags must be GREEN in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.
   (c) Inspection tags shall bear the following information in an easily read format:
   1. ‘DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.’ This particular information shall be in a minimum of 10pt type and in all capital letters.
   2. The licensed Fire Sprinkler Contractor’s name and physical address;
3. The license number of the Fire Sprinkler Contractor;
4. The license number of the fire sprinkler inspector;
5. The licensed fire sprinkler inspector’s signature;
6. The day, month and year (to be punched);
7. The facility name and address.
(d) Inspection Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal’s office.
(e) An Inspection Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor.
(f) Should impairments or noncompliance items be found, the licensed inspector shall notify the building owner or his representative and the authority having jurisdiction in writing of all noncompliance items and/or impairments found. A fire sprinkler system compliance Inspection Tag shall not be installed on each system until the impairments or noncompliance items have been corrected and each system has been re-inspected and found to be in a state of operational readiness.

4.3.6.2 Noncompliance Tag.

(a) If a fire sprinkler system is found in noncompliance with the applicable NFPA standards, a completed Noncompliance Tag shall be attached to the main control valve of each system to indicate that corrective action is necessary.
(b) Noncompliance Tags must be YELLOW in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.
(c) Noncompliance Tags shall bear the following information in an easily read format:
1. ‘DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL-SYSTEM NOT IN COMPLIANCE WITH NFPA STANDARDS.’ This particular information shall be in a minimum of 10pt type and in all capital letters.
2. The licensed Fire Sprinkler Contractor’s name and physical address;
3. The license number of the Fire Sprinkler Contractor;
4. The license number of the fire sprinkler inspector;
5. The licensed fire sprinkler inspector’s signature;
6. The day, month and year (to be punched);
7. The noncompliance issue(s);
8. The facility name and address.
(d) Noncompliance Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal’s office.
(e) The signature of the licensee on a Noncompliance Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.
(f) A Noncompliance Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor upon re-inspection of the fire sprinkler system.
(g) A letter of noncompliance conditions shall be sent to the building owner or authorized representative within five working days of the date of the inspection.

4.3.6.3 Impairment Tag.

(a) Should impairments constitute an emergency impairment as defined in this standard, then the inspector shall complete and attach an Impairment Tag to the main control valve of each system and the fire department connection to indicate that corrective action is necessary.
(b) Impairment Tags must be RED in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.
(c) Impairment Tags shall bear the following information in an easily read format:
1. ‘DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.’ This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor’s name and physical address;
3. The license number of the Fire Sprinkler Contractor;
4. The license number of the fire sprinkler inspector;
5. The licensed fire sprinkler inspector’s signature;
6. The day, month and year (to be punched);
7. The emergency impairment(s);
8. The facility name and address.

(d) Impairment Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal’s office.

(e) The signature of the licensee on an Impairment Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) An Impairment Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor upon re-inspection of the fire sprinkler system.

(g) A letter of emergency impairment conditions shall be sent to the building owner or authorized representative and to the occupant within 24 hours of the time of the inspection. The building owner and/or occupant shall notify the authority having jurisdiction within 24 hours of the time of the impairment notification.”

(b) Modifications to Chapter 6:

1. Add a new 6.1.1.1.1 to read as follows:
   “6.1.1.1.1 In new and existing buildings, the requirements for hose for occupant use are eliminated, subject to the approval of the local Fire Chief or local Fire Code Official having fire suppression jurisdiction.”

(24) NFPA 30, Flammable and Combustible Liquids Code
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(25) NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(26) NFPA 30B, Code for the Manufacture and Storage of Aerosol Products
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(27) NFPA 31, Standard for the Installation of Oil-Burning Equipment
   Modifications:
(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(28) NFPA 32, Standard for Drycleaning Plants
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(29) NFPA 33, Standard for Spray Application Using Flammable or Combustible Materials
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(30) NFPA 34, Standard for Dipping, Coating and Printing Processes Using Flammable or Combustible Liquids
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(31) NFPA 35, Standard for the Manufacture of Organic Coatings
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(32) NFPA 36, Standard for Solvent Extraction Plants
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(33) NFPA 37, Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines
   Modifications:
   (a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(34) NFPA 40, 2019 Edition, Standard for the Storage and Handling of Cellulose Nitrate Film
   Modifications: None

   Modifications:
   (a) Modification to Chapter 10:
       1. Delete paragraph 10.2.3.4 in its entirety and substitute in its place the following:
“10.2.3.4 Emergency shutoff valves for laboratories. In addition to point of use manual shutoff valves required by 10.2.3, each laboratory space containing two or more gas outlets installed on tables, benches, or in hoods in business, educational, healthcare, research, commercial, and industrial occupancies shall have a single valve through which all such gas outlets are supplied. This emergency shutoff valve shall be accessible, located within the laboratory or adjacent to the laboratory’s primary egress door, and clearly identified by approved signage stating at the least, ‘GAS SHUTOFF’.”

   Modifications:
   (a) Refer to Chapter 120-3-13, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

   Modifications:
   (a) Refer to Chapter 120-3-13, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

   Modifications:
   (a) Refer to Chapter 120-3-14, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

   Modifications:
   (a) Modifications to Chapter 1:
       1. Add a new subsection 1.3.1 to read as follows:
          “1.3.1 This document is recognized strictly as a recommended practice that may be used in evaluating fire hazards in oxygen-enriched atmospheres. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone code or standard, however, it may be used in conjunction with and in the support of the applicable provisions of other adopted codes or standards.”

   Modifications:
   (a) Refer to Chapter 120-3-14, Rules and Regulations of the Safety Fire Commissioner, and Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

   Modifications: None

Modifications: None

Modifications:
(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(45) NFPA 59, *Utility LP-Gas Plant Code (LNG)*
Modifications:
(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications:
(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications:
(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications:
(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications: None

Modifications:
(a) Modifications to Article 110, I:

1. Add a new section 110.29 to read as follows:

   “110.29 Relocatable Power Tap’s (RPT’s). Relocatable power taps (RPT’s) shall comply with the provisions of 605.4.2 of the *International Fire Code (IFC)* as adopted by this Chapter.”

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

“1.1.3 This document is recognized strictly as a recommended practice that may be used in evaluating the effectiveness of electrical equipment within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”

(52) NFPA 70E, 2018 Edition, Standard for Electrical Safety Requirements for Employee Workplaces

Modifications:

(a) Modifications to Article 90 Introduction:

1. Delete 90.1 in its entirety and substitute in its place the following:

“90.1 This standard addresses those electrical safety requirements for employee workplaces that are necessary for practical safeguarding of employees in their pursuit of gainful employment. This document is recognized strictly as a recommended practice that may be used in evaluating electrical safety requirements for employee workplaces. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard covers:

(a) Electrical conductors and equipment installed within or on buildings or other structures, including mobile homes and recreational vehicles, and other premises such as yards, carnival, parking and other lots, and industrial substations.
(b) Conductors that connect the installations to a supply of electricity.
(c) Other outside conductors on the premises.”


Modifications:

(a) Modification to Chapter 1:

1. Delete Section 1.1.1 in its entirety and substitute in its place the following:

“1.1.1 Scope. This Code covers the application, installation, location, performance, inspection, testing, and maintenance of fire alarm systems, supervising station alarm systems, public emergency alarm reporting systems, fire and carbon monoxide detection and warning equipment, and emergency communications systems (ECS), and their components, whether such system or component is required or not.

1.1.1.1 Where the requirements of this Code have technical differences and requirements from those established, as applicable, by Chapter 120-3-20 or 120-3-20A, of the Safety Fire Commissioner’s Rules and Regulations for Accessibility to Buildings and Facilities, the technical provisions and requirements of Chapter 120-3-20 and 120-3-20A shall take precedence over the requirements of this Code where applicable.”

(b) Modifications to Chapter 7:

1. Add a new paragraph (5) to 7.5.3 to read as follows:

“(5) For software-based systems, all access codes and passwords to grant access to the software by authorized personnel.”

(c) Modifications to Chapter 10:
1. Add a new subsection 10.4.7 to read as follows:

“10.4.7 Protection shall not be required in Existing building installations acceptable to the authority having jurisdiction.”

(d) Modifications to Chapter 17:

1. Add a new subparagraph 17.7.3.1.4 to read as follows:

“17.7.3.1.4 Alternate locations of smoke detectors as allowed by the International Fire Code, or where applicable, the Life Safety Code, and acceptable to the authority having jurisdiction, may be utilized and may be considered to be in compliance with this Code.”

(e) Modification to Annex A:

1. Add a new Annex note A.18.4.4.2 to read as follows:

“A.18.4.4.2 For example, in critical care patient areas, it is often desirable to not have an audible fire alarm even at reduced private mode levels. Another example would be classrooms for small children in day care or educational occupancies, where verbal communication is vital between caregivers or teachers and children during drills or during an actual fire or other emergency condition. Audible alarms often frighten small children and valuable time may be lost while trying to calm such children. Also, audible alarms at or near locations, where clear communications is required, may present a problem. A school office or a receptionist desk common to various occupancies are examples. An additional example of where an audible fire alarm could be a problem would be high noise level work areas where an audible signal needed to overcome background noise at one time of the day would be excessively loud and potentially dangerous at another time of lower ambient noise. A sudden increase of more than 30 dB over 0.5 seconds is considered to cause sudden and potentially dangerous fright. Each case requires individual consideration by the authority having jurisdiction.”


Modifications: None


Modifications: None

(56) NFPA 77, 2019 Edition, Recommended Practice on Static Electricity

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.9 to read as follows:

“1.1.9 This document is recognized strictly as a recommended practice that may be used in evaluating systems or devices installed for the purposes of safeguarding life and/or property against the hazards of static electricity. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”

(57) NFPA 78, 2020 Edition, Guide on Electrical Inspections

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.4 to read as follows:
“1.1.4 This document is recognized strictly as a recommended practice that may be used in evaluating electrical/electronic equipment, apparatus, or systems of industrial machines within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard is not meant to add any requirements not found in the NEC, nor change the intent of the requirements found in the NEC. If any conflict occurs between this standard and the NEC, the NEC shall control.”

Modifications:
(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:
“1.1.3 This document is recognized strictly as a recommended practice that may be used in evaluating electrical/electronic equipment, apparatus, or systems of industrial machines within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard is not meant to add any requirements not found in the NEC, nor change the intent of the requirements found in the NEC. If any conflict occurs between this standard and the NEC, the NEC shall control.”

Modifications: None

Modifications:
(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.5 to read as follows:
“1.1.5 This document is recognized strictly as a recommended practice that may be used in evaluating the exterior fire exposure risks of buildings. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”

Modifications: None

Modifications: None

(63) NFPA 86, 2019 Edition, Standard for Ovens and Furnaces
Modifications: None
(64) NFPA 87, 2018 Edition, *Standard for Fluid Heaters*
Modifications: None

Modifications: None

Modifications: None

NOTE: *The International Mechanical Code*, as adopted by the Georgia Department of Community Affairs (DCA), shall be the applicable code replacing 90A with the exception of its application to Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living homes or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to *Table 102.13, CODES REFERENCE GUIDE* in the *International Fire Code* adopted by this Chapter 120-3-3.)

Modifications: None

NOTE: *The International Mechanical Code*, as adopted by the Georgia Department of Community Affairs (DCA), shall be the applicable code replacing 90B with the exception of its application to Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to *Table 102.13, CODES REFERENCE GUIDE* in the *International Fire Code* adopted by this Chapter 120-3-3.)

Modifications: None

Modifications: None

[Note: Also see 909.2.1 (1) of the *International Fire Code*]

Modifications:

(a) Modification to Chapter 1:

1. Delete subsection 1.1.3 in its entirety and substitute in its place the following:
“1.1.3 This standard shall apply to all commercial cooking equipment used for commercial cooking operations.”

2. Delete subsection 1.1.4 in its entirety and substitute in its place the following:
“1.1.4 This standard shall not apply to residential cooking equipment located in a single dwelling unit or to cooking equipment in facilities where all of the following are met:

(1) Only residential cooking equipment such as: stoves, ranges or cooking surfaces traditionally used in dwelling units are being utilized.
(2) The defined residential cooking equipment contains a maximum of four standard surface cooking elements and is not used for frying operations.
(3) The defined residential equipment is used for food warming, limited cooking, rehabilitation training or in a home economic education classroom setup.
(4) The residential cooking equipment is protected by a listed self-contained residential fire suppression system located in an approved residential hood which is vented directly to the outside and providing protection to each cooking surface. The self-contained fire suppression system for the defined residential cooking equipment need not be provided where protection is provided by an approved automatic sprinkler system protecting the cooking surface, subject to approval of the authority having jurisdiction. The self-contained residential fire suppression system shall automatically disconnect electric power to electric stoves, and shut off the gas supply and electric power to gas fueled stoves, provided, however, this provision shall not be retroactive for installations approved prior to the effective adoption date of this standard.
(5) The facility is not an assembly occupancy, provided, this shall not apply to church facilities with a single residential stove or range complying with (2) above.
(6) Fire Extinguishers are located in all kitchen areas in accordance with NFPA 10, Standard for Portable Fire Extinguishers, and this Code, as adopted with modifications.”

1. Add a new subsection 1.1.5 to read as follows:
“1.1.5 This standard, except for operational and maintenance provisions, shall not apply for conditions existing prior to March 9, 2010, subject to the approval of the authority having jurisdiction, and where a notarized statement that no frying operations will be performed is provided. This approval shall be void for cause when the authority having jurisdiction finds cooking operations involve frying operations. (See also 1.4.1)”

(b) Modification to Chapter 10:

1. Delete subsection 10.2.6 in its entirety and substitute in its place the following:
“10.2.6 Automatic fire extinguishing systems shall be installed by competent personnel meeting Chapter 120-3-23, Rules and Regulations of the Safety Fire Commissioner, licensing and permit requirements. In addition, such systems shall be installed in accordance with the terms of their listing, the manufacturer’s instructions, and the following applicable standard(s):

(1) NFPA 12, Standard on Carbon Dioxide Extinguishing Systems
(2) NFPA 13, Standard for the Installation of Sprinkler Systems
(3) NFPA 17, Standard for Dry Chemical Extinguishing Systems
(4) NFPA 17A, Standard for Wet Chemical Extinguishing Systems”

2. Add a New Subsection 10.4.4.1 to read as follows:
10.4.4.1 Shut off devices shall be located below any ceiling and be accessible.

(c) Modification to Chapter 13:

1. Delete Section 13.2 in its entirety and substitute in its place the following:
“13.2 Design Restrictions. All recirculating systems shall comply with the requirements of Section 13.2. Recirculating systems shall be limited to outdoor vending areas or rooms that are fully sprinklered.”
(d) Add a New Chapter 16:
Chapter 16: Mobile and Temporary Cooking Operations

16.1 General Requirements

16.1.1 Annex B shall be adopted as mandatory requirements for mobile and temporary cooking operations.

16.1.2 Cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, tents or any form of roofed enclosure shall comply with this chapter.

Modifications: None
NOTE: Hospitals, hospices, ambulatory surgical centers, nursing homes, or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to 120-3-3-.03 of Chapter 120-3-3-.03 of the Rules and Regulations of the Safety Fire Commissioner for definitions of “assisted living communities” and “memory care units. Such facilities are regulated, as appropriate by Chapters 34 or 35 of the Life Safety Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.)

Modifications: None

Modifications:
The 2018 Edition of the Life Safety Code is adopted with modifications so as to be applicable to proposed (new) and existing buildings and structures. Unless noted otherwise herein, operational provisions such as fire drills, emergency egress and relocation drills, development of fire or emergency plans, and regulation of decorations and contents of building and structures of the various provisions of NFPA 101, Life Safety Code shall not be applicable to proposed (new) or existing buildings, structures, facilities, or conditions. The operational provisions of the International Fire Code (IFC), as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner shall apply to proposed (new) and existing buildings, structures, facilities, and conditions, unless such provisions are less protective than or are in conflict with the rules and regulations of the Centers for Medicare and Medicaid Services (CMS) as they apply to health care related occupancies.

(a) Modifications to Chapter 1:

1. Delete paragraph (1) of subsection 1.1.9 in its entirety and substitute in its place the following:
“(1) General fire prevention or building construction features are normally a function of fire prevention codes and building codes. The International Fire Code (IFC), as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, and the International Building Code (IBC), as adopted by the Georgia Department of Community Affairs, are applicable, and their use along with other codes and standards shall be coordinated with this Code, as set forth in 1.4.4 and Table 1.4.4, CODES REFERENCE GUIDE

2. Add a new subsection 1.4.4 to read as follows:
“1.4.4 Code Coordination. This Code shall apply to all proposed (new) and existing buildings, structures and facilities, except as herein provided, and shall be utilized in conjunction with the IBC, the IFC, the IMC, and the IFGC, to the degree provided in Table 1.4.4 CODES REFERENCE GUIDE.

1.4.4.1 This Code does not apply to one- and two-family dwellings or one-and two-family row houses (townhouses) separated by a 2-hour firewall, except as specified in Chapters 26, 30 and 31.”

<table>
<thead>
<tr>
<th>Table 102.13: CODES REFERENCE GUIDE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area</strong></td>
</tr>
<tr>
<td>Occupancy Classification</td>
</tr>
<tr>
<td>Building Construction Types including allowable height, allowable building areas, and the requirements for sprinkler protection related to minimum building construction types.</td>
</tr>
<tr>
<td>Means of Egress</td>
</tr>
<tr>
<td>Standpipes</td>
</tr>
<tr>
<td>Interior Finish</td>
</tr>
<tr>
<td>HVAC Systems</td>
</tr>
<tr>
<td>Vertical Openings</td>
</tr>
<tr>
<td>Sprinkler Systems minimum construction standard</td>
</tr>
<tr>
<td>Fire Alarm Systems</td>
</tr>
<tr>
<td>Smoke Alarms &amp; Smoke Detection Systems</td>
</tr>
<tr>
<td>Portable Fire Extinguishers</td>
</tr>
<tr>
<td>Cooking Equipment</td>
</tr>
<tr>
<td>Fuel Fired Appliances</td>
</tr>
<tr>
<td>Liquid Petroleum Gas</td>
</tr>
<tr>
<td>Compressed Natural Gas</td>
</tr>
</tbody>
</table>

(b) Modification to Chapter 3:

[Note: Refer to 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner for modified or special definitions that apply to this Code, unless otherwise advised by the various chapters of this Code.]

(c) Modification to Chapter 4:

1. Delete Section 4.7 in its entirety (4.7.1 through 4.8.2.3) and substitute in its place the following: “SECTION 4.7 Fire Safety and Evacuation Plans and Emergency Evacuation Drills.
4.7.1 Fire Safety and Evacuation Plans. Fire safety and evacuation plans shall be developed, made available, and maintained in various occupancies as required by Section 404 of the IFC, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.


4.7.2 Emergency Evacuation Drills. Emergency evacuation drills shall be conducted in various occupancies as required by Section 405 of the IFC, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

4.7.3 Employee Training and Response Procedures. Employees in various occupancies shall be trained in fire emergency procedures and evacuation procedures as required by Section 406 of the IFC, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

(d) Modifications to Chapter 6:

1. Delete subparagraph 6.1.14.4.1 in its entirety and substitute in its place the following:
   “6.1.14.4.1 Where separated occupancies are provided, each part of the building comprising a distinct occupancy as described in this chapter, shall be completely separated from other occupancies by fire resistive assemblies as specified in 6.1.14.4.2, and in Section 508 of the International Building Code, adopted by the Georgia Department of Community Affairs, as applicable to “separated occupancies”, unless separation is provided by approved existing separations.”

2. Delete subparagraph 6.1.14.4.3 in its entirety without substitution.

3. Delete Table 6.1.14.4.1(a) in its entirety without substitution.

4. Delete Table 6.1.14.4.1(b) in its entirety without substitution.

(e) Modifications to Chapter 7:

1. Add a new item (8) to subparagraph 7.2.1.4.1 to read as follows:
   “(8) For conditions or circumstances not covered herein, vertical fire shutters, roll down fire doors, or similar assemblies shall not be installed in means of egress, except where expressly permitted due to special hazards or circumstances by other chapters of this Code, or by approval of the Office of the State Fire Marshal for buildings coming under O.C.G.A. 25-2-13, or by the fire authority having jurisdiction over other buildings.”

2. Add a new subparagraph 7.2.1.8.2.1 to read as follows:
   “7.2.1.8.2.1 Where fire doors are used within the means of egress, they shall comply with the applicable provisions of 7.2.1. Spring loaded hinges or spring operated self-closing devices not listed for use with rated fire door assemblies are prohibited for use as closing devices for fire rated doors.

   7.2.1.8.2.1.1 Existing applications utilizing spring loaded hinges in existing buildings may be continued in use where acceptable to the authority having jurisdiction.

   7.2.1.8.2.1.2 Spring loaded hinges or spring operated self-closing devices shall not be permitted for use on fire-rated smoke doors, provided, however, spring loaded hinges may be used on non-rated doors designed and installed to resist the passage of smoke, unless otherwise specified in Chapters 11 through 43.

   7.2.1.8.2.1.3 Existing installations in existing buildings of spring loaded hinges on fire-rated smoke doors may be continued in use where acceptable to the authority having jurisdiction.”
3. Add a new subparagraph 7.2.3.10.3 to read as follows:

“7.2.3.10.3 Deactivation of Mechanical Pressurization Systems. The design of pressurization systems shall ensure that smoke is not introduced into the pressurized enclosure so as to result in the untenable contamination of the fresh air. Approved smoke detectors shall be installed at each intake in such approved manner that the operation of the fan providing mechanical pressurization to the enclosure where smoke is detected shall be deactivated upon detection of smoke.”

4. Add a new paragraph 7.3.1.2.1 to read as follows:

“7.3.1.2.1 Where substantial evidence and documentation is provided, the authority having jurisdiction may decrease the occupant load for some occupancy use areas. The determined occupant load capacity shall be posted at an obvious location indicating the total occupant load capacity.”

5. Add to Table 7.3.1.2 entitled “Occupant Load Factor” the additional use areas to read as follows:

<table>
<thead>
<tr>
<th>Use Area</th>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Locker Rooms</td>
<td>15</td>
</tr>
<tr>
<td>Free Weight Rooms</td>
<td>20</td>
</tr>
<tr>
<td>Running Tracks</td>
<td>50</td>
</tr>
<tr>
<td>Art Museums</td>
<td>30</td>
</tr>
<tr>
<td>Pool Halls</td>
<td>75</td>
</tr>
<tr>
<td>Multi-Purpose room</td>
<td>7</td>
</tr>
<tr>
<td>Airport terminals:</td>
<td></td>
</tr>
<tr>
<td>Concourse</td>
<td>100</td>
</tr>
<tr>
<td>Waiting area</td>
<td>15</td>
</tr>
<tr>
<td>Baggage Claim</td>
<td>20</td>
</tr>
<tr>
<td>Baggage Handling</td>
<td>300</td>
</tr>
</tbody>
</table>

6. Add a new subparagraph 7.4.1.1.1 to read as follows:

“7.4.1.1.1 Egress stairways from mezzanines shall conform to the requirements of Chapter 7 of this Code. They may be open to the floor of the room in which they are located provided all of the following conditions are met:

(1) The space beneath the mezzanine is totally open and unencumbered by partitioned rooms or spaces. The space beneath the mezzanine may be enclosed provided the enclosed space is protected throughout with a smoke detection system installed in accordance with NFPA 72, National Fire Alarm and Signaling Code, which sounds an alarm in the mezzanine.

(2) The travel distance from the most remote point on the floor of the mezzanine to the building exit or to a protected egress corridor, exit court, horizontal passageway, enclosed stair, or exterior exit balcony does not exceed the travel distance limitations of Chapters 11 through 42.

(3) The occupant load of the mezzanine is added to the occupant load of the story or room in which it is located for the purposes of determining the minimum egress requirements.

(4) The mezzanine is not occupied for sleeping purposes unless there are exterior windows accessible to the mezzanine and located not more than two stories above grade.”

7. Add a new paragraph 7.7.1.5 to subsection 7.7.1 to read as follows:

“7.7.1.5 Where the exit discharge termination cannot be at a public way, or the authority having jurisdiction determines it to be a significant hardship to provide the termination at a public way, the authority having jurisdiction may approve the exit discharge termination to be a safe dispersal area that complies with the following:

(1) The area shall be of an area that accommodates at the least 5 square feet (0.46 m²) for each person calculated to be served by the exit(s) for which the dispersal area is provided.
(2) The dispersal area shall be located on the same lot at least 50 feet (15240 mm) away from the building requiring egress. A greater distance may be required by the authority having jurisdiction based on the evaluated fire severity or other risk from the building requiring egress.

(3) The area shall be clearly identified and permanently maintained as a safe dispersal area.

(4) The area shall be provided with a clearly identified and unobstructed exit discharge route, and comply with the applicable provisions of 7.1.6 of this Code.

(5) The exit discharge route and the dispersal area shall be illuminated by normal and emergency lighting, where the building requiring egress is occupied during periods of darkness.

8. Add a new subsection 7.7.7 to read as follows:

“7.7.7 Discharge from exits into fenced or walled courtyards or yards.

7.7.7.1 For occupancies covered by Chapters 14, 15, 16, 17, 32 and 33, exits shall be permitted to discharge into fenced or walled courtyards or yards, provided the courtyard or yard is provided with a gate at least 32 inches (0.81 m) in clear width. Where the population served exceeds 50, two gates shall be provided. There shall be adequate exit capacity provided for the population served. The requirements of 7.4.1.2 shall apply. Gates are permitted to be locked if adequate provisions are made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to the staff at all times that is approved by the authority having jurisdiction. Only one locking device shall be permitted on each gate.

7.7.7.2 The provisions of 7.7.7.1 shall not be construed as prohibiting the use of fenced or walled courtyards as components of the discharge of exits as set forth in Chapters 22 and 23.

7.7.7.3 The provisions of 7.7.7.1 may be applied, as approved by the authority having jurisdiction, to an “Assisted Living Community” or “Memory Care Unit” as defined in 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

7.7.7.4 The provisions of various occupancy chapters dealing with a “lock-up”, as defined in 3.3.164, shall not be construed as applying to the exit discharge provisions of 7.7.7.1, provided, however, exits from approved lock-ups may discharge into fenced or walled areas complying with the provisions of Chapter 22 or 23 as may be applicable, and as approved by the authority having jurisdiction.”

(f) Modification to Chapter 8:

1. Delete paragraph 8.2.1.2* in its entirety and substitute in its place the following:

“8.2.1.2* The International Building Code (IBC) as adopted by the Department of Community Affairs (DCA) shall be used to determine the requirements for the construction classification.”

2. Add a new subparagraph 8.2.1.2.1 and Table 8.2.1.2.1 to read as follows:

“8.2.1.2.1 Construction Conversion Table. The table noted herein provides a comparison of acceptable construction types as defined in NFPA Standard 220 and the International Building Code (IBC).”

<table>
<thead>
<tr>
<th>NFP A 220</th>
<th>Type I (443)</th>
<th>Type II (442)</th>
<th>Type III (411)</th>
<th>Type IV (210)</th>
<th>Type V (200)</th>
<th>Type V (111)</th>
<th>Type V (000)</th>
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</thead>
<tbody>
<tr>
<td>IBC</td>
<td>---</td>
<td>IA</td>
<td>II</td>
<td>IIA</td>
<td>IIIB</td>
<td>IV</td>
<td>VA</td>
</tr>
</tbody>
</table>
3. Add a new to sub-paragraph 8.2.2.1 to read as follows:

“8.2.2.1 Fire barriers/walls required for tenant separation by the IBC may terminate at exit access corridors with a lower fire rating including a non-rated smoke resistive barrier, if such barriers are allowed by the requirements for the protection rating of exit access corridors.”

4. Add a new paragraph 8.3.1.2.1 to read follows:

“8.3.1.2.1 2-hour fire barriers shall occur at the junction of new and existing construction when the existing construction does not meet the minimum requirements of the code for existing facilities. Such barriers shall not be extended into the new construction.”

5. Add new paragraph 8.3.1.5 to read as follows:

“8.3.1.5 All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7 m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Wording shall be similar to the following: ‘( ) Hour Fire and Smoke Barrier Protect All Openings. Where signs are utilized, they shall be designed and installed to resist peeling of detaching from the barrier.”

8.3.1.5.1 Existing stenciling, acceptable to the authority having jurisdiction, shall be permitted to remain in use. Existing signs that are not peeling or detaching from the barrier shall be permitted to remain in use, subject to the approval of the authority having jurisdiction.”

6. Add a new 8.3.3.6.12 to read as follows:

“8.3.3.6.12 Tested and listed fire-rated glazing material installed in separately tested fire-rated frame assemblies not tested in a single unit with fire-rated glazing material may be permitted to be used subject to approval of the authority having jurisdiction in fire-rated barriers that are not part of an exit enclosure or enclosures around unsprinklered hazardous areas not containing flammable liquids or gases, combustible liquids, or other materials having the potential for rapid oxidation or explosion potential.”

7. Delete 8.7.3.1 in its entirety and substitute in its place the following:

“8.7.3.1 The use, handling and storage of flammable or combustible liquids, flammable gases, or other materials deemed hazardous to the safety of life shall be in accordance with the applicable provisions of the International Fire Code (IFC), as adopted by Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner, or in accordance with the applicable codes or standards adopted by other Chapters of the Rules and Regulations of the Safety Fire Commissioner.”

(g) Modification to Chapter 9:

1. Delete 9.1.1 in its entirety and insert in its place the following:

“9.1.1 Gas. Equipment using gas and related gas piping shall be in accordance with the International Fuel Gas Code (IFGC), NFPA 54, National Fuel Gas Code, or NFPA 58, Liquefied Petroleum Gas Code, as may be applicable and as adopted by the applicable Chapters of the Rules and Regulations of the Safety Fire Commissioner. (Refer to Table 1.4.4, CODES REFERENCE GUIDE. Existing installations, subject to approval of the authority having jurisdiction, shall be permitted to be continued in service.”

2. Delete 9.2.1 in its entirety and substitute in its place the following:

“9.2.1 Air Conditioning, Heating, Ventilating, Ductwork, and Related Equipment. Air conditioning, heating, ventilating ductwork, and related equipment shall be in accordance with the International Mechanical Code (IMC), as adopted by the Georgia Department of Community Affairs. (Refer to Table 1.4.4, CODES REFERENCE GUIDE)”

3. Delete section 9.3 in its entirety and substitute in its place the following:

“9.3.1* General. Smoke control systems, where required or permitted by Chapters 11 through 42, shall be designed, installed, tested, and maintained in conformance with Section 909 of the International Fire Code (IFC), as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”
4. Add a new subsection 9.3.2 to read as follows:

“9.3.2 Detention, holding or processing cell(s) which are used for the containment of an individual for not more than two hours in a 12-hour period shall not be required to be provided with vent openings, smoke shafts, or an engineered smoke control system to provide ventilation provided each cell is monitored by closed circuit television or dedicated personnel located outside the holding area and which have visual supervision of the cell(s).”

5. Delete subsection 9.4.2.1 in its entirety and substitute in its place the following:

“9.4.2.1 New elevators, escalators, dumbwaiters, and moving walks shall be installed in accordance with the requirements of ANSI/ASME A17.1, Safety Code for Elevators and Escalators. The elevator lobby of the designated floor and the alternate floor specified by Rule 211.3(a), and determined by the Fire Chief of the fire department having emergency response jurisdiction, shall be separated from the remainder of the building by 1-hour fire-rated construction. In buildings equipped with automatic sprinkler protection, smoke partitions in accordance with Section 8.4 may be used in lieu of 1-hour fire rated construction. Except health care occupancies as approved by the AHJ, openings in the elevator lobby shall be limited to those required for access to the elevators from exit access corridors or exits only. Elevator lobbies may be used as part of the means of egress from the building.

Exception No. 1: Elevator lobbies are not required within an atrium.
Exception No. 2: Elevator lobbies are not required where elevators are installed on open exterior walls.
Exception No. 3: Elevator lobbies are not required where elevators are installed in open air parking structures.
Exception No 4: Elevator lobbies are not required in buildings three stories or less with vertical openings protected in accordance with the applicable occupancy chapter.
Exception No 5: Elevator lobbies are not required in mercantile occupancies that have properly protected openings for escalators or stairs.
Exception No 6: Existing installations acceptable to the authority having jurisdiction.”

6. Add a new subparagraph 9.6.2.10.8.1 to read as follows:

“9.6.2.10.8.1 Existing battery-powered smoke alarms as permitted by other sections of this Code shall be permitted to remain in use provided the following criteria are met:

1. The device is no older than 10 years of the manufactures date on the device; and,
2. The device is installed in a facility that was legally permitted before July 1, 1987, as a residential occupancy; and,
3. The facility has demonstrated to the authority having jurisdiction that the testing, maintenance, and battery replacement program will ensure reliability of power to the smoke alarms,

7. Add a new subparagraph 9.6.2.10.8.2 to read as follows:

“9.6.2.10.8.2 Existing battery-powered smoke alarms as permitted by other sections of this Code and which meet the provisions of subparagraph 9.6.2.10.8.1 shall be replaced with smoke alarms whose device housing is tamper resistant and is powered by a non-replaceable, non-removable energy source capable of powering the alarm for a minimum of ten years from the manufacture’s date on the device when any of the following apply:

1. The device is replaced for any reason; or,
2. The provisions of subparagraph 9.6.2.10.8.1 or not met; or,
3. There is no manufactures date that exist on the device; or,
4. The device does not meet all of the provisions of subparagraph 9.6.2.10.8.1.

8. Delete 9.6.3.6.3 and its place substitute the following:

“9.6.3.6.3* Where occupants are incapable of evacuating themselves because of age, dependence on verbal communication with caregivers, physical or mental disabilities, or physical restraint, the private operating mode as described in NFPA 72, National Fire Alarm and Signaling Code, shall be permitted to be used. Only attendants, caregivers, and other personnel that are required to relocate or assist in the relocation occupants from a zone, area, floor, or building shall be
required to be notified. The notification shall include means to readily identify the zone, area, floor, or building in need of evacuation. Where approved by the authority having jurisdiction, the requirements for audible signaling shall be permitted to be further reduced or eliminated when visible signaling is provided in accordance with NFPA 72.

9. Add an Annex Note to 9.6.3.6.3 to read as follows:

“A.9.6.3.6.3 For example, in critical care patient areas, it is often desirable to not have an audible fire alarm even at reduced private mode levels. Another example would be classrooms for small children in day care or educational occupancies, where verbal communication is vital between caregivers or teachers and children during drills or during an actual fire or other emergency condition. Audible alarms often frighten small children and valuable time may be lost while trying to calm such children. Also, audible alarms at or near locations where clear communications is required may present a problem. A school office or a receptionist desk common to various occupancies are examples. An additional example of where an audible fire alarm could be a problem would be high noise level work areas where an audible signal needed to overcome background noise at one time of the day would be excessively loud and potentially dangerous at another time of lower ambient noise. A sudden increase of more than 30 dB over 0.5 seconds is considered to cause sudden and potentially dangerous fright. Each case requires individual consideration by the authority having jurisdiction.”

10. Add a new subparagraph 9.7.1.1.1 to read as follows:

“9.7.1.1.1 NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Heights, shall be permitted for use as specifically referenced in Chapters 24 through 33 of this Code. This standard shall also be permitted for the design and installation of automatic sprinkler systems in personal care homes, community living arrangements, day-care centers, and day-care homes in buildings up to and including four stories. When a single-story open-air parking structure of fire-restrictive construction is below a four-story residential occupancy the structure is considered within this scope. NFPA 13R automatic sprinkler systems shall not be permitted in assisted living communities or memory care units, as defined in 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, unless authorized by the State Fire Marshal’s Office.”

11. Delete paragraph 9.9* in its entirety and substitute in its place the following:

“9.9* Portable fire extinguishers shall be installed in all buildings, structures and facilities as set forth in this Code and as established in 906.1 of the International Fire Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. (Refer to Table 1.4.4, CODES REFERENCE GUIDE)

12. Delete paragraph 9.10 in its entirety and substitute in its place the following:

“9.10 Where required by either the provisions of another section of this Code, the International Building Code (IBC) as adopted by the Department of Community Affairs or the International Fire Code (IFC) as adopted by Chapter 120-3-3 Rules and Regulations of the Safety Fire Commissioner, standpipe and hose systems shall be provided in accordance with NFPA 14, Standard for the Installation of Standpipe and Hose Systems. Where standpipe and hose systems are installed in combination with automatic sprinkler systems, installation shall be in accordance with the appropriate provisions established by NFPA 13, Standard for the Installation of Sprinkler Systems, and NFPA 14, Standard for the Installation of Standpipe and Hose Systems.”

(h) Modifications to Chapter 10:

1. Delete SECTION 10.3 in its entirety and substitute in its place the following:

“SECTION 10.3 Decorations and Furnishings.

10.3.1 The use of decorative materials (vegetative and non-vegetative), as defined in Chapter 2 of the International Fire Code, and furnishings in proposed (new) and existing buildings shall be regulated as set forth by Sections 805, 806, 807, and 808 of the International Fire Code (IFC), as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

(i) Modifications to Chapter 11:

1. Delete subsection 11.1.6 in its entirety and substitute in its place the following:
“11.1.6 Minimum Construction requirements. The minimum construction requirements for the location of occupants of health care and ambulatory health care occupancies shall be as specified in accordance with the applicable occupancy chapter.”

2. Delete paragraph 11.3.3.5 in its entirety and substitute in its place the following:
   “11.3.3.5 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all enclosed and normally occupied towers in accordance with 9.9 of this Code.”

3. Add a new item (4) to paragraph 11.7.3.4 to read follows:
   “(4) This requirement shall not apply to existing windowless or underground structures, excluding Chapter 15, with an occupant load of 100 or fewer persons in the windowless or underground portions of the structure.”

4. Delete subsection 11.8.2.3 in its entirety and substitute in its place the following:
   “11.8.2.3 Smoke Proof Enclosures. High-rise buildings shall be provided with smoke proof exit enclosures in accordance with 7.2.3.”

5. Add a new paragraph 11.8.3.3 to read as follows:
   “11.8.3.3 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all high-rise buildings in accordance with 9.9.”

6. Add a new subsection 11.9.6 to read as follows: “11.9.6 Extinguishing Equipment:
   11.9.6.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all permanent membrane structures in accordance with 9.9.”

7. Delete subsection 11.10.3 in its entirety and substitute in its place the following: “11.10.3 Extinguishing Equipment.
   11.10.3.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all temporary membrane structures in accordance with 9.9.”

8. Delete subsection 11.11.5 in its entirety and substitute in its place the following: “11.11.5 Extinguishing Equipment.
   11.11.5.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all tents in accordance with 9.9.”

(j) Modification to Chapter 12:

1. Add a new subparagraph 12.1.1.2.1 to read as follows:
   “12.1.1.2.1 Pursuant to O.C.G.A. 25-2-13(b)(1)(F), (G) and G.1) and 25-2-14(c), “Racetracks, stadiums, grandstands, theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls and other places of public assembly having an occupant load of 300 or more, except that the occupant load shall be 100 or more persons where alcoholic beverages are served, shall have a certificate of occupancy issued by the appropriate authority having jurisdiction. For churches the occupant load requirement is 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on the total occupant load of the building or structure.”

2. Reserved.

3. Add a new paragraph 12.3.5.5 to read as follows:
   “12.3.5.5 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all assembly occupancies in accordance with 9.9”

4. Add a note following Table 12.4.2.3 to read as follows:
   “Note: See 12.4.2.6 for factors A, B and C in Tables 12.4.2.3 and 12.4.2.4.”

5. Delete paragraph 12.4.6.11 in its entirety and substitute in its place the following:
"12.4.6.11 Scenery, Decorations, and Furnishings. Combustible decorations and scenery of cloth, film, foam plastic, vegetation, and similar materials shall meet the applicable provisions of 805, 806, 807, and 808 of the International Fire Code (IFC), as set forth in SECTION 10-3 of this Code. Scenery and stage properties not separated from the audience by proscenium openings shall be either noncombustible or limited-combustible."

6. Add a new subparagraph 12.4.8.9 to read as follows:

"12.4.8.9 Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the International Fire Code and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);
6. "NO SMOKING" signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;
7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.
8. Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A throughout."

7. Delete subsection 12.7.3 in its entirety and substitute in its place the following:

"12.7.3 Open Flame and Pyrotechnics. No open flame devices or pyrotechnic devices shall be used in any assembly occupancy, unless otherwise provided by 12.7.3.1 through 12.7.3.4.

12.7.3.1 As set forth in the exceptions to 308.3 of the IFC, as adopted by Chapter 120- 3-3 of the Rules and Regulations of the Safety Fire Commissioner.

12.7.3.2 This requirement shall not apply to heat-producing equipment complying with 9.2.2.

12.7.3.3 This requirement shall not apply to food service operations in accordance with 13.7.1."
**12.7.3.4** Gas lights shall be permitted to be used, provided that precautions subject to the approval of the authority having jurisdiction are taken to prevent ignition of any combustible materials.”

8. Delete subsection 12.7.4 in its entirety and substitute in its place the following:

“**12.7.4 Scenery, Decorations, and Furnishings.** Combustible decorations, curtains, draperies, similar furnishings, and scenery of cloth, film, foam plastic, vegetation, and similar materials shall meet the applicable provisions of 805, 806, 807, and 808 of the *International Fire Code* (IFC), as set forth in SECTION 10-3 of this Code. The authority having jurisdiction shall impose additional controls, as he or she deems necessary, on the quantity and arrangement of combustible contents in assembly occupancies to provide an adequate level of safety to life from fire. (Refer to the definition for “decorative materials” in Chapter 2 of the *International Fire Code*.)”

9. Delete subsection 12.7.6 in its entirety and substitute in its place the following:

“**12.7.6 Crowd Managers.** Crowd managers shall be provided as required by 403.12.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

10. Delete subsection 12.7.13 in its entirety and substitute in its place the following:

“**12.7.13 Emergency Planning and Preparedness.** Assembly occupancies (Group A) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

** Modification to Chapter 13:**

1. Add a new subparagraph 13.3.5.1.1 to read as follows:

“**13.3.5.1.1** The provisions of 13.3.5.1 shall not apply to locations that were approved for occupancy prior to the adoption of the 2012 edition of the *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, adopted 1/1/2014, and provided the conditions approved have not been modified without subsequent required review and approval by the authority having jurisdiction, and provided the provisions of 13.1.1.4 and 13.1.1.5 of this *Code*, as applicable, and the provisions of Section 103 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner, and as applicable to existing buildings are met.”

2. Add a new paragraph 13.3.5.5 to read as follows:

“**13.3.5.5 Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all assembly occupancies in accordance with 9.9.”

3. Add a note following Table 13.4.2.3 to read as follows:

“**Note:** See 12.4.2.6 for factors A, B and C in Tables 13.4.2.3 and 13.4.2.4.1.”

4. Add a new paragraph 13.4.8.9 to read as follows:

“**13.4.8.9 Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:**

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights.

4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;

5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);

6. “NO SMOKING” signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;

7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.

8. Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A throughout.”

5. Delete subsection 13.7.3 in its entirety and substitute in its place the following:

“13.7.3 Open Flame and Pyrotechnics. No open flame devices or pyrotechnic devices shall be used in any assembly occupancy.

13.7.3.1 This requirement shall not apply as set forth in the exceptions to 308.3.1 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3 -3 of the Rules and Regulations of the Safety Fire Commissioner.

13.7.3.2 This requirement shall not apply to heat-producing equipment complying with 9.2.2.

13.7.3.3 This requirement shall not apply to food service operations in accordance with 13.7.2.

13.7.3.4 Gas lights shall be permitted to be used, provided that precautions subject to the approval of the authority having jurisdiction are taken to prevent ignition of any combustible materials.”

6. Delete subsection 13.7.6 in its entirety and substitute in its place the following:

“13.7.6 Crowd Managers. Crowd managers shall be provided as required by 403.12.3 of the *IFC*, as adopted by Chapter 120-3 -3 of the Rules and Regulations of the Safety Fire Commissioner.”

7. Delete subsection 13.7.7 in its entirety and substitute in its place the following:

“13.7.7 Emergency Planning and Preparedness. Assembly occupancies (Group A) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(i) Modifications to Chapter 14:

1. Add a new paragraph 14.1.1.6 to read as follows:
“14.1.1.6 Mobile/Portable Classrooms. Each mobile/portable classroom shall not be occupied until the required Certificate of Occupancy has been authorized by the State Fire Marshal’s Office, the proper local fire marshal, state inspector, or others authorized by O.C.G.A Section 25-2-12.”

2. Add a new subparagraph 14.1.1.6.1 to read as follows:
   “14.1.1.6.1 Classification. Mobile/portable classroom structures, as defined in 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner shall also be classified as Group E - Educational occupancies and shall comply with the provisions of this section and other sections applicable to Group E - Educational occupancies, except as may be provided otherwise elsewhere in this Code or in Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner.

3. Add a new paragraph 14.1.1.6.2 to read as follows:
   “14.1.1.6.2 Plans and specifications for proposed (new) mobile/portable classrooms shall be submitted to and receive approval by either the State Fire Marshal’s Office, the proper local fire marshal, state inspector, or others authorized by O.C.G.A 25-2-12 prior to construction. A Georgia registered architect or engineer must place his or her seal on the plans submitted. Submitted plans must include a site plan that is drawn to scale and showing clearances from other mobile/portable classroom structures and other structures. Such site plan shall also show the exit discharge route(s) to a public way in accordance with this Code, or where such is not possible, to an approved area of refuge.”

4. Add a new paragraph 14.1.1.6.3 to read as follows:
   “14.1.1.6.3 Proposed (new) mobile/portable classrooms shall comply with the various provisions of this Code applying to classrooms in educational occupancies (Group E - Educational), unless otherwise specified.”

5. Add a new paragraph 14.1.1.5.4 to read as follows:
   “14.1.1.5.4 Locating Mobile/Portable Classroom Structures. Mobile/portable classrooms shall not be installed within 25 feet (7.6 m) of any exposed building or structure, or within 10 feet (3.05 m) of another exposed mobile/portable classroom unit. The mobile/portable classroom unit shall not be connected to any other unit, or to other buildings or structures by a canopy of combustible construction. The distance between a mobile/portable classroom unit and an exposed building or structure, that is totally protected by an approved automatic sprinkler system, may be reduced to 10 feet (3.05 m), provided, the exposed exterior wall is of noncombustible construction, and there are no windows or doors in the exposed wall of the building within 25 feet (7.6 m) of the mobile/portable classroom unit. The distance may be reduced to 0 feet if the exposed wall is of noncombustible construction having a certified fire resistance rating of at least 2-hour and without openings within 25 feet of the exposing mobile/portable classroom unit.”

6. Add a new paragraph 14.2.1.4.1, to read as follows:
   “14.2.1.4.1 The provisions of 14.2.1.2 and 14.2.1.3 shall not apply to educational facilities that meet the requirements of 16.1.6.”

7. Add a new subparagraph 14.2.2.2.1 to read as follows:
   “14.2.2.2.1 Doors serving as exits from mobile/portable classrooms shall not be less than 32 inches (0.91 m) in clear width, swing outward with exit travel onto landings at least 4 feet by 4 feet (1.2 m by 1.2 m), and have steps and/or ramps complying with applicable provisions of this Code. This includes guardrails and graspable handrails. Steps and ramps serving fewer than 50 persons may be 36 inches (0.91m) in clear width.”

8. Add a new paragraph (5) to 14.2.11.1.1 to read as follows:
   “(5) Windows may open onto a court or an enclosed court provided all of the following criteria are met:
   (a) The court shall be of sufficient width such that persons exiting through the courtyard will be at a minimum dimension not less than 10 feet (3 m) from any portion of the building that could present an exposure condition to a fire.
   (b) The court has exits directly to the exterior of the building through an exit passageway that is separated out from all other parts of the building by 2-hour fire-rated construction. No space other than exit corridors protected by 'B' labeled 1½-hour fire
doors, whether normally occupied or not, shall open onto this required exit passageway.

(c) The exit capacity for the exit passageway shall be of sufficient width for the corridors connected to it as well as the enclosed court calculated at 15 square feet (1.4 sq. m) per person or minimum number of students subject to exiting into the court, whichever is the greater of the two.

(d) The travel distance from any point in a connecting classroom to the exterior of the building through the exit passageway shall not exceed 150 feet (45.7 m).

(e) The court is provided with emergency lighting to direct occupants to the exit(s) in accordance with Section 5.9.

(f) The exit(s) from the court is/are clearly marked in accordance with Section 7.10.”

9. Add a new paragraph 14.2.11.4 to read as follows:

“14.2.11.4 School Hallway Interior Emergency Lockdown Defense (SHIELD). The installation of a School Hallway Interior Emergency Lockdown Defense (SHIELD) shall be permitted in educational occupancies provided all of the following criteria are met:

(1) Activation shall be by means of depressing a panic button or pull station marked for emergency SHIELD available to school administration at a central location. Additional activation may be by telephone code.

(2) System activation shall automatically contact law enforcement authorities upon activation.

(3) Cross corridor doors may be provided with magnetic hold open devices to release upon activation of the system.

(4) Upon activation of the system, cross corridor doors shall be permitted to be kept in the closed position with magnetic locks.

(5) System hardware shall be provided with emergency power or battery back-up in event of loss of power.

(6) Smoke detectors shall be provided within 15 feet of cross corridor doors on the classroom egress side for each corridor zone and be identified distinctly from other required detectors. Such detectors upon activation by smoke shall release door mag locks for the locked zone to freely open. Detectors are not required to be interconnected into the building’s fire alarm system.

(7) Card readers with keypad shall be installed on the ingress side of the doors requiring a PIN code and card swipe to deactivate for the activated corridor zone.

(8) Keypad shall be installed on the egress side of the doors only requiring a PIN code for deactivation of the door mag locks for the activated corridor zone.

(9) A blue light strobe and siren, distinct from that of the fire alarm may be provided to deter intruders.

(10) Staff shall be adequately trained on the intent and operation of the system with the conduction of mock drills.

14.2.11.4.1 (SHIELD) Activation. The SHIELD system shall only be activated in the following

(1) The event of intrusion or active shooter upon school premises.

(2) For the purposes of testing the system.

(3) For the purposes of conducting drills related to the intrusion or active shooter upon school premises.”

10. Delete subparagraph 14.3.2.1(1)(a) in its entirety and substitute in its place the following:

“(a) Boiler and furnace rooms, unless such rooms enclose only air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 Btu. Such rooms shall not be used
for any combustible storage. In addition, a minimum of 30 inches (0.76 m) shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

11. Delete the term “Laundries” from 14.3.2.1(2)(a) and substitute in its place the following:
“(a) Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m).”

12. Add a new subparagraph 14.3.2.2.1 to read as follows:
“14.3.2.2.1 Residential type cooking equipment. Residential type cooking equipment located in food preparation areas of home economic labs may be protected by a listed self-contained residential fire suppression systems located in a residential hood over each cooking surface, with the exhaust hood vented directly to the outside of the building. The fire suppression system shall automatically disconnect electric power to electric stoves or shut off the gas supply to gas fueled stoves. Food preparation areas located in home economics labs need not be so protected where located in a fully sprinklered building or where protection is provided in accordance with 9.7.1.2, provided, however, the exhaust hood shall still be required to be vented to the outside of the building.”

13. Add a new subparagraph 14.3.4.2.3.3 to read as follows:
“14.3.4.2.3.3 Manual fire alarm boxes may be located in rooms which open directly onto such corridors and normal paths of travel provided all of the following are met:

(1) The rooms in which such manual fire alarm boxes are placed are constantly supervised all school hours.
(2) The rooms in which such manual fire alarm boxes are placed are located in close proximity to the to that portion of the corridors and normal paths of travel where a manual fire alarm box would be placed in accordance with 9.6.2.5.
(3) A sign is placed on the corridor wall immediately adjacent to the entry door(s) of such room so that it can be readily seen at all times. The sign shall state “MANUAL FIRE ALARM BOX LOCATED IN THIS ROOM”. The sign shall have a red background and the letters shall be white and be at least one inch in height.”

14. Delete subparagraph 14.3.4.3.1.1 in its entirety and substitute in its place the following:
“14.3.4.3.1.1 Occupant notification shall be by means of audible and visual alarm devices in accordance with 9.6.3 and Chapter 120-2-20, Rules and Regulations of the Safety Fire Commissioner. Where visual alarm devices are located inside classrooms the installation of an audible device or component shall not be required, provided the audible alarm signal from alarm devices located in adjacent corridors or compartments is clearly audible in the classrooms, and is subject to the approval of the authority having jurisdiction.”

15. Add a new subparagraph 14.3.5.6 to read as follows:
“14.3.5.6 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in educational occupancies, including mobile/portable classrooms, in accordance with 9.9.

14.3.5.6.1 In lieu of locating portable fire extinguishers in corridors and normal paths of travel as specified in NFPA Standard 10, Standard for Portable Fire Extinguishers, portable fire extinguishers may be located in rooms that open directly onto such corridors and paths of travel, provided, all of the following are met:

(a) The rooms in which such portable fire extinguishers are placed are located in close proximity to that portion of the corridor where a portable fire extinguisher would normally be placed in accordance with NFPA Standard 10.
(b) A sign which states, in white letters at least one inch in height on a red background, “PORTABLE FIRE EXTINGUISHER LOCATED IN THIS ROOM,” is placed on the corridor wall immediately adjacent to the entrance(s) of each such room so that it can be clearly seen at all times.”
(c) The rooms in which such portable fire extinguishers are placed shall be constantly supervised during school hours.
(d) These rooms cannot be subject to being locked at any time the building is occupied.”

16. Add a new item 6 to subsection 14.3.6 to read as follows:
“6. Door closing devices are not required on doors in corridor wall openings other than those serving exits or required enclosures of hazardous areas.”

17. Add a new paragraph 14.4.3.6 to read as follows:
“14.4.3.6 Corridor walls in flexible plan buildings shall comply with subsection 14.3.6 as modified.

18. Add a new paragraph 14.5.2.3 to read as follows:
“14.5.2.3 Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of educational buildings, unless such use is permitted by 603.4 of the IFC, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

19. Add new subparagraph 14.7.1.1 to read as follows:
“14.7.1.1 Emergency Planning and Preparedness. Educational occupancies (Group E – Educational) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency situation. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with the applicable provisions of Chapter 4 of the IFC, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(m) Modifications to Chapter 15:

1. Add a new subparagraph 15.1.1.1.1 to read as follows:
“15.1.1.1.1 Existing Mobile/Portable Classroom Structures.
(a) Existing mobile/portable classroom structures, which have been installed prior to the effective date of this Code, and which were deemed to be in compliance with provisions in effect at the time of their installation, shall be permitted to remain in use, if deemed to have been maintained as approved, and meet specific provisions of this chapter applicable to existing mobile/portable classroom structures.
(b) When an existing mobile/portable classroom structure is removed from a school system, the certificate of occupancy for that structure becomes void, provided, however, the structure shall retain the status of an existing structure if continued in service as a classroom structure in another school system. This shall also apply to leased or rented mobile/portable classroom structures. A new certificate of occupancy shall be required for the relocated structure, and shall be issued provided the structure meets the provisions of this Code that are applicable to existing mobile/portable classrooms.”

2. Add a new paragraph 15.1.1.6 to read as follows:
“15.1.1.6 Existing mobile/portable classrooms shall comply with the various provisions of this Code applying to classrooms in existing educational occupancies, unless otherwise specified in this chapter.”

3. Add a new paragraph 15.1.1.7 to read as follows:
“15.1.1.7 When relocated, a mobile/portable classroom structure shall not be placed within 25 feet (7.6 m) of any building or structure or within 10 feet (3.1 m) of another mobile/portable classroom structure. Such mobile/portable classroom structures shall not be connected to any building or other mobile classroom structure by a canopy of combustible construction. An existing canopy of combustible components may be continued in use provided no combustible components are within 25 feet (7.6 m) of any building or structure or within 10 feet (3.1 m) of another mobile/portable classroom structure. The distance between a mobile/portable classroom unit and an exposed building or structure, that is totally protected by an approved automatic sprinkler system, may be reduced to 10 feet (3.05 m), provided, the exposed exterior
wall is of noncombustible construction, and there are no windows or doors of the exposed wall of the building within 25 feet (7.6 m) of the mobile/portable classroom unit. The distance may be reduced to 0 feet if the exposed wall is of noncombustible construction having a certified fire resistance rating of at least 2-hours and without openings within 25 feet of exposing mobile/portable classroom unit.”

4. Add a new paragraph 15.2.1.5 to read as follows:
   “15.2.1.5 The provisions of 15.2.1.2 and 15.3.2.3 shall not apply to facilities that meet the requirements of 16.1.6.”

5. Add a new subparagraph 15.2.2.2.3 to read as follows:
   “15.2.2.2.3 Doors serving as exits from existing mobile/portable classrooms shall not be less than 32 inches (0.91 m) in clear width, unless originally approved for a clear width of not less than 28 inches. Such exit doors shall open onto landings 4 feet by 4 feet (1.2 m by 1.2 m) and have stairs and or ramps, as needed, complying with applicable provisions of this Code. Landings, stairs, ramps, guardrails, and handrails installed and approved prior to the effective date of this Code, if maintained in a state of good repair, may be continued in use. When a mobile/portable classroom structure is moved to another site at the same school or another school, landings, stairs, ramps, guardrails, and graspable handrails shall comply with the applicable requirements of this Code for new construction.”

6. Add a new item (4) to paragraph 15.2.11.1 to read as follows:
   “(4) Windows may open onto a court or an enclosed court provided all of the following criteria are met:
   (a) The court shall be of sufficient width such that persons exiting through the courtyard will be at a minimum dimension not less than 10 feet (3 m) from any portion of the building that could present an exposure condition to a fire.
   (b) The court has exits directly to the exterior of the building through an exit passageway that is separated out from all other parts of the building by 2-hour fire-rated construction. No space other than exit corridors protected by ‘B’ labeled 1½-hour fire doors, whether normally occupied or not, shall open onto this required exit passageway.
   (c) The exit capacity for the exit passageway shall be of sufficient width for the corridors connected to it as well as the enclosed court calculated at 15 square feet (1.4 sq. m) per person or minimum number of students subject to exiting into the court, whichever is the greater of the two.
   (d) The travel distance from any point in a connecting classroom to the exterior of the building through the exit passageway shall not exceed 150 feet (45.7 m).
   (e) The court is provided with emergency lighting to direct occupants to the exit(s) in accordance with Section 5.9.
   (f) The exit(s) from the court is/are clearly marked in accordance with Section 7.10.”

7. Add a new paragraph 15.2.11.3 to read as follows:
   “15.2.11.3 School Hallway Interior Emergency Lockdown Defense (SHIELD). The installation of a School Hallway Interior Emergency Lockdown Defense (SHIELD) shall be permitted in educational occupancies provided all of the following criteria are met:
   (1) Activation shall be by means of depressing a panic button or pull station marked for emergency SHIELD available to school administration at a central location. Additional activation may be by telephone code.
   (2) System activation shall automatically contact law enforcement authorities upon activation.
   (3) Cross corridor doors may be provided with magnetic hold open devices to release upon activation of the system.
   (4) Upon activation of the system, cross corridor doors shall be permitted to be kept in the closed position with magnetic locks.
   (5) System hardware shall be provided with emergency power or battery back-up in event of loss of power.
(6) Smoke detectors shall be provided within 15 feet of cross corridor doors on the classroom egress side for each corridor zone and be identified distinctly from other required detectors. Such detectors upon activation by smoke shall release door mag locks for the locked zone to freely open. Detectors are not required to be interconnected into the building’s fire alarm system.

(7) Card readers with keypad shall be installed on the ingress side of the doors requiring a PIN code and card swipe to deactivate for the activated corridor zone.

(8) Keypad shall be installed on the egress side of the doors only requiring a PIN code for deactivation of the door mag locks for the activated corridor zone.

(9) A blue light strobe and siren, distinct from that of the fire alarm may be provided to deter intruders.

(10) Staff shall be adequately trained on the intent and operation of the system with the conduction of mock drills.

15.2.11.3.1 (SHIELD) Activation. The SHIELD system shall only be activated in the following situations:

(1) The event of intrusion or active shooter upon school premises.

(2) For the purposes of testing the system.

(3) For the purposes of conducting drills related to the intrusion or active shooter upon school premises.”

8. Delete subparagraph 15.3.2.1(1)(a) in its entirety and substitute in its place the following:

“(a) Boiler and furnace rooms, unless such rooms enclose air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

9. Delete the term “Laundries” from subparagraph 15.3.2.1(2)(a) and substitute in its place the following:

“(a) Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m).”

10. Add a new paragraph 15.3.2.2.1 to read as follows:

“15.3.2.2.1 Food preparation areas located in home economic labs may be protected by listed self-contained residential fire suppression systems located in a residential hood over each cooking surface, with the exhaust hood vented directly to the outside. Required use of automatic disconnects of fuel source or power source is subject to the approval of the authority having jurisdiction. Food preparation areas located in home economic labs need not be protected where in a fully sprinklered building or where protection is provided in accordance with 9.7.1.2. The exhaust hood is still required to be vented to the outside if installed after July 28, 1998.”

11. Add items (3) and (4) to paragraph 15.3.4.2.1 to read as follows:

“(3) Where each classroom in a mobile/portable classroom structure is provided with a two-way communication system that will permit initiation of the communication from the classroom as well as from a constantly attended location in the main administrative office of the school from which a general alarm can be sounded, if needed, and the fire department can be summoned. A telephone mounted in each classroom and equipped with speed dialing, or a similar function, to provide contact with the constantly attended location noted above, shall be acceptable as a two-way communication system for purposes of this provision. The procedure for using the system for emergency alerting shall be clearly posted near the system actuation device in each classroom and at the constantly attended location.

(4) Fire alarm alerting provisions for existing mobile/portable classroom structures approved prior to the effective date of this Code, and which are in a state of operational readiness. At the minimum, such provisions shall provide alerting of a fire condition in each mobile/portable
classroom structure. Where alerting is by an alarm bell or horn, the sound/signal shall be distinctive from other bells or horns.”

12. Add a new subparagraph 15.3.4.2.3.3 to read as follows:

“15.3.4.2.3.3 In lieu of locating manual fire alarm boxes in educational occupancies in corridors and normal paths of travel, the fire alarm boxes may be located in rooms which open directly onto such corridors and normal paths of travel provided all of the following are met:

(1) The rooms in which such manual fire alarm boxes are placed are constantly supervised all school hours.
(2) The rooms in which such manual fire alarm boxes are placed are located in close proximity to the to that portion of the corridors and normal paths of travel where a manual fire alarm box would be placed in accordance with 9.6.2.5.
(3) A sign is placed on the corridor wall immediately adjacent to the entry door(s) of such room so that it can be readily seen at all times. The sign shall state “MANUAL FIRE ALARM BOX LOCATED IN THIS ROOM”. The sign shall have a red background and the letters shall be white and be at least one inch in height.”

13. Add a new paragraph 15.3.5.6 to read as follows:

“15.3.5.6 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in educational occupancies, including mobile/portable classrooms, in accordance with 9.9.

15.3.5.6.1 In lieu of locating portable fire extinguishers in corridors and normal paths of travel as specified in NFPA 10, Standard for Portable Fire Extinguishers, portable fire extinguishers may be located in rooms that open directly onto such corridors and normal paths of travel provided all of the following are met:

(a) The room in which such portable fire extinguishers are placed are located in close proximity to that portion of the corridor where a fire extinguisher would otherwise be placed in accordance with NFPA 10; Standard for Portable Fire Extinguishers,
(b) A sign which states in white letters at least one inch in height on a red background, ‘PORTABLE FIRE EXTINGUISHER LOCATED IN THIS ROOM,’ is placed on the corridor wall immediately adjacent to the entrance way of each such room so that it can be clearly seen at all times;
(c) The rooms in which such portable fire extinguishers are placed shall be constantly supervised during school hours; and,
(d) Those rooms cannot be subject to being locked at any time the building is occupied.”

14. Add a new item (6) to subsection 15.3.6 to read as follows:

“(6) Door closing devices are not required on doors in corridor wall openings other than those serving exits or required enclosures of hazardous areas.”

15. Add new paragraph 15.5.2.3 to read as follows:

“15.5.2.3 Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of educational buildings.

15.5.2.3.1 As permitted by 603.4 of the IFC, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

16. Delete subsection 15.7.1 in its entirety and substitute in its place the following:

“15.7.1 Emergency Planning and Preparedness. Educational occupancies (Group E) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with
applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety
Fire Commissioner.”

(n) Modification to Chapter 16:

1. Add a new 16.1.1.2.1 to read as follows:

   “16.1.1.2.1 Pursuant to O.C.G.A. 25-2-13(b)(1)(I) the term Group Day-Care Home applies to day-care facilities
   where at least seven (7) but not more than twelve (12) children receive care. Further, the term Day Care Center applies
   where more than twelve (12) children receive care. Where such facilities are required to be licensed or commissioned as set
   forth by O.C.G.A. 25-2-13(b)(1)(I), the facilities are also required to comply with the Rules and Regulations of the Safety
   Fire Commissioner and to obtain a Certificate of Occupancy pursuant to O.C.G.A. 25-2-14(c).”

2. Add a new subparagraph 16.1.3.1.1 to paragraph 16.1.3.1 to read as follows:

   “16.1.3.1.1 The provisions of 6.1.14 shall not apply to one- and two-family dwellings.”

3. Delete paragraph 16.1.6.1 and its corresponding table in its entirety and substitute in its place the following:

   “16.1.6.1 Day-Care occupancies with exits directly to the outside from each room normally occupied by clients
   may be of any construction type without being protected throughout by an automatic sprinkler system.

   Table 16.1.6.1 Day-Care Occupancy Location

<table>
<thead>
<tr>
<th>Type of Construction</th>
<th>Age Group</th>
<th>Number of Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>I(443), I(332) and II(222)</td>
<td>0 through 4</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>5 and older</td>
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</tr>
<tr>
<td>II(111), III(211) and V(111)</td>
<td>0 through 4</td>
<td>YES</td>
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<tr>
<td></td>
<td>5 and older</td>
<td>YES</td>
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<tr>
<td>IV(2HH)</td>
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<tr>
<td></td>
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<tr>
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<tr>
<td>III(200) and V(000)</td>
<td>0 through 4</td>
<td>YES+</td>
</tr>
<tr>
<td></td>
<td>5 and older</td>
<td>YES</td>
</tr>
</tbody>
</table>

The types of construction in the Table are from NFPA 220, *Standard on Types of Building Construction*. Refer to 8.2.1.2 and 8.2.1.2.1 of this Code and the conversion chart for cross-referencing to the construction types established by the *International Building Code*.

YES: Day-care occupancy location permitted in type of construction.
YES+: Day-care occupancy location permitted in type of construction if entire building is protected throughout by an approved automatic sprinkler system.
NO: Day-care occupancy location not permitted in type of construction.”

4. Add a new paragraph 16.1.6.3 to read as follows:

   “16.1.6.3 Day-Care Facilities Located Below the LED. The story below the level of exit discharge shall be
   permitted to be used in buildings of any construction type, other than Type II(000), Type III(200) and Type V(000) provided,
   the building is protected throughout by an approved automatic sprinkler system.”

5. Add a new subparagraph 16.1.6.3.1 to read as follows:

   “16.1.6.3.1 Where the story below the level of exit discharge is occupied as a day-care center, both of the
   following shall apply:

   64
(1) One means of egress shall be an outside or interior stair in accordance with 7.2.2. An interior stair, if used, shall only serve the story below the level of exit discharge. The interior stair shall be permitted to communicate with the level of exit discharge; however, the required exit route from the level of exit discharge shall not pass through the stair enclosure.

(2) The second means of egress shall be permitted to be via an unenclosed stairway separated from the level of exit discharge in accordance with 8.6.5. The path of egress travel on the level of exit discharge shall be protected in accordance with 7.1.3.1.”

6. Delete subsection 16.2.9 in its entirety and substitute in its place the following:

“16.2.9 Emergency Lighting. Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

1. In all interior stairs and corridors.
2. In all normally occupied spaces
3. Emergency lighting is not required in the following locations:
   (1) Administrative areas other than receptionist areas.
   (2) Mechanical rooms, storage areas, and rooms or areas not normally occupied by students.”

7. Delete item (a) to paragraph 16.3.2.1(1) (a) in its entirety and substitute in its place the following:

“(a) Rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

8. Add an item (4) to paragraph 16.3.2.1 to read as follows:

“(4) In areas where documentation is provided indicating an unreliable water source, the authority having jurisdiction may accept separation of these areas from the remainder of the building by fire barriers having not less than a 2-hour fire-resistance rating.”

9. Delete the term “Laundries” from subparagraph 16.3.2.1 (2) a. and substitute in its place the following:

“a. Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m).”

10. Delete paragraph 16.3.2.3 in its entirety and substitute in its place the following:

“16.3.2.3 Food preparation facilities protected in accordance with 9.2.3 are not required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, a listed self-contained residential fire suppression system may be installed in a residential hood to cover the area of the cooking surface, with the exhaust hood vented directly to the outside. The fire suppression system shall automatically disconnect electric power to electric stoves or automatically shut off the gas supply to gas stoves. Such system shall be interconnected to the building fire alarm system where one is provided.

16.3.2.3.1 Subject to the approval of the authority having jurisdiction approval, where domestic cooking equipment is used for food warming or limited cooking, the requirements for a residential fire suppression system may be waived if the room is protected by approved automatic sprinkler protection. The provisions of 9.7.1.2 may be permitted. The exhaust hood is still required to be vented to the outside.”

11. Delete subsection 16.3.5 in its entirety and substitute in its place the following:

“16.3.5 Extinguishment Requirements. Buildings containing day-care occupancies shall be sprinkler protected throughout for construction types as specified in Table 16.1.6.1 entitled “Day-Care Occupancy Location Limitations” and paragraph 16.1.6.3. Any required sprinkler system based upon Table 16.1.6.1 and paragraph 16.1.6.3 shall be in accordance with 9.7.”

12. Add a new paragraph 16.3.5.1 to read as follows:
“16.3.5.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all daycare occupancies in accordance with 9.9.”

13. Add new paragraph 16.5.2.4 to read as follows:
“16.5.2.4 Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of day-care facilities.

16.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer’s instructions and the authority having jurisdiction.”

14. Delete paragraph 16.6.1.6 in its entirety and substitute in its place the following:
“16.6.1.6 Minimum Construction Requirements. The minimum construction requirements for new day-care homes shall be limited to the types of building construction permitted by the IBC as specified in 8.2.1. Clients of a group day-care home in a multi-story building shall be restricted to the level of exit discharge, unless the provisions of 16.1.6 are met.”

15. Add a new paragraph 16.6.3.6 to read as follows:
“16.6.3.6 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all daycare home occupancies in accordance with 9.9.”

16. Delete subsections 16.7.1 and 16.7.2 in their entirety and substitute in their place the following:
“16.7.1 Emergency Planning and Preparedness. Day-care occupancies (Group E and I-4) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(o) Modifications to Chapter 17:

1. Delete paragraph 17.1.1.4 in its entirety and substitute in its place the following:
“17.1.1.4 Pursuant to O.C.G.A. 25-2-13(b)(1)(I) the term Group Day-Care Home applies to daycare facilities where at least seven (7) but not more than twelve (12) children receive care. Further, the term Day Care Center applies where more than twelve (12) children receive care. Where such facilities are required to be licensed or commissioned as set forth by O.C.G.A. 25-2-13(b)(1)(I), the facilities are also required to comply with the Rules and Regulations of the Safety Fire Commissioner and to obtain a Certificate of Occupancy pursuant to O.C.G.A. 25-2-14(c).”

2. Delete paragraph 17.1.1.5 in its entirety and substitute in its place the following:
“17.1.1.5 This section establishes life safety requirements for existing day-care occupancies, adult day- care facilities, and head start facilities in which more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day. An existing day-care occupancy shall be allowed the option of meeting the requirements of Chapter 16 in lieu of Chapter 17. Any day-care occupancy that meets the requirements of Chapter 16 shall be judged to meet the requirements of Chapter 17.”

3. Add a new subparagraph 17.1.3.1.1 to read as follows:
“17.1.3.1.1 The provisions of 6.1.14 shall not apply to one- and two-family dwellings.”

4. Add a new subparagraph 17.1.4.1.1 to read as follows:
“17.1.4.1.1 Existing day-care centers that include part-day preschools, head-start programs, kindergartens, and other schools whose purpose involves education primarily for a group of children may continue to meet the requirements of this section or may be allowed the option of meeting the requirements of Chapter 15.”

5. Delete subsection 17.1.6.1 and its corresponding table in its entirety and substitute in its place the following:
“17.1.6.1 Location and Minimum Construction Requirements. The location of day-care occupancies and clients of such shall be limited as shown in Table 17.1.6.1

17.1.6.1.2 Day-Care occupancies with exits directly to the outside from each room normally occupied by clients may be of any construction type without being protected throughout by an automatic sprinkler system.

“17.1.6.1.3 Centers located on the level of exit discharge in buildings of any construction type without a complete approved automatic sprinkler system, may be continued in use as a child day-care center housing children ages zero through four, or non-ambulatory children, as long as at least one exit door is provided directly to the outside of the building at ground level from every room or space normally occupied by children, except restrooms. For centers existing prior to April 12, 1985, where direct access to the outside of the building is not possible from interior rooms, and such interior rooms are normally subject to occupancy by children, the interior room may continue to be used provided there are two remote exits from the rooms that provide access to two separate and distinct exits to the outside.”

Table 17.1.6.1 Day-Care Occupancy Location

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YES: Day-care occupancy location permitted in type of construction.
YES+: Day-care occupancy location permitted in type of construction if entire building is protected throughout by an approved automatic sprinkler system.
NO: Day-care occupancy is not permitted in this construction type.”

6. Delete subsection 17.2.9 in its entirety and substitute in its place the following:

“17.2.9 Emergency Lighting. Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

1. In all interior stairs and corridors.
2. In all normally occupied spaces.

17.2.9.1 Emergency lighting is not required in the following areas:

(1) Administrative areas other than receptionist areas.
(2) Mechanical rooms, storage areas, and rooms not normally occupied by students.”

7. Add a new subparagraph 17.3.2.1(1)(a)(1) to read as follows:

“17.3.2.1(1)(a)(1) Rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input are not required to comply with 17.3.2.1(1) provided, such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”
8. Delete paragraph 17.3.2.3 in its entirety and substitute in its place the following:

“17.3.2.3 Food preparation facilities protected in accordance with 9.2.3 are not required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, a listed self-contained residential fire suppression system may be installed in a residential hood to cover the cooking surface, with the exhaust hood vented directly to the outside. Required use of automatic disconnects of the fuel source or power source is subject to the authority having jurisdiction. Upon receipt of a sworn affidavit, no protection is required for existing domestic cooking equipment used for limited cooking or warming of foods.

17.3.2.3.1 Subject to the approval of the authority having jurisdiction, where domestic cooking equipment is used for food warming or limited cooking, the requirements for a residential fire suppression system may be waived if the room is protected by approved automatic sprinkler protection. The provisions of 9.7.1.2 may be permitted. The exhaust hood is still required to be vented to the outside.”

9. Delete the term “Laundries” from subparagraph 17.3.2.1 (2)(a) and substitute in its place the following:

“(a) Laundry areas utilizing commercial equipment, or multiple residential appliances, or having a floor area exceeding 100 square feet (9.3 m).”

10. Add a new paragraph 17.3.5.3.1 to read as follows:

“17.3.5.3.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all day-care occupancies in accordance with 9.9.”

11. Delete subsection 17.4.1 in its entirety and substitute in its place the following:

“17.4.1 Windowless or Underground Buildings. Windowless or underground buildings or structures shall comply with the applicable provisions of Section 11.7. All such buildings and structures housing a day-care occupancy shall be protected throughout by an approved automatic sprinkler system.

“17.4.1.1 Buildings or structures existing prior to January 28, 1993, and housing day-care occupancies with an occupant load not greater than 100 may remain in use without being protected throughout by an automatic sprinkler system.”

12. Add a subparagraph 17.5.1.2.1 to read as follows:

“17.5.1.2.1 In existing day-care occupancies, in lieu of special protective covers, receptacles may be placed at a minimum of six feet above the finished floor.”

13. Add a new paragraph 17.5.2.4 to read as follows:

“17.5.2.4 Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of day-care facilities.

“17.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction.”

14. Delete subparagraph 17.6.1.4.1.2 in its entirety and substitute in its place the following:

“17.6.1.4.1.2 This section establishes life safety requirements for group day-care homes, adult daycare homes and head start facilities in which at least seven but not more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day (generally within a dwelling unit). An existing day-care home shall be allowed the option of meeting the requirements of Section 16.6 in lieu of Section 17.2. Any day-care home that meets the requirements of Chapter 16 shall be judged to meet the requirements of Chapter 17.”

15. Add an exception to subsection 17.6.1.4.1 to read as follows:

“17.6.1.4.1 Existing day-care homes that include part-day preschools, head-start programs, kindergartens, and other schools whose purpose involves education primarily for a group of children may continue to meet the requirements of this section or may be allowed the option of meeting the requirements of Chapter 15.”

16. Delete paragraph 17.6.1.6 in its entirety and substitute in its place the following:
“17.6.1.6 Clients of a group day-care home in a multi-story building shall be restricted to the level of exit discharge, unless the provisions of 17.1.6.1 are met.”

17. Add a new paragraph 17.6.3.6 to read as follows:
“17.6.3.6 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all day-care home occupancies in accordance with 9.9.”

18. Add a new subsection 17.6.3.7 to read as follows:
“17.6.3.7 In existing day-care homes in lieu of special protective covers, receptacles may be placed at a minimum of 6 feet (1.8 m) above the finished floor.”

19. Delete subsections 17.7.1 and 17.7.2 in their entirety and substitute in their place the following:
“17.7.1 Emergency Planning and Preparedness. Day-care occupancies (Group E and I-4) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(p) Modifications to Chapter 18:

1. Delete subsection 18.1.1.1.8 in its entirety and in its place substitute the following:
“18.1.1.1.8 Buildings, or sections of buildings, that house older persons and that provide activities that foster continued independence but that do not include services distinctive to health care occupancies (see 18.1.4.2), as defined in 3.3.196.7, shall be permitted to comply with the requirements of other chapters of this Code, such as Chapters 30, 32 or 34 based upon appropriate licensing if required.”

2. Add a new subparagraph 18.1.1.4.3.4.1 to read as follows:
“18.1.1.4.3.4.1 Minor renovations, alterations, modernizations or repairs as used in 18.1.1.4.3.4 shall mean that construction is less than 40% of the floor area within a smoke compartment.”

3. Add the following to the list of hazardous areas in Subparagraph 18.3.2.1.2 to read as follows:
“(8) Soiled utility rooms also used for combustible storage - 1 hour.”

4. Add a new subparagraph 18.3.2.5.2.1 to read as follows:
“18.3.2.5.2.1 Where a residential stove (a maximum of four surface burners or cooking elements), is used for food warming, limited cooking, or rehabilitation training, a residential style hood system ducted to the outside shall be installed to cover each cooking surface. Other protection or segregation shall not be required unless subsequent inspections reveal conditions have changed and a higher level of risk to life is deemed to exist by the authority having jurisdiction.”

5. Delete subsections 18.7.1 and 18.7.2 in their entirety and substitute in their place the following:
“18.7.1 Emergency Planning and Preparedness. Health care occupancies (Group I-2) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code (IFC), and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

6. Delete subsection 18.7.4 in its entirety and in its place substitute the following:
“18.7.4 Smoking. Smoking regulations shall be adopted and shall include, at the least, the applicable provisions of Section 310 of the International Fire Code (IFC), as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

(q) Modifications to Chapter 19:

1. Delete subsection 19.1.1.1.8 in its entirety and in its place substitute the following:
“19.1.1.8 Buildings, or sections of buildings, that house older persons and that provide activities that foster continued independence but do not include services distinctive to health care occupancies (see 19.1.4.2), as defined in 3.3.196.7, shall be permitted to comply with the requirements of other chapters of this Code, such as Chapters 31, 33 or 35 based upon appropriate licensing if required.”

2. Add the following to the list of hazardous areas in subparagraph 19.3.2.1.5 to read as follows:

“(9) Soiled utility rooms used for combustible storage.”

3. Add subparagraphs 19.3.2.5.2.1 to read as follows:

“19.3.2.5.2.1 Where residential stove cooking is used for food warming, limited cooking, or rehabilitation training, a residential style hood system ducted to the outside and equipped with a listed self-contained residential fire suppression system shall be installed to cover each cooking surface. Required use of automatic disconnects of fuel source or power source is subject to the approval of the authority having jurisdiction.

19.3.2.5.2.1.1 Other installations acceptable to the authority having jurisdiction shall be acceptable.”

4. Add a new subparagraph 19.3.4.3.1.1 to read as follows:

“19.3.4.3.1.1 A Zoned, coded systems shall be permitted.”

5. Delete subsections 19.7.1 and 19.7.2 in their entirety and substitute in their place the following:

“19.7.1 Emergency Planning and Preparedness. Health care occupancies (Group I-2) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code (IFC) and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

6. Delete subsection 19.7.4 in its entirety and in its place substitute the following:

“19.7.4* Smoking. Smoking regulations shall be adopted and shall include, at the least, the applicable provisions of Section 310 of the International Fire Code (IFC), as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

(r) Modification to Chapter 20:

1. Delete subsections 20.7.1 and 20.7.2 in their entirety and substitute in their place the following:

“20.7.1 Emergency Planning and Preparedness. Ambulatory health care facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions for health care occupancies (Group I-2) of Chapter 4 of the International Fire Code (IFC) and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(s) Modification to Chapter 21:

1. Delete subsections 21.7.1 and 21.7.2 in their entirety and substitute in their place the following:

“21.7.1 Emergency Planning and Preparedness. Ambulatory health care facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions for health care occupancies (Group I-2) of Chapter 4 of the International Fire Code (IFC) and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”
(t) Modifications to Chapter 22:

1. Delete paragraph 22.2.11.1.2 in its entirety and substitute in its place the following:
   “22.2.11.1.2 Doors shall be permitted to be locked with approved detention locking mechanisms only in accordance with the applicable use condition. Padlocks are not permitted on housing unit doors or any other door located in the interior means of egress.

22.2.11.1.2.1 Padlocks are permitted on gates and doors located on exterior fencing, and in exterior walls, which are not part of the building, from areas of refuge located outside the building.”

2. Delete the words ‘fuel fired’ from Table 22.3.2.1.

3. Add a note to Table 22.3.2.1 to read as follows:
   “[Note: Areas incidental to resident housing will mean any areas that exceed 10% of the resident housing area. This includes sleeping areas, dayrooms, group activity space, or other common spaces for customary access of residents.]”

4. Delete paragraph 22.3.7.5 in its entirety and substitute in its place the following:
   “22.3.7.5 Any required smoke barrier shall be constructed in accordance with Section 8.5 Smoke Barriers. Such barriers shall be of substantial construction and shall have structural fire resistance. Smoke barriers may have windows with wire glass in steel frames or tested window assemblies.”

5. Delete subsection 22.7.1 in its entirety and substitute in its place the following:
   “22.7.1 Emergency Planning and Preparedness. Detention and correctional facilities (Group I-3 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

6. Delete subsection 22.7.2 in its entirety and substitute in its place the following:
   “22.7.2 Policies and procedures shall be established by facility administrators to control and limit the amount of personal property in sleeping rooms and require periodic checks for the collection and storage of such items on a monthly basis. Records of periodic checks shall be kept and made available to the authority having jurisdiction upon request.

22.7.2.1 Facilities which provide closable metal lockers or fire-resistant containers for the storage of books, clothing, and other combustible personal property allowed in sleeping rooms.”

(u) Modifications to Chapter 23:

1. Delete paragraph 23.2.11.1.2 in its entirety and substitute in its place the following:
   “23.2.11.1.2 Doors shall be permitted to be locked with approved detention locking mechanisms only in accordance with the applicable use condition. Padlocks are not permitted on housing unit doors or any other door located in the means of egress.

23.2.11.1.2.1 Padlocks are permitted on gates and doors located on exterior fencing and walls from areas of refuge located outside the building.”

2. Delete the words ‘fuel fired’ from Table 23.3.2.1.

3. Add a note to Table 23.3.2.1 to read as follows:
   “[Note: Areas incidental to resident housing will mean any areas that exceed 10% of the resident housing area. This includes sleeping areas, dayrooms, group activity space, or other common spaces for customary access of residents.]”
4. Delete paragraph 23.3.7.5 in its entirety and substitute in its place the following:

"23.3.7.5 Required smoke barriers shall be constructed in accordance with Section 8.5 Smoke Barriers. Such barriers shall be of substantial construction and shall have structural fire resistance. Smoke barriers may have windows with wire glass in steel frames or tested window assemblies."

5. Delete subsection 23.7.1 in its entirety and substitute in its place the following:

"23.7.1 Emergency Planning and Preparedness. Detention and correctional facilities (Group I-3 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 23.7.2 in its entirety and substitute in its place the following:

"23.7.2 Policies and procedures shall be established by facility administrators to control and limit the amount of personal property in sleeping rooms and require periodic checks for the collection and storage of such items on a monthly basis. Records of periodic checks shall be kept and made available to the authority having jurisdiction upon request.

23.7.2.1 Facilities which provide closable metal lockers or fire-resistant containers for the storage of books, clothing, and other combustible personal property allowed in sleeping rooms."

(v) Modification to Chapter 24:

1. Delete the Title of Chapter 24 and retile it to read as follows:

"Chapter 24 One- and Two-Family Dwellings/Community Living Arrangements"

2. Add a new subparagraph 24.1.1.1.1 to read as follows:

"24.1.1.1.1 In addition, this chapter establishes life safety requirements for facilities licensed by the State of Georgia as a 'Community Living Arrangement' for one to four individuals not related to the owner or administrator by blood or marriage whether the facility is operated for profit or not. Community Living Arrangements for five or more residents shall comply with the applicable requirements of Chapter 32."

3. Add a new paragraph 24.1.1.6 to read as follows:

"24.1.1.6 The use of a one- and two-family dwelling for the purposes of a Community Living Arrangement as licensed by the State, for one to four residents, shall constitute a change of occupancy sub-classification. The new sub-classification shall meet the requirements established in this Chapter for the One- and Two-Family Dwelling and the additional requirements specified under Section 24.4."

4. Delete 24.2.2.1.2(2) in its entirety and substitute in its place the following:

"(2) The dwelling unit is protected throughout by an approved automatic sprinkler system in accordance with 24.3.5. This sprinkler provision shall not apply to a community living arrangement."

5. Add a new subparagraph to 24.2.4.1.1 to read as follows:

"24.2.4.1.1 Doors in the path of travel of a means of escape in Community Living Arrangement facilities shall be not less than 32 in. (81 cm) wide."

6. Add a new subparagraph 24.3.4.1.3.1 to read as follows:

"24.3.4.1.3.1 The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall apply."

7. Delete Section 24.4 in its entirety and substitute in its place the following:

"24.4 Community Living Arrangements."
24.4.1 General. The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 24.4 shall prevail.

24.4.2 Address identification. New and Existing Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the International Fire Code.

24.4.3 Means of Egress.

24.4.3.1 A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, and that are accessible to the residents.

24.4.3.2 Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾ in. (4.4 cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 sq. in (0.84 m2) each in area and installed in approved frames.

24.4.3.3 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

24.4.3.4 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

24.4.3.5 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

24.4.3.6 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

24.4.3.7 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or be provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

24.4.3.8 Locks.

24.4.3.8.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited to be used on the bedroom door of a resident.

24.4.3.8.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

24.4.4 Detection and Alarm Systems

24.4.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72 shall be installed.

24.4.4.2 Smoke Detection.

24.4.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10 of this Code. Any additional detection/alarm devices shall be as established by O.C.G.A. §25-2-40.
24.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

24.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.22.5 of this Code.

24.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

24.4.3 Carbon Monoxide Detectors.

24.4.3.1 Carbon monoxide detectors shall be provided in the residence where natural gas, LP gas or heating oil is used to heat the residence.

24.4.3.2 Carbon monoxide detectors shall be provided in the residence if a solid fuel-burning fireplace or fixed heating device is installed the residence.

24.4.5 Protection.

24.4.5.1 Portable Fire Extinguishers. Portable fire extinguishers in accordance with Section 9.9 shall be provided near hazardous areas.

24.4.5.1.1 At least one 5 lb, 2A rated multipurpose ABC portable fire extinguisher shall be provided on each occupied floor, and, where applicable, in the basement. The extinguishers shall be installed so as to be readily accessible in accordance with NFPA 10.

24.4.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a State licensed fire extinguisher technician in accordance with NFPA 10.

24.4.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

24.4.6 Heating, Ventilation and Air Conditioning.

24.4.6.1 Portable space heaters shall not be used. The use of heating devices and equipment shall be regulated by the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

24.4.6.2 Fire screens and protective devices shall be used with fireplaces, stoves, and fixed heaters.

24.4.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

24.4.7 Operating Features.

24.4.7.1 Staffing. The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

24.4.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. Also, training of management and staff shall comply with Chapter 4 of the adopted International Fire Code.

24.4.7.2 Evacuation Capabilities. Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can meet a prompt evacuation capability as defined in 12-3-3-.03 of Chapter 120-3-3 Rules and Regulations of the Safety Fire Commissioner. Residents who cannot meet the prompt evacuation capability provision shall
be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance at all times.

**24.4.7.3 Drills.** Fire drills shall be conducted at least quarterly on each shift at alternating times. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented and include the names of staff involved. Also, refer to Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

**24.4.7.4 Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each residence. Also, refer to Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

**Modification to Chapter 26:**

1. Add a new subparagraph 26.3.4.5.3.1 to read as follows:
   “26.3.4.5.3.1 The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply.”

2. Add a new paragraph 26.3.6.4 to read as follows:
   “26.3.6.4 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all lodging or rooming house occupancies in accordance with 9.9 of this Code.”

**Modification to Chapter 28:**

1. Add a new subparagraph 28.2.5.5.1 to read as follows:
   “28.2.5.5.1 The provisions of 28.2.5.5 apply to exterior exit access routes and interior corridors.”

2. Add a new subparagraph 28.2.5.6.1 to read as follows:
   “28.2.5.6.1 The provisions of 28.2.5.6 apply to exterior exit access routes and interior corridors.”

3. Add a new subparagraph 28.3.2.2.1.1 to read as follows:
   “28.3.2.2.1.1 The provisions of 28.3.2.2 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

4. Delete paragraph 28.3.4.5 in its entirety and substitute in its place the following:
   “28.3.4.5 A corridor smoke detection system in accordance with O.C.G.A. Sections 25-2-13(d) & 25-2-40 shall be provided in all interior corridors, halls and passageways.

   **28.3.4.5.1** The provisions of 28.3.4.5 are not required in hotels and motels protected throughout by an approved supervised automatic sprinkler system installed in accordance with 28.3.5. Dormitory facilities shall still be required to provide a corridor smoke detection system in accordance with O.C.G.A. Sections 25-2-13(d) and 25-2-40.”

5. Add a new subparagraph 28.3.4.6.1 to read as follows:
   “28.3.4.6.1 A smoke alarm shall be mounted on the ceiling or wall at a point centrally located in the corridor, hall or area giving access to each group of rooms used for sleeping purposes. Such smoke alarm shall be listed and meet the installation requirements of NFPA 72, *National Fire Alarm and Signaling Code*, and be powered from the building's electrical system. In addition, 1½-hour emergency power supply source is required for the back-up power of the smoke alarms.”

6. Add a new subparagraph 28.3.4.6.2 to read as follows:
“28.3.4.6.2 Each living area within a guestroom or suite which is separated by doors or folding partitions shall be provided with an approved single station smoke alarm in accordance with 9.6.2.10 of this Code. The smoke alarm shall be powered from the building's electrical system.”

7. Delete subsections 28.7.1, 28.7.2, 28.7.3, and 28.7.5 in their entirety and substitute in their place the following:

“28.7.1 Emergency Planning and Preparedness. Hotels and dormitories (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(y) Modification to Chapter 29:

1. Delete paragraph 29.2.5.3 in its entirety and substitute in its place the following:

“29.2.5.3 Exterior exit access or internal corridors shall be arranged so there are no dead ends in excess of 50 feet (15 m).”

2. Add a new subparagraph 29.3.4.5.3 to read as follows:

“29.3.4.5.3 The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply.”

3. Add a new subparagraph 29.3.4.5.4 to read as follows:

“29.3.4.5.4 A corridor smoke detection system in accordance with O.C.G.A Sections 25-2-13(d) and 25-2-40 shall be provided in all interior corridors, halls and passageways.

29.3.4.5.4.1 The provisions of 29.3.4.5.1 do not apply in hotels and motels protected throughout by an approved supervised automatic sprinkler system installed in accordance with 28.3.5.

29.3.4.5.4.2 Dormitory facilities shall be required to provide a corridor smoke detection system in accordance with O.C.G.A. Sections 25-2-13(d) and 25-2-40. ”

4. Delete subsections 29.7.1, 29.7.2, 29.7.3, and 29.7.5 in their entirety and substitute in their place the following:

“29.7.1 Emergency Planning and Preparedness. Hotels and dormitories (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(z) Modification to Chapter 30:

1. Delete item (2) of subsection 30.2.4.4 in its entirety and substitute in its place the following:

“(2) The dwelling unit has direct access to an outside stair complying with 7.2.2 that serves a maximum of two units where both of which are located on the same floor. This does not preclude two stairs serving a floor level with a maximum of four units with an open breezeway connecting and allowing access to either exit stair.”

2. Add a new subparagraph 30.3.2.1.2 to read as follows:

“30.3.2.1.2 The provisions of 30.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms
shall not be used for any combustible storage, and a minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

3. Delete the words ‘fuel fired’ from Table 30.3.2.1.1

4. Delete subparagraph 30.3.4.5 in its entirety and substitute in its place the following:
   “30.3.4.5 Approved single station or multiple station detectors continuously powered from the building’s electrical system shall be installed in accordance with 9.6.2.10 in every living unit within the apartment building regardless of the number of stories or number of apartments. In addition, a 1½-hour emergency power supply source is required for the back-up power of the detector. When activated, the detector shall initiate an alarm that is audible in the sleeping rooms of that unit. This individual unit detector shall be in addition to any sprinkler system or other detection system that may be installed in the building.”

5. Delete paragraph 30.3.6.2.3 in its entirety and substitute in its place the following:
   “30.3.6.2.3 Doors that open onto exit access corridors shall be self-closing and self-latching, with a listed pneumatic closure or three heavy-duty spring-loaded hinges.”

6. Delete subsection 30.7.1 in its entirety and substitute in its place the following:
   “30.7.1 Emergency Planning and Preparedness. Residential facilities (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(aa) Modifications to Chapter 31:

1. Delete item (2) of subsection 31.2.4.4 in its entirety and substitute in its place the following:
   “(2) The dwelling unit has direct access to an outside stair complying with 7.2.2 that serves a maximum of two units where both units are located on the same floor. This does not preclude two stairs serving a floor level with a maximum of four units with an open breezeway connecting and allowing access to either exit stair.”

2. Add a new subparagraph 31.3.4.5.2.1 to read as follows:
   “31.3.4.5.2.1 The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply.”

3. Add a new subparagraph 31.3.4.5.4.1 to read as follows:
   “31.3.4.5.4.1 The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply.”

4. Delete subsection 31.7.1 in its entirety and substitute in its place the following:
   “31.7.1 Emergency Planning and Preparedness. Residential facilities (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

(bb) Modifications to Chapter 32:

Delete paragraph 32.1.1.1 in its entirety and substitute in its place the following:
“32.1.1.1 General. The requirements of this chapter shall apply to new buildings or portions thereof used as residential board and care occupancies (See 3.3.196.12* and 3.3.214* and their Annex A notes). This designation shall
include, but may not be limited to, a personal care home or community living arrangement, as defined in 120-3-3-.03 of the Rules and Regulations of the Safety Fire Commissioner.

32.1.1.1 Additions, Conversions, Modernizations, Renovations, and Construction Operations. Additions shall be separated from any existing structure not conforming to the provisions of Chapter 32 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7) Doors in fire barriers shall normally be kept closed, however, doors shall be permitted to be held open if they meet the requirements of 7.2.1.8.2, and such doors shall be released upon activation of the building fire alarm system.

32.1.1.1.2. Conversion. For purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing residential or health care occupancy.

32.1.1.1.3 Change of Occupancy. A change from a licensed personal care home to an assisted living community or memory care unit shall be considered a change of occupancy or subclassification and would be required to meet the provisions of Chapter 35 for existing construction. Such changes in occupancy classification or subclassification are considered as proposed (new) buildings and shall be subject to the applicable administrative provisions of Section 103 of the International Fire Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

32.1.1.4. Renovations, Alterations, and Modernizations. (See 4.6.7)

32.1.1.5. Construction, Repair, and Improvement Operations. (See 4.6.10)"

2. Delete paragraph 32.1.1.4 in its entirety and substitute in its place the following:

“32.1.1.4 Personal Care Homes and Community Living Arrangements with Five or More Residents. A personal care home or community living arrangement with five or more residents, as defined in 120-3.3-.03 of the Rules and Regulations of the Safety Fire Commissioner, shall comply with the general provisions of 32.1 of this Chapter 32, and with the applicable provisions for residential board and care occupancies as defined in 3.3.196.12 of this Code. The provisions of Chapter 32 for large facilities are deemed to provide for the use of “defend in place” fire response strategies should self-preservation measures not be deemed successful.

32.1.1.4.1 Goals and Objectives. The goals and objectives of Sections 4.1 and 4.2 of this Code shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of origin and reducing the need for total occupant evacuation except for the room of fire origin.

32.1.1.4.2 Total Concept. All new personal care homes, and community living arrangements with five or more residents shall be constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

32.1.1.4.2.1 Because the safety of personal care home residents or residents of a community living arrangement cannot be adequately ensured by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate trained staff (refer to 406.2.1 of the International Fire Code as adopted by 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner); and development of operating and maintenance procedures composed of the following:

(1) Design, construction, and compartmentation
(2) Provision for detection, alarm, and extinguishment
(3) Fire protection and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building.”

3. Delete paragraph 32.1.1.5 in its entirety and substitute in its place the following:

“32.1.1.5 All new facilities classified as residential board and care occupancies shall conform to the requirements of this chapter. This chapter is divided into six sections as follows:
(1) Section 32.1 – General Requirements.

(2) Section 32.2 – Small Facilities (Sleeping accommodations for not more than six residents. Includes Personal Care Homes and Community Living Arrangements for five or six residents)

(3) Section 32.3 – Large Facilities (Sleeping accommodations for seven or more residents. This includes Personal Care Homes, as defined in section 120-3-3-.03 of Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner. It also includes Community Living Arrangements with seven or more residents.

(4) Section 32.4 – Additional minimum requirements for an Apartment Building Housing a Board and Care Occupancy.

(5) Section 32.5 – Community Living Arrangement Facilities (small and large) (As defined in 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner)

(6) Section 32.7 Operating Features.”

4. Delete subsection 32.1.2 in its entirety and substitute in its place the following:

“32.1.2 Classification of Occupancy. See 6.1.9 and provisions of this Chapter 32, and the applicable definitions in 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.”

5. Delete subparagraph 32.2.1.1.1 in its entirety and substitute in its place the following:

“32.2.1.1.1 Scope. This section applies to a community living arrangement with 5 to 6 residents and to residential board and care occupancies, including a personal care home, providing sleeping accommodations for not more than 6 residents. Where there are sleeping accommodations for more than 6 residents of a residential board and care occupancy, including a personal care home or community living arrangement, the occupancy shall be classed as a large facility. The requirements for large facilities are found in Section 32.3. The provisions of 32.5 also apply to community living arrangements. (Also see 3.3.196.12.)”

6. Add a new paragraph 32.2.1.5 to read as follows:

“32.2.1.5 Classification of Hazards of Contents. Contents of Residential Board and Care occupancies shall be classified in accordance with the provisions of Section 6.2.”

7. Add a new subparagraph 32.2.3.2.6 to read as follows:

“32.2.3.2.6 Residential cooking appliances such as stoves (a maximum of four surface burners or cooking elements) and griddles shall be protected by a listed self-contained residential fire suppression systems located in residential hoods over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3, and shall not be required to have openings protected between food preparation areas and dining areas.

32.2.3.2.6.1 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 32.2.3.5. The protection authorized by 32.2.3.5.5 is acceptable for purposes of this section, provided, however, exhaust hood shall still be required to be vented to the outside.

32.2.3.2.6.2 Subject to the approval of the authority having jurisdiction, no protection is required over residential cooking appliances such as grills and stoves in facilities which have a prompt evacuation capability and having a licensed capacity as determined by the Department of Human Resources of six or less residents.”

8. Add new subparagraph 32.2.3.4.5.5 to read as follows:

“32.2.3.4.5.5 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.”

9. Delete subparagraph 32.2.3.5.2 in its entirety and substitute in its place the following:

“32.2.3.5.2* In conversions, sprinklers shall not be required in small board and care homes, including personal care homes and community living arrangements serving six or fewer residents when all occupants have the ability as a group to move reliably to a point of safety within three minutes.
32.2.3.5.2.1 Where the provisions of 32.2.3.5.2 are not met and maintained, the sprinkler protection requirement may be met through the installation of a sprinkler system complying with 32.2.3.5.”

10. Add a new subsection 32.2.3.5.9 to read as follows:

“32.2.3.5.9 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a personal care home or community living arrangement facility in accordance with 9.9.”

11. Delete (1) of subparagraph 32.2.3.6.1 and substitute in its place the following:

“(1) The separation walls of sleeping rooms shall be capable of resisting fire for not less than 30 minutes, which is considered to be achieved if the partitioning is finished on both sides with materials such as, but not limited to, ½ inch thick gypsum board, wood lath and plaster, or metal lath and plaster. It shall be acceptable for corridor walls to terminate at a ceiling which is constructed similar to a corridor wall capable of resisting fire for not less than 30 minutes.”

12. Add new subparagraph 32.2.5.2.4 to read as follows:

“32.2.5.2.4 Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of small residential board and care occupancies, including personal care homes and community living arrangements.

32.2.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer’s instructions and the authority having jurisdiction.”

13. Delete subparagraph 32.3.1.1 in its entirety and substitute in its place the following:

“32.3.1.1.1 This section applies to residential board and care occupancies, including licensed personal care homes and community living arrangements with more than 6 residents, as defined in 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Where there are sleeping accommodations for six or less residents, or a community living arrangement for 5 to 6 residents, the occupancy shall be classed as a small facility. The requirements for small facilities are found in Section 32.2.

14. Add a new Section 32.3.1.2 to read as follows:

“32.3.1.2 Assisted Living Communities and Memory Care Units.

32.3.1.2.1 This chapter shall not apply to any building, or portion thereof, newly constructed, or substantially renovated, as defined in O.C.G.A. 25-2-14(d), so as to be designated and licensed by the Georgia Department of Community Health as an assisted living community or memory care unit, as defined in Section 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Refer to Chapter 34 or 35 for the applicable requirements for such facilities.”

15. Delete 32.3.1.2 and insert a new 32.3.1.2 to read as follows:

32.3.1.2 Requirements Based on Evacuation Capability. Definitions for the classifications of evacuation capability are defined in 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. For purposes of Section 32.3, large facilities are assumed to have an impractical evacuation capability.

16. Add a new item 8 to subparagraph 32.3.2.2.2 to read as follows:

“(9): Doors to resident rooms may be subject to being locked by the occupant, if they can be unlocked from the opposite side and keys are carried by staff at all times. Additional keys must be available/accessible to the staff.”

17. Add a new subparagraph 32.3.2.6.1 to read as follows:

“32.3.2.6.1 Travel distance shall not exceed 35 feet (10.7 m) in any story below the level of exit discharge occupied for public purposes.”
18. Add a new subparagraph 32.3.2.6.2 to read as follows:
"32.3.2.6.2 Travel distance shall not exceed 75 feet (22.9 m) in any story below the level of exit discharge not occupied for public purposes."

19. Add a new subparagraph 32.3.2.6.3 to read as follows:
"32.3.2.6.3 Any story below the level of exit discharge occupied for public purposes shall have at least two separate exits provided from each story with a maximum dead-end corridor of 20 feet (6.1 m). Any floor below the level of exit discharge not open to the public and used only for mechanical equipment, storage, and service operations (other than kitchens which are considered part of the residential board and care occupancies) shall have exits appropriate to its actual occupancy in accordance with other applicable sections of this Code.”

20. Delete paragraph 32.3.2.9 in its entirety and substitute in its place the following:
“32.3.2.9 Emergency lighting in accordance with Section 7.9 of the Code shall be provided in means of egress and common areas in all residential board and care occupancies.

“32.3.2.9.1 Where each resident room has a direct exit to the outside of the building at ground level, no emergency lighting shall be required.”

21. Add a new subparagraph 32.3.2.11.1 to read as follows:
“32.3.2.11.1 Every stairwell door shall allow reentry from the stairwell to the interior of the building or an automatic release shall be provided to unlock all stairwell doors to allow re-entry. Such automatic release shall be actuated with the initiation of the building fire alarm system or upon loss of power.”

22. Add a new subparagraph 32.3.3.1.4 to read as follows:
“32.3.3.1.4 Stairway enclosures shall not be required where a one-story stair connects two levels within a single dwelling unit, resident room or suite.”

23. Add a new subparagraph 32.3.3.2.4 to read as follows:
“32.3.3.2.4 The provisions of Table 32.3.3.2.2 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

24. Delete subparagraph 32.3.3.4.7 in its entirety and substitute in its place the following:
“32.3.3.4.7 Smoke Alarms. Each sleeping room shall be provided with an approved single station smoke alarm in accordance with 9.6.2.10. Approved smoke alarms shall be powered by the building’s electrical system and be provided with a 1½-hour emergency power source.”

“32.3.3.4.7.1 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired residents in personal care homes or Community Living Arrangements.”

25. Delete subparagraph 32.3.3.4.8 in its entirety and substitute in its place the following:
“32.3.3.4.8 Smoke Detection Systems. All corridors and common spaces shall be provided with smoke detectors in accordance with NFPA 72, National Fire Alarm and Signaling Code, arranged to initiate the fire alarm such that it is audible in all sleeping areas. Detectors shall be located in corridors or hallway so there is a detector within 15 feet (4.6 m) of the wall and at least every 30 feet (9.1 m) thereafter. Where a building has more than one floor level, a detector shall be located at the top of each stair and inside each enclosure. (Refer to 3.3.264)

32.3.3.4.8.1 Detectors may be excluded from crawl spaces beneath the building and unused and unfinished attics.

32.3.3.4.8.2 Unenclosed corridors, passageways, balconies, colonnades, or other arrangements where one or more sides along the long dimension are fully or extensively open to the exterior at all times.”
26. Delete subparagraph 32.3.3.5.7 in its entirety and substitute in its place the following:
“32.3.3.5.7 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a personal care home or community living arrangement facility in accordance with 9.9.”

27. Delete subparagraph 32.3.3.6.6 in its entirety and substitute in its place the following:
“32.3.3.6.6 There shall be no louvers, transfer grilles, operable transoms, or other air passages penetrating such walls or doors other than properly installed heating and utility installations. Unprotected openings shall be prohibited in partitions of interior corridors serving as exit access from resident rooms. Transfer grilles, whether protected by fusible link operated dampers or not, shall not be used in corridor walls or doors between resident rooms and interior corridors.

32.3.3.6.6.1 Existing transoms installed in corridor partitions of resident rooms shall be fixed in the closed position and shall be covered or otherwise protected to provide a fire-resistance rating at least equivalent to that of the wall in which they are installed.”

28. Add a new subparagraph 32.3.5.2.4 to read as follows:
“32.3.5.2.4 Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of large residential board and care occupancies.

“32.3.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction.”

29. Delete section 32.5 in its entirety and substitute in its place the following:
“32.5 Community Living Arrangement Facilities.

32.5.1 General. The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 32.5 shall prevail.

32.5.2 Address identification. Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the International Fire Code.

32.5.3 Means of Egress.

32.5.3.1 Number of Means of Escape. In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape.

32.5.3.1.1 A secondary means of escape shall not be required where the bedroom or living area has a door leading directly to the outside of the building at or to grade level.

32.5.3.1.2 Exits for the mobility impaired. A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, which are accessible to the residents.”

32.5.3.2 Bedrooms. Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls. capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15- minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾-in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 in.2 (0.84 m2) each in area and installed in approved frames.
32.5.3.2.1 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

32.5.3.2.2 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

32.5.3.2.3 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

32.5.3.2.4 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

32.5.3.2.5 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

32.5.3.3 Locks.

32.5.3.3.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited be used on the bedroom door of a resident.

32.5.3.3.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

32.5.4 Detection and Alarm Systems

32.5.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72 shall be installed.

32.5.4.2 Smoke Detection.

32.5.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10. Any additional detection/alarm devices shall be as established by O.C.G.A. §25-2-40.

32.5.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

32.5.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.119 and 3.3.25.5.

32.5.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

32.5.4.3 Carbon Monoxide Detectors.

32.5.4.3.1 Carbon monoxide detectors shall be provided in accordance with 32.3.3.4.9.

32.5.5 Protection.

32.5.5.1 Portable Fire Extinguishers. Portable fire extinguishers in accordance with 9.9 shall be provided near hazardous areas.

32.5.5.1.1 At least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement that shall be readily accessible.

32.5.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a licensed fire safety technician annually in accordance with NFPA 10.
32.5.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

32.5.6 Heating, Ventilation and Air Conditioning.

32.5.6.1 Portable space heaters shall not be used.

32.5.6.2 Fire screens and protective devices shall be used with fireplaces, stoves and fixed heaters.

32.5.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

32.5.7 Operating Features.

32.5.7.1 Staffing. The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

32.5.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. (Refer to Chapter 4 of the International Fire Code regarding care-giver minimum training requirements.)

32.5.7.2 Evacuation Capabilities. Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can successfully respond to a fire or other emergency using self-preservation or assisted preservation measures as defined by 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Residents who cannot successfully respond shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance to the affected resident at all times.

32.5.7.3 Drills. Fire drills shall be conducted at least quarterly on each shift. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented with staffing involved. (See Chapter 4 of the International Fire Code regarding fire and emergency evacuation drills.)

32.5.7.4 Procedures. There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each resident room. Each sleeping room shall have a secondary exit, which may be a door or a window usable for escape.”

30. Delete subsections 32.7.1, 32.7.2, and 32.7.3 in their entirety and substitute in their place the following:

“32.7.1 Emergency Planning and Preparedness. Residential board and care facilities (Group I-1 and R-4 occupancies), including personal care homes and community living arrangements shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The specific provisions of 32.5.7 shall also apply to community living arrangements.”

31. Delete subsection 32.7.4 in its entirety and substitute in its place the following:

“32.7.4 Smoking. Smoking regulations shall be adopted and shall include the following minimal provisions.

32.7.4.1 Smoking shall be prohibited in any room, area or compartment where flammable liquids, combustible gases, or oxygen are used or stored and in any other hazardous location. Such areas shall be posted with ‘NO SMOKING’ signs.
32.7.4.2 Smoking by residents classified as not responsible shall be prohibited, Exception unless the resident is under direct supervision.

32.7.4.3 Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted.

32.7.4.4 Metal containers with self-closing cover devices into which ashtrays may be emptied shall be readily available in all areas where smoking is permitted.”

32. Add a new paragraph 32.7.5.4 to read as follows:
“32.7.5.4 Wastebaskets and other waste containers shall be of noncombustible or other approved materials.”

(cc) Modifications to Chapter 33:

1. Delete paragraphs 33.1.4.1 and 33.1.4.2 in their entirety and substitute in their place the following:
“33.1.4.1 General. For definitions see Chapter 3, Definitions and 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner (RRSFC). Where there is a difference in definitions, the definitions in 120-3-3-.03 shall prevail.

33.1.4.2 Special Definitions.
(1) Broad and Care Occupancies, Residential. See RRSFC 120-3-3-.03.
(2) Community Living Arrangement. See RRSFC 120-3-3-.03.
(3) Evacuation Capability, Impractical. See RRSFC 120-3-3-.03.
(4) Evacuation Capability, Prompt. See RRSFC 120-3-3-.03.
(5) Evacuation Capability, Slow. See RRSFC 120-3-3-.03.
(6) Personal Care. See RRSFC 120-3-3-.03.
(7) Personal Care Home. See RRSFC 120-3-3-.03.
(8) Self-preservation. See RRSFC 120-3-3-.03.

2. Add new subparagraphs 33.1.1.4.1 through 33.1.1.4.3 to read as follows:
“33.1.1.4.1 Community Living Arrangements for five to six residents shall comply with the requirements of Sections 33.2 and 33.5.

33.1.1.4.2 Community Living Arrangements for seven or more residents shall comply with the requirements of Sections 33.3 and 33.5.

33.1.1.4.3 Refer to 120-3-3-.03 for the definition of a “Community Living Arrangement.”

33.1.1.4.4 Existing large personal care homes with 25 or more residents desiring to be licensed as an Assisted Living Community or as a Memory Care Unit, both as defined in 120-3-3-.03 of the Rules and Regulations of the Safety Fire Commissioner, shall meet the requirements for a conversion to a large residential board and care occupancy and the applicable provisions for assisted living communities or memory care units as set forth by Chapter 35 of this Code. (Also defined in RRSFC 120-3-3-.03).”

3. Delete paragraph 33.1.1.5 in its entirety and substitute in its place the following:
“33.1.1.5 All existing facilities classified as residential board and care occupancies shall conform to the requirements of this chapter. This chapter is divided into six sections as follows:

(1) Section 33.1 – General Requirements.
(2) Section 33.2 – Small Facilities (sleeping accommodations for not more than six residents. Includes small personal care homes and community living arrangements.)
(3) Section 33.3 – Large Facilities (sleeping accommodations for seven or more residents. This includes existing “personal care homes” as defined in section 120-3-3-.03 of Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, and not licensed as an “Assisted Living Community” or “Memory Care Unit”

(4) Section 33.4 – Additional minimum requirements for an Apartment Building Housing a Board and Care Occupancy.

(5) Section 33.5 – Community Living Arrangement Facilities

(6) Section 33.7 – Operating Features.”

4. Add a new subsection 33.1.9 to read as follows:

“33.1.9 Classification of Hazards of Contents. Contents of Residential Board and Care occupancies shall be classified in accordance with the provisions of Section 6.2.”

5. Delete paragraph 33.2.1.1 in its entirety and substitute in its place the following:

“33.2.1.1 Scope. This section applies to residential board and care occupancies, including community living arrangements with 5 to 6 residents and personal care homes providing sleeping accommodations for not more than six residents. Where there are sleeping accommodations for more than six residents of a residential board and care occupancy or a community living arrangement more than 6, the occupancy shall be classed as a large facility. The requirements for large facilities are found in Section 33.3.”

6. Add a new paragraph 33.2.1.5 to read as follows:

“33.2.1.5 Occupant Load. The occupant load of small Residential Board and Care occupancies (personal care occupancies) or any individual story or section thereof for the purpose of determining exits shall be the maximum number of persons intended to occupy the floor on the basis of the occupant load factors of Table 7.3.1.2. (Also see 3.3.22.2.1 for Gross Floor Area.)”

7. Add a new subparagraph 33.2.3.2.6 to read as follows:

“33.2.3.2.6 Residential cooking appliances such as stoves and griddles shall be protected by listed self-contained residential fire suppression systems located in residential hoods over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3 and shall not be required to have openings protected between food preparation areas and dining areas.

“33.2.3.2.6.1 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 33.2.3.5. The exhaust hood is still required to be vented to the outside.

“33.2.3.2.6.2 No protection is required over residential cooking appliances such as grills and stoves in facilities which have prompt evacuation capability and have a licensed capacity as determined by the Department of Community Health of six or less residents.”

8. Add new subparagraph 33.2.3.4.3.1 to read as follows:

“33.2.3.4.3.1 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.”

9. Add a new subparagraph 33.2.3.4.3.1 to read as follows:

“33.2.3.4.3.1 The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply.

10. Add new subparagraph 33.2.3.4.5 to read as follows:

“33.2.3.4.5 Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided in all community living arrangements where natural gas, LP gas or heating oil is used to heat the residence or where a solid fuel-burning appliance is located in the residence.”
11. Delete subparagraph 33.2.3.5.3.7 in its entirety and substitute in its place the following:
“33.2.3.5.3.7 Impractical and Slow Evacuation Capability. All slow and impractical evacuation capability facilities shall be protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 33.2.3.5.3.”

12. Add new subparagraph 33.2.5.2.4 to read as follows:
“33.2.5.2.4 Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of small residential board and care occupancies, including personal care homes and community living arrangements.

33.2.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction.”

13. Add a new subsection 33.2.6 to read as follows:
“33.2.6 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all residential board and care occupancies, personal care homes or community living arrangement facilities as follows.

33.2.6.1 Portable fire extinguishers in accordance with Section 9.9 of this Code shall be provided near hazardous areas. Also, at least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement, and they shall be readily accessible.

33.2.6.1.2 Required portable fire extinguishers shall be inspected and maintained at least annually by a licensed fire safety technician in accordance with NFPA 10.

33.6.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.”

14. Delete paragraph 33.3.1.1.1 in its entirety and substitute in its place the following:
“33.3.1.1.1 Scope. This section applies to residential board and care occupancies, including personal care homes and community living arrangements providing sleeping accommodations for 7 or more residents. Where there are sleeping accommodations for six or less residents or a community living arrangement for 5 to 6 residents, the occupancy shall be classed as a small facility. The requirements for small facilities are found in Section 33.2.”

15. Delete 33.3.1.2.2* in its entirety and substitute in its place the following:
“33.3.1.2.2* Impractical. Large facilities classified as impractical evacuation capability shall meet the requirements of 33.3 for impractical evacuation capability, or the requirements for new large facilities in Chapter 32, unless the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4.”

16. Add a new subsection 33.3.1.4 to read as follows:
“33.3.1.4 Occupant Load. The occupant load of small Residential Board and Care occupancies or Personal Care occupancies or any individual story or section thereof for the purpose of determining exits shall be the maximum number of persons intended to occupy the floor as determined on the basis of the occupant load factors of Table 7.3.1.2. Gross floor area shall be measured within the exterior building walls with no deductions. (See 3.3.22.2.1).”

17. Add a new subparagraph 33.3.3.1.1.4 to read as follows:
“33.3.3.1.1.4 Enclosure of stairs, smoke proof towers and exit passageways in buildings existing prior to April 15, 1986, shall be fire barriers of at least 20-minute fire-resistance rating with all openings protected in accordance with paragraph 8.3.3 of this Code in buildings less than three stories in height. In buildings existing prior to April 15, 1986, more than three stories in height, the enclosure shall not be less than a 1-hour fire-resistance rating with all openings protected in accordance with paragraph 8.3.4.4 of this Code.”

18. Add a new exception to subparagraph 33.3.2.2.2(10) to read as follows:
“33.3.2.2.2(10) Doors to resident rooms may be subject to being locked by the occupant, if they can be unlocked from the opposite side and keys are carried by staff at all times. Additional keys must be available to and accessible by the staff.”

19. Delete subparagraph 33.3.2.5.4 in its entirety and substitute in its place the following:
“33.3.2.5.4 No dead-end corridor shall exceed 35 feet (10.7 m).”

20. Delete subparagraph 33.3.2.6.3.3 in its entirety and substitute in its place the following:
“33.3.2.6.3.3 Travel distance to exits shall not exceed 150 feet (45.7 m) if the exit access and any portion of the building that is tributary to the exit access are protected throughout by approved automatic sprinkler systems. In addition, the portion of the building in which the 150 feet (45.7 m) travel distance is permitted shall be separated from the remainder of the building by construction having not less than a 1-hour fire-resistance rating for buildings not greater than three stories in height and 2-hour for buildings greater than three stories in height.”

21. Add a new subparagraph 33.3.2.6.3.4 to read as follows:
“33.3.2.6.3.4 No residents shall be located on floors below the level of exit discharge.

33.3.2.6.3.4.1 In facilities existing prior to April 15, 1986, any floor below the level of exit discharge occupied for public purposes shall have exits arranged such that it will not be necessary to travel more than 100 feet (30.5 m) from the door of any room to reach the nearest exit.”

22. Add a new subparagraph 33.3.2.6.4 to read as follows:
“33.3.2.6.4 Any floor below the level of exit discharge not open to the public and used only for mechanical equipment, storage, and service operations (other than kitchens which are considered part of the residential board and care occupancies) shall have exits appropriate to its actual occupancy in accordance with other applicable sections of this Code.”

23. Add a new subparagraph 33.3.2.7.1 to read as follows:
“33.3.2.7.1 At least half of the required exit capacity of upper floors, exclusive of horizontal exits, shall lead directly to the street or through a yard, court, or passageway with protected openings and separated from all parts of the interior of the building.”

24. Delete paragraph 33.3.2.9 in its entirety and substitute in its place the following:
“33.3.2.9 Emergency Lighting. Emergency lighting in accordance with Section 7.9 of the Code shall be provided in means of egress and common areas in all residential board and care occupancies.

33.3.2.9.1 Where each guestroom has a direct exit to the outside of the building at ground level, no emergency lighting shall be required.”

25. Delete 33.3.2.11.1 and insert a new subparagraph 33.3.2.11.1 to read as follows:
“33.3.2.11.1 Every stairwell door shall allow re-entry from the stairwell to the interior of the building or an automatic release shall be provided to unlock all stairwell doors to allow re-entry. Such automatic release shall be actuated with the initiation of the building fire alarm system or upon loss of power.”

26. Add a new subparagraph 33.3.2.11.3 to read as follows:
“33.3.2.11.3 Stairway enclosures shall not be required where a one-story stair connects two levels within a single dwelling unit, resident room or suite.”

27. Add a new subparagraph 33.3.3.1.4 to read as follows:
“33.3.3.1.4 Any required exit stair which is so located such that it is necessary to pass through the lobby or other open space to reach the outside of the building shall be continuously enclosed down to the lobby level, or to a mezzanine within the lobby.
33.3.3.4.1 In existing two-story buildings only, the second floor level may be fire stopped with a fire barrier having at least a 1-hour fire-resistance rating. Vision panels not exceeding 1,296 square inches (8361 cu cm) and installed in steel frames shall be provided in the doors of the fire barrier.

28. Add two new subparagraphs 33.3.3.2.2.1 and 33.3.3.2.2.2 to read as follows:

“33.3.3.2.2.1 The provisions of 33.3.3.2.2 shall not apply to rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

“33.3.3.2.2.2 The provisions of 33.3.3.2.2 shall not apply in existing residential board and care occupancies constructed prior to April 15, 1986, with regard to the location of the equipment only.”

29. Delete section 33.3.3.8 to read as follows:

“33.3.3.8.1 A personal care home having a licensed capacity as determined by the Department of Community Health of 16 or less residents shall have residential cooking appliances such as stoves and griddles protected by a listed self-contained residential fire suppression system located in residential hood over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3 and shall not be required to have openings protected between food preparation areas and dining areas.

33.3.3.8.2 A personal care home constructed prior to January 28, 1993, and having a licensed capacity as determined by the Department of Community Health of 16 or less residents may have food preparation facilities in accordance with NFPA 91, Standard for Exhaust Systems for Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids, 1983 edition.

33.3.3.8.3 A personal care home constructed prior to January 28, 1993, and having a licensed capacity as determined by the Department of Community Health of 16 residents or less may have food preparation facilities which have a ventilating hood meeting the provisions of NFPA 54, National Fuel Gas Code, as specified in Chapters 120-3-1 4 and 120-3-1 6, of the Rules and Regulations of the Safety Fire Commissioner, and NFPA 91, Standard for Exhaust Systems for Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids, as specified in Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner.

33.3.3.8.4 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 32.2.3.5. The exhaust hood is still required to be vented to the outside.”

30. Add a new subparagraph 33.3.3.4.7.1.1 to read as follows:

“33.3.3.4.7.1.1 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons located in Community Living Arrangements.”

31. Delete subparagraph 33.3.3.4.7.2 in its entirety and substitute in its place the following:

“33.3.3.4.7.2 The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply.”

32. Delete subparagraph 33.3.3.4.8 in its entirety and substitute in its place the following:

“33.3.3.4.8 Smoke Detection Systems. All corridors and common spaces shall be provided with smoke detectors in accordance with NFPA 72, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, arranged to initiate the fire alarm such that it is audible in all sleeping areas. Detectors shall be located in corridors or hallway so there is a detector within 15 feet (4.6 m) of the wall and at least every 30 feet (9.1 m) thereafter. Where a building has more than one floor level, a detector shall be located at the top of each stair and inside each enclosure.
33.3.3.4.8.2 Smoke detection systems may be excluded from crawl spaces beneath the building and unused and unfinished attics.

33.3.3.4.8.3 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements where one or more sides along the long dimension are fully or extensively open to the exterior at all times.”

33. Delete subparagraph 33.3.3.5.2 in its entirety and substitute in its place the following:

“33.3.3.5.2 Sprinkler installation may be omitted in bathrooms where the area does not exceed 55 square feet (5.1 sq. m) and the walls and ceilings, including behind fixtures, are of noncombustible or limited combustible materials providing a 15-minute thermal barrier or in clothes closets, linen closets, and pantries within the facility where the area of the space does not exceed 24 square feet (2.2 sq. m) and the least dimension does not exceed 3 feet (0.91 m) and the walls and ceilings are surfaced with noncombustible or limited combustible materials as defined by NFPA 220, Standard on Types of Building Construction, as specified in Chapter 120-3 -3, Rules and Regulations of the Safety Fire Commissioner.”

34. Delete subparagraph 33.3.3.5.1.3 in its entirety and substitute in its place the following:

“33.3.3.5.1.3 Automatic sprinklers installed in accordance with NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 1991 edition, as modified by Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, which were in effect shall be acceptable as a complying sprinkler system.”

35. Add a new subparagraph 33.3.3.5.1.4 to read as follows:

“33.3.3.5.1.4 Automatic sprinkler systems installed in existing facilities prior to November 1, 1987, may be continued in use subject to the approval of the authority having jurisdiction as defined in paragraph 3.2.2 of the Code.”

36. Add new subparagraph 33.3.3.4.9 to read as follows:

“33.3.3.4.9 Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided in all community living arrangements where natural gas, LP gas or heating oil is used to heat the residence or where a solid fuel-burning appliance is located in the residence.”

37. Delete subparagraph 33.3.3.5.7 in its entirety and substitute in its place the following:

“33.3.3.5.7 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a community living arrangement facility in accordance with 9.9.”

38. Delete subparagraph 33.3.3.6.1 and subparagraphs to 33.3.3.6.1 in their entirety and substitute in its place the following:

“33.3.3.6.1 Access shall be provided from every resident use area to not less than one means of egress that is separated from all other rooms or spaces by walls complying with 33.3.3.6.3 through 33.3.3.6.6.”

39. Delete subparagraph 33.3.3.6.3 in its entirety and substitute in its place the following:

“33.3.3.6.3 Fire barriers required by 33.3.3.6.1 and 33.3.3.6.2 shall have a fire-resistance rating of not less than 30 minutes. Fixed fire window assemblies in accordance with 8.3.3 shall be permitted.

33.3.3.6.3.1 The provisions of 33.3.3.6.3 shall not apply where the resident room has a door providing direct exiting at grade or to an open air balcony leading to exiting at grade.”

40. Delete subparagraph 33.3.3.6.4 in its entirety and substitute in its place the following:

“33.3.3.6.4 Doors in fire barriers required by 33.3.3.6.1 or 33.3.3.6.2 shall have a fire protection rating of not less than twenty (20) minutes and shall have positive latching.

33.3.3.6.4.1 Existing 1¾ inch (44.5 mm) thick, solid bonded wood core doors shall be permitted to continue to be used. These doors shall be positive latching.”
33.3.6.4.2 Walls that are required only to resist the passage of smoke, without a fire-resistance rating, shall be permitted to have doors that resist the passage of smoke without a fire protection rating. These doors shall be positive latching.

33.3.6.4.3 In existing personal care occupancies existing prior to April 15, 1986, the doors shall be constructed to resist the passage of smoke and shall be at least equal in fire protection to a 1 ¼ inch (31.8 mm) thick solid bonded core wood door and shall have positive latching.”

41. Delete subparagraph 33.3.6.5 in its entirety and substitute in its place the following:

“33.3.6.5 Walls and doors required by 33.3.6.1 and 33.3.6.2 shall be constructed to resist the passage of fire and smoke for not less than 30 minutes. There shall be no louvers, transfer grilles, operable transoms, or other air passages penetrating such walls or doors except properly installed heating and utility installations. Unprotected openings shall be prohibited in partitions of interior corridors serving as exit access from resident rooms. Transfer grilles, whether protected by fusible link operated dampers or not, shall not be used in corridor walls or doors between resident rooms and interior corridors.

“33.3.6.5.1 Existing transoms installed in corridor partitions of resident rooms shall be fixed in the closed position and shall be covered or otherwise protected to provide a fire-resistance rating at least equivalent to that of the wall in which they are installed.”

42. Add new subparagraph 33.3.5.2.4 to read as follows:

“33.3.5.2.4 Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of large residential board and care occupancies.

33.3.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction.”

43. Delete subsection 33.5 in its entirety and substitute in its place the following:

“33.5 Community Living Arrangement Facilities.

33.5.1 General. The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 33.5 shall prevail.

33.5.2 Address identification. Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the International Fire Code.

33.5.3 Means of Egress.

33.5.3.1 A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, which are accessible to the residents.

33.5.3.2 Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls. capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1 ¾-in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 in.² (0.84 m²) each in area and installed in approved frames.

33.5.3.3 A room shall not be used as a bedroom where more than one-half the room height is below ground level.
33.5.3.4 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

33.5.3.5 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

33.5.3.6 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

33.5.3.7 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

33.5.3.8 Locks.

33.5.3.8.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited be used on the bedroom door of a resident.

33.5.3.8.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

33.5.3.9 Number of Means of Escape. In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape.

33.5.3.9.1 A secondary means of escape shall not be required where the bedroom or living area has a door leading directly to the outside of the building at or to grade level.

33.5.4 Detection and Alarm Systems

33.5.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, shall be installed.

33.5.4.2 Smoke Detection.

33.5.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10. Any additional detection/alarm devices shall be as established by O.C.G.A. §25-2-40.

33.5.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

33.5.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.22.5.

33.5.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

33.5.4.3 Carbon Monoxide Detectors.

33.5.4.3.1 Carbon monoxide detectors shall be provided in the residence where natural gas, LP gas or heating oil is used to heat the residence.

33.5.4.3.2 Carbon monoxide detectors shall be provided in the residence if a solid fuel- burning fireplace is installed the residence

33.5.5 Protection.
33.5.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with 9.9 shall be provided near hazardous areas.

33.5.5.1.1 At least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement that shall be readily accessible.

33.5.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a state licensed or permitted fire extinguisher technician annually in accordance with NFPA 10, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

33.5.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

33.5.6 **Heating, Ventilation and Air Conditioning.**

33.5.6.1 Space heaters shall not be used.

33.5.6.2 Fire screens and protective devices shall be used with fireplaces, stoves, and heaters.

33.5.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

33.5.7 **Operating Features.**

33.5.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

33.5.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. (See Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.)

33.5.7.2 **Evacuation Capabilities.** Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can meet a prompt evacuation capability as defined in 120-3-3-03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Residents who cannot meet a prompt evacuation capability classification shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance at all times.

33.5.7.3 **Drills.** Fire drills shall be conducted at least quarterly on each shift. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented with staffing involved. (See Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.)

33.5.7.4 **Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each residence. Each sleeping room shall have a secondary exit, which may be a door or a window usable for escape."

44. Delete subsections 33.7.1, 33.7.2, and 33.7.3 in their entirety and substitute in their place the following:

"33.7.1 **Emergency Planning and Preparedness.** Residential board and care facilities (Group I1 and R-4 occupancies), including community living arrangements and personal care homes, shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance
with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

45. Delete subsection 33.7.4 in its entirety and substitute in their place the following:
   “33.7.4 Smoking. Smoking regulations shall be adopted and shall include the following minimal provisions.

   33.7.4.1 Smoking shall be prohibited in any room, area or compartment where flammable liquids, combustible gases, or oxygen are used or stored and in any other hazardous location. Such areas shall be posted with “NO SMOKING” signs.

   33.7.4.2 Smoking by residents classified as not responsible shall be prohibited.

   33.7.4.2.1 Smoking is permitted by residents classified as not responsible when under direct supervision.

   33.7.4.3 Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted.

   33.7.4.4 Metal containers with self-closing cover devices into which ashtrays may be emptied shall be readily available in all areas where smoking is permitted.”

46. Add a new paragraph 33.7.5.4 to read as follows:
   “33.7.5.4 Waste Containers. Wastebaskets and other waste containers shall be of noncombustible or other approved materials.”

(dd) Modifications to reserved Chapter 34.

1. Insert a new Chapter 34 to read as follows:
   “Chapter 34 New Assisted Living Community Occupancies

34.1 General Requirements.

34.1.1 Application.

34.1.1.1 General.

34.1.1.1.1 The requirements of this chapter shall apply to new buildings or portions thereof used as assisted living community occupancies. New buildings or portions thereof used as assisted living community occupancies shall be permitted to meet all the requirements for a limited health care occupancy as prescribed in chapter 18 of this Code in lieu of this chapter. (See 1.3.1).

34.1.1.2 Administration. The provisions of Chapter 1, Administration, shall apply.

34.1.1.3 General. The provisions of Chapter 4, General, shall apply.

34.1.1.4 Buildings, or sections of buildings, that primarily house residents who, in the opinion of the governing body of the facility and the governmental agency having jurisdiction, are capable of exercising judgment and appropriate physical action for self-preservation under emergency conditions shall be permitted to comply with the provisions of Chapter 32 provided they are separated by a fire barrier having not less than a 1-hour fire resistance rating and constructed of materials as required for the addition.

34.1.1.5 It shall be recognized that, in buildings providing care for certain types of residents or having a security section, it might be necessary to lock doors and bar windows to confine and protect building inhabitants. In such instances, the authority having jurisdiction shall require appropriate modifications to those sections of this Code that would otherwise require means of egress to be kept unlocked.
34.1.1.6 The requirements of this chapter shall apply based on the assumption that staff is available in all resident-occupied areas to perform certain fire safety functions as required in other paragraphs of this chapter.

34.1.1.2 * Goals and Objectives. The goals and objectives of Sections 4.1 and 4.2 shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of fire origin and reducing the need for occupant evacuation, except from the room of fire origin.

34.1.1.3 Total Concept.

34.1.1.3.1 All assisted living community facilities shall be designed, constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

34.1.1.3.2 Because the safety of assisted living community occupants cannot be ensured adequately by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate, trained staff; and development of operating and maintenance procedures composed of the following:

(1) Design, construction, and compartmentation
(2) Provision for detection, alarm, and extinguishment
(3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building

34.1.1.4 Additions, Conversions, Modernization, Renovation, and Construction Operations.

34.1.1.4.1 Additions.

34.1.1.4.1.1 Additions shall be separated from any existing structure not conforming to the provisions within Chapter 34 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7.)

34.1.1.4.1.2 Doors in barriers required by 34.1.1.4.1.1 shall normally be kept closed, unless otherwise permitted by 34.1.1.4.1.3.

34.1.1.4.1.3 Doors shall be permitted to be held open if they meet the requirements of 34.2.2.4.

34.1.1.4.2 Conversion. For the purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing health care occupancy to an assisted living community occupancy.

34.1.1.4.3 Changes of Occupancy. A change from a personal care home to an assisted living community occupancy shall be considered a change in occupancy or occupancy sub-classification and would be required to meet the provisions of this Chapter for new construction.

34.1.1.4.4 Renovations, Alterations, and Modernizations. See 4.6.7.

34.1.1.4.5 Construction, Repair, and Improvement Operations. See 4.6.10.

34.1.2 Classification of Occupancy. See 120-3.03 (4), (14), and 34.1.4.2.

34.1.3 Multiple Occupancies.

34.1.3.1 Multiple occupancies shall comply with 6.1.14 in buildings other than those meeting the requirement of 34.1.3.2.

34.1.3.2* Sections of assisted living community facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions:

(1) They are not intended to serve assisted living community occupants or have customary access by assisted living community residents who are incapable of self-preservation.
(2) They are separated from areas of assisted living community occupancies by construction having a minimum 2-hour fire resistance rating.

34.1.3.3 The requirement of 34.1.3.1 shall not apply to apartment buildings housing assisted living community occupancies in conformance with Section 34.4. In such facilities, any safeguards required by Section 34.4 that are more restrictive than those for other housed occupancies shall apply only to the extent prescribed by Section 34.4.

34.1.3.4 No assisted living community occupancy shall be located above a nonresidential or non-health care occupancy, unless the assisted living community occupancy and exits therefrom are separated from the nonresidential or non-health care occupancy by construction having a minimum 2-hour fire resistance rating.

34.1.3.5 Any area with a hazard of contents classified higher than that of the assisted living community occupancy and located in the same building shall be protected as required in 34.2.

34.1.3.6 Non-residential-related occupancies classified as containing high hazard contents shall not be permitted in buildings housing assisted living community occupancies.

34.1.4 Definitions.

34.1.4.1 General. For definitions, see Chapter 3, Definitions.

34.1.4.2 Special Definitions. A list of special terms used in this chapter follows:

(1) Assisted Living Community Occupancy. See 120-3-3-.03(4).
(2) Assisted self-preservation. See 120-3-3-.03(5)
(3) Evacuation Capability, Impractical. See 120-3-3-.03(7).
(4) Evacuation Capability, Prompt. See 120-3-3-.03(8).
(5) Evacuation Capability, Slow. See 120-3-3-.03(9).
(6) Personal Care Home. See 120-3-3-.03(21).
(7) Point of Safety. See 3.3.211 of this Code.
(8) Thermal Barrier. See 3.3.31.3 of this Code.

34.1.5 Classification of Hazard of Contents. The classification of hazard of contents shall be as defined in Section 6.2.

34.1.6 Minimum Construction Requirements. Assisted living community facilities shall be limited to the building construction types specified in Table 34.1.6 (see 8.2.1), based on the number of stories in height as defined in 4.6.3.

Table 34.1.6

<table>
<thead>
<tr>
<th>Construction Type</th>
<th>Sprinklered See Note a</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4-12</th>
<th>&gt;12</th>
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<td>X</td>
<td>X</td>
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<td>X N.P.</td>
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<tr>
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<td>No  N.P.</td>
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<td>N.P.</td>
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<tr>
<td>Type II(222)</td>
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</tr>
<tr>
<td></td>
<td>No  N.P.</td>
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<tr>
<td>Type II(111)</td>
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<td>X</td>
<td>X N.P.</td>
</tr>
<tr>
<td></td>
<td>No  N.P.</td>
<td>X</td>
<td>N.P.</td>
<td>X</td>
<td>N.P.</td>
<td>X N.P.</td>
</tr>
</tbody>
</table>
X = Permitted if sprinklered as required by 32.3.3.5. NP = Not permitted.

A Building shall be protected throughout by an approved supervised automatic sprinkler system installed in accordance with 9.7.1.1(1), and provided with quick response or residential sprinklers throughout. (See requirements of 34.3.5).

See requirements of 4.6.3.

See requirements of 34.1.6.2.1. d See requirements of 34.1.6.2.2.

### 34.1.6.1 *Fire Resistance–Rated Assemblies.* Fire resistance–rated assemblies shall comply with Section 8.3.

#### 34.1.6.2 Construction Type Limitations.

**34.1.6.2.1** Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

2. The roof shall be separated from all occupied portions of the building by a noncombustible floor assembly having not less than a 2-hour fire resistance rating that includes not less than 2 1/2 in. (63 mm) of concrete or gypsum fill.
3. The structural elements supporting the 2-hour fire resistance–rated floor assembly specified in 34.1.6.2(2) shall be required to have only the fire resistance rating required of the building.

**34.1.6.2.2** Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

2. The roof/ceiling assembly shall be constructed with fire-retardant-treated wood meeting the requirements of NFPA 220, Standard on Types of Building Construction.
3. The roof/ceiling assembly shall have the required fire resistance rating for the type of construction.

**34.1.6.2.3** Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met:

<table>
<thead>
<tr>
<th>Type</th>
<th>a</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
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<td>X</td>
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<td>a</td>
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<td>N.P.</td>
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<tr>
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<tr>
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<td>N.P.</td>
<td>N.P.</td>
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<tr>
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<td>N.P.</td>
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<td>a</td>
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<td>N.P.</td>
<td>N.P.</td>
<td>N.P.</td>
</tr>
<tr>
<td>IV(2HH)</td>
<td>Yes</td>
<td>X</td>
<td>X</td>
<td>N.P.</td>
</tr>
<tr>
<td>a</td>
<td>No</td>
<td>N.P.</td>
<td>N.P.</td>
<td>N.P.</td>
</tr>
<tr>
<td>V(111)</td>
<td>Yes</td>
<td>X</td>
<td>X</td>
<td>N.P.</td>
</tr>
<tr>
<td>a</td>
<td>No</td>
<td>N.P.</td>
<td>N.P.</td>
<td>N.P.</td>
</tr>
<tr>
<td>V(000)</td>
<td>Yes</td>
<td>X</td>
<td>N.P.</td>
<td>N.P.</td>
</tr>
<tr>
<td>a</td>
<td>No</td>
<td>N.P.</td>
<td>N.P.</td>
<td>N.P.</td>
</tr>
</tbody>
</table>
(1) Such levels are under the control of the assisted living community facility.
(2) Any hazardous spaces are protected in accordance with Section 8.7.

34.1.6.3 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction.

34.1.6.4 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 20.1.6.4.

34.1.6.5 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures.

34.1.6.6 Fire-retardant-treated wood that serves as supports for the installation of fixtures and equipment shall be permitted to be installed behind noncombustible or limited-combustible sheathing.

34.1.7 Occupant Load. The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

34.2 Means of Egress Requirements.

34.2.1 General.

34.2.1.1 Means of egress from resident rooms and resident dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

34.2.1.2 Means of escape within the resident room or resident dwelling unit shall comply with Section 24.2 for one- and two-family dwellings.

34.2.1.3 No means of escape or means of egress shall be considered as complying with the minimum criteria for acceptance, unless emergency evacuation drills are regularly conducted using that route in accordance with the requirements of 34.7.3.

34.2.1.4 No assisted living community occupancy shall have its sole means of egress or means of escape pass through any nonresidential or non-health care occupancy in the same building.

34.2.1.5 All means of egress from assisted living community occupancies that traverse non-assisted living community spaces shall conform to the requirements of this Code for assisted living community occupancies, unless otherwise permitted by 34.2.1.6.

34.2.1.6 Exit through a horizontal exit into other contiguous occupancies that does not conform to assisted living community egress provisions but do comply with requirements set forth in the appropriate occupancy chapter of this Code shall be permitted, provided that the occupancy does not contain high hazard contents.

34.2.1.7 Egress provisions for areas of assisted living community facilities that correspond to other occupancies shall meet the corresponding requirements of this Code for such occupancies, and, where the clinical needs of the residents necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use.

34.2.2 Means of Egress Components.

34.2.2.1 Components Permitted. Components of means of egress shall be limited to the types described in 34.2.2.2 through 34.2.2.10.
34.2.2.2 Doors. Doors in means of egress shall meet all of the following criteria:

(1) Doors complying with 7.2.1 shall be permitted.
(2) Doors within individual rooms and suites of rooms shall be permitted to be swinging or sliding.
(3) No door in any means of egress, other than those meeting the requirement of 34.2.2.2.1 or 34.2.2.2.2, shall be equipped with a lock or latch that requires the use of a tool or key from the egress side.

34.2.2.2.1 Delayed-egress locks in accordance with 7.2.1.6.1 shall be permitted.

34.2.2.2.2 Access-controlled egress doors in accordance with 7.2.1.6.2 shall be permitted.

34.2.2.2.3 Doors that are located in the means of egress from individual resident bedrooms or private living units shall be permitted to have locks where the clinical needs of a resident require specialized protective security measures provided that staff can readily unlock doors at all times in accordance with 34.2.2.2.4.

34.2.2.2.4 Doors that are located in the means of egress and are permitted to be locked under other provisions of 34.2.2.2.3 shall comply with both of the following:

(1) Provisions shall be made for the rapid removal of occupants by means of one of the following:
   (a) Remote control of locks from within the locked smoke compartment
   (b) Keying of all locks to keys carried by staff at all times
   (c) Other such reliable means available to the staff at all times
(2) Only one locking device shall be permitted on each door.

34.2.2.2.5 Doors located in the means of egress that are permitted to be locked under other provisions of Chapter 34, other than those meeting the requirement of 34.2.2.2.1 or 34.2.2.2.2, shall have adequate provisions made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to staff at all times.

34.2.2.2.6 Only one such locking device, as described in 34.2.2.2.5, shall be permitted on each door.

34.2.2.3 Stairs. Stairs complying with 7.2.2 shall be permitted.

34.2.2.4 Smokeproof Enclosures. Smokeproof enclosures complying with 7.2.3 shall be permitted.

34.2.2.5 Horizontal Exits. Horizontal exits complying with 7.2.4 shall be permitted.

34.2.2.6 Ramps. Ramps complying with 7.2.5 shall be permitted.

34.2.2.7 Exit Passageways. Exit passageways complying with 7.2.6 shall be permitted.

34.2.2.8 Fire Escape Ladders. Fire escape ladders complying with 7.2.9 shall be permitted.

34.2.2.9 Alternating Tread Devices. Alternating tread devices complying with 7.2.11 shall be permitted.

34.2.2.10 Areas of Refuge. Areas of refuge complying with 7.2.12 shall be permitted.

34.2.3 Capacity of Means of Egress.

34.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.

34.2.3.2 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of stairs and ramps discharging onto the street floor.

34.2.3.3 The width of corridors shall be sufficient for the occupant load served but shall be not less than 60 in. (1525 mm).
34.2.4 Number of Means of Egress.

34.2.4.1 Means of egress shall comply with the following, except as otherwise permitted by 34.2.4.2:
1. The number of means of egress shall be in accordance with Section 7.4.
2. Not less than two separate exits shall be provided on every story.
3. Not less than two separate exits shall be accessible from every part of every story.

34.2.4.2 Exit access, as required by 34.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 34.2.5.2.

34.2.5 Arrangement of Means of Egress.

34.2.5.1 General. Access to all required exits shall be in accordance with Section 7.5.

34.2.5.2 Dead-end Corridors. Dead-end corridors shall not exceed 30 ft. (9.1 mm).

34.2.5.3 Common Path. Common paths of travel shall not exceed 75 ft. (23 m).

34.2.5.4 Reserved.

34.2.6 Travel Distance to Exits.

34.2.6.1 Travel distance from the door within a room, suite, or living unit to a corridor door shall not exceed 75 ft. (23 m) in buildings not protected throughout by an approved automatic sprinkler system in accordance with 34.3.5.

34.2.6.2 Travel distance from any point within a room, suite, or living unit to a corridor door shall not exceed 125 ft. (38 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with 34.3.5.

34.2.6.3 Travel distance from the corridor door of any room to the nearest exit shall be in accordance with 34.2.6.3.1 or 34.2.6.3.2.

34.2.6.3.1 Travel distance from the corridor door of any room to the nearest exit, measured in accordance with Section 7.6, shall not exceed 150 ft. (45.72 m).

34.2.6.3.2 Travel distance to exits shall not exceed 200 ft. (61 m) for exterior ways of exit access arranged in accordance with 7.5.3.

34.2.7 Discharge from Exits. Exit discharge shall comply with Section 7.7.

34.2.8 Illumination of Means of Egress. Means of egress shall be illuminated in accordance with Section 7.8.

34.2.9 Emergency Lighting. Emergency lighting in accordance with Section 7.9 shall be provided.

34.2.10 Marking of Means of Egress. Means of egress shall be marked in accordance with Section 7.10.

34.2.11 Special Means of Egress Features.

34.2.11.1 Reserved.

34.2.11.2 Lockups. Lockups in residential assisted living community occupancies shall comply with the requirements of 22.4.5.

34.3 Protection.

34.3.1 Protection of Vertical Openings.

34.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6.
34.3.1.2 Unenclosed vertical openings in accordance with 8.6.9.1 shall be permitted.

34.3.1.3 No floor below the level of exit discharge used only for storage, heating equipment, or purposes other than residential occupancy shall have unprotected openings to floors used for residential occupancy.

34.3.2 Protection from Hazards.

34.3.2.1 Rooms containing high-pressure boilers, refrigerating machinery, transformers, or other service equipment subject to possible explosion shall not be located directly under or adjacent to exits, and such rooms shall be effectively separated from other parts of the building as specified in Section 8.7.

34.3.2.2 Hazardous areas, which shall include, but shall not be limited to, the following, shall be separated from other parts of the building by construction having a minimum 1-hour fire resistance rating, with communicating openings protected by approved self-closing fire doors and be equipped with automatic fire-extinguishing systems:

(1) Boiler and heater rooms
(2) Laundries
(3) Repair shops
(4) Rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction

Exception to (1): Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.

34.3.3 Interior Finish.

34.3.3.1 General. Interior finish shall be in accordance with Section 10.2.

34.3.3.2 Interior Wall and Ceiling Finish. Interior wall and ceiling finish materials complying with Section 10.2 shall be in accordance with the following:

(1) Exit enclosures - Class A
(2) Lobbies and corridors - Class B
(3) Rooms and enclosed spaces - Class B

34.3.3.3 Interior Floor Finish.

34.3.3.3.1 Interior floor finish shall comply with Section 10.2.

34.3.3.3.2 Interior floor finish in exit enclosures and exit access corridors and spaces not separated from them by walls complying with 34.3.6 shall be not less than Class II.

34.3.3.3.3 Interior floor finish shall comply with 10.2.7.1 or 10.2.7.2, as applicable.

34.3.4 Detection, Alarm, and Communications Systems.

34.3.4.1 General. A fire alarm system shall be provided in accordance with Section 9.6.

34.3.4.2 Initiation. The required fire alarm system shall be initiated by each of the following:

(1) Manual means in accordance with 9.6.2
(2) Manual fire alarm box located at a convenient central control point under continuous supervision of responsible employees
(3) Required automatic sprinkler system
(4) Required detection system

34.3.4.3 Annunciator Panel. An annunciator panel, connected to the fire alarm system, shall be provided at a location readily accessible from the primary point of entry for emergency response personnel.

34.3.4.4 Notification.

34.3.4.4.1 Occupant Notification. Occupant notification shall be provided automatically, without delay, by internal audible alarm in accordance with 9.6.3.

34.3.4.4.2 High-Rise Buildings. High-rise buildings shall be provided with an approved emergency voice communication/alarms system in accordance with 11.8.4.

34.3.4.5* Emergency Forces Notification. Fire department notification shall be accomplished in accordance with 9.6.4.

34.3.4.6 Detection.

34.3.4.6.1 Smoke Alarms. Approved smoke alarms shall be installed in accordance with 9.6.2.10 inside every sleeping room, outside every sleeping area in the immediate vicinity of the bedrooms, and on all levels within a resident unit.

34.3.4.7 Smoke Detection Systems.

34.3.4.7.1 Corridors, spaces open to the corridors, and other spaces outside every sleeping area in the immediate vicinity of the bedrooms other than those meeting the requirement of 34.3.4.7.2, shall be provided with smoke detectors that comply with NFPA 72, National Fire Alarm and Signaling Code, and are arranged to initiate an alarm that is audible in all sleeping areas.

34.3.4.7.2 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements with one or more sides along the long dimension fully or extensively open to the exterior at all times.

34.3.5 Extinguishment Requirements.

34.3.5.1 General. All buildings shall be protected throughout by an approved automatic sprinkler system installed in accordance with 9.7.1.1(1) and provided with quick-response or residential sprinklers throughout.

34.3.5.5 Supervision. Automatic sprinkler systems shall be provided with electrical supervision in accordance with 9.7.2.

34.3.5.7 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in accordance with 9.9.

34.3.6 Corridors and Separation of Sleeping Rooms.

34.3.6.1 Access shall be provided from every resident use area to at least one means of egress that is separated from all sleeping rooms by walls complying with 34.3.6.3 through 34.3.6.6.

34.3.6.1.1 Sleeping rooms shall be separated from corridors, living areas, and kitchens by walls complying with 34.3.6.2 through 34.3.6.6.

34.3.6.2 Walls required by 34.3.6.1 or 34.3.6.1.1 shall be smoke partitions in accordance with Section 8.4 having a minimum 1/2-hour fire resistance rating.

34.3.6.3.5 Hazardous areas shall be separated from corridors in accordance with 34.3.2.
34.3.6.4 Doors protecting corridor openings other than from resident sleeping rooms and hazardous areas shall not be required to have a fire protection rating, but shall be constructed to resist the passage of smoke.

34.3.6.4.1 Doors protecting resident sleeping rooms shall have a minimum 20-minute fire protection rating.

34.3.6.5 Door-closing devices shall not be required on doors in corridor wall openings, other than those serving exit enclosures, smoke barriers, enclosures of vertical openings, and hazardous areas.

34.3.6.6 No louvers, transfer grilles, operable transoms, or other air passages, other than properly installed heating and utility installations, shall penetrate the walls or doors specified in 34.3.6.

34.3.7 Subdivision of Building Spaces. Buildings shall be subdivided by smoke barriers in accordance with 34.3.7.1 through 34.3.7.21.

34.3.7.1 Every story shall be divided into not less than two smoke compartments, unless it meets the requirement of 34.3.7.4, 34.3.7.5, 34.3.7.6, or 34.3.7.7.

34.3.7.2 Each smoke compartment shall have an area not exceeding 22,500 ft² (2100 m²).

34.3.7.3 The travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance of 200 ft. (61 m).

34.3.7.3.1 Additional smoke barriers shall be provided such that the travel distance from a sleeping room corridor door to a smoke barrier shall not exceed 150 ft. (46 m).

34.3.7.4 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy located above the assisted living community occupancy.

34.3.7.5 Smoke barriers shall not be required in areas that do not contain an assisted living community occupancy and that are separated from the assisted living community occupancy by a fire barrier complying with Section 8.3.

34.3.7.6 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy and that are more than one story below the assisted living community occupancy.

34.3.7.7 Smoke barriers shall not be required in open parking structures protected throughout by an approved, supervised automatic sprinkler system in accordance with 34.3.5.

34.3.7.8 Smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 1-hour fire resistance rating, unless they meet the requirement of 34.3.7.9 or 34.3.7.10.

34.3.7.9 Where an atrium is used, smoke barriers shall be permitted to terminate at an atrium wall constructed in accordance with 8.6.7(1)(c), in which case not less than two separate smoke compartments shall be provided on each floor.

34.3.7.10 Dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems.

34.3.7.11 Not less than 15 net ft² (1.4 net m²) per resident shall be provided within the aggregate area of corridors, lounge or dining areas, and other low hazard areas on each side of the smoke barrier.

34.3.7.12 On stories not housing residents, not less than 6 net ft² (0.56 net m²) per occupant shall be provided on each side of the smoke barrier for the total number of occupants in adjoining compartments.

34.3.7.13 Doors in smoke barriers shall be substantial doors, such as 1 3/4 in. (44 mm) thick, solid-bonded wood-core doors, or shall be of construction that resists fire for a minimum of 20 minutes.
34.3.7.14 Nonrated factory- or field-applied protective plates extending not more than 48 in. (1220 mm) above the bottom of the door shall be permitted.

34.3.7.15 Cross-corridor openings in smoke barriers shall be protected by a pair of swinging doors or a horizontal-sliding door complying with 7.2.1.14.

34.3.7.16 Swinging doors shall be arranged so that each door swings in a direction opposite from the other.

34.3.7.17 Doors in smoke barriers shall comply with 8.5.4 and shall be self-closing or automatic-closing in accordance with 7.2.1.8.

34.3.7.18 Vision panels consisting of fire-rated glazing or wired glass panels in approved frames shall be provided in each cross-corridor swinging door and in each cross-corridor horizontal-sliding door in a smoke barrier.

34.3.7.19 Rabbets, bevels, or astragals shall be required at the meeting edges, and stops shall be required at the head and sides of door frames in smoke barriers.

34.3.7.20 Positive latching hardware shall not be required.

34.3.7.21 Center mullions shall be prohibited.

34.3.8* Cooking Facilities. Cooking facilities, other than those within individual residential units, shall be protected in accordance with 9.2.3.

34.3.9 Standpipes.

34.3.9.1 General. Where required, standpipe and hose systems shall be installed and maintained in accordance with 9.10.

34.3.9.2 In High-Rise Buildings. Class I standpipe systems shall be installed throughout all high-rise buildings.

34.3.9.3 Roof Outlets. Roof outlets shall not be required on roofs having a slope of 3 in 12 or greater.

34.4 Special Provisions.

34.4.1 High-Rise Buildings. High-rise buildings shall comply with Section 11.8.

34.5* Suitability of an Apartment Building to House an Assisted living community Occupancy.

34.5.1 General.

34.5.1.1 Scope.

34.5.1.1.1 Section 34.5 shall apply to apartment buildings that have one or more individual apartments used as an assisted living community occupancy. (See 34.1.3.2.)

34.5.1.1.2 The provisions of Section 34.5 shall be used to determine the suitability of apartment buildings, other than those complying with 34.5.1.1.4, to house an assisted living community facility.

34.5.1.1.3 The suitability of apartment buildings not used for assisted living community occupancies shall be determined in accordance with Chapter 30.

34.5.1.1.4 When a new assisted living community occupancy is created in an existing apartment building, the suitability of such a building for apartments not used for assisted living community occupancies shall be determined in accordance with Chapter 31.
34.5.1.2 **Requirements for Individual Apartments.** Requirements for individual apartments used as residential assisted living community occupancies shall be as specified in Section 34.2. Egress from the apartment into the common building corridor shall be considered acceptable egress from the assisted living community facility.

34.5.1.3 Additional Requirements. Apartment buildings housing assisted living community facilities shall comply with the requirements of Chapter 30 and the additional requirements of Section 34.5, unless the authority having jurisdiction has determined that equivalent safety for housing an assisted living community facility is provided in accordance with Section 1.4.

34.5.1.4 Minimum Construction Requirements.

34.5.1.4.1 In addition to the requirements of Chapter 30, apartment buildings, other than those complying with 34.5.1.4.2, housing assisted living community facilities shall meet the construction requirements of 34.1.3.

34.5.1.4.2 When a new assisted living community occupancy is created in an existing apartment building, the construction requirements of 19.1.6 shall apply.

34.5.2 Means of Egress.

34.5.2.1 The requirements of Section 30.2 shall apply only to the parts of means of egress serving the apartment(s) used as an assisted living community occupancy, as modified by 34.5.2.2.

34.5.2.2 When a new assisted living community occupancy is created in an existing apartment building, the requirements of Section 31.2 shall apply to the parts of the means of egress serving the apartment(s) used as an assisted living community occupancy.

34.5.3 Protection.

34.5.3.1 Interior Finish.

34.5.3.1.1 The requirements of 30.3.3 shall apply only to the parts of means of egress serving the apartment(s) used as an assisted living community occupancy, as modified by 34.5.3.1.2.

34.5.3.1.2 When a new assisted living community occupancy is created in an existing apartment building, the requirements of 31.3.3 shall apply to the parts of the means of egress serving the apartment(s) used as an assisted living community occupancy.

34.5.3.2 Construction of Corridor Walls.

34.5.3.2.1 The requirements of 30.3.6 shall apply only to corridors serving the assisted living community facility, including that portion of the corridor wall separating the assisted living community facility from the common corridor, as modified by 34.5.3.2.2.

34.5.3.2.2 If a new assisted living community occupancy is created in an existing apartment building, the requirements of 31.3.6 shall apply to the corridor serving the residential assisted living community facility.

34.5.3.3 Subdivision of Building Spaces. (Reserved)

34.6 Building Services.

34.6.1 Utilities. Utilities shall comply with Section 9.1.

34.6.1.1 Heating, ventilating, and air-conditioning equipment shall comply with Section 9.2.

34.6.1.2 No stove or combustion heater shall be located such that it blocks escape in case of fire caused by the malfunction of the stove or heater.
34.6.1.3 Unvented fuel-fired heaters shall not be used in any assisted living community occupancy.

34.6.3 Elevators, Dumbwaiters, and Vertical Conveyors. Elevators, dumbwaiters, and vertical conveyors shall comply with Section 9.4.

34.6.3.2* In high-rise buildings, one elevator shall be provided with a protected power supply and shall be available for use by the fire department in case of emergency.

34.6.4 Rubbish Chutes, Incinerators, and Laundry Chutes. Rubbish chutes, incinerators, and laundry chutes shall comply with Section 9.5.

34.7 Operating Features.

34.7.1 Emergency Planning and Preparedness. Assisted living community facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The provisions of this Section 34.7 shall be incorporated into the plans, training and safety practices developed by the facility.”

34.7.2 Emergency Plan.

34.7.2.1 The administration of every assisted living community facility shall have, in effect and available to all supervisory personnel, written copies of a plan for protecting all persons in the event of fire, for keeping persons in place, for evacuating persons to areas of refuge, and for evacuating persons from the building when necessary.

34.7.2.2 The emergency plan shall include special staff response, including the fire protection procedures needed to ensure the safety of any resident, and shall be amended or revised whenever any resident with unusual needs is admitted to the home.

34.7.2.3 All employees shall be periodically instructed and kept informed with respect to their duties and responsibilities under the plan, and such instruction shall be reviewed by the staff not less than every 2 months.

34.7.2.4 A copy of the plan shall be readily available at all times within the facility.

34.7.3 Resident Training.

34.7.3.1 All residents participating in the emergency plan shall be trained in the proper actions to be taken in the event of fire.

34.7.3.2 The training required by 34.7.3.1 shall include actions to be taken if the primary escape route is blocked.

34.7.3.3 If a resident is given rehabilitation or habilitation training, training in fire prevention and the actions to be taken in the event of a fire shall be a part of the training program.

34.7.3.4 Residents shall be trained to assist each other in case of fire to the extent that their physical and mental abilities permit them to do so without additional personal risk.

34.7.4 Emergency Egress and Relocation Drills. Emergency egress and relocation drills shall be conducted in accordance with 34.7.4.1 through 34.7.4.6.

34.7.4.1 Emergency egress and relocation drills shall be conducted not less than once per quarter on each shift at alternating times. It is intended that staff and residents be trained and drilled based on fire and other emergencies that may occur during the periods of lowest staffing levels. This may require more than one drill per quarter on shifts with the lowest staffing levels.
34.7.4.2 The emergency drills shall be permitted to be announced to the residents in advance.

34.7.4.3 The drills shall involve the training of residents for the eventual actual evacuation of all residents to an assembly point, as specified in the emergency plan, and shall provide residents with experience in egressing through all exits and means of escape required by the Code.

34.7.4.3.1 The assembly point shall be a place outside of the building and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. A refuge area within a smoke compartment in buildings separated by smoke barriers shall be considered a temporary assembly point as part of a staged evacuation.

34.7.4.3.2 Buildings with smoke compartments shall be allowed to train residents to temporarily escape in a staged evacuation to another smoke compartment separated by smoke barriers. Residents shall be allowed to complete the training exercise on the other side of an adjacent smoke barrier. Residents shall still be trained to eventually complete building evacuation during an actual emergency evacuation. Residents shall be required to participate in one emergency egress and relocation drill per year where they continue to an assembly point outside of the building.

34.7.4.3.3 Residents, as a group, shall be required to complete the evacuation drill to an exit or across a smoke barrier in less than 13 minutes or shall be required to change its group evacuation capability and comply with Section 35.1.8.

34.7.4.4 Exits and means of escape not used in any drill shall not be credited in meeting the requirements of this Code for assisted living community facilities.

34.7.4.5 Actual exiting from windows shall not be required to comply with 34.7.4; opening the window and signaling for help shall be an acceptable alternative.

34.7.4.6 Residents who cannot meaningfully assist in their own evacuation or who have special health problems shall not be required to actively participate in the drill. Section 18.7 shall apply in such instances.

34.7.5 Smoking.

34.7.5.1 Smoking regulations shall be adopted by the administration of assisted living community occupancies.

34.7.5.2 Where smoking is permitted, noncombustible safety-type ashtrays or receptacles shall be provided in convenient locations.

34.7.6 Furnishings, Mattresses, and Decorations.

34.7.6.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations shall comply with 34.7.6.1.1 and 34.7.6.1.2.

34.7.6.1.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations in assisted living community facilities shall be in accordance with the provisions of 10.3.1, unless otherwise permitted by 34.7.6.1.2.

34.7.6.1.2 In other than common areas, new draperies, curtains, and other similar loosely hanging furnishings and decorations shall not be required to comply with 34.7.6.1.1 where the building is protected throughout by an approved automatic sprinkler system installed in accordance with 34.2.3.5.

34.7.6.2 New upholstered furniture within assisted living community facilities shall comply with 34.7.6.2.1 or 34.7.6.2.2.

34.7.6.2.1 New upholstered furniture shall be tested in accordance with the provisions of 10.3.2.1(1) and 10.3.3.
34.7.6.2.2 Upholstered furniture belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

34.7.6.3* Newly introduced mattresses within assisted living community facilities shall comply with 34.7.5.3.1 or 34.7.5.3.2.

34.7.6.3.1 Newly introduced mattresses shall be tested in accordance with the provisions of 10.3.2.2 and 10.3.4.

34.7.6.3.2 Mattresses belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

34.7.7 Staff. Staff shall be on duty and in the facility at all times when residents requiring evacuation assistance are present.

34.7.8 Inspection of Door Openings. Door assemblies for which the door leaf is required to swing in the direction of egress travel shall be inspected and tested not less than annually in accordance with 7.2.1.15.”

(ee) Modifications to Chapter 35:

1. Insert a new Chapter 34 to read as follows:

“Chapter 35 Existing Assisted Living Community Occupancies

35.1 General Requirements. 35.1.1* Application.

35.1.1.1 General.

35.1.1.1.1 The requirements of this chapter shall apply to existing buildings or portions thereof used as assisted living community occupancies or with limited applicability for a conversion as further specified in Section 35.1.1.4.3 entitled Change of Occupancy.

35.1.1.1.2 Administration. The provisions of Chapter 1, Administration, shall apply.

35.1.1.1.3 General. The provisions of Chapter 4, General, shall apply.

35.1.1.1.4 Buildings, or sections of buildings, that primarily house residents who, in the opinion of the governing body of the facility and the governmental agency having jurisdiction, are capable of exercising judgment and appropriate physical action for self-preservation under emergency conditions shall be permitted to comply with the provisions of Chapter 33 provided they are separated by a fire barrier having not less than a 1-hour fire resistance rating and constructed of materials as required for the addition.

35.1.1.1.5 It shall be recognized that, in buildings providing care for certain types of residents or having a security section, it might be necessary to lock doors and bar windows to confine and protect building inhabitants. In such instances, the authority having jurisdiction shall require appropriate modifications to those sections of this Code that would otherwise require means of egress to be kept unlocked.

35.1.1.1.6 The requirements of this chapter shall apply based on the assumption that staff is available in all resident-occupied areas to perform certain fire safety functions as required in other paragraphs of this chapter.

35.1.1.2 * Goals and Objectives. The goals and objectives of Sections 4.1 and 4.2 shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of fire origin and reducing the need for occupant evacuation, except from the room of fire origin.

35.1.1.3 Total Concept.
35.1.1.3.1 All assisted living community facilities shall be designed, constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

35.1.1.3.2 Because the safety of assisted living community occupants cannot be ensured adequately by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate, trained staff; and development of operating and maintenance procedures composed of the following:

1. Design, construction, and compartmentation.
2. Provision for detection, alarm, and extinguishment.
3. Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building.

35.1.1.4 Additions, Conversions, Modernization, Renovation, and Construction Operations.

35.1.1.4.1 Additions.

35.1.1.4.1.1 Additions shall be separated from any existing structure not conforming to the provisions within Chapter 35 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7.)

35.1.1.4.1.2 Doors in barriers required by 35.1.1.4.1.1 shall normally be kept closed, unless otherwise permitted by 35.1.1.4.1.3.

35.1.1.4.1.3 Doors shall be permitted to be held open if they meet the requirements of 35.2.2.4.

35.1.1.6 Conversion. For the purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing personal care home occupancy or health care occupancy to an assisted living community occupancy.

35.1.1.4.3 Changes of Occupancy. A change from a personal care home, assisted living, or assisted living facility to an assisted living community occupancy shall be considered a change in occupancy or occupancy subclassification. The requirements of this chapter shall be limited to only apply to a change of occupancy to an assisted living community from an existing personal care home, assisted living, or assisted living facility first occupied as such with a certificate of occupancy issued prior to March 31, 2013. Such facility may be permitted to meet all the requirements for a limited health care occupancy as prescribed in chapter 19 of this Code in lieu of this chapter.

35.1.1.4.3.1 An existing personal care home, assisted living, or assisted living facility with a certificate of occupancy dated after March 31, 2013, that is applying for a change of occupancy to an assisted living community or any other change of occupancy classification, sub-classification, shall meet the provisions of Chapter 34 New Assisted Living Community Occupancies.

35.1.1.4.4 Renovations, Alterations, and Modernizations. See 4.6.7.

35.1.1.4.5 Construction, Repair, and Improvement Operations. See 4.6.10.

35.1.2 Classification of Occupancy. See 120-3-3.03 (4), (14), and 35.1.4.2.

35.1.3 Multiple Occupancies.

35.1.3.1 Multiple occupancies shall comply with 6.1.14 in buildings other than those meeting the requirement of 35.1.3.2.

35.1.3.2* Sections of assisted living community facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions:
(1) They are not intended to serve assisted living community occupants or have customary access by assisted living community residents who are incapable of self-preservation.
(2) They are separated from areas of assisted living community occupancies by construction having a minimum 2-hour fire resistance rating.

35.1.3.3 The requirement of 35.1.3.1 shall not apply to apartment buildings housing assisted living community occupancies in conformance with Section 35.4. In such facilities, any safeguards required by Section 35.4 that are more restrictive than those for other housed occupancies shall apply only to the extent prescribed by Section 35.4.

35.1.3.4 No assisted living community occupancy shall be located above a nonresidential or non-health care occupancy, unless one following conditions is met:

(1) The assisted living community occupancy and exits therefrom are separated from the nonresidential or non-health care occupancy by construction having a minimum 2-hour fire resistance rating.
(2) The assisted living community occupancy is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7 and is separated therefrom by construction having a minimum 1-hour fire resistance rating.

35.1.3.5 Any area with a hazard of contents classified higher than that of the assisted living community occupancy and located in the same building shall be protected as required in 35.3.2.

35.1.3.6 Non-residential–related occupancies classified as containing high hazard contents shall not be permitted in buildings housing assisted living community occupancies.

35.1.4 Definitions.

35.1.4.1 General. For definitions, see Chapter 3, Definitions.

35.1.4.2 Special Definitions. A list of special terms used in this chapter follows:

(1) Assisted Living Community Occupancy. See 120-3-3-.03(4).
(2) Assisted self-preservation. See 120-3-3-.03(5)
(2) Evacuation Capability, Impractical. See 120-3-3-.03(7).
(3) Evacuation Capability, Prompt. See 120-3-3-.03(8).
(4) Evacuation Capability, Slow. See 120-3-3-.03(9).
(5) Personal Care Home. See 120-3-3-.03(21).
(6) Point of Safety. See 3.3.211 of this Code.
(7) Thermal Barrier. See 3.3.31.3 of this Code.

35.1.5 Classification of Hazard of Contents. The classification of hazard of contents shall be as defined in Section 6.2.

35.1.6 Minimum Construction Requirements. Assisted living community facilities shall be limited to the building construction types specified in Table 35.1.6 (see 8.2.1), based on the number of stories in height as defined in 4.6.3.
### Table 35.1.6

<table>
<thead>
<tr>
<th>Construction Type</th>
<th>Sprinkled See Note a</th>
<th>Number of Stories - See Note b</th>
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</tr>
<tr>
<td>Type I (442)</td>
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<td>X N.P.</td>
</tr>
<tr>
<td>c d</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
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<td>3</td>
</tr>
<tr>
<td></td>
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<td>X N.P.</td>
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<td></td>
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<td>5-6</td>
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</tr>
</tbody>
</table>

X = Permitted if sprinklered as required by 33.3.3.5 unless otherwise noted.
NP = Not permitted.
a Building shall be protected throughout by an approved supervised automatic sprinkler system installed in accordance with 35.3.5, and the interior walls are covered with lath and plaster or materials providing a 15-minute thermal barrier. (See requirements of 35.3.5).
b See requirements of 4.6.3.
c See requirements of 35.1.6.2.1. d See requirements of 35.1.6.2.2. e See requirements of 35.1.6.5.

**35.1.6.1 * Fire Resistance–Rated Assemblies.** Fire resistance–rated assemblies shall comply with Section 8.3.

**35.1.6.2 Construction Type Limitations.**

**35.1.6.2.1** Any building of Type I (442), Type I (332), Type II (222), or Type II (111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

2. The roof shall be separated from all occupied portions of the building by a noncombustible floor assembly having not less than a 2-hour fire resistance rating that includes not less than 2 1/2 in. (63 mm) of concrete or gypsum fill.
(3) The structural elements supporting the 2-hour fire resistance–rated floor assembly specified in 35.1.6.2(2) shall be required to have only the fire resistance rating required of the building.

35.1.6.2.2 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(2) The roof/ceiling assembly shall be constructed with fire-retardant-treated wood meeting the requirements of NFPA 220, Standard on Types of Building Construction.
(3) The roof/ceiling assembly shall have the required fire resistance rating for the type of construction.

35.1.6.2.3 Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met:

(1) Such levels are under the control of the assisted living community facility.
(2) Any hazardous spaces are protected in accordance with Section 8.7.

35.1.6.3 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction.

35.1.6.4 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 20.1.6.4.

35.1.6.5 Any existing building of Type II(111), Type III(211), or Type V(111) construction shall be permitted however, occupants requiring assistance with evacuation from others shall be limited to occupancy on the first and second stories), unless one of the following criteria is met:

(1) A horizontal exit in combination with a smoke barrier is provided on the third and fourth floor; or,
(2) The building is protected throughout by an approved supervised automatic sprinkler system installed in accordance with 9.7.1.1(1), and provided with quick response or residential sprinklers throughout.

35.1.6.6 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures.

35.1.6.7 Fire-retardant-treated wood that serves as supports for the installation of fixtures and equipment shall be permitted to be installed behind noncombustible or limited-combustible sheathing.

35.1.6.8* Changes in Group Evacuation Capability. A change in evacuation capability to a slower level shall be permitted where the facility conforms to one of the following requirements:

(1) The requirements of Chapter 34 applicable to new assisted living community facilities.
(2) The requirements of Chapter 35 applicable to existing assisted living community facilities for the new evacuation capability, provided that the building is protected throughout by an approved, supervised automatic sprinkler system complying with 35.5 or an increase in staffing to achieve evacuation of all residents to a point of safety within 13 minutes.

35.1.6.9 Requirements Based on Evacuation Capability.

35.1.6.9.1 Prompt and Slow. Facilities classified as prompt or slow evacuation capability, other than those meeting the requirement of 35.1.6.9.1.1 or 35.1.6.9.1.2, shall comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.
35.1.6.9.1* Facilities where the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4 shall not be required to comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.1.2 Facilities that were previously approved as complying with 35.1.6.9.2 shall not be required to comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.2 Impractical. Facilities classified as impractical evacuation capability shall meet the requirements of Section 35 for impractical evacuation capability, or the requirements for limited care facilities in Chapter 19, unless the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4.

35.1.6.9.3 Evacuation Capability Determination.

35.1.6.9.3.1 Facility management shall furnish to the authority having jurisdiction, upon request, an evacuation capability determination using a procedure acceptable to the authority having jurisdiction.

35.1.6.9.3.2 Where the documentation required by 35.1.6.9.3.1 is not furnished, the evacuation capability shall be classified as impractical.

35.1.7 Occupant Load. The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

35.2 Means of Egress Requirements.

35.2.1 General.

35.2.1.1 Means of egress from resident rooms and resident dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

35.2.1.2 Means of escape within the resident room or resident dwelling unit shall comply with Section 24.2 for one- and two-family dwellings.

35.2.1.3 No means of escape or means of egress shall be considered as complying with the minimum criteria for acceptance, unless emergency evacuation drills are regularly conducted using that route in accordance with the requirements of 35.7.3.

35.2.1.4 No assisted living community occupancy shall have its sole means of egress or means of escape pass through any nonresidential or non-health care occupancy in the same building.

35.2.1.5 All means of egress from assisted living community occupancies that traverse non-assisted living community spaces shall conform to the requirements of this Code for assisted living community occupancies, unless otherwise permitted by 35.2.1.6.

35.2.1.6 Exit through a horizontal exit into other contiguous occupancies that does not conform to assisted living community egress provisions but do comply with requirements set forth in the appropriate occupancy chapter of this Code shall be permitted, provided that the occupancy does not contain high hazard contents.

35.2.1.7 Egress provisions for areas of assisted living community facilities that correspond to other occupancies shall meet the corresponding requirements of this Code for such occupancies, and, where the clinical needs of the residents necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use.

35.2.2 Means of Egress Components.
35.2.2.1 Components Permitted. Components of means of egress shall be limited to the types described in 35.2.2 through 35.2.2.10.

35.2.2.2 Doors. Doors in means of egress shall meet all of the following criteria:

1. Doors complying with 7.2.1 shall be permitted.
2. Doors within individual rooms and suites of rooms shall be permitted to be swinging or sliding.
3. No door in any means of egress, other than those meeting the requirement of 35.2.2.2.1 or 35.2.2.2.2, shall be equipped with a lock or latch that requires the use of a tool or key from the egress side.

35.2.2.2.1 Delayed-egress locks in accordance with 7.2.1.6.1 shall be permitted.

35.2.2.2.2 Access-controlled egress doors in accordance with 7.2.1.6.2 shall be permitted.

35.2.2.2.3 Doors that are located in the means of egress from individual resident bedrooms or private living units shall be permitted to have locks where the clinical needs of a resident require specialized protective security measures provided that staff can readily unlock doors at all times in accordance with 35.2.2.2.4.

35.2.2.2.4 Doors that are located in the means of egress and are permitted to be locked under other provisions of 35.2.2.2.3 shall comply with both of the following:

1. Provisions shall be made for the rapid removal of occupants by means of one of the following:
   a. Remote control of locks from within the locked smoke compartment
   b. Keying of all locks to keys carried by staff at all times
   c. Other such reliable means available to the staff at all times
2. Only one locking device shall be permitted on each door.

35.2.2.2.5 Doors located in the means of egress that are permitted to be locked under other provisions of Chapter 35, other than those meeting the requirement of 35.2.2.2.1 or 35.2.2.2.2, shall have adequate provisions made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to staff at all times.

35.2.2.2.6 Only one such locking device, as described in 35.2.2.2.5, shall be permitted on each door.

35.2.2.3 Stairs. Stairs complying with 7.2.2 shall be permitted.

35.2.2.4 Smokeproof Enclosures. Smokeproof enclosures complying with 7.2.3 shall be permitted.

35.2.2.5 Horizontal Exits. Horizontal exits complying with 7.2.4 shall be permitted.

35.2.2.6 Ramps. Ramps complying with 7.2.5 shall be permitted.

35.2.2.7 Exit Passageways. Exit passageways complying with 7.2.6 shall be permitted.

35.2.2.8 Fire Escape Ladders. Fire escape ladders complying with 7.2.9 shall be permitted.

35.2.2.9 Alternating Tread Devices. Alternating tread devices complying with 7.2.11 shall be permitted.

35.2.2.10 Areas of Refuge. Areas of refuge complying with 7.2.12 shall be permitted.

35.2.3 Capacity of Means of Egress.

35.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.

35.2.3.2 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of stairs and ramps discharging onto the street floor.
35.2.3 The width of corridors serving an occupant load of 50 or more in facilities having prompt or slow evacuation capability, and all facilities having impractical evacuation capability, shall be sufficient for the occupant load served but shall be not less than 60 in. (1525 mm).

35.2.4 The width of corridors serving an occupant load of less than 50 in facilities having prompt or slow evacuation capability shall be not less than 44 in. (1120 mm).

35.2.4 Number of Means of Egress.

35.2.4.1 Means of egress shall comply with the following, except as otherwise permitted by 35.2.4.2:

(1) The number of means of egress shall be in accordance with 7.4.1.1 and 7.4.1.3 through 7.4.1.5.
(2) Not less than two separate exits shall be provided on every story.
(3) Not less than two separate exits shall be accessible from every part of every story.

35.2.4.2 Exit access, as required by 35.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 35.2.5.2 and 35.2.5.3.

35.2.5 Arrangement of Means of Egress.

35.2.5.1 General. Access to all required exits shall be in accordance with Section 7.5.

35.2.5.2 Dead-end Corridors. Dead-end corridors shall not exceed 35 ft. (15 m).

35.2.5.3 Common Path. Common paths of travel shall not exceed 110 ft. (35.5 m).

35.2.6 Travel Distance to Exits.

35.2.6.1 Travel distance from the door within a room, suite, or living unit to a corridor door shall not exceed 75 ft. (23 m) in buildings not protected throughout by an approved automatic sprinkler system in accordance with 35.3.5.

35.2.6.2 Travel distance from any point within a room, suite, or living unit to a corridor door shall not exceed 125 ft. (38 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with 35.3.5.

35.2.6.3 Travel distance from the corridor door of any room to the nearest exit shall be in accordance with 35.2.6.3.1 or 35.2.6.3.2

35.2.6.3.1 Travel distance from the corridor door of any room to the nearest exit, measured in accordance with Section 7.6, shall not exceed 200 ft. (61 m).

35.2.6.3.2 Travel distance to exits shall not exceed 200 ft. (61 m) for exterior ways of exit access arranged in accordance with 7.5.3.

35.2.7 Discharge from Exits. Exit discharge shall comply with Section 7.7.

35.2.8 Illumination of Means of Egress. Means of egress shall be illuminated in accordance with Section 7.8.

35.2.9 Emergency Lighting. Emergency lighting in accordance with Section 7.9 shall be provided.

35.2.10 Marking of Means of Egress. Means of egress shall be marked in accordance with Section 7.10

35.2.11 Special Means of Egress Features.

35.2.11.1 Reserved.
35.2.11.2 Lockups. Lockups in residential assisted living community occupancies shall comply with the requirements of 23.4.5.

35.3 Protection.

35.3.1 Protection of Vertical Openings.
35.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6.
35.3.1.2 Unenclosed vertical openings in accordance with 8.6.9.1 shall be permitted.
35.3.1.3 No floor below the level of exit discharge and used only for storage, heating equipment, or purposes other than residential occupancy shall have unprotected openings to floors used for residential occupancy.

35.3.2 Protection from Hazards.
35.3.2.1 Rooms containing high-pressure boilers, refrigerating machinery, transformers, or other service equipment subject to possible explosion shall not be located directly under or adjacent to exits, and such rooms shall be effectively separated from other parts of the building as specified in Section 8.7.
35.3.2.2 Hazardous areas, which shall include, but shall not be limited to, the following, shall be separated from other parts of the building by construction having a minimum 1-hour fire resistance rating, with communicating openings protected by approved self-closing fire doors and be equipped with automatic fire-extinguishing systems:
   (1) Boiler and heater rooms
   (2) Laundries
   (3) Repair shops
   (4) Rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction

Exception to (1): Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.

35.3.3 Interior Finish.
35.3.3.1 General. Interior finish shall be in accordance with Section 10.2.
35.3.3.2 Interior Wall and Ceiling Finish. Interior wall and ceiling finish materials complying with Section 10.2 shall be in accordance with the following:
   (1) Exit enclosures - Class A
   (2) Lobbies and corridors - Class B
   (3) Rooms and enclosed spaces - Class B

35.3.3.3 Interior Floor Finish.
35.3.3.3.1 Interior floor finish shall comply with Section 10.2.
35.3.3.3.2 Interior floor finish in exit enclosures and exit access corridors and spaces not separated from them by walls complying with 35.3.6 shall be not less than Class II.
35.3.3.3.3 Interior floor finish shall comply with 10.2.7.1 or 10.2.7.2, as applicable.

35.4 Detection, Alarm, and Communications Systems.
35.3.4.1 General. A fire alarm system shall be provided in accordance with Section 9.6.

34.3.4.2 Initiation. The required fire alarm system shall be initiated by each of the following:

(1) Manual means in accordance with 9.6.2.
(2) Manual fire alarm box located at a convenient central control point under continuous supervision of responsible employees.
(3) Required automatic sprinkler system.
(4) Required smoke and heat detection systems, other than sleeping room smoke alarms.

35.3.4.3 Annunciator Panel. An annunciator panel, connected to the fire alarm system, shall be provided at a location readily accessible from the primary point of entry for emergency response personnel.

35.3.4.4 Notification

35.3.4.4.1 Occupant Notification. Occupant notification shall be provided automatically, without delay, by internal audible alarm in accordance with 9.6.3.

35.3.4.4.2 High-Rise Buildings. High-rise buildings shall be provided with an approved emergency voice communication/alarm system in accordance with 11.8.4.

35.3.4.5 Emergency Forces Notification.

35.3.4.5.1 Fire department notification shall be accomplished in accordance with 9.6.4.

35.3.4.5.2 Where the existing fire alarm system does not provide for automatic emergency forces notification in accordance with 9.6.4, provisions shall be made for the immediate notification of the public fire department by either telephone or other means, or, where there is no public fire department, notification shall be made to the private fire brigade.

35.3.4.5.3 Where a new fire alarm system is installed, or the existing fire alarm system is replaced, emergency forces notification shall be provided in accordance with 9.6.4.

35.3.4.6 Detection.

35.3.4.6.1 Smoke Alarms. Smoke alarms shall be provided in accordance with 35.3.4.6.1.1, 35.3.4.6.1.2, or 35.3.4.6.1.3.

35.3.4.6.1.1 Each sleeping room shall be provided with an approved smoke alarm in accordance with 9.6.2.10 that is powered from the building electrical system.

35.3.4.6.1.2 Existing battery-powered smoke alarms, rather than building electrical service–powered smoke alarms, shall be accepted where, in the opinion of the authority having jurisdiction, the facility has demonstrated that testing, maintenance, and battery replacement programs ensure the reliability of power to the smoke alarms.

35.3.4.6.1.3 The provisions of 9.6.8.10.1 and 9.6.8.10.2.2 shall also apply.

35.3.4.7 Smoke Detection Systems.

35.3.4.7.1 All living areas, as defined in 3.3.22.5, and all corridors shall be provided with smoke detectors that comply with NFPA 72, National Fire Alarm and Signaling Code, and are arranged to initiate an alarm that is audible in all sleeping areas, as modified by 35.3.4.7.2.

35.3.4.7.2 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements with one or more sides along the long dimension fully or extensively open to the exterior at all times.

35.3.5 Extinguishment Requirements.
35.3.5.1* General. Where an automatic sprinkler system is installed, for either total or partial building coverage, the system shall be installed in accordance with Section 9.7, as modified by 35.3.5.1.1.

35.3.5.1.1 In buildings four or fewer stories above grade plane, systems in accordance with NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, shall be permitted.

35.3.5.1.1.1 The exemptions found in NFPA 13R for the sprinkling all closets and bathrooms regardless of size or construction shall not be applicable to assisted living community occupancies under this chapter.

35.3.5.2 Impractical Evacuation Capability. All facilities having impractical evacuation capability shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1) (full NFPA 13 System) or increase staffing to achieve evacuation of all residents to a point of safety within 13 minutes.

35.3.5.3 High-Rise Buildings. All high-rise buildings shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 35.3.5. Such systems shall initiate the fire alarm system in accordance with Section 9.6.

35.3.5.4 Attics shall be protected in accordance with 35.3.5.4.1 or 35.3.5.4.2

35.3.5.4.1 Where an automatic sprinkler system is installed, attics or areas within attics used for living purposes, storage, or fuel-fired equipment shall be protected with automatic sprinklers that are part of the required, approved automatic sprinkler system in accordance with 9.7.1.1.

35.3.5.4.2 Where an automatic sprinkler system is installed, attics not used for living purposes, storage, or fuel-fired equipment shall meet one of the following criteria:

(1) Attics shall be protected throughout by a heat detection system arranged to activate the building fire alarm system in accordance with Section 9.6.
(2) Attics shall be protected with automatic sprinklers that are part of the required, approved automatic sprinkler system in accordance with 9.7.1.1.

35.3.5.5 Supervision. Automatic sprinkler systems shall be supervised in accordance with Section 9.7.

35.3.5.6 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in accordance with 9.9.

35.3.6 Corridors and Separation of Sleeping Rooms.

35.3.6.1 Access shall be provided from every resident use area to not less than one means of egress that is separated from all other rooms or spaces by walls complying with 35.3.6.1.1, 35.3.6.1.3 or 35.3.6.1.4.

35.3.6.1.1 Sleeping rooms shall be separated from corridors, living areas, kitchens and all other areas by walls having a minimum 1/2-hour fire resistance rating.

35.3.6.1.2 Prompt evacuation capability facilities in buildings two or fewer stories in height, where not less than one required means of egress from each sleeping room provides a path of travel to the outside without traversing any corridor or other spaces exposed to unprotected vertical openings, living areas, and kitchens, shall not be required to comply with 35.3.6.1.1.

35.3.6.1.3 Rooms or spaces, other than sleeping rooms and hazardous areas, shall be separated from corridors by smoke partitions in accordance with Section 8.4, and the provisions of 8.4.3.5 shall not apply.
35.3.6.2 Except for Hazardous areas, in buildings protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1(1), walls may be smoke partitions in accordance with Section 8.4, and the provisions of 8.4.3.5 shall not apply.

35.3.6.3 Hazardous areas shall be separated from corridors in accordance with 35.3.2.

35.3.6.4 Doors in walls required by 35.3.6.1 or 35.3.6.2 shall comply with 35.3.6.4.1 or 35.3.6.4.2.

35.3.6.4.1 Doors shall have a minimum 20-minute fire protection rating.

35.3.6.4.2 Solid-bonded wood-core doors of not less than 1 3/4 in. (44 mm) thickness shall be permitted to continue in use.

35.3.6.5 Doors in walls required by 35.3.6.1 and 35.3.6.2 shall comply with 35.3.6.5.1 and 35.3.6.6.

35.3.6.5.1 Door-closing devices shall not be required on doors in corridor wall openings, other than those serving exit enclosures, smoke barriers, enclosures of vertical openings, and hazardous areas.

35.3.6.6 No louvers, transfer grilles, operable transoms, or other air passages, other than properly installed heating and utility installations, shall penetrate the walls or doors specified in 34.3.6.

35.3.7 Subdivision of Building Spaces. The requirements of 35.3.7.1 through 35.3.7.6 shall be met for all sleeping floors, unless otherwise permitted by 35.3.7.7.

35.3.7.1 Every sleeping room floor shall be divided into not less than two smoke compartments of approximately the same size, with smoke barriers in accordance with Section 8.5, unless otherwise indicated in 35.3.7.4, 35.3.7.5, and 35.3.7.6

35.3.7.1.1 Smoke barriers shall not be required in buildings having prompt or slow evacuation capability where each sleeping room is provided with exterior ways of exit access arranged in accordance with 7.5.3.

35.3.7.2 Each smoke compartment shall have an area not exceeding 22,500 ft² (2100 m²).

35.3.7.3 The travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance of 200 ft. (61 m).

35.3.7.3.1 Additional smoke barriers shall be provided such that the travel distance from a sleeping room corridor door to a smoke barrier shall not exceed 150 ft. (46 m).

35.3.7.4 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy located above the assisted living community occupancy.

35.3.7.5 Smoke barriers shall not be required in areas that do not contain an assisted living community occupancy and that are separated from the assisted living community occupancy by a fire barrier complying with Section 8.3.

35.3.7.6 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy and that are more than one story below the assisted living community occupancy.

35.3.7.7 Smoke barriers shall not be required in open parking structures protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1).

35.3.7.8 Smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 1-hour fire resistance rating, unless they meet the requirement of 35.3.7.9 or 35.3.7.10.
Where an atrium is used, smoke barriers shall be permitted to terminate at an atrium wall constructed in accordance with 8.6.7(1)(c), in which case not less than two separate smoke compartments shall be provided on each floor.

Dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems.

Not less than 15 net ft² (1.4 net m²) per resident shall be provided within the aggregate area of corridors, lounge or dining areas, and other low hazard areas on each side of the smoke barrier.

On stories not housing residents, not less than 6 net ft² (0.56 net m²) per occupant shall be provided on each side of the smoke barrier for the total number of occupants in adjoining compartments.

Doors in smoke barriers shall be substantial doors, such as 1 3/4 in. (44 mm) thick, solid-bonded wood-core doors, or shall be of construction that resists fire for a minimum of 20 minutes.

Nonrated factory- or field-applied protective plates extending not more than 48 in. (1220 mm) above the bottom of the door shall be permitted.

Cross-corridor openings in smoke barriers shall be protected by a pair of swinging doors or a horizontal-sliding door complying with 7.2.1.14.

Swinging doors shall be arranged so that each door swings in a direction opposite from the other.

Doors in smoke barriers shall comply with 8.5.4 and shall be self-closing or automatic-closing in accordance with 7.2.1.8.

Vision panels consisting of fire-rated glazing or wired glass panels in approved frames shall be provided in each cross-corridor swinging door and in each cross-corridor horizontal-sliding door in a smoke barrier.

Rabbets, bevels, or astragals shall be required at the meeting edges, and stops shall be required at the head and sides of door frames in smoke barriers.

Positive latching hardware shall not be required.

Center mullions shall be prohibited.

Cooking facilities, other than those within individual residential units, shall be protected in accordance with 9.2.3.

Where required, standpipe and hose systems shall be installed and maintained in accordance with 9.10.

Class I standpipe systems shall be installed throughout all high-rise buildings.

Roof outlets shall not be required on roofs having a slope of 3 in 12 or greater.

High-rise buildings shall comply with Section 11.8.

High-rise buildings shall comply with Section 11.8.

Building Services.
35.6.1 Heating, Ventilating, and Air-Conditioning.

35.6.1.1 Heating, ventilating, and air-conditioning equipment shall comply with Section 9.2.

35.6.1.2 No stove or combustion heater shall be located such that it blocks escape in case of fire caused by the malfunction of the stove or heater.

35.6.1.3 Unvented fuel-fired heaters shall not be used in any assisted living community occupancy.

35.6.3 Elevators, Dumbwaiters, and Vertical Conveyors. Elevators, dumbwaiters, and vertical conveyors shall comply with Section 9.4.

35.6.3.2* In high-rise buildings, one elevator shall be provided with a protected power supply and shall be available for use by the fire department in case of emergency.

35.6.4 Rubbish Chutes, Incinerators, and Laundry Chutes. Rubbish chutes, incinerators, and laundry chutes shall comply with Section 9.5.

35.7 Operating Features.

35.7.1 Emergency Planning and Preparedness. Assisted living community facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The provisions of this Section 35.7 shall be incorporated into the plans, training and safety practices developed by the facility.

35.7.2 Emergency Plan.

35.7.2.1 The administration of every residential assisted living community facility shall have, in effect and available to all supervisory personnel, written copies of a plan for protecting all persons in the event of fire, for keeping persons in place, for evacuating persons to areas of refuge, and for evacuating persons from the building when necessary.

35.7.2.2 The emergency plan shall include special staff response, including the fire protection procedures needed to ensure the safety of any resident, and shall be amended or revised whenever any resident with unusual needs is admitted to the home.

35.7.2.3 All employees shall be periodically instructed and kept informed with respect to their duties and responsibilities under the plan, and such instruction shall be reviewed by the staff not less than every 2 months.

35.7.2.4 A copy of the plan shall be readily available at all times within the facility.

35.7.3 Resident Training.

35.7.3.1 All residents participating in the emergency plan shall be trained in the proper actions to be taken in the event of fire.

35.7.3.2 The training required by 35.7.3.1 shall include actions to be taken if the primary escape route is blocked.

35.7.3.3 If the resident is given rehabilitation or habilitation training, training in fire prevention and the actions to be taken in the event of a fire shall be a part of the training program.

35.7.3.4 Residents shall be trained to assist each other in case of fire to the extent that their physical and mental abilities permit them to do so without additional personal risk.
35.7.4 Emergency Egress and Relocation Drills. Emergency egress and relocation drills shall be conducted in accordance with 35.7.4.1 through 35.7.4.6.

35.7.4.1 Emergency egress and relocation drills shall be conducted not less than once per quarter on each shift at alternating times. It is intended that staff and residents be trained and drilled based on fire and other emergencies that may occur during the periods of lowest staffing levels. This may require more than one drill per quarter on shifts with the lowest staffing levels.”

35.7.4.2 The emergency drills shall be permitted to be announced to the residents in advance.

35.7.4.3 The drills shall involve the training of residents for the eventual actual evacuation of all residents to an assembly point, as specified in the emergency plan, and shall provide residents with experience in egressing through all exits and means of escape required by this Code.

35.7.4.3.1. The assembly point shall be a place outside of the building and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. A refuge area within a smoke compartment in buildings separated by smoke barriers shall be considered a temporary assembly point as part of a staged evacuation.

35.7.4.3.2. Buildings with smoke compartments shall be allowed to train residents to temporarily escape in a staged evacuation to another smoke compartment separated by smoke barriers. Residents shall be allowed to complete the training exercise on the other side of an adjacent smoke barrier. Residents shall still be trained to eventually complete building evacuation during an actual emergency evacuation. Residents shall be required to participate in one emergency egress and relocation drill per year where they continue to an assembly point outside of the building.

35.7.4.3.3. Residents, as a group, shall be required to complete the evacuation drill to an exit or across a smoke barrier in less than 13 minutes or shall be required to change its group evacuation capability and comply with Section 35.1.8.

35.7.4.4 Exits and means of escape not used in any drill shall not be credited in meeting the requirements of this Code for assisted living community facilities.

35.7.4.5 Actual exiting from windows shall not be required to comply with 35.7.3; opening the window and signaling for help shall be an acceptable alternative.

35.7.4.6 If the assisted living community facility has an evacuation capability classification of impractical, those residents who cannot meaningfully assist in their own evacuation or who have special health problems shall not be required to actively participate in the drill.

35.7.5 Smoking.

35.7.5.1* Smoking regulations shall be adopted by the administration of assisted living community occupancies.

35.7.5.2 Where smoking is permitted, noncombustible safety-type ashtrays or receptacles shall be provided in convenient locations.

35.7.6* Furnishings, Mattresses, and Decorations.

35.7.6.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations shall comply with 35.7.6.1.1 and 35.7.6.1.2.

35.7.6.1.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations in assisted living community facilities shall be in accordance with the provisions of 10.3.1, unless otherwise permitted by 35.7.6.1.2.
35.7.6.1.2 In other than common areas, new draperies, curtains, and other similar loosely hanging furnishings and decorations shall not be required to comply with 35.7.6.1.1 where the building is protected throughout by an approved automatic sprinkler system installed in accordance with 35.3.6.

35.7.6.2* New upholstered furniture within assisted living community facilities shall comply with 35.7.6.2.1 or 35.7.6.2.2.

35.7.6.2.1 New upholstered furniture shall be tested in accordance with the provisions of 10.3.2.1(1) and 10.3.3.

35.7.6.2.2 Upholstered furniture belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

35.7.6.3* Newly introduced mattresses within assisted living community facilities shall comply with 35.7.6.3.1 or 35.7.6.3.2.

35.7.6.3.1 Newly introduced mattresses shall be tested in accordance with the provisions of 10.3.2.2 and 10.3.4.

35.7.6.3.2 Mattresses belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

35.7.7 Staff. Staff shall be on duty and in the facility at all times when residents requiring evacuation assistance are present.

35.7.8 Inspection of Door Openings. Door assemblies for which the door leaf is required to swing in the direction of egress travel shall be inspected and tested not less than annually in accordance with 7.2.1.15.”

(ff) Modification to Chapter 36:

1. Add a new subparagraph 36.3.2.1.3 to read as follows:

“36.3.2.1.3 Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input shall not be subject to the provisions of 36.3.2.1. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

2. Add a new subparagraph 36.3.5.1.1 to read as follows:

“36.3.5.1.1 Individual tenant spaces located in covered mall buildings shall be provided with electrically supervised control valves. Such control valves shall be located off supply mains to control each individual tenant space.

36.3.5.1.1.1 Multiple tenant spaces shall be permitted to be controlled by one control valve provided the total area covered by the single valve does not exceed 7,500 square feet (696.8 sq. m).”

3. Delete subparagraph 36.4.5.6 in its entirety and substitute in its place the following:

“36.4.5.6 Emergency Planning and Preparedness. Bulk merchandising and mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

4. Delete subsections 36.7.1, 36.7.2, 36.7.3, and 36.7.4 in their entirety and substitute in their place the following:
“36.7.1 Emergency Planning and Preparedness. Mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

36.7.2 Food Service Operations. Food service operations shall comply with 12.7.2

36.7.3 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

36.7.4 Soiled Linen and Trash Receptacles. The requirements of 10.3.9 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply.”

(gg) Modification to Chapter 37:

1. Add a new subparagraph 37.3.2.1.3 to read as follows:

   “37.3.2.1.3 The provisions of 37.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

2. Delete subsections 37.7.1, 37.7.2, 37.7.3, and 37.7.4 in their entirety and substitute in their place the following:

   “37.7.1 Emergency Planning and Preparedness. Mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

   37.7.2 Food Service Operations. Food service operations shall comply with 12.7.2

   37.7.3 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

   37.7.4 Soiled Linen and Trash Receptacles. The requirements of 10.3.9 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply.”

(hh) Modification to Chapter 38:

1. Delete subparagraph 3 8.2.2.2.6 in its entirety and substitute in its place the following:

   “38.2.2.2.6 Delayed egress locks complying with 7.2.1.6.1 shall be permitted, provided, however, not more than one such device shall be permitted in the means of egress path involved.”

2. Delete subparagraph 38.2.2.2.7 in its entirety and substitute in its place the following:

   “38.2.2.2.7 Access-controlled egress doors complying with 7.2.1.6.2 shall be permitted. For elevator lobby exit access doors see 38.2.2.2.3 and 7.2.1.6.3 (14).”
3. Add a new subparagraph 38.3.2.1.1 to read as follows:

“38.3.2.1.1 The provisions of 38.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

4. Delete subsections 38.7.1, 38.7.2, 38.7.3, and 38.7.4 in their entirety and substitute in their place the following:

“38.7.1 Emergency Planning and Preparedness. Business occupancies (Group B) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

38.7.2 Food Service Operations. Food service operations shall comply with 12.7.2

38.7.3 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this Code and Section 805 of the International Fire Code shall not apply to upholstered furniture and mattresses in mercantile occupancies.

38.7.4 Soiled Linen and Trash Receptacles. The requirements of 10.3.8 of this Code for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply.”

(ii) Modification to Chapter 39:

1. Add a new subparagraph 39.3.2.1.1 to read as follows:

“39.3.2.1.1 The provisions of 39.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.”

2. Delete subsections 39.7.1, 39.7.2, 39.7.3, and 39.7.4 in their entirety and substitute in their place the following:

“39.7.1 Emergency Planning and Preparedness. Business occupancies (Group B) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

39.7.2 Food Service Operations. Food service operations shall comply with 12.7.2

39.7.3 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this Code and Section 805 of the International Fire Code shall not apply to upholstered furniture and mattresses in mercantile occupancies.

39.7.4 Soiled Linen and Trash Receptacles. The requirements of 10.3.8 of this Code for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply.”

(jj) Modification to Chapter 40:

1. Delete subsection 40.3.5 in its entirety and insert in its place the following: “40.3.5 Extinguishment Requirements.

125
40.3.5.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all industrial occupancies classified as Group F and/or Group H occupancies as in the International Fire Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, on each floor in accordance with 9.9 of this Code.

40.3.5.2 Automatic fire suppression systems. Automatic fire suppression systems shall be installed in industrial occupancies as required by the International Building Code, adopted by the Georgia Department of Community Affairs, with regard to construction type, area and height requirements, and other features as set forth in Table 1.4.4, CODES REFERENCE GUIDE. In addition, automatic fire suppression systems, and/or specialized automatic fire suppression systems, as required by the fire code authority having jurisdiction in accordance with the International Fire Code or other codes and standards adopted by the Georgia Safety Fire Commissioner, shall be installed and maintained in accordance with the provisions of the applicable codes and standards.”

2. Delete subsectons 40.7.1 in its entirety and substitute in its place the following:

40.7.1 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this Code and Section 805 of the International Fire Code shall not apply to upholstered furniture and mattresses in industrial occupancies.

3. Add new section 40.8 to read as follows: “40.8 Emergency Planning and Preparedness.

40.8.1 Emergency Planning and Preparedness. Industrial occupancies otherwise classified under Group F and/or Group H in the International Fire Code, shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the International Fire Code, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

40.8.2 Employee Training and Response Procedures. Employees in the occupancies listed in Section 404.2 of the International Fire Code as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, shall be trained in the fire emergency procedures described in their fire evacuation and life safety plans. Training shall be based on these plans and as described in Section 404.3 of the noted International Fire Code.”

(kk) Modification to Chapter 42:

1. Delete subsection 42.3.5 in its entirety and substitute in its place the following: “42.3.5 Extinguishment Requirements.

42.3.5.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all storage occupancies in accordance with 9.9.

42.3.5.2 Automatic fire suppression systems. Automatic fire suppression systems shall be installed in storage occupancies as required by the International Building Code, adopted by the Georgia Department of Community Affairs, with regard to construction type, area and height requirements, and other features as set forth in Table 1.4.4, CODES REFERENCE GUIDE. In addition, automatic fire suppression systems, and/or specialized automatic fire suppression systems, as required by the fire code authority having jurisdiction in accordance with the International Fire Code or other codes and standards adopted by the Georgia Safety Fire Commissioner, shall be installed and maintained in accordance with the provisions of the applicable codes and standards.”

2. Delete subsections 42.9.1 in its entirety and substitute in its place the following:

“42.9.1 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this Code and Section 805 of the International Fire Code shall not apply to upholstered furniture and mattresses in storage occupancies.

3. Add a new section 42.10 to read as follows: “42.10 Emergency Planning and Preparedness.

42.10.1 Emergency Planning and Preparedness. Storage occupancies (Group S) and High Hazard occupancies (Group H) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be
developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.”

**(ll) Modifications to Chapter 43:**

1. Add a new subparagraph 43.1.4.5.1 to read as follows:
   “43.1.4.5.1 The provisions of 43.1.4.5 shall specifically apply to compliance with the *International Fire Code (IFC)* and other codes and standards promulgated and adopted with modifications by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Accessibility issues shall be addressed in accordance with Chapter 120-3-20 of the Rules and Regulations of the Safety Fire Commissioner. Where any of the provisions of this *Code* chapter require compliance with a building code, it shall be construed that compliance is required as applicable with the *International Building Code (IBC)*, as adopted by the Georgia Board of Community Affairs. Also, refer to 120-3-3-01, 120-3-3-02, 120-3-3-03, and 120-3-3-04(1) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

   2. Add a new paragraph 43.7.2.6 to read as follows:
      “43.7.2.6 The provisions of 43.7.2.4 and 43.7.2.5 shall be permitted to be modified by the authority having jurisdiction provided the intents and purposes of 102.3, 102.4, and 102.6 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner are met.”

   3. Delete subsections 43.10.1 and 43.10.2 in their entirety and substitute in their place the following:
      “43.10.1 General Requirements. Table 43.7.3 Hazard Categories and Classifications in 43.7.3 of this *Code* may be utilized as may be deemed appropriate by the authority having jurisdiction in the evaluation of historic buildings.

      43.10.2 Application. The provisions of Chapter 43 shall be deemed as advisory and may be applied to buildings designated as historic to the degree deemed appropriate by the authority having jurisdiction, provided, however, the application of Chapter 43 and 43.10 provisions shall be coordinated as needed to ensure compliance with the requirements, intents, and purposes of 103.3, 102.4, and 102.6 of the *International Fire Code (IFC)* as adopted with modifications by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner are met.”

**(mm) Modifications to Annex A:**

Add a new (4) to A.3.3.196.7 to read as follows:
“(4) Assisted Living Communities”

Delete (5) from A.3.3.196.12 in its entirety and substitute in its place the following:
“(5) Community Living Arrangements with five or more residents”

3. Delete (1) from A.3.3.196.13 in its entirety and substitute in its place the following:
“(1) One- and two-family dwellings and Community Living Arrangements with fewer than five residents (Chapter 24)”

3. Add a new (4) to A.6.1.5.1 to read as follows:
“(4) Assisted Living Communities”

5. Delete (5) from A.6.1.9.1 in its entirety and substitute in its place the following: “
(5) Community Living Arrangements with five or more residents”


Modifications:
(a) Modifications to Chapter 1:

1. Add a new Section 1.4 to read as follows:
   “1.4 This document is recognized strictly as a guide that may be used in evaluating systems or methods to
determine equivalent compliance alternatives for buildings, structures and facilities which do not conform to the minimum
requirements of the LSC adopted by this Chapter. Recommendations may be based on the document where deemed
appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or
standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or
standards including the IFC adopted by this Chapter.”

(74) NFPA 102, 2016 Edition, Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane
Structures

Modifications:

1. The 2016 edition of NFPA 102 is NOT adopted. The basic provisions of this standard have been incorporated
Life Safety Code shall apply, as appropriate, to new and existing bleachers, grandstands, folding and telescopic seating. The
Life Safety Code in coordination with the applicable provisions of the adopted edition of the International Fire Code shall
apply to tents and membrane structures.

2. The following apply to facilities constructed prior to the effective date of the current Chapter of 120-3-3
Rules and regulations of the Safety Fire Commissioner.

(a) Facilities constructed after April 1, 1968 but before January 1, 1991, shall be permitted to comply with the
(b) Facilities constructed after January 1, 1991, but before January 28, 1993, shall be permitted to comply with
(c) Facilities constructed after January 28, 1993, but before March 09, 2010, shall be permitted to comply with
(d) Facilities constructed after March 09, 2010, but before January 1, 2014, shall be permitted to comply with
the 2006 edition of NFPA 102, which had been previously adopted.”

(75) NFPA 105, 2019 Edition, Smoke Door Assemblies and Other Opening Protectives

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.6 to read as follows:
   “1.6 This document is recognized strictly as a recommended practice that may be used in evaluating the use of
door assemblies in openings where the passage of smoke is to be governed. Recommendations may be based on the
document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone
enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of
other adopted codes or standards.”


Modifications: None
   Modifications: None

   Modifications:
   (a) **Modifications to Chapter 1:**

   1. Add a new subsection 1.1.3 to read as follows:
      “1.1.3 This document is recognized strictly as a recommended practice that may be used in evaluating the minimum fire protection criteria for the design, manufacture, installation, and use of lasers and associated equipment. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”

   Modifications:
   (a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

   Modifications: None

   Modifications: None

(82) NFPA 140, 2018 Edition, *Standard for Motion Picture and Television Production Studio Soundstages and Approved Facilities*
   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None
   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

(95) NFPA 257, 2017 Edition, *Standard on Fire Test for Window and Glass Block Assemblies*
   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None
   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None
   Modifications: None

   Modifications: None

   Modifications: None

   Modifications:
   1. Add a new subsection 1.1.1 to read as follows:
   “1.1.1 This document is recognized strictly as a recommended practice that may be used in evaluating the design of facilities for the emergency venting of products of combustion. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

Modifications:
(a) Refer to Chapter 120-3-11, Rules of the Safety Fire Commissioner, for the adopted edition and any modifications.


Modifications:
(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.


Modifications:
(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.


Modifications: None


Modifications:
(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.


Modifications: None


Modifications: None


Modifications: None


Modifications: None


Modifications: None
Modifications: None

Modifications:  
1. Add a new subsection 1.1.1 to read as follows:  
   "1.1.1 This document is recognized strictly as a guide to provide information for the elements of an airport/community emergency plan. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

Modifications:  
   (1) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this standard and the adopted edition and any modifications.

Modifications:  
   (1) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications:  
   (1) Refer to Chapter 120-3-10, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(134) NFPA 497, 2017 Edition, *Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas*  
Modifications:  
   (a) **Modifications to Chapter 1:**  
      1. Add a new paragraph 1.1.6 to read as follows:  
         "1.1.6 This document is recognized strictly as a recommended practice for locations where flammable gases or vapors, flammable liquids, or combustible liquids are processed or handled and where their release into the atmosphere may result in their ignition by electrical systems or equipment. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

Modifications:
(a) Refer to Chapter 120-3-10, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.


Modifications: None


Modifications:
(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.5 to read as follows:
   “1.1.5 This document is recognized strictly as a recommended practice for the evaluation of the design, construction, operation, maintenance, and fire protection of limited access highways, tunnels, bridges, elevated roadways, depressed roadways and air-right structures. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”

(138) NFPA 505, 2018 Edition, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations*

Modifications: None

(139) NFPA 520, 2016 Edition, *Standard on Subterranean Spaces*

Modifications: None


Modifications: None


Modifications:
(a) Modifications to Chapter 1:

1. Add a new paragraph 1.1.3 to read as follows:
   “1.1.3 This document is recognized strictly a guide for evaluating the potential for room flashover from fire involving the contents, furnishings, and the interior finish of a room. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”
   Modifications: None

(143) NFPA 600, 2015 Edition, Standard on Industrial Fire Brigades
   Modifications:
   (a) Modifications to Chapter 1:
       1. Delete subsection 1.1.3 in its entirety and substitute in its place the following:
           “1.1.3 This document is recognized as a recommended practice for the establishment of the minimum
           requirements for organizing, operating, training and equipping industrial fire brigades. Recommendations may be based on
           the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-
           alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions
           of other adopted codes or standards.”

   Modifications:
   (a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of
       this Standard and the adopted edition and any modifications.

(145) NFPA 654, 2017 Edition, Standard for the Prevention of Fire and Dust Explosions from Manufacturing,
       Processing, and Handling of Combustible Particulate Solids
   Modifications:
   (a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of
       this Standard and the adopted edition and any modifications.

   Modifications:
   (a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of
       this Standard and the adopted edition and any modifications.

(147) NFPA 664, 2017 Edition, Standard for the Prevention of Fires and Explosions in Wood Processing and
       Woodworking Facilities
   Modifications:
   (a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of
       this Standard and the adopted edition and any modifications if Standard industry code is specified in paragraph 1(b) of rule
       120-3-24-.02. All other applications shall be as specified in the 2007 edition of this standard without modification.

   Modifications: None
   Modifications: None

   Modifications: None

(151) NFPA 705, 2018 Edition, Recommended Practice for a Field Flame Test for Textiles and Films
   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None

   Modifications: None
 Modifications: None

 Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.1 to read as follows:
   “1.1.1 This document is recognized strictly a recommended practice for fire prevention and fire protection for electric generating plants and high voltage direct current converter stations except as specified in 1.1. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”

 Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.1 to read as follows:
   “1.1.1 This document is recognized strictly a recommended practice for fire prevention and fire protection for hydroelectric generating plants. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards.”

 Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.5 to read as follows:
   “1.1.5 This document is recognized strictly as a recommended practice for fire prevention and fire protection for various cultural resources. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is in the form of a stand-alone enforceable code or standard, however, it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance.”

(b) Modification to Chapter 3:

1. Delete the definition 3.3.25 for Fire Hazard and substitute in its place the following:
   “3.3.25 “Fire Hazard” means for the intents and purposes of this Code, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or information sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the
authority having jurisdiction determines to be a risk to persons, to property, or to the health, safety, and or welfare of the jurisdiction.”

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:
   “1.1.3 This document is recognized strictly as a recommended practice for fire prevention and fire protection of historic structures. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is in the form of a stand-alone enforceable code or standard, however, it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance.”

(b) Modifications to Chapter 3:

1. Delete the definition 3.3.30 for Fire Hazard and substitute in its place the following:
   “3.3.30 “Fire Hazard” means for the intents and purposes of this Code, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or information sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the authority having jurisdiction determines to be a risk to persons, to property, or to the health, safety, and or welfare of the jurisdiction.”

(166) NFPA 1122, 2018 Edition, Code for Model Rocketry
Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(170) NFPA 1126, 2016 Edition, Standard for the Use of Pyrotechnics before a Proximate Audience
Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

Modifications: None

(173) NFPA 1221, 2019 Edition, Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems
Modifications: None

Modifications: None

Modifications: None

Modifications: None

Modifications:

(a) Modification to Chapter 8:

1. Delete subsection 8.1.2 in its entirety and substitute in its place the following:

   “8.1.2 All persons who could be expected to inspect, test, or maintain, fire extinguishing systems shall be licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated and thoroughly trained and kept thoroughly trained in the functions they are expected to perform.”

2. Delete subsection 8.4 in its entirety and substitute in its place the following:
“8.4 At least annually, all systems shall be thoroughly inspected and tested for proper operation by personnel qualified in the installation and testing of clean agent extinguishing systems and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated. Discharge tests shall not be required.”

Modifications: None

Modifications:
(a) Modifications to Chapter 1:

1. Delete section 101.1 in its entirety and substitute in its place the following:

2. Delete section 101.2 in its entirety and substitute in its place the following:
   “101.2 Scope. The provisions of this Code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the wildland-urban interface areas designated by local jurisdictions by ordinance.” (Note: See sample Ordinance on page xi of this Code for application and designated fire area.)

   Buildings or conditions in existence at the time of the adoption of this Code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this Code, provided such continued use does not constitute a distinct danger to life or property.

   Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this Code for new buildings or structures.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted by local ordinance.”

120-3-3-.05 Obstruction of and Access to Fire Hydrants.

(1) It shall be unlawful for any person in any manner to obstruct the use of any fire hydrant or place any material or objects as to obstruct its view from the roadway or other approach.

(2) Hydrant locks shall not be permitted on hydrant valves unless approved in writing by the Fire Chief of the responding fire department.

(3) Fire hydrants shall be accessible to fire service personnel at all times. No person shall place or maintain any post, fence, vehicle, vegetation, growth, trash, or storage of any other materials that would obstruct the view of or access to a fire hydrant and hinder or prevent its immediate use by fire service personnel.

(4) A minimum clearance of 36 inches to and around the requirements shall be maintained for the safe and efficient operation of the fire hydrant. The front of the hydrant shall be open to the roadway or approach and the minimum clearance in the rear of the hydrant from discharge nozzle to discharge nozzle shall be no less than three feet. The minimum clearance of three feet out from the hydrant shall be maintained out to the roadway or approach.

(5) Any roadway in front of the hydrant shall be kept clear of vehicles for fifteen feet in either direction in accordance with §40-6-203 of the Official Code of Georgia Annotated.

(6) No person shall change the paint color of a fire hydrant from that established or set by the authority having jurisdiction.
(7) Existing non-movable obstructions such as a pre-existing buildings power poles or other non-movable obstructions located within three feet of the hydrant may remain if in existence prior to the implantation of this regulation. Such obstruction approval shall be documented and records kept on file by local authorities.

120-3-3-.06 Request for Modification of Specific Requirements. Upon receipt of a sworn affidavit stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Georgia Safety Fire Commissioner that specific requirements of this Chapter and the codes and standards adopted herein be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Georgia Safety Fire Commissioner in his discretion may accept the State Fire Marshal’s recommendation and grant the requested modification.


120-3-3-.07 Fire Safety Information to be Furnished in Hotels, Motels, Dormitories, Apartments, Community Living Arrangements and Personal Care Homes.

(1) This Rule shall apply to every new and existing hotel, motel and dormitory that comes within O.C.G.A. Section 25-2-13(b); and every apartment building three or more stories in height that comes within O.C.G.A. Section 25-2-13(b); and every personal care home licensed for seven or more persons. Provided, however, that nothing herein shall apply to condominiums or any individually owned residential unit within any of the aforesaid buildings.

(a) Every sleeping room located in any such hotel, motel, dormitory, apartment or personal care home shall contain the following fire safety information on a placard or decal language meeting the requirements of paragraph (2) herein, which shall be prominently affixed on the inside of every exit access door contained in any of the aforesaid rooms. When affixed, said placard or decal shall be unobstructed by curtains, shades or other materials.

Exception: Single story hotels and motels where each guestroom has a door opening directly outside at street or ground level.

“SAFETY TIPS”

1. Never smoke in bed.
2. Locate fire exits on this floor. (Note: Do NOT consider elevators as exits.)
3. Count the number of doors to the nearest exit, and check for any possible obstructions.
4. (When applicable: Locate fire alarm pull stations on this floor.)
5. (When applicable: Locate fire extinguishers on this floor.)
6. Check any windows to see if they can be opened; if so determine how they open.
7. Keep your room key on a table next to your bed.
8. If you leave your room, keep door closed and take your key.
9. Write down the number for the local fire department and keep it next to the phone.

THE LOCAL FIRE DEPARTMENT NUMBER IS

“IN CASE OF FIRE” DON’T PANIC; remain calm.

1. Report fire to front desk or fire department as appropriate.
2. If room is smoky, get on hands and knees (or stomach) and crawl to door.
3. Feel door knob; If HOT, do NOT open door; if cool, open slowly.
4. If hallway is smoky, stay next to wall and count the doors as you crawl to exit.
5. Do NOT use any elevators.
6. Do NOT prop open doors to exit staircase.
7. Hang on to handrail and WALK DOWN exit staircase.
9. (When applicable: Pull fire alarm as you evacuate.)

“IF YOU CANNOT LEAVE THIS ROOM”
1. Notify (or Call) front desk (or manager, fire department, or other appropriate person) and let them know where you are.
2. Wet sheets, towels or clothing and stuff them in all cracks around doors and vents.
3. (When applicable: Turn on bathroom fan.)
4. Check to see if there is smoke OUTSIDE window; if NO smoke and if any window can be opened, hang a sheet or light colored material outside.
5. (When applicable: Fill bathtub (or sink) with cold water for firefighting.)
6. Using ice bucket or other container, keep doors and walls wet.
7. If room is smoky, fold a wet towel in a triangle and tie over your nose and mouth; stay low.
8. Make yourself visible to rescue personnel through any window or balcony; DO NOT JUMP!
9. Keep fighting fire until help arrives; DON'T GIVE UP!

FOR YOUR SAFETY, THIS BUILDING HAS THE FOLLOWING:
(List all of the following and any additional items as applicable.)

1. Automatic sprinkler protection in every room.
2. Automatic sprinkler protection in every hallway.
3. Automatic smoke detectors in every room.
4. Automatic smoke detectors in every hallway.
5. Fire extinguishers on every floor.
6. Fire alarm pull stations at every exit.
7. Posted evacuation plans in every room.
8. Pressurized staircase with self-closing doors. (NOTE: In case of fire, do NOT prop doors open.)
9. Fire safety staircase with self-closing doors. (NOTE: In case of fire, do NOT prop doors open.)
10. Emergency lighting and exit lights.
11. Fire resistant drapery and bedding.
12. An alternative fire exit to the roof. (NOTE: To be used ONLY if heavy smoke is encountered when walking DOWN the exit staircase.)

(b) Every owner or manager of any such apartment building shall furnish to all tenants therein the fire safety information specified in subparagraph (a) herein on a placard or decal meeting requirements of paragraph (2) herein, and shall request each tenant to affix the placard or decal in a prominent location so as to be visible to the tenant and to any visitors.

(2) The information specified in subparagraph (a) of main paragraph (1) herein shall be contained on a placard or decal at least 8-1/2 inches by 14 inches (215.9 mm by 355.6 mm) in size. The text shall be legibly printed in a minimum of twelve-point bold type. The headings contained therein shall be legibly printed in a minimum of 48-point type and the wording shall be in the English language.

Exception No. 1: Fire safety information placards or decals are not required on resident sleeping room doors in personal care homes and apartments provided there are records, signed by the individual residents of the
facility, which indicates that they have received the same information as required above in the facilities operations, policy or similar manual. Fire safety information shall be reviewed during Fire Drills performed in accordance with the appropriate occupancy chapter of NFPA 101, Life Safety Code, as adopted by this Chapter.

Exception No. 2: Existing fire safety information placards or decals at least 8-1/2 inches by 14 inches (215. mm by 355.6 mm) in size with legibly printed text in a minimum of twelve-point leaded, one- point type and whose headings are legibly printed in a minimum of 48-point type in the English language.

Example of 48-point type:

“SAFETY TIPS”

Example of 12-point type: Emergency lighting and exit lights.

(3) The information specified in subparagraph (a) of paragraph (1) herein is intended to be a minimum list of fire safety tips and emergency procedures. The owner or manager of the building may modify the text of the information specified in subparagraph (a) of paragraph (1) herein as follows:

(a) To correspond with the structural features of any such building, or any room located therein;
(b) To facilitate the communication of such information upon consideration of the age or primary language of the guests, residents or students occupying any such building; and
(c) To add other appropriate information to the extent deemed necessary by local fire safety personnel.

(4) A placard or decal shall be affixed above the call button for every elevator located in any such hotel, motel, dormitory or apartment building which shall state in bold and conspicuous type: “IN THE EVENT OF FIRE, DO NOT USE THIS ELEVATOR.” In conjunction with such placard or decal, an evacuation route shall be posted with arrows indicating the direction of the nearest fire exit.


120-3-3-.08 Accessibility to and Use of Public Facilities by Persons with Disabilities. The requirements for accessibility to and use of public facilities shall be as provided in O.C.G.A. Title 30, Chapter 3, and Chapter 120-3-20, Rules and Regulations of the Safety Fire Commissioner.

Note: Chapter 120-3-20, the “Georgia Accessibility Code” may be available for download in Adobe Acrobat format from www.gainsurance.org or by purchase from the Georgia State Fire Marshal’s Office.


120-3-3-.09 Parking Space Designation for Persons with Disabilities. The requirements for identifying parking spaces for persons with disabilities shall be as specified in O.C.G.A. Title 40, Chapter 6, Article 10, Part 2.

Notes:

(1) The National Fire Protection Association Standards adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.

(2) Copies of the National Fire Protection Association Standards may be obtained from:

National Fire Protection Association 1 Batterymarch Park
Quincy, MA 02269-9101
Phone: 800-344-3555 Main 617-770-3000
www.nfpa.org

(3) Copies of the International Code Council Codes are on file in the Office of the State Fire Marshal and are available for viewing. Copies may be obtained from:

International Code Council 1-888-ICC-SAFE (422-7233) or www.isafe.org

(4) The editions of the codes and standards adopted under this Chapter 120-3-3 may not be the most currently available editions published by the National Fire Protection Association or the International Code Council. For the intents and purposes of O.C.G.A. 25-2-4 and the Rules and Regulations of the Safety Fire Commissioner, it is not compliant, practical nor in the best interest of the citizens of Georgia to attempt to promulgate the most current editions of nationally recognized codes or standards when published without the required evaluation and public review. Based on various provisions of O.C.G.A. 25-2 and Article 1 of O.C.G.A 25-3, local governing bodies of this State are authorized to enact ordinances, regulations, or codes that may be required in order for the jurisdiction to satisfy intents and purposes that are not required of the Commissioner under O.C.G.A. 25-4. Any local ordinances, regulations, or codes enacted by a local governing body shall not be less restrictive or protective than the “state minimum fire safety standards” promulgated in conformance with O.C.G.A. 25-2-4 and other provisions of 25-2.


Severability. If any rule or portion thereof contained in this chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

Authority - O.C.G.A. §§25-2-4, 33-2-9, and 50-13-21
RULES AND REGULATIONS OF
SAFETY FIRE COMMISSIONER
CHAPTER 120-3-10
RULES AND REGULATIONS FOR
EXPLOSIVES AND BLASTING AGENTS

TABLE OF CONTENTS

120-3-10-.01 Promulgation and Purpose.
120-3-10-.02 Definitions.
120-3-10-.03 Administration.
120-3-10-.04 Administrative Action by Commissioner and Hearings.
120-3-10-.05 Special Provisions.
120-3-10-.06 Standards for Manufacture, Storage, Transportation, Handling and Use of Explosives and Blasting Agents.
120-3-10-.07 Blasting Report.
120-3-10-.08 Standards for Storage of Ammonium Nitrate.
120-3-10-.09 Forms.
120-3-10-.10 Notes.
120-3-10-.11 Severability.

120-3-10-.01 Promulgation and Purpose.

(1) These Rules and Regulations for Explosives and Blasting Agents are promulgated and adopted by the Georgia Safety Fire Commissioner as contemplated by and pursuant to authority set forth in O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9. The manufacture, possession, transportation, distribution or use of explosives within the State of Georgia except as provided in these Rules and as provided in Chapter 7 of Title 16 of the Official Code of Georgia Annotated is a criminal offense and violators shall be subject to criminal prosecution and forfeiture of property as well as administrative penalties as provided in these Rules.

(2) The purpose of these Rules and Regulations is to prevent the loss of life, injury of persons, and loss or damage to property in the handling, use, manufacture, storage, and transportation of explosives and blasting agents. These Rules and Regulations supersede former Rules and Regulations promulgated by the Georgia Safety Fire Commissioner pertaining to explosives and blasting agents when such are in conflict with these Rules and Regulations.


120-3-10-.02 Definitions. The definitions contained herein are in addition to or in clarification of those contained in the adopted standards.

(1) “Applicant” is any person representing or affiliated with the owner of a facility that requires the possession or use of explosives.

(2) “Authority Having Jurisdiction” means the State Fire Marshal of Georgia or his/her designee.
(3) “Blasting Operation” means the use of explosives in the blasting of stone, rock, ore, or any other natural formation or in any construction or demolition work, but shall not include the use of explosives in agricultural operations and private and personal use of explosives in remote areas for such operations as ditching, land clearing, destruction of beaver dams and other such operations when not within a 750 feet of a roadway or inhabited structure.

(4) “Blasting Report” is a report that includes the requirements of O.C.G.A. Section 25-8-8 and meets the requirements of 120-3-10-.06.

(5) “Bulk storage” means storage of any explosive materials or blasting agents.

(6) “Commissioner” means the Georgia Safety Fire Commissioner.

(7) “Competency Card” means the picture identification card issued by the State Fire Marshal establishing an individual’s competency in a chosen field of blasting or other use of explosives.

(8) “DOT” means the United States Department of Transportation.

(9) “GPSC” means the Georgia Public Service Commission.

(10) “Individual” means any person, firm, business, partnership, organization, association, corporation, or individual.

(11) “License” or “Explosives License” means the written authority of the State Fire Marshal, issued pursuant to these rules and regulations to manufacture, possess, store, sell, use, or transport explosives and blasting agents and is required by any person who manufactures, buys, sells, possess, stores, uses, or transports explosives.

(12) “Licensed Blaster” is a person who through training and experience is qualified to supervise blasting activities in a specific field of blasting and possesses a Level III Competency Card.

(13) “Manufacturing” means mixing, blending, extruding, assembling, disassembling, chemical synthesis, and other functions involved in making a product or device that is intended to explode.

(14) “Permit” or “Explosives Permit” means the written authority of the judge of the probate court or designated elected county official, issued pursuant to these regulations to purchase for use, and use only, of a designated amount of explosives. A permit is a single or one-time transaction authorization and may not be used for repeated purchase or for a location other than that specified on the permit.

(15) “Responsible Person” means the individual or individuals, designated on an explosive license application, that possess, store, or transport explosives and are approved by the State Fire Marshal’s Office to engage, under the direct supervision of an explosives license holder, in any use of explosives.
(16) “Smokeless Propellant” means the propellant referred to in NFPA 495 (2018 Edition) as solid propellants, commonly referred to as smokeless powders, used in small arms ammunition, cannons, rockets, or propellant-actuated devices.

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.03 Administration.**

(1) Requirements for License or Permit

(a) A License issued by the State Fire Marshal shall be required for the following:

1. For the manufacture of any explosives and blasting agents.
2. To purchase, to offer for sale, sell, give away or otherwise convey, transport, store, possess, or use (except as authorized for use under a Permit) any explosives or blasting agents, including commercial stocks and the commercial use of smokeless propellant, black powder, and small arms primers.
3. To maintain any facility for unloading, reloading, or transshipment of explosives or blasting agents.

(b) Any individual that is issued a license pursuant to these Rules and Regulations is not exempt from obtaining any other license or permit that may be required by other government agencies.

(c) A Permit issued by the judge of the probate court or designated county official shall be valid under the following conditions:

1. A Permit shall be valid only for personal use and shall not be issued to individuals to conduct commercial blasting or blasting for profit. Commercial blasting or blasting for profit activities requires a license issued by the State Fire Marshal’s Office.
2. A Permit shall be valid only for a single transaction and shall only be used in the county where the permit is issued.
3. A Permit shall be valid only for a single transaction and does not authorize storage or transportation. All explosives listed on the Permit must be purchased at one time and used on the day of purchase or returned to the vendor the same day.
4. Explosives purchased under a Permit shall be transported only by an explosives license holder authorized for the transportation of explosives.

(d) The following shall be exempt from License or Permit requirements:

1. Any person may purchase without license or permit and keep on hand for their personal use smokeless propellant powder and small arms primers for hand loading small arms ammunition.
2. All persons or entities moving explosives and blasting agents under the jurisdiction of the Federal Department of Transportation.

3. All members and organizations of the armed forces of the United States or of this state or any of the several states and personnel assigned or attached to such agencies when acting in an official capacity.

4. All law enforcement, fire services and emergency management and regulatory agencies of this State, the United States or any of several states and personnel assigned or attached to such agencies when acting in their official capacity.

5. All persons or entities using explosive materials in medicines and medicinal agents in forms prescribed by the most recent edition of the official United States Pharmacopoeia or the National Formulary.

6. Any individual, who is otherwise authorized to possess explosives pursuant to Article 4 of Chapter 7 of Title 16 of the Official Code of Georgia Annotated, may transport explosives within the State of Georgia without license or permit required by these Rules provided that the point of origin of the shipment was outside the State of Georgia and the transportation of such explosives is in compliance with the regulations governing the transportation of explosives issued by the United State Department of Transportation.

7. Any individual, who is otherwise authorized to possess explosives pursuant to Article 4 of Chapter 7 of Title 16 of the Official Code of Georgia Annotated, may purchase and possess for sporting, recreational or cultural purposes:

   (i) Not more than 50 pounds of commercially manufactured black powder,

   (ii) Percussion caps, safety and pyrotechnic fuses, quills and slow matches, or friction primers.

   (2) License and permit fees:

   (a) License fees and Permit fees shall be in accordance with Chapter 2 of Title 25 of the Official Code of Georgia annotated, Section 25-2-4.1, and shall be attached to the application and made payable to the Commissioner.

   (3) Application for License, Competency Certificate or Permit:

   (a) Application for License:

   1. The applicant for a license shall, at his or her own expense, furnish the State Fire Marshal with such information as the State Fire Marshal may require.

   2. Any Applicant requesting a license shall make application in an approved format to the State Fire Marshal. The Applicant will designate the Responsible Persons in the application.
3. An application to transport, or which includes transportation of explosives and blasting agents, shall be accompanied by an affidavit that the vehicles to be used to transport have been inspected by a qualified person and found to be in safe condition and in compliance with these regulations. Such inspection may be performed by a certified mechanic, an automotive repair or service garage or similarly recognized inspection stations.

4. An application for license for all permanent explosives storage facilities having quantities exceeding 500 pounds shall be accompanied by complete plans and specifications. Plans and specifications shall be submitted in duplicate to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposal and its compliance with this Chapter. One set of the plans shall be retained by the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied with the mandatory plan review fee payable to the Commissioner. The plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

5. An applicant for a license or for designation as a Responsible Persons shall be subject to the following conditions:

(i) Shall be subject to a criminal records check.

(ii) Shall not have been convicted of a felony.

(iii) The Responsible Person shall submit a negative drug screen.

6. An applicant for a license or for designation as a Responsible Person must be 21 years of age and shall not be addicted to the use of, have a history of, or be under the influence of intoxicants, narcotics, controlled substances or other dangerous drugs.

7. Responsible Persons shall provide information to indicate that they have training experience and/or a working knowledge of the safe use of explosives.

8. All applicants for a license or for designation as Responsible Persons shall certify that they are familiar with Chapter 120-3-10 of the Commissioner’s Rules and Regulations and NFPA 495.

9. All Applicants for a license shall provide documentation of explosives licenses issued by federal authorities, such as the Bureau of Alcohol, Tobacco and Firearms, or by other states.

10. All Applicants for a license shall list on the application the field(s) of blasting or other use of explosives in which the licensee is to engage. All commercial explosive licenses to use explosives will be issued by the Commissioner in the following specified field(s):

(i) Construction,
(ii) Surface Mining,

(iii) Underground Mining.

(iv) Special Effects

11. All Responsible Persons shall submit to the Commissioner a notarized certification denoting the specific explosive/blasting field in which he or she has successfully been trained or certified.

12. All Responsible Persons shall obtain, and subsequently retain, a “Competency Card” issued by the Commissioner. The “Competency Card” issued by the Commissioner shall clearly state the blasting field or fields in which the licensee for Responsible Person has been licensed or approved to perform. There will be three levels of certification recognized by the State Fire Marshal’s Office.

(i) Level I – Entry level that includes laborers and Bulk Truck Drivers requiring background check and drug testing.

(ii) Level II – Meet Level I requirements and completion of approved curricula.

(iii) Level III – Meet Level II requirements and three years experience in a specific field of blasting.

(iv) Special Effects – Requires that the applicant provide evidence of actual experience in the safe handling and use of explosives for the purpose of creating audible and visual effects for the entertainment industry. This level shall not authorize the use of explosives, fireworks, or pyrotechnics before a proximate audience or within any building or structure. The use of any explosives, fireworks, or pyrotechnics before a proximate audience or within any building or structure requires a license issued pursuant to Rules and Regulations of the Safety Fire Commissioner, Chapter 120-3-22.

(v) The Commissioner will recognize the following curricula, and other equivalent program(s) approved by the Commissioner as minimum requirements for competency training:

(I) I.S.E.E. Level 1, Blasting Fundamentals, which should include all Federal, State and local regulations,

(II) the Surface Blaster Competency Study Course approved by the Georgia Construction Aggregate Association,

(III) the Certification program developed by the Dimensional Stone Industry or,

(IV) other programs approved by the Commissioner or his/her designee.

(v) Any individual possessing a Level III Competency Certification will be required to take continuing education courses approved by the Commissioner and shall take no less than eight (8) hours every two (2) years.
(vi) Exception to Certification: Applicants for permits to use explosives in agricultural operations and private and personal use of explosives in remote areas for such operations as ditching, land clearing, destruction of beaver dams and other such operations that is not within 750 feet of an occupied structure or roadway.

13. Every Responsible Person must be able to produce a “Competency Card” upon demand of the Commissioner or his or her representative or by any local authority having jurisdiction over blasting activities.

(i) All applications for licensure for designation as a Responsible Person submitted by an applicant shall include in the application, and the annual renewal application, the full name, date of birth, social security number, and address of the applicant or Responsible Person, photo and address of the applicant, including a one (1) inch horizontal by one and one fourth (1¼) inch vertical photograph with the licensee’s or Responsible Person’s signature below the photograph. The name of the licensee employing the Responsible Person and employer’s business name shall be shown on the application. The application shall indicate such additional information as may be required by the Commissioner or by these rules and regulations. Photographs shall be required and submitted every four years thereafter following the initial date or update of the issuance of a “Competency Card”.

(ii) Those exemptions as are established in Chapter 120-3-10 of the Rules of the Safety Fire Commissioner and Chapter 7 of Title 16 of the Official Code of Georgia Annotated shall apply.

(b) Fire Marshal’s action on application for License:

1. Upon receipt of an application for license and before the license is issued, the State Fire Marshal may make, or cause to be made, an investigation for the purpose of ascertaining if all requirements of these rules and regulations have been met by the applicant.

2. If the results of the investigation of the State Fire Marshal are found to be in conformity with the requirements of these rules and regulations, the State Fire Marshal shall issue the license upon the payment of the proper fee therefore.

(c) Posting or Availability of License or Permit:

1. Any license or permit issued shall be posted in a location so that the State Fire Marshal, his representatives and inspectors, or any other authorized person may examine it. Such posting may be in the storage facilities, office area and storage magazines. A license issued to a person without fixed storage facilities shall be available at the operation location.

2. A copy of a license issued pursuant to these Rules that authorizes an individual to transport explosives shall be in the possession of the driver of the vehicle.

3. Any facility that is licensed or permitted pursuant to these Rules is subject to inspection by the State Fire Marshal’s Office or their representatives, or any law enforcement or fire service official at any time.
4. A Photostat or mechanically reproduced copy of any license or permit may be used for these purposes.

(d) Presenting Evidence of License or Permit:

1. The license or permit issued shall be presented to vendors or other persons selling or otherwise conveying explosives and blasting agents to the license or permit holder. A Photostat or mechanically reproduced copy of the license may be used for this purpose.

(e) Application for Permit:

1. The applicant for a permit to purchase for use and use only explosives or blasting agents shall make application to the judge of the probate court or designated elected county official in writing on a form provided by the judge of the probate court or designated elected county official or its equivalent. Full identification of the applicant shall be made to the official to whom application is made and shall be subject to the following:

(i) The applicant shall be subject to a criminal records check.

(ii) The applicant shall not have been convicted of a felony.

(iii) The applicant shall certify that he or she has a working knowledge of the safe use of explosives and is familiar with the Rules and Regulations of the Commissioner Chapter 120-3-10 and NFPA 495.

(iv) The applicant shall certify that the permit will not be used by individuals who conduct commercial blasting or blasting for profit.

(v) The applicant shall be at least 21 years of age and shall not be addicted to the use of or under the influence of intoxicants, narcotics, controlled substances or other dangerous drugs.

(f) Judge of the Probate Court or Designated Elected County Official’s action on application for Permit:

1. Upon receipt of a duly executed application for a permit to purchase for use, and use only, explosives and blasting agents shall make application to the judge of the probate court or designated elected county official in writing on a form provided by the judge of the probate court or designated elected county official or its equivalent. Full identification of the applicant shall be made to the official to whom application is made and shall be subject to the following:

(i) The applicant shall be subject to a criminal records check.

(ii) The applicant shall not have been convicted of a felony.

(iii) The applicant shall certify that he or she has a working knowledge of the safe use of explosives and is familiar with the Rules and Regulations of the Commissioner Chapter 120-3-10 and NFPA 495.

(iv) The applicant shall certify that the permit will not be used by individuals who conduct commercial blasting or blasting for profit.

(v) The applicant shall be at least 21 years of age and shall not be addicted to the use of or under the influence of intoxicants, narcotics, controlled substances or other dangerous drugs.

2. Explosives and blasting agents are to be used only in the county that the permit is issued.

3. This permit does not authorize storage or transportation.
4. No later than the 10th of each month, the judge of the probate court or designated elected county official will provide the State Fire Marshal's Office documentation of all permits that were issued and returned during the previous month.

(4) Records:

(a) All persons required by these rules and regulations to obtain a license from the State Fire Marshal shall keep an accurate record of all explosives and blasting agents purchased, received, sold, delivered, on hand, used, or otherwise disposed of. Records shall be clear and legible. Records shall be maintained for a minimum period of three years as follows:

1. For distributors, dealers, persons giving away or otherwise conveying explosives and blasting agents, including salesmen where delivery is direct from out of the State and no other record of such a sale is maintained in Georgia, the records shall include at least the following:

   (i) The date of sale or transaction.

   (ii) The name of person purchasing and/or receiving explosives and blasting agents.

   (iii) The license or permit number of the person purchasing or receiving explosives and blasting agents, unless the recipient is exempt from requiring a license or permit, in which case the person must be clearly identified by name and agency to show exempt status and the record or sales slip shall be signed by that person.

   (iv) The quantity and description of explosives and blasting agents sold or otherwise disposed of.

   (v) The location of the operation where explosives and blasting agents are to be stored, used, delivered to, or otherwise disposed of.

2. For users and other persons possessing and/or storing explosives and blasting agents, the records shall include at least the following:

   (i) The date of receipt of explosives and blasting agents.

   (ii) The quantity and description of explosives and blasting agents received.

   (iii) The date of use or other disposal of explosives and blasting agents and quantity used or disposed of.

(b) Handling of Explosives Permits:

1. Any person who sells, gives away, delivers, or otherwise disposes of or conveys explosives and blasting agents to another person who presents a valid explosives permit shall withdraw two (2) copies of the permit, the original and vendor’s copies, at the time of the sale or transaction. The vendor’s copy shall be retained by the person selling or disposing of the explosives and blasting agents and the original shall be forwarded to the State Fire Marshal.
2. The person using an explosives permit shall retain the purchaser’s copy of the permit which serves as the authorization for him to have the described explosives in his possession.

3. Within one working day or 24 hours, whichever comes first, of expiration of the one-time use permit, the individual issued the permit will return all unused explosives to the vendor and the expired permit to the issuing judge of the probate court or designated elected county official.

(5) The Insurance Commissioner may appoint a Blasting Advisory Committee whose role shall be only to be available to the Commissioner to advise on rule changes, review and issue best practices and safety bulletins and provide advice as deemed appropriate by the Commissioner or their designated liaison to the Committee. The Committee shall meet as determined by the Commissioner but no less than twice per year. The Committee will consist of seven members; three-fourths will serve an initial term of 2 years and four will serve 3 years. The Commissioner shall initially appoint a Chairperson to serve a two-year term thereafter the Committee shall elect the Chair in January of each alternate year. The membership of the Committee shall include no less than 1 representative from the aggregate mining industry, 1 representative from the utility contractors industry, 1 representative from the explosives industry, 1 representative from the drilling and blasting industry, 1 representative from the vibration analysis industry, 1 representative from law enforcement, 1 representative of the State Fire Marshal, and 1 representative to be selected from a related industry. The duties of the Committee may include:

(a) A review of incidents involving injury to persons or property damage due to handling, use, manufacture, storage, or transportation of explosives and blasting agents.

(b) Communication on issues dealing with best industry practices related to the handling, use, manufacture, storage or transportation of explosives and blasting agents.

(c) Peer review of complaints related to the use, handling, manufacture, storage, or transportation of explosives and blasting agents.

(d) Peer review of proposed revisions, additions, deletions, or changes to the Georgia Law and/or Rules and Regulations dealing with the use, handling, storage or transportation of explosives and blasting agents; and

(e) Any issue as deemed appropriate by the Insurance Commissioner’s Office.


120-3-10-.04 Administrative Action by Commissioner and Hearings.

(1) Any license, or competency certificate may be refused or a license or competency certificate duly issued may be suspended or revoked, if the Commissioner finds that the applicant for or the holder of the license or competency certificate:

(a) Has violated any provision of Chapter 8 of Title 25 of the Official Code of Georgia Annotated, or any other law or regulation of this state, or any federal law or regulation
relating to the manufacture, purchase, use, handling, storage, sale or transportation of explosives or blasting agents;

(b) Has intentionally misrepresented or concealed any material fact in any application for a license, competency certificate or on any form filed with or submitted to the Commissioner or the State Fire Marshal;

(c) Has permitted any person employed by the license or competency certificate applicant or holder, either by direct instruction or by reasonable implication, to violate any provision of Chapter 8 of Title 25 of the Official Code of Georgia Annotated;

(d) Has failed to comply with or has violated any order issued by the Commissioner;

(e) Has shown a lack of trustworthiness or a lack of competence to act as a licensee or competency certificate holder under Chapter 8 of Title 25 of the Official Code of Georgia Annotated;

(f) Has failed to provide documentation or records, or refused to appear in response to any Order entered by the Commissioner or any written demand by the Commissioner, State Fire Marshal or his or her designated representative sent by registered or certified mail or statutory overnight delivery to the last known address of the applicant or holder of a license as shown in the records of the State Fire Marshal;

(g) Has been convicted of a felony, or has an officer, director or owner of the applicant for, or holder of, such license or competency certificate who has been convicted of a felony by a final judgment in any jurisdiction of the United States or in any federal court;

(h) Has had a license, competency certificate or other authority to engage in the manufacture, sale, storage, use or transportation of explosives or blasting agents, refused, revoked, suspended or otherwise disciplined, by any lawful licensing authority of any other jurisdiction or by the United States; or,

(i) Has experienced any event or occurrence involving the manufacture, sale, storage, use or transportation of explosives or blasting agents, resulting in unintended loss or damage to property or resulting in severe bodily injury or loss of life.

(2) A license or competency certificate which is subject to refusal, suspension or revocation may be issued or placed on probation for a period of not less than three months and not longer than 12 months and shall be subject to immediate revocation for cause at any time without a hearing. Any order of probation shall prescribe the terms of probation.

(3) The Commissioner may impose a monetary fine of up to $1,000.00 against the holder of a license or a competency certificate for each and every violation of a provision of Chapter 8 of Title 25 of the Official Code of Georgia Annotated, any of these rules or regulations or any order of the Commissioner.

(4) Any order entered by the Commissioner regarding the refusal, suspension, revocation, or the issuance or placing on probation of any license or competency certificate applicant or
holder, or imposing a monetary fine, and any hearing which may result from the same, shall conform insofar as possible to the following:

(a) Any order of the Commissioner refusing, suspending or revoking a license or competency certificate to any applicant or holder, or issuing or placing any license or competency certificate on probation, shall be issued in writing and be signed by the Commissioner and shall state its effective date, shall state concisely its intent and purpose, the grounds on which it is based and the provisions of Title 25 of the Official Code of Georgia Annotated or any rule or regulation of the Commissioner upon which it is to be taken;

(b) Any order or notice may be served by delivery to the license or competency certificate holder or applicant by delivery in person or by mailing it, postage prepaid, by registered or certified mail or statutory overnight delivery to the principal place of business or the last known address of the applicant for or holder of a license or competency certificate as shown in the records of the State Fire Marshal;

(c) Any person aggrieved by any order of the Commissioner refusing, suspending or revoking a license or competency certificate for any applicant or holder, or issuing or placing any license or competency certificate on probation, or imposing a monetary fine, may make a written demand for a hearing if made within ten days of the date of its receipt;

(d) Any demand for a hearing shall specify in what respects the person requesting the same is aggrieved and the grounds to be relied upon as a basis for the relief to be demanded at the hearing. Unless postponed by mutual consent or by request and for good cause shown, the hearing shall be held within 30 days after receipt by the Commissioner for such hearing;

(e) Pending the hearing and decision following the hearing, the Commissioner may suspend or postpone the effective date of his or her previous action;

(f) The hearing shall be held at the place designated by the Commissioner and shall be open to the public. Not less than ten days in advance, the Commissioner shall give notice of the time and place of the hearing;

(g) The Commissioner shall allow any party to the hearing to appear in person or by counsel, to be present during the giving of all evidence, to examine witnesses, to present evidence in support of their own interest and to have subpoenas issued by the Commissioner;

(h) Formal rules of pleading or evidence need not be observed at any hearing;

(i) Upon written request seasonably made by any party to the hearing, and at their expense, the Commissioner shall cause a full record of the proceedings to be made. If transcribed a copy of such record shall be furnished to the Commissioner without cost to the Commissioner or the state and shall be a part of the Commissioner’s record of the hearing;

(j) Within 30 days after termination of the hearing or the transcription and furnishing of a copy of the record of such hearing to the Commissioner, if a record is requested, the
Commissioner shall make his or her order thereon covering matters involved in the hearing and shall provide a copy of the order to those persons given notice of the hearing;

(k) The order shall contain a concise statement of the facts as found by the Commissioner, a concise statement of his or her conclusions therefrom, and the effective date of the order, which may affirm, modify or nullify the action theretofore taken; and,

(l) Any party to the hearing may appeal any order of the Commissioner as provided for by the provisions of Section 25-2-10 of the Official Code of Georgia Annotated.

Authority O.C.G.A. Sections 25-2- 4, 25-2-17, 25-8-9 and 25-8-11

120-3-10-.05 Special Provisions.

(1) Any person who by license or permit is authorized to manufacture, sell, possess, transport, distribute or use explosives shall report any incident of larceny, fires, accidental explosions and accidents involving explosives and blasting agents as follows:

(a) Within 24 hours of discovering the loss of any explosives or evidence that there has been an attempted theft of any explosives, notify the State Fire Marshal's Office and the nearest regional office of the Georgia Bureau of Investigation (GBI) and the local law enforcement agency having jurisdiction over the location where the loss or attempted theft occurred. The GBI shall also notify the State Fire Marshal's Office of the loss or attempted theft through the GCIC system.

(b) In the event of a fire, accidental detonation or other accident involving explosives, immediately notify the officer in charge of the responding local fire services and emergency personnel of the type, quantity and characteristics of explosives involved and of any special precautions or measures which must be taken to protect life or property. As soon as the incident is under control but no later than the next business day after the incident, notify the State Fire Marshal's Office in writing of the facts and circumstances of the incident.

(c) In the event of a Fly Rock incident that includes any materials leaving the designated blast site, the State Fire Marshal's Office shall be notified of the event and the circumstances connected to the event within 4 hours of the event. NFPA 495 (2001-2018 Edition), Chapter 10.3 11.4 Fly Rock shall be the governing guideline for this requirement.

(2) Modification of Requirements:

(a) Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements that will secure as nearly equivalent measures as are practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.

(3) Criminal Penalty for Violations:
(a) Any person who manufactures, sells, possesses, transports, distributes, or uses an explosive except as provided in Chapter 7 of Title 16 and Chapters 2 and 8 of Title 25 of the Official Code of Georgia Annotated shall be subject to criminal prosecution as provided by law.

(b) Any person or entity that is issued a license or permit pursuant to these Rules that violates any provision of these Rules shall be subject to the administrative penalties prescribed by law.

(4) Persons authorized to buy, sell, otherwise convey, possess, handle, use or transport explosives and blasting agents:

(a) No person under the age of 21 years old shall be authorized to buy, sell, otherwise convey, possess, store, use, or transport explosives and blasting agents, except for an active duty member of the armed forces of the United States or of this state or any of the several states and personnel assigned or attached to such agencies when acting in an official capacity.

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.06 Standards for Manufacture, Storage, Transportation, Handling and Use of Explosives and Blasting Agents.**

Unless otherwise stated in this chapter, the following editions of the codes, standards, recommended practices, guides and methods, as published in the *National Fire Codes (NFC)* by the National Fire Protection Association (NFPA), as adopted and modified herein, and sections of the *International Fire Code (IFC)*, as published by the International Code Council (ICC), as adopted and modified herein, shall be the state minimum fire safety standards for the manufacture, storage, transportation, handling and use of explosives and blasting agents.

(1) **NFPA 495, 2018 Edition, Explosives Materials Code**

**Modifications:**

(a) **Modifications to Chapter 3:**

1. Delete subsection 3.2.2 in its entirety and substitute in its place the following: “3.2.2 Authority Having Jurisdiction. The State Fire Marshal of Georgia or his/her designee.”

(b) **Modification to Chapter 4:**

1. Delete section 4.2 in its entirety
2. Delete section 4.3 in its entirety
3. Delete section 4.4 in its entirety
4. Delete section 4.5 in its entirety
5. Delete section 4.6 in its entirety
(c) Modification to Chapter 11:

1. Add a new subsection 11.2.4 to read as follows:
“11.2.4 The velocity/shock wave of any blast shall not exceed 2” PPV at 40Hz or greater. At lower frequencies use the established limits in the vibration criteria as presented in the U.S. Bureau of Mines RI 8507.”

2. Add a new subsection 11.3.3 to read as follows:
“11.3.3 The air blast criterion as presented in the US Bureau of Mines RI 8485 defines limits on air overpressure resulting from blasting activities and establishes 140dbl as an acceptable level for compliance related to damage to structures.”

(2) NFPA 498, (2018 Edition), Safe Havens and Interchange Lots for Vehicles Transporting Explosives
Modifications: None

Modifications:

(a) Modifications to Chapter 56:

1. Delete sections 5601 through 5607 and all related paragraphs there under in their entirety and substitute in their place the following:

5601 Explosives and blasting. The provisions of Chapter 120-3-10 Rules and Regulations of the Safety Fire Commissioner entitled, ‘Rules and Regulations for Explosives and Blasting Agents’ shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials and small arms ammunitions.”


120-3-10-.07 Blasting Report.

(1) A Blasting Report consisting of a pre-blast report, drilling log and a post-blast record will be required on all blasting events. Individual company forms may be acceptable when approved by the State Fire Marshal’s Office and must provide the information required by O.C.G.A. Section 25-8-8.

(2) The licensed blaster must note on the pre-blast report the proximity to the closest structure or roadway and the distance to the nearest seismograph, when required,

(3) The pre-blast report must contain documentation of the following information:

(a) Company, Company License Number, Date, and Location;

(b) Describe Nearest Structure including Distance and Direction from Shot;
(c) Type of Shot with Minimum Planned Scaled Distance or Regression Data;

(d) Max and Min Borehole depth, Borehole diameter, and Max Charge Weight at Closest Distance;

(e) Products, Type of Rock, Pattern with Burden and Spacing, and Powder Factor;

(f) Stemming feet, Stemming Type, and Stemming Length Ratio Relative to Burden;

(g) Cover/Existing Overburden with Amount and Type, and Direction to Open Face;

(h) Date of Bulk Explosive Truck Calibration (if used); and

(i) Conditions with high fly rock potential, including but not limited to over confined shots, lift shots, outfall/wet conditions, spacing and burden exceeding the depth of any borehole in shot, and/or hole deviation. Document measures taken to compensate for high fly rock potential.

4. A drill log shall be maintained on all blasting events to allow the blaster to take the appropriate action if an anomaly occurs. The licensed blaster must have this drill log available before the loading process begins.

5. Stemming material shall consist of properly sized crushed stone. When adequate stemming length is not possible, matting of either earthen cover or a man-made material like synthetic rubber to insure proper confinement is required.

6. A seismograph shall be used at the nearest structure during blasting events that are within 750 feet of the nearest house, public building, school, church, commercial or institutional building and roadway. The velocity/shock wave shall not exceed the established limits of U.S. Bureau of Mines RI 8507; appendix (b).

Exception: Where all pedestrian and vehicular traffic on a roadway can be restricted to a distance of 750 feet or greater from the blast site at the time of the firing of the blast or where a variance is issued by the State Fire Marshal’s Office.

7. Seismographs will be calibrated by manufacturer certified technician at least one time per year.

8. Bulk metering equipment will be calibrated by a qualified individual on a quarterly basis.

9. A signed copy of a blast report for all blasts shall be retained by the blasting firm for a period of three (3) years. Upon request, a copy of the report shall be sent to the State Fire Marshal’s Office.

10. When blasting activities are conducted within 750 feet of an occupied structure or roadway, charge length shall be held to a maximum of 20 feet per deck and hole size will be limited to a maximum of 4 inches. In addition, there shall be a minimum of 6 foot of earthen
cover or a man-made synthetic matting material. All facilities with a valid mining permit issued by the Georgia EPD, Land Branch Division, will be exempt from these requirements.

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.08 Standards for Storage of Ammonium Nitrate.** Unless otherwise stated in this chapter, the following editions of the codes, standards, recommended practices, guides and methods, as published in the National Fire Codes (NFC) by the National Fire Protection Association (NFPA), as adopted and modified herein shall be the state minimum fire safety standards for the storage, handling and use of solid or liquid ammonium nitrate.


**Modifications:** None

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.09 Forms.**

(1) Unless otherwise indicated, and to the extent provided, each filing required under this Regulation Chapter is to be made on forms or electronic format obtained from the Safety Fire Division.

(2) Forms may be reproduced and may be altered to accommodate manual or automated processing provided the same information is presented in the same order as in the forms or electronic format obtained from the Safety Fire Division.

(3) Any form filed electronically requiring a signature shall contain the electronic signature of the person filing the form, as defined in O.C.G.A. Section 10-12-3.

(4) The Safety Fire Division may approve a method or methods of electronic filing.

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.10 Notes.**

(1) The NFPA codes and standards adopted in this Chapter are on file in the Safety Fire Division and are available for viewing.

(2) Copies of the NFPA codes and standards may be obtained from:

- National Fire Protection Association
- Batterymarch Park
- Quincy, Massachusetts 02269
- Phone: 1-800-344-3555

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.11 Severability.** If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.
If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King, Jr. Drive, Atlanta, Georgia 30334 or call (404) 656-2056, TDD (404) 656-4031.
120-3-10-.01 Promulgation and Purpose.

(1) These Rules and Regulations for Explosives and Blasting Agents are promulgated and adopted by the Georgia Safety Fire Commissioner as contemplated by and pursuant to authority set forth in O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9. The manufacture, possession, transportation, distribution or use of explosives within the State of Georgia except as provided in these Rules and as provided in Chapter 7 of Title 16 of the Official Code of Georgia Annotated is a criminal offense and violators shall be subject to criminal prosecution and forfeiture of property as well as administrative penalties as provided in these Rules.

(2) The purpose of these Rules and Regulations is to prevent the loss of life, injury of persons, and loss or damage to property in the handling, use, manufacture, storage, and transportation of explosives and blasting agents. These Rules and Regulations supersede former Rules and Regulations promulgated by the Georgia Safety Fire Commissioner pertaining to explosives and blasting agents when such are in conflict with these Rules and Regulations.


120-3-10-.02 Definitions. The definitions contained herein are in addition to or in clarification of those contained in the adopted standards.

(1) “Applicant” is any person representing or affiliated with the owner of a facility that requires the possession or use of explosives.

(2) “Authority Having Jurisdiction” means the State Fire Marshal of Georgia or his/her designee.
(3) “Competency Card” means the picture identification card issued by the State Fire Marshal establishing an individual's competency in a chosen field of blasting.

(4) “Blasting Operation” means the use of explosives in the blasting of stone, rock, ore, or any other natural formation or in any construction or demolition work, but shall not include the use of explosives in agricultural operations and private and personal use of explosives in remote areas for such operations as ditching, land clearing, destruction of beaver dams and other such operations when not within a 750 feet of a roadway or inhabited structure.

(5) “Blasting Report” is a report that includes the requirements of O.C.G.A. Section 25-8-8 and meets the requirements of 120-3-10-.06.

(6) “Bulk storage” means storage of any explosive materials or blasting agents.

(7) “Commissioner” means the Georgia Safety Fire Commissioner.

(7) “Competency Card” means the picture identification card issued by the State Fire Marshal establishing an individual's competency in a chosen field of blasting or other use of explosives.

(8) “DOT” means the United States Department of Transportation.

(9) “GPSC” means the Georgia Public Service Commission.

(10) “Individual” means any person, firm, business, partnership, organization, association, corporation, or individual.

(11) “License” or “Explosives License” means the written authority of the State Fire Marshal, issued pursuant to these rules and regulations to manufacture, possess, store, sell, use, or transport explosives and blasting agents and is required by any person who manufactures, buys, sells, possess, stores, uses, or transports explosives.

(12) “Licensed Blaster” is a person who through training and experience is qualified to supervise blasting activities in a specific field of blasting and possesses a Level III Competency Card.

(13) “Manufacturing” means mixing, blending, extruding, assembling, disassembling, chemical synthesis, and other functions involved in making a product or device that is intended to explode.

(14) “Permit” or “Explosives Permit” means the written authority of the judge of the probate court or designated elected county official, issued pursuant to these regulations to purchase for use, and use only, of a designated amount of explosives. A permit is a single or one-time transaction authorization and may not be used for repeated purchase or for a location other than that specified on the permit.

(15) “Responsible Person” means the individual or individuals, designated on an explosive license application, that possess, store, or transport explosives and are approved by the State Fire Marshal's Office to engage, under the direct supervision of a Blaster an explosives license holder, in any use of explosives.
(16) “Smokeless Propellant” means the propellant referred to in NFPA 495 (2018 Edition) as solid propellants, commonly referred to as smokeless powders, used in small arms ammunition, cannons, rockets, or propellant-actuated devices.

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.03 Administration.**

(1) Requirements for License or Permit

(a) A License issued by the State Fire Marshal shall be required for the following:

1. For the manufacture of any explosives and blasting agents.

2. To purchase, to offer for sale, sell, give away or otherwise convey, transport, store, possess, or use (except as authorized for use under a Permit) any explosives or blasting agents, including commercial stocks and the commercial use of smokeless propellant, black powder, and small arms primers.

3. To maintain any facility for unloading, reloading, or transshipment of explosives or blasting agents.

(b) Any company individual that is issued a license pursuant to these Rules and Regulations is not exempt from obtaining any other license or permit that may be required by other government agencies.

(c) A Permit issued by the State Fire Marshal judge of the probate court or designated county official shall be valid under the following conditions:

1. A Permit shall be valid only for personal use and shall not be issued to companies individuals to conduct commercial blasting or blasting for profit. Commercial blasting or blasting for profit activities requires a license issued by the State Fire Marshal’s Office.

2. A Permit shall be valid only for a single transaction and shall only be used in the county where the permit is issued.

3. A Permit shall be valid only for a single transaction and does not authorize storage or transportation. All explosives listed on the Permit must be purchased at one time and used on the day of purchase or returned to the vendor the same day.

4. Explosives purchased under a Permit shall be transported only from the explosive vendor’s location to the location where the explosives are to be used without deviation or cessation in transit by an explosives license holder authorized for the transportation of explosives.

(d) The following shall be exempt from License or Permit requirements:
1. Any person may purchase without license or permit and keep on hand for their personal use smokeless propellant powder and small arms primers for hand loading small arms ammunition.

2. All persons or entities moving explosives and blasting agents under the jurisdiction of the Federal Department of Transportation.

3. All members and organizations of the armed forces of the United States or of this state or any of the several states and personnel assigned or attached to such agencies when acting in an official capacity.

4. All law enforcement, fire services and emergency management and regulatory agencies of this State, the United States or any of several states and personnel assigned or attached to such agencies when acting in their official capacity.

5. All persons or entities using explosive materials in medicines and medicinal agents in forms prescribed by the most recent edition of the official United States Pharmacopoeia or the National Formulary.

6. Any individual, who is otherwise authorized to possess explosives pursuant to Article 4 of Chapter 7 of Title 16 of the Official Code of Georgia Annotated, may transport explosives within the State of Georgia without license or permit required by these Rules provided that the point of origin of the shipment was outside the State of Georgia and the transportation of such explosives is in compliance with the regulations governing the transportation of explosives issued by the United State Department of Transportation.

7. Any individual, who is otherwise authorized to possess explosives pursuant to Article 4 of Chapter 7 of Title 16 of the Official Code of Georgia Annotated, may purchase and possess for sporting, recreational or cultural purposes:

   (i) Not more than 50 pounds of commercially manufactured black powder,

   (ii) Percussion caps, safety and pyrotechnic fuses, quills and slow matches, or friction primers.

(2) License and permit fees:

   (a) License fees and Permit fees shall be in accordance with Chapter 2 of Title 25 of the Official Code of Georgia annotated, Section 25-2-4.1, and shall be attached to the application and made payable to the Commissioner.

(3) Application for License, Competency Certificate or Permit:

   (a) Application for License:

      1. The applicant for a license shall, at his or her own expense, furnish the State Fire Marshal with such information as the State Fire Marshal may require.
2. Any Applicant requesting a license shall make application in an approved format to the State Fire Marshal. The Applicant will designate the Responsible Persons in the application.

3. An application to transport, or which includes transportation of explosives and blasting agents, shall be accompanied by an affidavit that the vehicles to be used to transport have been inspected by a qualified person and found to be in safe condition and in compliance with these regulations. Such inspection may be performed by a certified mechanic, an automotive repair or service garage or similarly recognized inspection stations.

4. An application for license for all permanent explosives storage facilities having quantities exceeding 500 pounds shall be accompanied by complete plans and specifications. Plans and specifications shall be submitted in duplicate to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposal and its compliance with this Chapter. One set of the plans shall be retained by the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied with the mandatory plan review fee payable to the Commissioner. The plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

4-5. An applicant for a license or for designation as a Responsible Persons shall be subject to the following conditions:

(i) Shall be subject to a criminal records check.

(ii) Shall not have been convicted of a felony.

(iii) The Responsible Person shall submit a negative drug screen.

5. An applicant for a license or for designation as a Responsible Person must be 21 years of age and shall not be addicted to the use of, have a history of, or be under the influence of intoxicants, narcotics, controlled substances or other dangerous drugs.

6. Responsible Persons shall provide information to indicate that they have training experience and/or a working knowledge of the safe use of explosives.

7. All applicants for a license or for designation as Responsible Persons shall certify that they are familiar with Chapter 120-3-10 of the Commissioner’s Rules and Regulations and NFPA 495.

8. All Applicants for a license shall provide documentation of explosives licenses issued by federal authorities, such as the Bureau of Alcohol, Tobacco and Firearms, or by other states.
All Applicants for a license shall list on the application the field(s) of blasting or other use of explosives in which the licensee is to engage. All commercial explosive licenses to use explosives will be issued by the Commissioner in the following specified field(s):

(i) Construction,
(ii) Surface Mining,
(iii) Underground Mining.

(iv) Special Effects

All Responsible Persons shall submit to the Commissioner a notarized certification denoting the specific explosive/blasting field in which he or she has successfully been trained or certified.

All Responsible Persons shall obtain, and subsequently retain, a “Competency Card” issued by the Commissioner. The “Competency Card” issued by the Commissioner shall clearly state the blasting field or fields in which the licensee for Responsible Person has been licensed or approved to perform. There will be three levels of certification recognized by the State Fire Marshal’s Office.

(i) Level I – Entry level that includes laborers and Bulk Truck Drivers requiring background check and drug testing.
(ii) Level II – Meet Level I requirements and completion of approved curricula.
(iii) Level III – Meet Level II requirements and three years experience in a specific field of blasting.

(iv) Special Effects – Requires that the applicant provide evidence of actual experience in the safe handling and use of explosives for the purpose of creating audible and visual effects for the entertainment industry. This level shall not authorize the use of explosives, fireworks, or pyrotechnics before a proximate audience or within any building or structure. The use of any explosives, fireworks, or pyrotechnics before a proximate audience or within any building or structure requires a license issued pursuant to Rules and Regulations of the Safety Fire Commissioner, Chapter 120-3-22.

The Commissioner will recognize the following curricula, and other equivalent program(s) approved by the Commissioner as minimum requirements for competency training:

(I) I.S.E.E. Level 1, Blasting Fundamentals, which should include all Federal, State and local regulations,

(II) the Surface Blaster Competency Study Course approved by the Georgia Construction Aggregate Association,
(III) the Certification program developed by the Dimensional Stone Industry or other programs approved by the State Fire Marshal’s Office.

(IV) other programs approved by the Commissioner or his/her designee.

(v) Beginning January 1, 2007, anyone possessing a Level III Competency Certification will be required to take continuing education courses approved by the Commissioner and shall take no less than eight (8) hours every two (2) years.

(vi) Exception to Certification: Applicants for permits to use explosives in agricultural operations and private and personal use of explosives in remote areas for such operations as ditching, land clearing, destruction of beaver dams and other such operations that is not within 750 feet of an occupied structure or roadway.

Every Responsible Person must be able to produce a “Competency Card” upon demand of the Commissioner or his or her representative or by any local authority having jurisdiction over blasting activities.

(i) All applications for licensure for designation as a Responsible Person submitted by an applicant shall include in the application, the full name, date of birth, social security number, and address of the applicant or Responsible Person, photo and address of the applicant, including a one (1) inch horizontal by one and one fourth (1¼) inch vertical photograph with the licensee’s or Responsible Person’s signature below the photograph. The name of the licensee employing the Responsible Person and employer’s business name shall be shown on the application. The application shall indicate such additional information as may be required by the Commissioner or by these rules and regulations. Photographs shall be required and submitted every four years thereafter following the initial date or update of the issuance of a “Competency Card”.

(ii) Those exemptions as are established in Chapter 120-3-10 of the Rules of the Safety Fire Commissioner and Chapter 7 of Title 16 of the Official Code of Georgia Annotated shall apply.

(b) Fire Marshal’s action on application for License:

1. Upon receipt of an application for license and before the license is issued, the State Fire Marshal may make, or cause to be made, an investigation for the purpose of ascertaining if all requirements of these rules and regulations have been met by the applicant.

2. If the results of the investigation of the State Fire Marshal are found to be in conformity with the requirements of these rules and regulations, the State Fire Marshal shall issue the license upon the payment of the proper fee therefore.

(c) Posting or Availability of License or Permit:

1. Any license or permit issued shall be posted in a location so that the State Fire Marshal, his representatives and inspectors, or any other authorized person may examine it. Such posting may be in the storage facilities, office area and storage magazines. A license issued to a person without fixed storage facilities shall be available at the operation location.
2. A copy of a license issued pursuant to these Rules that authorizes an individual to transport explosives shall be in the possession of the driver of the vehicle.

3. Any facility that is licensed or permitted pursuant to these Rules is subject to inspection by the State Fire Marshal’s Office or their representatives, or any law enforcement or fire service official at any time.

4. A Photostat or mechanically reproduced copy of any license or permit may be used for these purposes.

(d) Presenting Evidence of License or Permit:

1. The license or permit issued shall be presented to vendors or other persons selling or otherwise conveying explosives and blasting agents to the license or permit holder. A Photostat or mechanically reproduced copy of the license may be used for this purpose.

(e) Application for Permit:

1. The applicant for a permit to purchase for use and use only explosives or blasting agents shall make application to the judge of the probate court or designated elected county official or his duly appointed assistant or agent in writing on the form provided by the State Fire Marshal. The judge of the probate court or designated elected county official or its equivalent. Full identification of the applicant shall be made to the official to whom application is made and shall be subject to the following:

(i) The applicant shall be subject to a criminal records check.

(ii) The applicant shall not have been convicted of a felony.

(iii) The applicant shall certify that he or she has a working knowledge of the safe use of explosives and is familiar with the Rules and Regulations of the Commissioner Chapter 120-3-10 and NFPA 495.

(iv) The applicant shall certify that the permit will not be used by persons or companies individuals who conduct commercial blasting or blasting for profit.

(v) The applicant shall be at least 21 years of age and shall not be addicted to the use of or under the influence of intoxicants, narcotics, controlled substances or other dangerous drugs.

(f) Judge of the Probate Court or Designated Elected County Official’s action on application for Permit:

1. Upon receipt of a duly executed application for a permit to purchase for use, and use only, the judge of the probate court or designated elected county official or his or her appointed assistant or agent shall ascertain to his or her satisfaction that the applicant is the true party named in the application, and if satisfied, he or she may grant and issue the permit. Permits will be issued in quintuplicate, one copy for the issuing officer’s files, three copies to the applicant including the original, and one copy for forwarding to the State Fire Marshal. The judge of the probate court or designated elected county official or his or her assistant or agent
may withhold a permit from any individual when he or she deems issuing such a permit not in the best interest of public safety or security.

2. Explosives and blasting agents are to be used only in the county that the permit is issued.

3. This permit does not authorize storage or transportation.

4. No later than the 10th of each month, the County Official judge of the probate court or designated elected county official will provide the State Fire Marshal's Office documentation of all permits that were issued and returned during the previous month.

(4) Records:

(a) All persons required by these rules and regulations to obtain a license from the State Fire Marshal shall keep an accurate record of all explosives and blasting agents purchased, received, sold, delivered, on hand, used, or otherwise disposed of. Records shall be clear and legible. Records shall be maintained for a minimum period of three years as follows:

1. For distributors, dealers, persons giving away or otherwise conveying explosives and blasting agents, including salesmen where delivery is direct from out of the State and no other record of such a sale is maintained in Georgia, the records shall include at least the following:

   (i) The date of sale or transaction.

   (ii) The name of person purchasing and/or receiving explosives and blasting agents.

   (iii) The license or permit number of the person purchasing or receiving explosives and blasting agents, unless the recipient is exempt from requiring a license or permit, in which case the person must be clearly identified by name and agency to show exempt status and the record or sales slip shall be signed by that person.

   (iv) The quantity and description of explosives and blasting agents sold or otherwise disposed of.

   (v) The location of the operation where explosives and blasting agents are to be stored, used, delivered to, or otherwise disposed of.

2. For users and other persons possessing and/or storing explosives and blasting agents, the records shall include at least the following:

   (i) The date of receipt of explosives and blasting agents.

   (ii) The quantity and description of explosives and blasting agents received.

   (iii) The date of use or other disposal of explosives and blasting agents and quantity used or disposed of.

(b) Handling of Explosives Permits:
1. Any person who sells, gives away, delivers, or otherwise disposes of or conveys explosives and blasting agents to another person who presents a valid explosives permit shall withdraw two (2) copies of the permit, the original and vendor’s copies, at the time of the sale or transaction. The vendor’s copy shall be retained by the person selling or disposing of the explosives and blasting agents and the original shall be forwarded to the State Fire Marshal.

2. The person using an explosives permit shall retain the purchaser’s copy of the permit which serves as the authorization for him to have the described explosives in his possession.

3. Within one working day or 24 hours, whichever comes first, of expiration of the one-time use permit, the individual issued the permit will return all unused explosives to the vendor and the expired permit to the issuing County Official judge of the probate court or designated elected county official.

(5) The Insurance Commissioner may appoint a Blasting Advisory Committee whose role shall be only to be available to the Commissioner to advise on rule changes, review and issue best practices and safety bulletins and provide advice as deemed appropriate by the Commissioner or their designated liaison to the Committee. The Committee shall meet as determined by the Commissioner but no less than twice per year. The Committee will consist of 7 members; three will serve an initial term of 2 years and four will serve 3 years. The Commissioner shall initially appoint a Chairperson to serve a two year term thereafter the Committee shall elect the Chair in January of each alternate year. The membership of the Committee shall include no less than 1 representative from the aggregate mining industry, 1 representative from the utility contractors industry, 1 representative from the explosives industry, 1 representative from the drilling and blasting industry, 1 representative from the vibration analysis industry, 1 representative from law enforcement, 1 representative of the State Fire Marshal, and 1 representative to be selected from a related industry. The duties of the Committee may include;

(a) A review of incidents involving injury to persons or property damage due to handling, use, manufacture, storage, or transportation of explosives and blasting agents.

(b) Communication on issues dealing with best industry practices related to the handling, use, manufacture, storage or transportation of explosives and blasting agents.

(c) Peer review of complaints related to the use, handling, manufacture, storage, or transportation of explosives and blasting agents.

(d) Peer review of proposed revisions, additions, deletions, or changes to the Georgia Law and/or Rules and Regulations dealing with the use, handling, storage or transportation of explosives and blasting agents; and

(e) Any issue as deemed appropriate by the Insurance Commissioner’s Office.


120-3-10-.04 Administrative Action by Commissioner and Hearings.
(1) Any license, or competency certificate may be refused or a license or competency certificate duly issued may be suspended or revoked, if the Commissioner finds that the applicant for or the holder of the license or competency certificate:

(a) Has violated any provision of Chapter 8 of Title 25 of the Official Code of Georgia Annotated, or any other law or regulation of this state, or any federal law or regulation relating to the manufacture, purchase, use, handling, storage, sale or transportation of explosives or blasting agents;

(b) Has intentionally misrepresented or concealed any material fact in any application for a license, competency certificate or on any form filed with or submitted to the Commissioner or the State Fire Marshal;

(c) Has permitted any person employed by the license or competency certificate applicant or holder, either by direct instruction or by reasonable implication, to violate any provision of Chapter 8 of Title 25 of the Official Code of Georgia Annotated;

(d) Has failed to comply with or has violated any order issued by the Commissioner;

(e) Has shown a lack of trustworthiness or a lack of competence to act as a licensee or competency certificate holder under Chapter 8 of Title 25 of the Official Code of Georgia Annotated;

(f) Has failed to provide documentation or records, or refused to appear in response to any Order entered by the Commissioner or any written demand by the Commissioner, State Fire Marshal or his or her designated representative sent by registered or certified mail or statutory overnight delivery to the last known address of the applicant or holder of a license as shown in the records of the State Fire Marshal;

(g) Has been convicted of a felony, or has an officer, director or owner of the applicant for, or holder of, such license or competency certificate who has been convicted of a felony by a final judgment in any jurisdiction of the United States or in any federal court;

(h) Has had a license, competency certificate or other authority to engage in the manufacture, sale, storage, use or transportation of explosives or blasting agents, refused, revoked, suspended or otherwise disciplined, by any lawful licensing authority of any other jurisdiction or by the United States; or,

(i) Has experienced any event or occurrence involving the manufacture, sale, storage, use or transportation of explosives or blasting agents, resulting in unintended loss or damage to property or resulting in severe bodily injury or loss of life.

(2) A license or competency certificate which is subject to refusal, suspension or revocation may be issued or placed on probation for a period of not less than three months and not longer than 12 months and shall be subject to immediate revocation for cause at any time without a hearing. Any order of probation shall prescribe the terms of probation.

(3) The Commissioner may impose a monetary fine of up to $1,000.00 against the holder of a license or a competency certificate for each and every violation of a provision of Chapter 8
of Title 25 of the Official Code of Georgia Annotated, any of these rules or regulations or any order of the Commissioner.

(4) Any order entered by the Commissioner regarding the refusal, suspension, revocation, or the issuance or placing on probation of any license or competency certificate applicant or holder, or imposing a monetary fine, and any hearing which may result from the same, shall conform insofar as possible to the following:

(a) Any order of the Commissioner refusing, suspending or revoking a license or competency certificate to any applicant or holder, or issuing or placing any license or competency certificate on probation, shall be issued in writing and be signed by the Commissioner and shall state its effective date, shall state concisely its intent and purpose, the grounds on which it is based and the provisions of Title 25 of the Official Code of Georgia Annotated or any rule or regulation of the Commissioner upon which it is to be taken;

(b) Any order or notice may be served by delivery to the license or competency certificate holder or applicant by delivery in person or by mailing it, postage prepaid, by registered or certified mail or statutory overnight delivery to the principal place of business or the last known address of the applicant for or holder of a license or competency certificate as shown in the records of the State Fire Marshal;

(c) Any person aggrieved by any order of the Commissioner refusing, suspending or revoking a license or competency certificate for any applicant or holder, or issuing or placing any license or competency certificate on probation, or imposing a monetary fine, may make a written demand for a hearing if made within ten days of the date of its receipt;

(d) Any demand for a hearing shall specify in what respects the person requesting the same is aggrieved and the grounds to be relied upon as a basis for the relief to be demanded at the hearing. Unless postponed by mutual consent or by request and for good cause shown, the hearing shall be held within 30 days after receipt by the Commissioner for such hearing;

(e) Pending the hearing and decision following the hearing, the Commissioner may suspend or postpone the effective date of his or her previous action;

(f) The hearing shall be held at the place designated by the Commissioner and shall be open to the public. Not less than ten days in advance, the Commissioner shall give notice of the time and place of the hearing;

(g) The Commissioner shall preside over any hearing, unless he or she refers the matter for hearing to the Office of State Administrative Hearings as provided for under the provisions of Title 50 of the Official Code of Georgia Annotated.

(h) The Commissioner shall allow any party to the hearing to appear in person or by counsel, to be present during the giving of all evidence, to examine witnesses, to present evidence in support of their own interest and to have subpoenas issued by the Commissioner;

(i) Formal rules of pleading or evidence need not be observed at any hearing;
Upon written request seasonably made by any party to the hearing, and at their expense, the Commissioner shall cause a full record of the proceedings to be made. If transcribed a copy of such record shall be furnished to the Commissioner without cost to the Commissioner or the state and shall be a part of the Commissioner's record of the hearing;

Within 30 days after termination of the hearing or the transcription and furnishing of a copy of the record of such hearing to the Commissioner, if a record is requested, the Commissioner shall make his or her order thereon covering matters involved in the hearing and shall provide a copy of the order to those persons given notice of the hearing;

The order shall contain a concise statement of the facts as found by the Commissioner, a concise statement of his or her conclusions therefrom, and the effective date of the order, which may affirm, modify or nullify the action theretofore taken; and,

Any party to the hearing may appeal any order of the Commissioner as provided for by the provisions of Section 25-2-10 of the Official Code of Georgia Annotated.

Authority O.C.G.A. Sections 25-2-4, 25-2-17, 25-8-9 and 25-8-11

120-3-10-.05 Special Provisions.

(1) Any person who by license or permit is authorized to manufacture, sell, possess, transport, distribute or use explosives shall report any incident of larceny, fires, accidental explosions and accidents involving explosives and blasting agents as follows:

(a) Within 24 hours of discovering the loss of any explosives or evidence that there has been an attempted theft of any explosives, notify the State Fire Marshal's Office and the nearest regional office of the Georgia Bureau of Investigation (GBI) and the local law enforcement agency having jurisdiction over the location where the loss or attempted theft occurred. The GBI shall also notify the State Fire Marshal's Office of the loss or attempted theft through the GCIC system.

(b) In the event of a fire, accidental detonation or other accident involving explosives, immediately notify the officer in charge of the responding local fire services and emergency personnel of the type, quantity and characteristics of explosives involved and of any special precautions or measures which must be taken to protect life or property. As soon as the incident is under control but no later than the next business day after the incident, notify the State Fire Marshal's Office in writing of the facts and circumstances of the incident.

(c) In the event of a Fly Rock incident that includes any materials leaving the designated blast site, the State Fire Marshal's Office shall be notified of the event and the circumstances connected to the event within 4 hours of the event. NFPA 495 (2001-2018 Edition), Chapter 10.3 11.4 Fly Rock shall be the governing guideline for this requirement.

(2) Modification of Requirements:

(a) Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may
recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements that will secure as nearly equivalent measures as are practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal’s recommendation and grant the requested modification.

(3) Criminal Penalty for Violations:

(a) Any person who manufactures, sells, possesses, transports, distributes, or uses an explosive except as provided in Chapter 7 of Title 16 and Chapters 2 and 8 of Title 25 of the Official Code of Georgia Annotated shall be subject to criminal prosecution as provided by law.

(b) Any person or entity that is issued a license or permit pursuant to these Rules that violates any provision of these Rules shall be subject to the administrative penalties prescribed by law.

(4) Persons authorized to buy, sell, otherwise convey, possess, handle, use or transport explosives and blasting agents:

(a) No person under the age of 21 years old shall be authorized to buy, sell, otherwise convey, possess, store, use, or transport explosives and blasting agents, except for an active duty member of the armed forces of the United States or of this state or any of the several states and personnel assigned or attached to such agencies when acting in an official capacity.


120-3-10-.06 Standards for Manufacture, Storage, Transportation, Handling and Use of Explosives and Blasting Agents. Unless otherwise stated in this chapter, the following editions of the codes, standards, recommended practices, guides and methods, as published in the National Fire Codes (NFC) by the National Fire Protection Association (NFPA), as adopted and modified herein, and sections of the International Fire Code (IFC), as published by the International Code Council (ICC), as adopted and modified herein, shall be the state minimum fire safety standards for the manufacture, storage, transportation, handling and use of explosives and blasting agents.

(1) NFPA 495, 2018 Edition, Explosives Materials Code Modifications:

(a) Modifications to Chapter 3:

1. Delete subsection 3.2.2 in its entirety and substitute in its place the following: “3.2.2 Authority Having Jurisdiction. The State Fire Marshal of Georgia or his/her designee.”

(b) Modification to Chapter 4:

1. Delete section 4.2 in its entirety
2. Delete section 4.3 in its entirety
3. Delete section 4.4 in its entirety
4. Delete section 4.5 in its entirety
5. Delete section 4.6 in its entirety

(c) Modification to Chapter 10:

1. Add a new subsection 10.1.5 11.2.4 to read as follows:
   “10.1.5 11.2.4 The velocity/shock wave of any blast shall not exceed 2” PPV at 40Hz or greater. At lower frequencies use the established limits in the vibration criteria as presented in the U.S. Bureau of Mined RI 8507.”

2. Add a new subsection 10.2.2 11.3.3 to read as follows:
   “10.2.2 11.3.3 The air blast criterion as presented in the US Bureau of Mines RI 8485 defines limits on air overpressure resulting from blasting activities and establishes 140db as an acceptable level for compliance related to damage to structures.”

(2) NFPA 498, (2001-2018 Edition), Safe Havens and Interchange Lots for Vehicles Transporting Explosives
   Modifications: None

   Modifications:

(a) Modifications to section 4 Chapter 56:

1. Add a new subsection 3305.1.1 to read as follows: Delete sections 5601 through 5607 and all related paragraphs there under in their entirety and substitute in their place the following:

   “3305.1.1 For the purpose of section 3305 of the IFC, (2006 Edition), the fire code official shall mean the State Fire Marshal of Georgia. 5601 Explosives and blasting. The provisions of Chapter 120-3-10 Rules and Regulations of the Safety Fire Commissioner entitled, ‘Rules and Regulations for Explosives and Blasting Agents’ shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials and small arms ammunitions.”

(4) Submission of Site Plans, Permanent Installation Plans/Plan Review Fees: To assure compliance to the standards, complete plans and specifications for all explosives storage facilities shall be submitted in duplicate to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposal and its compliance
with this Chapter. One set of the plans shall be retained by the State Fire Marshal and one
copy shall be returned to the applicant with the approval or disapproval indicated thereon. A
copy of the approved plans shall be kept available at the construction site for inspection by
authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1,
the plans shall be accompanied with the mandatory plan review fee payable to the
Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and
Georgia registration number of the drafting architect or engineer or shall otherwise have the
approval of the Safety Fire Commissioner or his designee.


120-3-10-.07 Blasting Report.

(1) A Blasting Report consisting of a pre-blast report, drilling log and a post-blast record will
be required on all blasting events. Individual company forms may be acceptable when
approved by the State Fire Marshal’s Office and must provide the information required by

(2) The licensed blaster must note on the pre-blast report the proximity to the closest
structure or roadway and the distance to the nearest seismograph, when required,

(3) The pre-blast report must contain documentation of the following information:

(a) Company, Company License Number, Date, and Location;

(b) Describe Nearest Structure including Distance and Direction from Shot;

(c) Type of Shot with Minimum Planned Scaled Distance or Regression Data;

(d) Max and Min Borehole depth, Borehole diameter, and Max Charge Weight at Closest
Distance;

(e) Products, Type of Rock, Pattern with Burden and Spacing, and Powder Factor;

(f) Stemming feet, Stemming Type, and Stemming Length Ratio Relative to Burden;

(g) Cover/Existing Overburden with Amount and Type, and Direction to Open Face;

(h) Date of Bulk Explosive Truck Calibration (if used); and

(i) Conditions with high fly rock potential, including but not limited to over confined shots,
lift shots, outfall/wet conditions, spacing and burden exceeding the depth of any borehole in
shot, and/or hole deviation. Document measures taken to compensate for high fly rock
potential.

(4) A drill log shall be maintained on all blasting events to allow the blaster to take the
appropriate action if an anomaly occurs. The licensed blaster must have this drill log available
before the loading process begins.
(5) Stemming material shall consist of properly sized crushed stone. When adequate stemming length is not possible, matting of either earthen cover or a man-made material like synthetic rubber to insure proper confinement is required.

(6) A seismograph shall be used at the nearest structure during blasting events that are within 750 feet of the nearest house, public building, school, church, commercial or institutional building and roadway. The velocity/shock wave shall not exceed the established limits of U.S. Bureau of Mines RI 8507; appendix (b).

Exception: Where all pedestrian and vehicular traffic on a roadway can be restricted to a distance of 750 feet or greater from the blast site at the time of the firing of the blast or where a variance is issued by the State Fire Marshal’s Office.

(7) Seismographs will be calibrated by manufacturer certified technician at least of one time per year.

(8) Bulk metering equipment will be calibrated by a qualified individual on a quarterly basis.

(9) A signed copy of a blast report for all blasts shall be retained by the blasting firm for a period of three (3) years. Upon request, a copy of the report shall be sent to the State Fire Marshal’s Office.

(10) When blasting activities are conducted within 750 feet of an occupied structure or roadway, charge length shall be held to a maximum of 20 feet per deck and hole size will be limited to a maximum of 4 inches. In addition, there shall be a minimum of 6 foot of earthen cover or a man-made synthetic matting material. All facilities with a valid mining permit issued by the Georgia EPD, Land Branch Division, will be exempt from these requirements.

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.08 Standards for Storage of Ammonium Nitrate.** The standards recommended by the National Fire Protection Association and as published in NFPA Pamphlet No. 490 (2002 Edition), shall be accepted as standards for storage of ammonium nitrate in this State, and are hereby adopted. Unless otherwise stated in this chapter, the following editions of the codes, standards, recommended practices, guides and methods, as published in the National Fire Codes (NFC) by the National Fire Protection Association (NFPA), as adopted and modified herein shall be the state minimum fire safety standards for the storage, handling and use of solid or liquid ammonium nitrate.


**Modifications: None**

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.09 Forms.**
(1) Unless otherwise indicated, and to the extent provided, each filing required under this Regulation Chapter is to be made on forms or electronic format obtained from the Safety Fire Division.

(2) Forms may be reproduced and may be altered to accommodate manual or automated processing provided the same information is presented in the same order as in the forms or electronic format obtained from the Safety Fire Division.

(3) Any form filed electronically requiring a signature shall contain the electronic signature of the person filing the form, as defined in O.C.G.A. Section 10-12-3.

(4) The Safety Fire Division may approve a method or methods of electronic filing.

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.10 Notes.**
(1) The NFPA codes and standards adopted in this Chapter are on file in the Safety Fire Division and are available for viewing.
(2) Copies of the NFPA codes and standards may be obtained from:
   - National Fire Protection Association
   - Batterymarch Park
   - Quincy, Massachusetts 02269
   - Phone: 1-800-344-3555

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

**120-3-10-.11 Severability.** If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**Authority.** O.C.G.A. Sections 25-2-4, 25-2-17, and 25-8-9.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King, Jr. Drive, Atlanta, Georgia 30334 or call (404) 656-2056, TDD (404) 656-4031.
120-3-11-.01 Promulgation and Purpose

(1) These Rules and Regulations for Flammable and Combustible Liquids are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. Sections 25-2-4 and 25-2-16.

(2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation and handling of flammable and combustible liquids. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to flammable and combustible liquids when such are in conflict with these rules and regulations.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.02 Definitions

The definitions contained herein are in addition to and in clarification of the definitions contained in the adopted codes and standards.

(1) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.
STORAGE TANK. Any vessel having a liquid capacity that exceeds 230 L (60 gal), is intended for fixed installation, whether on fixed supports or skid supports, and is not used for processing.

COMMISSIONER. The Georgia Insurance and Safety Fire Commissioner.

FULL-SERVICE STATION. Any place of business, or portion thereof, which sells gasoline or diesel fuel at retail and which does not allow customers to dispense the fuel.

MAJOR MODIFICATION. Where the general layout is modified to effect distance requirements, size of tanks, piping locations or additions to tanks, piping systems, dispensers or islands.


PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

PRIVATE-SERVICE STATION. The portion of a commercial, industrial, governmental, or manufacturing property where liquids used as fuels are stored and dispensed into the fuel tanks of motor vehicles that are used in connection with such businesses, by persons within the employ of such businesses.

SELF-SERVICE STATION. Any place of business, or portion thereof, which sells gasoline or diesel fuel at retail and which allows customers to dispense the fuel.

TEMPORARY INSTALLATION. Storage Tanks that are installed for 90 days or less.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.03 Submission of Plans for Storage Installations

Plans for all proposed flammable or combustible liquid storage tank installations, including major modifications at existing facilities, with more than a 60 gallon capacity for Class I Liquids or a 120 gallon capacity for Class II and Class III liquids must be submitted in duplicate to the State Fire Marshal for approval, and must be in compliance with applicable codes and standards prior to commencement of construction. Exception: Plans for storage tank installations with a storage capacity of 660 gallons or less may be submitted to the local fire authority having jurisdiction, where one exists, for approval. Plans for all proposed storage tank installations of more than 660 gallons capacity (other than self-service stations) submitted to the State Fire
Marshal shall be accompanied by the mandatory plan review fee pursuant to O.C.G.A. Section 25-2-4.1. The check shall be made payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the responsible architect or engineer or shall otherwise have the approval of the Commissioner or his designee.

(2) Plans shall be submitted in duplicate and shall include, at a minimum, the following:

(a) Scaled site plan (shall include all buildings and property lines)
(b) Storage tank location(s)
(c) Tank Drawings (shall include all piping connections and appurtenances)
(d) Piping, valve, and associated equipment layout and arrangements
(e) Electrical conduit layout and arrangements
(f) Corrosion protection (if applicable)
(g) Equipment list and specifications (shall include make and model of equipment)
(h) Other information necessary to show compliance

(3) Submissions for aboveground storage tanks shall also include the following:

(a) A site approval by a representative of the State Fire Marshal
(b) A Fire Safety Analysis completed by the local fire authority

(4) One set of plans shall be retained by the State Fire Marshal and one copy returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.

(5) Construction or the storage tank installation, or associated equipment, shall not commence until the plans have been approved and returned to the applicant.

(6) Requests for temporary installations must be made to the State Fire Marshal in writing for approval. Requests shall include a letter of intent, name of applicant, location of storage tanks to be installed, how long the storage tank(s) will be located at the requested location and shall also include the following:

(a) Site plan (shall include all buildings and property lines)
(b) Storage tank location(s) on the site plan
(c) Tank Drawings (shall include all piping connections and appurtenances)
(d) Piping, valve, and associated equipment layout and arrangements
(e) Electrical conduit layout and arrangements
(f) Corrosion protection (if applicable)
equipment)

(h) Other information necessary to show compliance

If additional time is necessary for a temporary installation beyond the allowable 90 days, extensions shall be requested in writing at the time the original request is made or before the expiration of the temporary approval. Before tanks may be brought to a site, approval of the temporary request must be granted by the State Fire Marshal and a copy of the approval kept on site. No plan review fee is required for temporary installation requests.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.04 Self-Service Stations

(1) Self-service operations shall be permitted at any service station, including marine self-service fueling stations and aircraft self-service fueling stations, only after a self-service permit has been issued by the State Fire Marshal in accordance with this Rule. A self-service permit shall not exempt the holder thereof from obtaining any other permits or licenses that may be required by other government agencies.

(2) Application for a self-service station permit shall be made to the State Fire Marshal on the form prescribed and approved by the Commissioner. Pursuant to O.C.G.A. Section 25-2-4.1, each application for a new self-service station permit shall be accompanied by the mandatory permit fee payable to the Safety Fire Commissioner. Plans for any proposed station or major modification of any existing station shall be submitted to the State Fire Marshal with the self-service station permit application.

(a) Plans shall be submitted in duplicate and shall include, at a minimum, the following:

(1) Scaled site plan (shall include all buildings and property lines)
(2) Storage tank location(s)
(3) Tank Drawings (shall include all piping connections and appurtenances)
(4) Piping and valve layout and arrangements
(5) Electrical conduit layout and arrangements
(6) Dispenser arrangements and details
(7) Corrosion protection (if applicable)
(8) Emergency control locations
(9) Equipment list and specifications (shall include make and model of equipment)
(10) Fire Extinguisher location(s)
(11) Other information necessary to show compliance
(b) One set of plans shall be retained by the State Fire Marshal and one copy returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.

(c) Construction or the storage tank installation, or associated equipment, shall not commence until the plans have been approved and returned to the applicant.

(3) Upon notification of completed construction of a new or modified station, the State Fire Marshal shall direct his authorized representative to inspect the facility. If the authorized representative determines that all requirements for self-service operations contained in this Chapter have been satisfied, to include written certification of tank and pipe leak testing and installation, he may issue a self-service permit.

(4) The self-service permit shall be posted by the applicant in a conspicuous location on the premises. The self-service permit is nontransferable and shall expire upon a change of ownership, operator, lessee or lessor of the facility. Any issuance of a new self service permit to include change of ownership, operator, lessee or lessor, or to replace lost or destroyed permits requires a permit fee pursuant to O.C.G.A. Section 25-2-4.1.

(5) A self-service permit may be revoked for cause after notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner; provided, however, that the Commissioner may revoke any self-service permit prior to notice and hearing if he determines upon recommendation of the State Fire Marshal that the situation involves an imminent peril to the public health, safety and welfare and that the situation therefore requires emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held, if and only if, the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.

(6) The State Fire Marshal and his authorized representatives may conduct inspections of self-service stations to ascertain whether the stations are operating in compliance with this Chapter.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.05 Reporting of Fires and Accidents

(1) As soon as possible, but no later than 8 hours of the incident occurring, all owners, managers or operators of all vehicles, equipment and facilities covered under this Chapter shall notify the State Fire Marshal’s Office of all fires involving such vehicles, equipment or facilities, and all accidents
involving immediate peril to the public health, safety and welfare and requires emergency action.

(2) As soon as the incident is under control, but no later than 72 hours after the incident, all owners, managers or operators of all such vehicles, equipment or facilities covered under this Chapter shall notify the State Fire Marshal’s Office in writing of the facts and circumstances of such incident

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.06 Adopted Codes and Standards with Modifications

Except to the extent modified herein, the following NFPA Codes and Standards are hereby adopted.


Modifications:

(a) Modifications to Chapter 6:

1. Add a new subsection 6.5.6 to read as follows: “6.5.6 Signs shall be posted in areas storing or transferring flammable and combustible liquids and shall read:

   DANGER – FLAMMABLE LIQUIDS

   OPEN FLAMES AND SMOKING

   PROHIBITED WITHIN 50 FEET

   Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke.”

2. Add a new subsection 6.9.6 to read as follows: “6.9.6 No barrels, drums or combustible materials shall be stored beneath or within 3.3 m (10 ft) of any aboveground storage tank.”

(b) Modifications to Chapter 18:

1. Add a new subsection 18.3.1 to read as follows: “18.3.1 Signs shall be posted in areas where flammable liquids are stored and transferred and shall read:

   DANGER – FLAMMABLE LIQUIDS
2. Add a new subsection 18.4.10 to read as follows: “18.4.10 All hoses used within the scope of this code shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”

(c) Modifications to Chapter 21:

1. Add a new subsection 21.3.6 to read as follows: “21.3.6 Aboveground tanks and aboveground piping shall be kept painted to prevent corrosion and shall be painted a light reflective color.”

2. Add a new paragraph 21.7.1.7 to read as follows: “21.7.1.7 No storage tank shall be filled by gravity from another storage tank unless a suitable device is provided to eliminate the possibility of overflow and a qualified person is in constant attendance and has the means to stop the flow of liquid promptly.”

3. Delete paragraph 21.7.2.2 in its entirety and substitute in its place the following: “21.7.2.2 Aboveground storage tanks used for bulk storage at bulk plants or chemical plants shall be secured and marked in accordance with NFPA 704, 2007 Edition, Identification of the Hazards of Materials for Emergency Response, as to identify the fire hazards of the tank and the tank’s contents to the general public and emergency responders. The area in which the tank is located shall be protected from tampering or trespassing with a chain link fence. The fence shall be at least 1.8m (6 ft) high and shall be separated from the tanks by at least 3m (10 ft) and shall have a gate that is secured against unauthorized entry.

   Exception: Tanks are not required to be enclosed with a fence if the property on which the tanks are located has a perimeter security fence.”

4. Delete subsection 21.8.4 in its entirety and substitute in its place the following: “21.8.4 Each tank shall be maintained liquidtight. Each tank that is leaking shall immediately be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction.”

(d) Modifications to Chapter 22:
1. Add a new paragraph 22.4.1.9 to read as follows:

“22.4.1.9 For bulk plants and chemical plants only, no aboveground storage tank(s) for Class I flammable liquids shall be erected within 91.4 m (300 ft) of any school, church, hospital, theater, public assembly or public hall. A public hall shall be any building regularly used for public assembly for purposes of amusement, instruction, religious worship or other meetings. Requests for exceptions to this Rule such as the temporary use of skid tanks on construction sites shall be submitted to the State Fire Marshal in accordance with Rule 120-3-11-.08.”

2. Delete paragraph 22.11.2.7 in its entirety and substitute in its place the following:

“22.11.2.7 Provisions shall be made for draining water from diked areas. Such drains shall be controlled to prevent liquids, other than storm water, from leaving the diked area.”

3. Delete subparagraph 22.11.2.7.1 in its entirety and substitute in its place the following:

“22.11.2.7.1 Control of valves for drainage purposes shall be accessible under fire conditions from outside the dike.”

4. Add a new subsection 22.13.5 to read as follows:

“22.13.5 Gauges or other means shall be provided to monitor filling or emptying of aboveground tanks. This means shall be visible and accessible to the delivery operator from the point of delivery.”

5. Add a new subsection 22.13.6 to read as follows:

“22.13.6 Aboveground tanks containing Class I, Class II, or Class IIIA liquids shall be filled through a tight fill connection.”

6. Add a new subsection 22.13.7 to read as follows:

“22.13.7 Fill connections to aboveground tanks shall have provisions to contain any liquids that may drain from the transfer hose due to connections and disconnections.”

(e) Modifications to Chapter 27:

1. Delete paragraph 27.3.2 in its entirety and substitute in its place the following:

“27.3.2 Tightness of Piping. Piping systems shall be maintained liquidtight. A piping system that has leaks that constitute a hazard shall immediately be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction.”

(f) Modifications to Chapter 28:

1. Add a new paragraph 28.3.1.4 to read as follows:

“28.3.1.4 All hoses used within the scope of this code shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”
2. Add a new paragraph 28.3.1.5 to read as follows:

“28.3.1.5 Signs shall be posted in areas where flammable liquids are stored and transferred and shall read:

DANGER – FLAMMABLE LIQUIDS

OPEN FLAMES AND SMOKING

PROHIBITED WITHIN 50 FEET

Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke.”

3. Delete section 28.9 in its entirety and substitute in its place the following:

“28.9* Loading and unloading facilities, for bulk plants, terminals, and chemical plants only, shall be provided with drainage systems or other means to contain spills. These means shall be designed to contain at least 110% of the largest compartment on the loading or off-loading tanker vehicle.”


Modifications:

(a) Modifications to Chapter 4:

1. Add a new subsection 4.2.5 to read as follows:

“4.2.5 Containers and piping shall be identified as to the product stored in them.”

2. Add a new subsection 4.2.6 to read as follows:

“4.2.6 Flammable or combustible liquids shall not be introduced into any leaking or condemned, unapproved or non-labeled storage tank or container. Flammable or combustible liquids shall immediately be removed from any leaking or condemned storage tank. A condemned or red tagged system may be restored to service upon proper corrective actions and with the approval of the authority having jurisdiction. Tanks for the storage of flammable and combustible liquids for dispensing or fueling of motor vehicles are generally required to be underground as a prevalent rule. For exceptions see NFPA 30A. In case of a change over from gasoline to diesel or home heating fuel, etc., the system shall be purged to avoid cross contamination, and the authority having jurisdiction shall be so notified.”

3. Add a new subsection 4.2.7 to read as follows:

“4.2.7 Upon determination by the inspection that a flammable or combustible liquids systems or any part there of is unsafe to the extent that it endangers life or adjacent properties, the inspector may place an out of service tag (red tag) on the entire system or a specified portion of the system until the dangerous conditions are corrected. The out of service tag (red tag) may be removed only by an authorized representative of the State Fire Marshal’s Office.”
(b) Modifications to Chapter 6:

1. Add a new subsection 6.2.4 to read as follows:
   “6.2.4 Only those dispensers which are designed, or modified by approved means, and approved for self-service dispensing shall be used for such operations.”

2. Add a new subsection 6.2.5 to read as follows:
   “6.2.5 Dispensers that show serious signs of damage shall be removed from service.”

3. Add a new subsection 6.5.4 to read as follows:
   “6.5.4 Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”

(c) Modifications to Chapter 9:

1. Add a new paragraph 9.2.2.7 to read as follows:
   “9.2.2.7 During flammable or combustible liquid off loading at public service stations, the area shall be posted and roped or barricaded as appropriate to limit access and prevent or control the source of ignition. The primary responsibility for this safety requirement shall be the truck driver who is delivering the flammable or combustible liquid. However, it shall also be the responsibility of the station attendant to make sure the precautions are followed.”

2. Delete paragraph 9.2.5.4 in its entirety and substitute in its place the following:
   “9.2.5.4 Signs. An appropriate warning sign shall be conspicuously posted on both faces of the dispensing device or such other place that the Commissioner may approve. The warning shall contain language deemed appropriate by the Commissioner. The warning may be revised as deemed necessary by the Commissioner in order to address health and safety concerns.”

3. Delete paragraph 9.2.5.2 in its entirety and substitute in its place the following:
   “9.2.5.2 Fire Extinguishers. Each motor fuel dispensing facility or repair garage shall be provided with fire extinguishers installed, inspected, and maintained as required by NFPA 10. Extinguishers for outside motor fuel dispensing areas shall be provided according to the extra (high) hazard requirements for Class B hazards, except that maximum travel distance to a 80 B:C extinguisher (or multiple extinguishers of equivalent protection) shall be permitted to be 100 feet.

4. Delete subsection 9.2.7 in its entirety and substitute in its place the following:
   “9.2.7 Housekeeping. All service station premises shall be kept clean, neat and free from rubbish and trash. Combustible materials other than required stock and supplies shall not be accumulated in storerooms or other areas in or on the premises.”
5. Add a new subsection 9.2.10 to read as follows:

**9.2.10 Restrictions.** All motor fuel or Class I liquids dispensing equipment operators shall be capable and qualified to operate such equipment and shall not, while operating such equipment, be under the influence of intoxicants, narcotics or other dangerous drugs. Persons under the age of 16, persons incapable of dispensing flammable or combustible liquids by reason of physical or mental incapacity, and persons under the influence of intoxicants, narcotics or other dangerous drugs shall not be permitted to dispense such liquids at any service station open or accessible to the public.

6. Add a new subsection 9.4.5:

**9.4.5** A qualified attendant shall be at least 18 years of age, experienced with and physically able to perform the required duties, and not addicted to the use or under the influence of intoxicants, narcotics, or controlled substances. The attendant shall be familiar with all applicable State laws and provisions of these Rules and Regulations. While Class I liquids are being dispensed, the attendant shall not be assigned nor perform any duties that might cause distraction or prevention of properly supervising the dispensing of Class I liquids.

7. Add a new subsection 9.4.6 to read as follows:

**9.4.6** Appropriate signs indicating self-service operations shall be clearly posted. Any station which has both self-service and full-service operations shall clearly identify each respective area.

8. Add a new subsection 9.4.7 to read as follows:

**9.4.7** The use of portable aboveground skid tanks, with more than a 60 gallon capacity for Class I Liquids or a 120 gallon capacity for Class II or higher liquids shall be prohibited at service stations open to the public.

9. Add a new subsection 9.4.8 to read as follows:

**9.4.8** If the requirements of Section 4.3 in NFPA 30A 2018 Edition can not be met, Class II and Class III liquids, such as kerosene and fuel oil, may be stored in aboveground tanks with an aggregate capacity not exceeding 560 gallons at service stations open to the public.

10. Add a new subsection 9.4.9 to read as follows:

**9.4.9** The attendant shall, at all times, have a clear and unobstructed view to the dispensers.

11. Add a new subsection 9.4.10 to read as follows:

**9.4.10** Where the attendant view to the dispensers is obstructed, video monitoring of the obstructed dispensing area shall be provided in accordance with the following:

1. The attendant shall be in close proximity to the dispensing areas as approved by the authority having jurisdiction.
2. There shall be at least two monitors, one on each side of the attendant area in full view of the attendant.
3. The cameras used shall have full coverage views of all obstructed fuel dispensing areas.
(4) The monitors shall have full views of the obstructed dispensing areas displayed at all times.
(5) If the video monitoring system becomes inoperable, self service operations at the obstructed dispensers shall cease until the system is brought back into working order.
(6) The video monitoring shall be approved by the authority having jurisdiction.

12. Delete subsection 9.5.1 in its entirety and substitute in its place the following:
   “9.5.1 Unattended self-service facilities shall be permitted to operate as long as such unattended self-service facilities are not open to the public.”

13. Delete subsection 9.5.5 in its entirety and substitute in its place the following:
   “9.5.5 Each such location shall be provided with a public telephone to notify the fire department in the event of an emergency within 100 feet of the dispenser(s). Emergency phone numbers and contact points for owner/operator shall also be provided. The numbers shall be clearly visible to the user. “

14. Add a new subsection 9.5.7 to read as follows:
   “9.5.7 All dispensers are key or card controlled. For the purpose of this requirement, a credit card is not defined as a card.”

15. Add a new subsection 9.5.8 to read as follows:
   “9.5.8 Each key or card holder shall be fully trained in the safety operations and meet the requirements of a qualified attendant for such operation. The owner of such station is responsible for the safe operation of the station and the training and documentation of training of all users thereof. “

16. Add a new subsection 9.5.9 to read as follows:
   “9.5.9 Each such facility shall first apply for and have a valid self-service permit posted.”

(d) Modifications to Chapter 11:

1. Add a new subsection 11.4.8 to read as follows:
   “11.4.8 Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”

(e) Modifications to Chapter 12:

1. Add a new subsection 12.2.5 to read as follows:
   “12.2.5 Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”

(f) Modifications to Chapter 14:
1. Delete section 14.1 in its entirety and substitute in its place the following:

"\textbf{14.1} On-Demand Mobile Fueling (the retail practice of fueling motor vehicles of the general public while the owner’s vehicle is parked and might be unattended) shall be prohibited."

2. Delete sections 14.2 – 14.4 in its entirety.

Modifications: None

Modifications: None

Modifications:

\textbf{(a) Modifications to Chapter 4:}

1. Delete paragraph 4.3.1 in its entirety and substitute in its place the following:

"\textbf{4.3.1} General building and structure design and construction shall be in accordance with State of Georgia adopted building codes, except as modified herein."

Modifications: None

Modifications: None

Modifications: None

Modifications: None

Modifications:

\textbf{(a) Modifications to Chapter 6:}

1. Delete subsection 6.8.1 in its entirety and substitute in its place the following:
“6.8.1 Piping shall be in accordance with Chapter 5 of NFPA 30, Flammable and Combustible Liquids Code, except that piping shall be steel or other metal and the provisions of 6.8.2 shall apply.
Exception: Nonmetallic piping, excluding nonmetallic flexible connectors as described in paragraph 6.8.2.1, shall be allowed to be used only underground within the scope of UL 971, Standard for Nonmetallic Underground piping for Flammable Liquids. Nonmetallic piping systems and components shall be listed and installed in accordance with manufacturer’s instructions.”

Modifications: None

Modifications: None

Modifications:

(a) Modifications to Chapter 5:

1. Delete paragraph 5.4.1.1 in its entirety and substitute in its place the following:

“5.4.1.1 The outlets of each cargo tank or compartment used for transportation of Class I, Class II, and Class IIIA liquids having a viscosity less than 45 SUS at 100°F (37.8°C), shall be equipped with a self-closing shutoff valve, designed, installed, and operated so as to ensure against the accidental escape of contents.

(b) Modifications to Chapter 7:

1. Add a new subsection 7.1.6 to read as follows:

“7.1.6 The name and address of the owner shall appear on the sides of the vehicle. The owner’s name shall be in letters at least four inches in height with the address lettering as large as will fit in the space available.”

(c) Modifications to Chapter 9:

1. Add a new subsection 9.1.13 to read as follows:

“9.1.13 Vehicles shall be maintained in good operating condition.”

2. Add a new subsection 9.1.14 to read as follows:

“9.1.14 Any person driving, attending, making deliveries, filling, discharging or repairing tank vehicles shall not be under the influence of intoxicants, narcotics or other dangerous drugs.”

3. Add a new subsection 9.1.15 to read as follows:
“9.1.15 Intoxicating beverages, narcotics and other dangerous drugs shall not be carried in or on tank vehicles.”

4. Add a new subsection 9.2.17 to read as follows:
“9.2.17 No Class I liquids shall be transferred from tank trucks to motor vehicle fuel tanks or other tanks or containers on any highway, road, street, or alley, except in an emergency.”

5. Add a new subsection 9.2.18 to read as follows:
“9.2.18 Nothing herein shall prohibit the fueling of machinery or vehicles used in road construction and maintenance, firefighting apparatus or vehicles, equipment used by public authorities or the United States Armed Services, or fuel containers used for such vehicles and equipment.”

6. Add a new subsection 9.2.19 to read as follows:
“9.2.19 Except for firefighting apparatus, all machinery and vehicle motors shall be shut down while being refueled. Auxiliary motors involved with environmental control in cargo spaces may be kept running if necessary.”

7. Add a new subsection 9.2.20 to read as follows:
“9.2.20 All tank vehicles shall be provided with spill kits to mitigate any spills that occur.

Modifications: None

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.07 Standards for Transportation of Flammable and Combustible Liquids by other than Tank Vehicle.

(1) Flammable and combustible liquids transported by other than tank vehicles shall be transported as prescribed by this Chapter. Nothing herein shall supersede any rules, regulations, or other transportation requirements when transportation is under the jurisdiction of DOT or GPSC.

(2) Persons driving, attending, making deliveries, or otherwise handling flammable liquids while loading or unloading vehicles shall not be under the influence of intoxicants, narcotics or other dangerous drugs, nor shall same be carried in or on vehicles transporting flammable or combustible liquids.

(3) Only approved containers shall be used. Metal containers meeting the requirements of and containing products authorized by STB, DOT, or GPSC regulations shall be acceptable for use in transporting flammable or combustible liquids by other than tank vehicles. Containers loaded in or on vehicles shall be securely fastened to prevent slipping or overturning.
(4) Vehicles shall be in good operating condition and shall not be overloaded. Every vehicle regularly used for transporting flammable or combustible liquids shall be equipped with at least one fire extinguisher having a rating of 20-BC, permanently mounted and readily accessible to the driver.

(5) Drivers of vehicles transporting flammable or combustible liquids in containers shall be physically able to perform the job, careful, capable, reliable, familiar with traffic laws and the provisions of this Chapter, and shall not be under the influence of intoxicants, narcotics or other dangerous drugs. Smoking shall not be permitted in vehicles when transporting Class I liquids unless all containers loaded thereon are original, unopened containers.

(6) Vehicles transporting 1,000 pounds gross weight or more of flammable liquids shall carry placards on the front, rear and sides which meet DOT requirements for text, color, and size.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

**120-3-11-.08 Request for Modification of Specific Requirements**

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner, in his discretion, may accept the State Fire Marshal's recommendation and grant the requested modification.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

**120-3-11-.9 Compliance with Rules and Regulations; Penalties**

All persons shall transport, store, handle and use flammable and combustible liquids in conformity with this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

**120-3-11-.10 Severability**

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.
**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

**120-3-11.11 NOTES**

1) The NFPA codes, standards and recommended practices adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.

2) Copies of these NFPA publications may be obtained from:

   National Fire Protection Association  
   Batterymarch Park  
   Quincy, Massachusetts 02269  
   Phone: 1-800-344-3555

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
RULES OF SAFETY FIRE COMMISSIONER

CHAPTER 120-3-11

RULES AND REGULATIONS

FOR

FLAMMABLE AND COMBUSTIBLE LIQUIDS

TABLE OF CONTENTS

120-3-11-.01 Promulgation and Purpose
120-3-11-.02 Definitions
120-3-11-.03 Submission of Plans for Storage Installations
120-3-11-.04 Self-Service Stations
120-3-11-.05 Reporting of Fires and Accidents
120-3-11-.06 Adopted Codes and Standards
120-3-11-.07 Transportation of Flammable and Combustible Liquids by other than Tank Vehicle
120-3-11-.08 Request for Modification of Specific Requirements
120-3-11-.09 Compliance with Rules and Regulations; Penalties
120-3-11-.10 Severability
120-3-11-.11 Notes

120-3-11-.01 Promulgation and Purpose

(1) These Rules and Regulations for Flammable and Combustible Liquids are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. Sections 25-2-4 and 25-2-16.

(2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation and handling of flammable and combustible liquids. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to flammable and combustible liquids when such are in conflict with these rules and regulations.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.02 Definitions

The definitions contained herein are in addition to and in clarification of the definitions contained in the adopted codes and standards.

(1) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.
(2) STORAGE TANK. Any vessel having a liquid capacity that exceeds 230 L (60 gal), is intended for fixed installation, whether on fixed supports or skid supports, and is not used for processing.

(3) COMMISSIONER. The Georgia Insurance and Safety Fire Commissioner.

(4) FULL-SERVICE STATION. Any place of business, or portion thereof, which sells gasoline or diesel fuel at retail and which does not allow customers to dispense the fuel.

(5) MAJOR MODIFICATION. Where the general layout is modified to effect distance requirements, size of tanks, piping locations or additions to tanks, piping systems, dispensers or islands.


(7) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(8) PRIVATE-SERVICE STATION. The portion of a commercial, industrial, governmental, or manufacturing property where liquids used as fuels are stored and dispensed into the fuel tanks of motor vehicles that are used in connection with such businesses, by persons within the employ of such businesses.

(9) SELF-SERVICE STATION. Any place of business, or portion thereof, which sells gasoline or diesel fuel at retail and which allows customers to dispense the fuel.

(10) TEMPORARY INSTALLATION. Storage Tanks that are installed for 90 days or less.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.03 Submission of Plans for Storage Installations

(1) Plans for all proposed flammable or combustible liquid storage tank installations, including major modifications at existing facilities, with more than a 60 gallon capacity for Class I Liquids or a 120 gallon capacity for Class II and Class III liquids must be submitted in duplicate to the State Fire Marshal for approval, and must be in compliance with applicable codes and standards prior to commencement of construction. Exception: Plans for storage tank installations with a storage capacity of 660 gallons or less may be submitted to the local fire authority having jurisdiction, where one exists, for approval. Plans for all proposed storage tank installations of more than 660 gallons capacity (other than self-service stations) submitted to the State Fire
Marshal shall be accompanied by the mandatory plan review fee pursuant to O.C.G.A. Section 25-2-4.1. The check shall be made payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the responsible architect or engineer or shall otherwise have the approval of the Commissioner or his designee.

(2) Plans shall be submitted in duplicate and shall include, at a minimum, the following:

(a) Scaled site plan (shall include all buildings and property lines)
(b) Storage tank location(s)
(c) Tank Drawings (shall include all piping connections and appurtenances)
(d) Piping, valve, and associated equipment layout and arrangements
(e) Electrical conduit layout and arrangements
(f) Corrosion protection (if applicable)
(g) Equipment list and specifications (shall include make and model of equipment)
(h) Other information necessary to show compliance

(3) Submissions for aboveground storage tanks shall also include the following:

(a) A site approval by a representative of the State Fire Marshal
(b) A Fire Safety Analysis completed by the local fire authority

(4) One set of plans shall be retained by the State Fire Marshal and one copy returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.

(5) Construction or the storage tank installation, or associated equipment, shall not commence until the plans have been approved and returned to the applicant.

(6) Requests for temporary installations must be made to the State Fire Marshal in writing for approval. Requests shall include a letter of intent, name of applicant, location of storage tanks to be installed, how long the storage tank(s) will be located at the requested location and shall also include the following:

(a) Site plan (shall include all buildings and property lines)
(b) Storage tank location(s) on the site plan
(c) Tank Drawings (shall include all piping connections and appurtenances)
(d) Piping, valve, and associated equipment layout and arrangements
(e) Electrical conduit layout and arrangements
(f) Corrosion protection (if applicable)
(g) Equipment list and specifications (shall include make and model of equipment)
(h) Other information necessary to show compliance

If additional time is necessary for a temporary installation beyond the allowable 90 days, extensions shall be requested in writing at the time the original request is made or before the expiration of the temporary approval. Before tanks may be brought to a site, approval of the temporary request must be granted by the State Fire Marshal and a copy of the approval kept on site. No plan review fee is required for temporary installation requests.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.04 Self-Service Stations

(1) Self-service operations shall be permitted at any service station, including marine self-service fueling stations and aircraft self-service fueling stations, only after a self-service permit has been issued by the State Fire Marshal in accordance with this Rule. A self-service permit shall not exempt the holder thereof from obtaining any other permits or licenses that may be required by other government agencies.

(2) Application for a self-service station permit shall be made to the State Fire Marshal on the form prescribed and approved by the Commissioner. Pursuant to O.C.G.A. Section 25-2-4.1, each application for a new self-service station permit shall be accompanied by the mandatory permit fee payable to the Safety Fire Commissioner. Plans for any proposed station or major modification of any existing station shall be submitted to the State Fire Marshal with the self-service station permit application.

(a) Plans shall be submitted in duplicate and shall include, at a minimum, the following:

(1) Scaled site plan (shall include all buildings and property lines)
(2) Storage tank location(s)
(3) Tank Drawings (shall include all piping connections and appurtenances)
(4) Piping and valve layout and arrangements
(5) Electrical conduit layout and arrangements
(6) Dispenser arrangements and details
(7) Corrosion protection (if applicable)
(8) Emergency control locations
(9) Equipment list and specifications (shall include make and model of equipment)
(10) Fire Extinguisher location(s)
(11) Other information necessary to show compliance
(b) One set of plans shall be retained by the State Fire Marshal and one copy returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.

(c) Construction or the storage tank installation, or associated equipment, shall not commence until the plans have been approved and returned to the applicant.

(3) Upon notification of completed construction of a new or modified station, the State Fire Marshal shall direct his authorized representative to inspect the facility. If the authorized representative determines that all requirements for self-service operations contained in this Chapter have been satisfied, to include written certification of tank and pipe leak testing and installation, he may issue a self-service permit.

(4) The self-service permit shall be posted by the applicant in a conspicuous location on the premises. The self-service permit is nontransferable and shall expire upon a change of ownership, operator, lessee or lessor of the facility. Any issuance of a new self service permit to include change of ownership, operator, lessee or lessor, or to replace lost or destroyed permits requires a $100 permit fee pursuant to O.C.G.A. Section 25-2-4.1.

(5) A self-service permit may be revoked for cause after notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner; provided, however, that the Commissioner may revoke any self-service permit prior to notice and hearing if he determines upon recommendation of the State Fire Marshal that the situation involves an imminent peril to the public health, safety and welfare and that the situation therefore requires emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held, if and only if, the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.

(6) The State Fire Marshal and his authorized representatives may conduct inspections of self-service stations to ascertain whether the stations are operating in compliance with this Chapter.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.05 Reporting of Fires and Accidents

(1) As soon as possible, but no later than 8 hours of the incident occurring, all owners, managers or operators of all vehicles, equipment and facilities covered under this Chapter shall notify the State Fire Marshal’s Office of all fires involving such vehicles, equipment or facilities, and all accidents
involving immediate peril to the public health, safety and welfare and requires emergency action.

(2) As soon as the incident is under control, but no later than 72 hours after the incident, all owners, managers or operators of all such vehicles, equipment or facilities covered under this Chapter shall notify the State Fire Marshal's Office in writing of the facts and circumstances of such incident.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-11-.06 Adopted Codes and Standards with Modifications

Except to the extent modified herein, the following NFPA Codes and Standards are hereby adopted.


**Modifications:**

(a) **Modifications to Chapter 46**:

1. Add a new subparagraph 4.3.2.1.8 to read as follows:

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4.3.2.1.8 For bulk plants and chemical plants only, no aboveground storage tank(s) for Class I flammable liquids shall be erected within 91.4 m (300 ft) of any school, church, hospital, theater, public assembly or public hall. A public hall shall be any building regularly used for public assembly for purposes of amusement, instruction, religious worship or other meetings. Requests for exceptions to this Rule such as the temporary use of skid tanks on construction sites shall be submitted to the State Fire Marshal in accordance with Rule 120-3-11-.08.
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2. Delete subparagraph 4.3.2.3.2 (G) in its entirety and substitute in its place the following:

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4.3.2.3.2 (G) Provisions shall be made for draining water from diked areas. Such drains shall be controlled to prevent liquids, other than storm water, from leaving the diked area. Control of valves for drainage purposes shall be accessible under fire conditions from outside the dike.
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3. Add a new subparagraph 4.3.2.5.6 to read as follows:

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4.3.2.5.6 Gauges or other means shall be provided to monitor filling or emptying of aboveground tanks. This means shall be visible and accessible to the delivery operator from the point of delivery.
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4. Add a new subparagraph 4.3.2.5.7 to read as follows:

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4.3.2.5.7 Aboveground tanks containing Class I, Class II, or Class II A liquids shall be filled through a tight fill connection.
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5. Add a new subparagraph 4.3.2.5.8 to read as follows:
“4.3.2.5.8 Fill connections to aboveground tanks shall have provisions to contain any liquids that may drain from the transfer hose due to connections and disconnections.”

6. Add a new paragraph 4.5.3.6 to read as follows:

“4.5.3.6 Signs shall be posted in areas storing or transferring flammable and combustible liquids and shall read:

DANGER – FLAMMABLE LIQUIDS

OPEN FLAMES AND SMOKING

PROHIBITED WITHIN 50 FEET

Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke.”

7. Add a new paragraph 4.5.7.6 to read as follows:

“4.5.7.6 No barrels, drums or combustible materials shall be stored beneath or within 3.3 m (10 ft) of any aboveground storage tank.”

8. Add a new paragraph 4.5.7.7 to read as follows:

“4.5.7.7 Aboveground tanks and aboveground piping shall be kept painted to prevent corrosion and shall be painted a light reflective color.”

9. Add a new paragraph 4.6.1.6 to read as follows:

“4.6.1.6 No storage tank shall be filled by gravity from another storage tank unless a suitable device is provided to eliminate the possibility of overflow and a qualified person is in constant attendance and has the means to stop the flow of liquid promptly.”

10. Delete paragraph 4.6.2.2 in its entirety and substitute in its place the following:

“4.6.2.2 Aboveground storage tanks used for bulk storage at bulk plants or chemical plants shall be secured and marked in accordance with NFPA 704, 2001 Edition, Identification of the Hazards of Materials for Emergency Response, as to identify the fire hazards of the tank and the tank’s contents to the general public and emergency responders. The area in which the tank is located shall be protected from tampering or trespassing with a chain link fence. The fence shall be at least 1.8m (6 ft) high and shall be separated from the tanks by at least 3m (10 ft) and shall have a gate that is secured against unauthorized entry.

Exception: Tanks are not required to be enclosed with a fence if the property on which the tanks are located has a perimeter security fence.”

11. Delete paragraph 4.6.7.2 in its entirety and substitute in its place the following:

“4.6.7.2 Each tank shall be maintained liquidtight. Each tank that is leaking shall immediately be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction.”
1. Add a new subsection 6.5.6 to read as follows:
   "6.5.6 Signs shall be posted in areas storing or transferring flammable and combustible liquids and shall read:

   DANGER – FLAMMABLE LIQUIDS
   OPEN FLAMES AND SMOKING
   PROHIBITED WITHIN 50 FEET

   Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke."

2. Add a new subsection 6.9.6 to read as follows:
   "6.9.6 No barrels, drums or combustible materials shall be stored beneath or within 3.3 m (10 ft) of any aboveground storage tank."

(b) Modifications to Chapter 5 18:

1. Delete subsection 5.2.2 in its entirety and substitute in its place the following:
   "5.2.2 Tightness of Piping. Piping systems shall be maintained liquidtight. A piping system that has leaks that constitute a hazard shall immediately be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction."

2. Add a new subsection 18.3.1 to read as follows:
   "18.3.1 Signs shall be posted in areas where flammable liquids are stored and transferred and shall read:

   DANGER – FLAMMABLE LIQUIDS
   OPEN FLAMES AND SMOKING
   PROHIBITED WITHIN 50 FEET

   Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke."

2. Add a new subsection 18.4.10 to read as follows:
   "18.4.10 All hoses used within the scope of this code shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn."
(c) Modifications to Chapter 7 21:

1. Add a new subsection 7.2.3 to read as follows:
   “7.2.3 All hoses used within the scope of this chapter shall be inspected at
   regular intervals and shall be replaced when they show signs of being deteriorated,
   weathered or worn.”

2. Delete subsection 7.6.4 in its entirety and substitute in its place the
   following:
   “7.6.4* Loading and unloading facilities, for bulk plants, terminals, and
   chemical plants only, shall be provided with drainage systems or other means to
   contain spills. These means shall be designed to contain at least 110% of the largest
   compartment on the loading or off-loading tanker vehicle.”

3. Add a new subsection 7.9.6 to read as follows:
   “7.9.6 Signs shall be posted in areas where flammable liquids are stored and
   transferred and shall read:
   
   DANGER – FLAMMABLE LIQUIDS

   OPEN FLAMES AND SMOKING

   PROHIBITED WITHIN 50 FEET

   Lettering shall be white on a red background and shall not be less than 3 inches
   (76mm) in height and 0.5 inch (12.7 mm) in stroke.”

1. Add a new subsection 21.3.6 to read as follows:
   “21.3.6 Aboveground tanks and aboveground piping shall be kept painted to
   prevent corrosion and shall be painted a light reflective color.”

2. Add a new paragraph 21.7.1.7 to read as follows:
   “21.7.1.7 No storage tank shall be filled by gravity from another storage tank
   unless a suitable device is provided to eliminate the possibility of overflow and a
   qualified person is in constant attendance and has the means to stop the flow of
   liquid promptly.”

3. Delete paragraph 21.7.2.2 in its entirety and substitute in its place the
   following:
   “21.7.2.2 Aboveground storage tanks used for bulk storage at bulk plants or
   chemical plants shall be secured and marked in accordance with NFPA 704, 2007
   Edition, Identification of the Hazards of Materials for Emergency Response, as to
   identify the fire hazards of the tank and the tank’s contents to the general public and
   emergency responders. The area in which the tank is located shall be protected from
   tampering or trespassing with a chain link fence. The fence shall be at least 1.8m (6
   ft) high and shall be separated from the tanks by at least 3m (10 ft) and shall have a
   gate that is secured against unauthorized entry.

   Exception: Tanks are not required to be enclosed with a fence if the property
   on which the tanks are located has a perimeter security fence.”
4. Delete subsection 21.8.4 in its entirety and substitute in its place the following:
   "21.8.4 Each tank shall be maintained liquidtight. Each tank that is leaking shall immediately be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction."

(d) Modifications to Chapter 22:

1. Add a new paragraph 22.4.1.9 to read as follows:
   "22.4.1.9 For bulk plants and chemical plants only, no aboveground storage tank(s) for Class I flammable liquids shall be erected within 91.4 m (300 ft) of any school, church, hospital, theater, public assembly or public hall. A public hall shall be any building regularly used for public assembly for purposes of amusement, instruction, religious worship or other meetings. Requests for exceptions to this Rule such as the temporary use of skid tanks on construction sites shall be submitted to the State Fire Marshal in accordance with Rule 120-3-11-.08."

2. Delete paragraph 22.11.2.7 in its entirety and substitute in its place the following:
   "22.11.2.7 Provisions shall be made for draining water from diked areas. Such drains shall be controlled to prevent liquids, other than storm water, from leaving the diked area."

3. Delete subparagraph 22.11.2.7.1 in its entirety and substitute in its place the following:
   "22.11.2.7.1 Control of valves for drainage purposes shall be accessible under fire conditions from outside the dike."

4. Add a new subsection 22.13.5 to read as follows:
   "22.13.5 Gauges or other means shall be provided to monitor filling or emptying of aboveground tanks. This means shall be visible and accessible to the delivery operator from the point of delivery."

5. Add a new subsection 22.13.6 to read as follows:
   "22.13.6 Aboveground tanks containing Class I, Class II, or Class IIIA liquids shall be filled through a tight fill connection."

6. Add a new subsection 22.13.7 to read as follows:
   "22.13.7 Fill connections to aboveground tanks shall have provisions to contain any liquids that may drain from the transfer hose due to connections and disconnections."

(e) Modifications to Chapter 27:

1. Delete paragraph 27.3.2 in its entirety and substitute in its place the following:
   "27.3.2 Tightness of Piping. Piping systems shall be maintained liquidtight. A piping system that has leaks that constitute a hazard shall immediately
be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction.”

(f) Modifications to Chapter 28:

1. Add a new paragraph 28.3.1.4 to read as follows:
   “28.3.1.4 All hoses used within the scope of this code shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”

2. Add a new paragraph 28.3.1.5 to read as follows:
   “28.3.1.5 Signs shall be posted in areas where flammable liquids are stored and transferred and shall read:

   DANGER – FLAMMABLE LIQUIDS
   OPEN FLAMES AND SMOKING
   PROHIBITED WITHIN 50 FEET

   Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke.”

3. Delete section 28.9 in its entirety and substitute in its place the following:
   “28.9* Loading and unloading facilities, for bulk plants, terminals, and chemical plants only, shall be provided with drainage systems or other means to contain spills. These means shall be designed to contain at least 110% of the largest compartment on the loading or off-loading tanker vehicle.”

Modifications:

(a) Modifications to Chapter 4:

1. Add a new subsection 4.2.5 to read as follows:
   “4.2.5 Containers and piping shall be identified as to the product stored in them.”

2. Add a new subsection 4.2.6 to read as follows:
   “4.2.6 Flammable or combustible liquids shall not be introduced into any leaking or condemned, unapproved or non-labeled storage tank or container. Flammable or combustible liquids shall immediately be removed from any leaking or condemned storage tank. A condemned or red tagged system may be restored to service upon proper corrective actions and with the approval of the authority having jurisdiction. Tanks for the storage of flammable and combustible liquids for dispensing or fueling of motor vehicles are generally required to be underground as a prevalent rule. For exceptions see NFPA 30A. In case of a change over from gasoline
to diesel or home heating fuel, etc., the system shall be purged to avoid cross contamination, and the authority having jurisdiction shall be so notified.”

3. Add a new subsection 4.2.7 to read as follows:

4.2.7 Upon determination by the inspection that a flammable or combustible liquids systems or any part there of is unsafe to the extent that it endangers life or adjacent properties, the inspector may place an out of service tag (red tag) on the entire system or a specified portion of the system until the dangerous conditions are corrected. The out of service tag (red tag) may be removed only by an authorized representative of the State Fire Marshal’s Office.”

(b) Modifications to Chapter 6:

1. Add a new subsection 6.2.3 6.2.4 to read as follows:

6.2.3 6.2.4 Only those dispensers which are designed, or modified by approved means, and approved for self-service dispensing shall be used for such operations.”

2. Add a new subsection 6.2.4 6.2.5 to read as follows:

6.2.4 6.2.5 Dispensers that show serious signs of damage shall be removed from service.”

3. Add a new subsection 6.5.4 to read as follows:

6.5.4 Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”

(c) Modifications to Chapter 9:

1. Add a new paragraph 9.2.2.6 9.2.2.7 to read as follows:

9.2.2.6 9.2.2.7 During flammable or combustible liquid off loading at public service stations, the area shall be posted and roped or barricaded as appropriate to limit access and prevent or control the source of ignition. The primary responsibility for this safety requirement shall be the truck driver who is delivering the flammable or combustible liquid. However, it shall also be the responsibility of the station attendant to make sure the precautions are followed.”

2. Delete paragraph 9.2.5.4 in its entirety and substitute in its place the following:

9.2.5.4 Signs. An appropriate warning sign shall be conspicuously posted on both faces of the dispensing device or such other place that the Commissioner may approve. The warning shall contain language deemed appropriate by the Commissioner. The warning may be revised as deemed necessary by the Commissioner in order to address health and safety concerns.”

3. Delete paragraph 9.2.5.2 in its entirety and substitute in its place the following:

9.2.5.2 Fire Extinguishers. Each motor fuel dispensing facility or repair garage shall be provided with fire extinguishers installed, inspected, and maintained as required by NFPA 10. Extinguishers for outside motor fuel dispensing areas shall
be provided according to the extra (high) hazard requirements for Class B hazards, except that maximum travel distance to a 80 B:C extinguisher (or multiple extinguishers of equivalent protection) shall be permitted to be 100 feet.

4. Delete subsection 9.2.7 in its entirety and substitute in its place the following:
   “9.2.7 Housekeeping. All service station premises shall be kept clean, neat and free from rubbish and trash. Combustible materials other than required stock and supplies shall not be accumulated in storerooms or other areas in or on the premises.”

5. Add a new subsection 9.2.9 9.2.10 to read as follows:
   “9.2.9 9.2.10 Restrictions. All motor fuel or Class I liquids dispensing equipment operators shall be capable and qualified to operate such equipment and shall not, while operating such equipment, be under the influence of intoxicants, narcotics or other dangerous drugs. Persons under the age of 16, persons incapable of dispensing flammable or combustible liquids by reason of physical or mental incapacity, and persons under the influence of intoxicants, narcotics or other dangerous drugs shall not be permitted to dispense such liquids at any service station open or accessible to the public.”

6. Delete Add a new subsection 9.4.2 9.4.5 in its entirety and substitute in its place the following to read as follows:
   “9.4.2 9.4.5 A qualified attendant shall be at least 18 years of age, experienced with and physically able to perform the required duties, and not addicted to the use or under the influence of intoxicants, narcotics, or controlled substances. The attendant shall be familiar with all applicable State laws and provisions of these Rules and Regulations. While Class I liquids are being dispensed, the attendant shall not be assigned nor perform any duties that might cause distraction or prevention of properly supervising the dispensing of Class I liquids.”

7. Add a new subsection 9.4.5 9.4.6 to read as follows:
   “9.4.5 9.4.6 Appropriate signs indicating self-service operations shall be clearly posted. Any station which has both self-service and full-service operations shall clearly identify each respective area.”

8. Add a new subsection 9.4.6 9.4.7 to read as follows:
   “9.4.6 9.4.7 The use of portable aboveground skid tanks, with more than a 60 gallon capacity for Class I Liquids or a 120 gallon capacity for Class II or higher liquids shall be prohibited at service stations open to the public.”

9. Add a new subsection 9.4.7 9.4.8 to read as follows:
   “9.4.7 9.4.8 If the requirements of Section 2.4.2.2 4.3 in NFPA 30A 1996 2018 Edition can not be met, Class II and Class III liquids, such as kerosene and fuel oil, may be stored in aboveground tanks with an aggregate capacity not exceeding 560 gallons at service stations open to the public.”

10. Add a new subsection 9.4.8 9.4.9 to read as follows:
9.4.8 The attendant shall, at all times, have a clear and unobstructed view to the dispensers.

11. Add a new subsection 9.4.10 to read as follows:

9.4.10 Where the attendant view to the dispensers is obstructed, video monitoring of the obstructed dispensing area shall be provided in accordance with the following:

(7) The attendant shall be in close proximity to the dispensing areas as approved by the authority having jurisdiction.
(8) There shall be at least two monitors, one on each side of the attendant area in full view of the attendant.
(9) The cameras used shall have full coverage views of all obstructed fuel dispensing areas.
(10) The monitors shall have full views of the obstructed dispensing areas displayed at all times.
(11) If the video monitoring system becomes inoperable, self service operations at the obstructed dispensers shall cease until the system is brought back into working order.
(12) The video monitoring shall be approved by the authority having jurisdiction.

12. Delete subsection 9.5.1 in its entirety and substitute in its place the following:

“9.5.1 Unattended self-service facilities shall be permitted to operate as long as such unattended self-service facilities are not open to the public.”

13. Delete subsection 9.5.5 in its entirety and substitute in its place the following:

“9.5.5 Each such location shall be provided with a public telephone to notify the fire department in the event of an emergency within 100 feet of the dispenser(s). Emergency phone numbers and contact points for owner/operator shall also be provided. The numbers shall be clearly visible to the user.”

14. Add a new subsection 9.5.7 to read as follows:

“9.5.7 All dispensers are key or card controlled. For the purpose of this requirement, a credit card is not defined as a card.”

15. Add a new subsection 9.5.8 to read as follows:

“9.5.8 Each key or card holder shall be fully trained in the safety operations and meet the requirements of a qualified attendant for such operation. The owner of such station is responsible for the safe operation of the station and the training and documentation of training of all users thereof.”

16. Add a new subsection 9.5.9 to read as follows:

“9.5.9 Each such facility shall first apply for and have a valid self-service permit posted.”
(d) **Modifications to Chapter 11:**

1. Add a new subsection 11.4.8 to read as follows:
   “**11.4.8** Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”

(e) **Modifications to Chapter 12:**

1. Add a new subsection 12.2.5 to read as follows:
   “**12.2.5** Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn.”

(f) **Modifications to Chapter 14:**

1. Delete section 14.1 in its entirety and substitute in its place the following:
   “**14.1** On-Demand Mobile Fueling (the retail practice of fueling motor vehicles of the general public while the owner’s vehicle is parked and might be unattended) shall be prohibited.”

2. Delete sections 14.2 – 14.4 in its entirety.

Modifications: None

Modifications: None

Modifications:

(a) **Modifications to Chapter 4:**

1. Delete paragraph 4.4.1.1 4.3.1 in its entirety and substitute in its place the following:
   “**4.4.1.1 4.3.1** General building and structure design and construction shall be in accordance with State of Georgia adopted building codes, except as modified herein.”

Modifications: None

Modifications: None

Modifications: None

Modifications:

(a) Modifications to Chapter 6:

1. Delete subsection 6.8.1 in its entirety and substitute in its place the following:
   “6.8.1 Piping shall be in accordance with Chapter 5 of NFPA 30, Flammable and Combustible Liquids Code, except that piping shall be steel or other metal and the provisions of 6.8.2 shall apply.
   Exception: Nonmetallic piping, excluding nonmetallic flexible connectors as described in paragraph 6.8.2.1, shall be allowed to be used only underground within the scope of UL 971, Standard for Nonmetallic Underground piping for Flammable Liquids. Nonmetallic piping systems and components shall be listed and installed in accordance with manufacturer’s instructions.”

Modifications: None

Modifications: None

Modifications:

(a) Modifications to Chapter 5:

1. Delete paragraph 5.4.1.1 in its entirety and substitute in its place the following:
   “5.4.1.1 The outlets of each cargo tank or compartment used for transportation of Class I, Class II, and Class IIIA liquids having a viscosity less than 45 SUS at 100°F (37.8°C), shall be equipped with a self-closing shutoff valve, designed, installed, and operated so as to ensure against the accidental escape of contents.

(b) Modifications to Chapter 7:

1. Add a new subsection 7.1.6 to read as follows:
“7.1.6 The name and address of the owner shall appear on the sides of the vehicle. The owner’s name shall be in letters at least four inches in height with the address lettering as large as will fit in the space available.”

(c) Modifications to Chapter 9:

1. Add a new subsection 9.1.13 to read as follows:
   “9.1.13 Vehicles shall be maintained in good operating condition.”

2. Add a new subsection 9.1.14 to read as follows:
   “9.1.14 Any person driving, attending, making deliveries, filling, discharging or repairing tank vehicles shall not be under the influence of intoxicants, narcotics or other dangerous drugs.”

3. Add a new subsection 9.1.15 to read as follows:
   “9.1.15 Intoxicating beverages, narcotics and other dangerous drugs shall not be carried in or on tank vehicles.”

4. Add a new subsection 9.2.17 to read as follows:
   “9.2.17 No Class I liquids shall be transferred from tank trucks to motor vehicle fuel tanks or other tanks or containers on any highway, road, street, or alley, except in an emergency.”

5. Add a new subsection 9.2.18 to read as follows:
   “9.2.18 Nothing herein shall prohibit the fueling of machinery or vehicles used in road construction and maintenance, firefighting apparatus or vehicles, equipment used by public authorities or the United States Armed Services, or fuel containers used for such vehicles and equipment.”

6. Add a new subsection 9.2.19 to read as follows:
   “9.2.19 Except for firefighting apparatus, all machinery and vehicle motors shall be shut down while being refueled. Auxiliary motors involved with environmental control in cargo spaces may be kept running if necessary.”

7. Add a new subsection 9.2.20 to read as follows:
   “9.2.20 All tank vehicles shall be provided with spill kits to mitigate any spills that occur.

Modifications: None

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.07 Standards for Transportation of Flammable and Combustible Liquids by other than Tank Vehicle.
(1) Flammable and combustible liquids transported by other than tank vehicles shall be transported as prescribed by this Chapter. Nothing herein shall supersede any rules, regulations, or other transportation requirements when transportation is under the jurisdiction of DOT or GPSC.

(2) Persons driving, attending, making deliveries, or otherwise handling flammable liquids while loading or unloading vehicles shall not be under the influence of intoxicants, narcotics or other dangerous drugs, nor shall same be carried in or on vehicles transporting flammable or combustible liquids.

(3) Only approved containers shall be used. Metal containers meeting the requirements of and containing products authorized by STB, DOT, or GPSC regulations shall be acceptable for use in transporting flammable or combustible liquids by other than tank vehicles. Containers loaded in or on vehicles shall be securely fastened to prevent slipping or overturning.

(4) Vehicles shall be in good operating condition and shall not be overloaded. Every vehicle regularly used for transporting flammable or combustible liquids shall be equipped with at least one fire extinguisher having a rating of 20-BC, permanently mounted and readily accessible to the driver.

(5) Drivers of vehicles transporting flammable or combustible liquids in containers shall be physically able to perform the job, careful, capable, reliable, familiar with traffic laws and the provisions of this Chapter, and shall not be under the influence of intoxicants, narcotics or other dangerous drugs. Smoking shall not be permitted in vehicles when transporting Class I liquids unless all containers loaded thereon are original, unopened containers.

(6) Vehicles transporting 1,000 pounds gross weight or more of flammable liquids shall carry placards on the front, rear and sides which meet DOT requirements for text, color, and size.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11-.08 Request for Modification of Specific Requirements

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner, in his discretion, may accept the State Fire Marshal's recommendation and grant the requested modification.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.
120-3-11.9 Compliance with Rules and Regulations; Penalties

All persons shall transport, store, handle and use flammable and combustible liquids in conformity with this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11.10 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-11.11 NOTES

(1) The NFPA codes, standards and recommended practices adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.

(2) Copies of these NFPA publications may be obtained from:

   National Fire Protection Association
   Batterymarch Park
   Quincy, Massachusetts 02269
   Phone: 1-800-344-3555

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
RULES OF SAFETY FIRE COMMISSIONER

CHAPTER 120-3-12

RULES AND REGULATIONS

FOR

THE STORAGE AND HANDLING OF ANHYDROUS AMMONIA

TABLE OF CONTENTS

120-3-12-.01 Promulgation and Purpose
120-3-12-.02 Administration
120-3-12-.03 Definitions
120-3-12-.04 Special Provisions
120-3-12-.05 Adoption of Standards for the Storage and Handling of Anhydrous Ammonia
120-3-12-.06 Severability
120-3-12-.07 Forms

120-3-12-.01 Promulgation and Purpose

(1) These Rules and Regulations for the Storage and Handling of Anhydrous Ammonia are promulgated by the Georgia Safety Fire Commissioner in accordance with an Act creating the Office of Georgia Safety Fire Commissioner, Georgia Laws, 1949, p. 1057, as amended.

(2) The purpose of these Rules and Regulations is to prevent loss of life, injury of persons, and loss or damage to property in the handling, use, manufacture, storage, and transportation of anhydrous ammonia. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to anhydrous ammonia when such are in conflict with these rules and regulations.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.02 Administration

(1) It is prohibited for any person to manufacture, sell, store, transport, possess, or use anhydrous ammonia, except in conformance with these rules and regulations.

(2) Requirements for Permit:
(a) It is prohibited for any person to manufacture, sell, store, transport, or store for transportation or sale, anhydrous ammonia in the State of Georgia except by authority of a written permit issued by the State Fire Marshal in conformance with these rules and regulations, provided that no person operating under an Interstate Commerce Commission, Department of Transportation or Georgia Public Service Commission permit, and in accordance with the requirement of those agencies, shall be required to obtain a permit from the State Fire Marshal for transportation or storage for transportation of anhydrous ammonia.

(b) Application for Permit:

1. The applicant for a permit required by these rules and regulations shall, at his own expense, furnish in writing such information as the State Fire Marshal may require concerning the purpose for which the permit is requested.

2. Pursuant to O.C.G.A. Section 25-2-4.1, the application for a permit shall be accompanied by the mandatory permit fee, payable to the Safety Fire Commissioner.

3. Submission of Plans:

   (i) Complete plans and specification for all systems involving the storage of over 2,000 water gallons of anhydrous ammonia shall be submitted in duplicate to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposed system and its compliance with this Chapter. One copy of the plans shall be retained by the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee, payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

   (ii) For all other systems which require a permit but which involve the storage of 2,000 water gallons or less of anhydrous ammonia, a final inspection shall be obtained from the State Fire Marshal before the permit can be issued.

(3) Records:

(a) All persons required by these rules and regulations to obtain a permit shall keep an accurate record of each sale or delivery. Such records shall be in clear, legible writing showing the name and address of purchasers, the quantity purchased, and the location of the operation at which said anhydrous ammonia is to be used, stored or delivered. Such records shall be kept by such person, firm or corporation in its principal place of business in this State. These records shall be subject to examination by the State Fire Marshal and/or his authorized assistants. The State Fire Marshal and/or his authorized assistants may at any time require any person,
firm or corporation to produce such records for the current calendar year and the immediate preceding full calendar year.

(4) Miscellaneous Provisions:

(a) It is prohibited for any person to introduce anhydrous ammonia into any container which does not meet the standards of these rules and regulations.

(b) It is prohibited for any person, firm or corporation to sell, deliver or otherwise convey anhydrous ammonia to any person, firm or corporation not equipped to handle or store same in conformance with the requirements of these regulations.

(c) It shall be prohibited for any person, firm or corporation to introduce anhydrous ammonia into a tank or container which has previously contained liquefied petroleum gas without written permission from the State Fire Marshal.

(5) Revocation of Permit:

(a) The State Fire Marshal may revoke a permit or approval issued under the provisions of the law or regulations in the event there has been any false statement or misrepresentation as to material fact in the application upon which the permit or approval was based.

(b) The permit may be revoked for cause after notice and hearing provided in accordance with Rules 120-3-2-.02 of the Rules of the Safety Fire Commissioner; provided, however, that the Safety Fire Commissioner may revoke any license prior to notice and hearing if he determines, upon recommendation of the State Fire Marshal, that the situation involves an imminent peril to the public health, safety, and welfare and that the situation therefore require emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held if and only if the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.03 Definitions

The definitions contained in this section are in addition to or in clarification of those contained in the adopted standards.

(1) COMMISSIONER. The Georgia Safety Fire Commissioner.

(2) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.

(3) ICC. The Interstate Commerce Commission.
(4) DOT. The United States Department of Transportation.

Note: On April 1, 1967, certain function of the U.S. Interstate Commerce Commission (ICC) were transferred to the U.S. Department of Transportation (DOT). An approval of certification label, marking, tag or other document bearing either marking, ICC or DOT, is acceptable wherever these rules and regulations specify ICC approval.

(5) GPSC. The Georgia Public Service Commission.

(6) PERMIT. An anhydrous ammonia permit is the written authority of the State Fire Marshal, issued pursuant to these rules and regulations, to manufacture, sell, transport, or store for transportation or sale, anhydrous ammonia in the State of Georgia.

(7) PERSON. Any individual, firm, co-partnership, corporation, company, association, joint stock association, and including any trustee, receiver, assignee or personal representative thereof.

(8) BULK STORAGE. Storage of bulk liquids, 2,000 4,000 gallons or more received by a tank vessel, pipeline, tank car, or tank vehicle for the purpose of distributing.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.04 Special Provisions

(1) Reporting of fire or serious accidents:

(a) Every person required by these rules and regulations to have a permit and who suffers a fire or serious accident involving anhydrous ammonia shall make report thereof in writing as soon as possible to the State Fire Marshal. A serious accident shall be interpreted to mean one in which loss of life, hospitalization of persons, or loss or damage to property involving $100.00 or more results from the accident.

(2) Advising appropriate authorities of situations presenting a hazard to the public:

(a) Every person required by these rules and regulations to have a permit and having knowledge of a situation or condition involving anhydrous ammonia which creates a hazard to the public shall advise local authorities immediately and the State Fire Marshal as soon as practicable.

(3) Modification:
(a) Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal’s recommendation and grant the requested modification.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-12-.05 Adoption of Standards for the Storage and Handling of Anhydrous Ammonia

Except to the extent modified herein, the following NFPA Codes and Standards are hereby adopted.


   **Modifications:** None

   **Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-12-.06 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-12-.07 Forms

The following form is incorporated to implement this Chapter and O.C.G.A. Section 25-2-4.1.

<table>
<thead>
<tr>
<th>Title</th>
<th>Form Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anhydrous Ammonia Application</td>
<td>SFD 46</td>
</tr>
</tbody>
</table>

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

**NOTE:**

RULES OF SAFETY FIRE COMMISSIONER

CHAPTER 120-3-12

RULES AND REGULATIONS

FOR

THE STORAGE AND HANDLING OF ANHYDROUS AMMONIA

TABLE OF CONTENTS

120-3-12-.01 Promulgation and Purpose
120-3-12-.02 Administration
120-3-12-.03 Definitions
120-3-12-.04 Special Provisions
120-3-12-.05 Adoption of Standards for the Storage and Handling of Anhydrous Ammonia
120-3-12-.06 Severability
120-3-12-.07 Forms

120-3-12-.01 Promulgation and Purpose

(1) These Rules and Regulations for the Storage and Handling of Anhydrous Ammonia are promulgated by the Georgia Safety Fire Commissioner in accordance with an Act creating the Office of Georgia Safety Fire Commissioner, Georgia Laws, 1949, p. 1057, as amended.

(2) The purpose of these Rules and Regulations is to prevent loss of life, injury of persons, and loss or damage to property in the handling, use, manufacture, storage, and transportation of anhydrous ammonia. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to anhydrous ammonia when such are in conflict with these rules and regulations.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.02 Administration

(1) It is prohibited for any person to manufacture, sell, store, transport, possess, or use anhydrous ammonia, except in conformance with these rules and regulations.

(2) Requirements for Permit:
(a) It is prohibited for any person to manufacture, sell, store, transport, or store for transportation or sale, anhydrous ammonia in the State of Georgia except by authority of a written permit issued by the State Fire Marshal in conformance with these rules and regulations, provided that no person operating under an Interstate Commerce Commission, Department of Transportation or Georgia Public Service Commission permit, and in accordance with the requirement of those agencies, shall be required to obtain a permit from the State Fire Marshal for transportation or storage for transportation of anhydrous ammonia.

(b) Application for Permit:

1. The applicant for a permit required by these rules and regulations shall, at his own expense, furnish in writing such information as the State Fire Marshal may require concerning the purpose for which the permit is requested.
2. Pursuant to O.C.G.A. Section 25-2-4.1, the application for a permit shall be accompanied by the mandatory permit fee, payable to the Safety Fire Commissioner.

3. Submission of Plans:

   (i) Complete plans and specification for all systems involving the storage of over 2,000 water gallons of anhydrous ammonia shall be submitted in duplicate to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposed system and its compliance with this Chapter. One copy of the plans shall be retained by the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee, payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

   (ii) For all other systems which require a permit but which involve the storage of 2,000 water gallons or less of anhydrous ammonia, a final inspection shall be obtained from the State Fire Marshal before the permit can be issued.

3. Records:

   (a) All persons required by these rules and regulations to obtain a permit shall keep an accurate record of each sale or delivery. Such records shall be in clear, legible writing showing the name and address of purchasers, the quantity purchased, and the location of the operation at which said anhydrous ammonia is to be used, stored or delivered. Such records shall be kept by such person, firm or corporation in its principal place of business in this State. These records shall be subject to examination by the State Fire Marshal and/or his authorized assistants. The State Fire Marshal and/or his authorized assistants may at any time require any person,
firm or corporation to produce such records for the current calendar year and the immediate preceding full calendar year.

(4) Miscellaneous Provisions:

(a) It is prohibited for any person to introduce anhydrous ammonia into any container which does not meet the standards of these rules and regulations.

(b) It is prohibited for any person, firm or corporation to sell, deliver or otherwise convey anhydrous ammonia to any person, firm or corporation not equipped to handle or store same in conformance with the requirements of these regulations.

(c) It shall be prohibited for any person, firm or corporation to introduce anhydrous ammonia into a tank or container which has previously contained liquefied petroleum gas without written permission from the State Fire Marshal.

(5) Revocation of Permit:

(a) The State Fire Marshal may revoke a permit or approval issued under the provisions of the law or regulations in the event there has been any false statement or misrepresentation as to material fact in the application upon which the permit or approval was based.

(b) The permit may be revoked for cause after notice and hearing provided in accordance with Rules 120-3-2-.02 of the Rules of the Safety Fire Commissioner; provided, however, that the Safety Fire Commissioner may revoke any license prior to notice and hearing if he determines, upon recommendation of the State Fire Marshal, that the situation involves an imminent peril to the public health, safety, and welfare and that the situation therefore require emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held if and only if the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.03 Definitions

The definitions contained in this section are in addition to or in clarification of those contained in the adopted standards.

(1) COMMISSIONER. The Georgia Safety Fire Commissioner.

(2) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.

(3) ICC. The Interstate Commerce Commission.
(4) DOT. The United States Department of Transportation.

Note: On April 1, 1967, certain function of the U.S. Interstate Commerce Commission (ICC) were transferred to the U.S. Department of Transportation (DOT). An approval of certification label, marking, tag or other document bearing either marking, ICC or DOT, is acceptable wherever these rules and regulations specify ICC approval.

(5) GPSC. The Georgia Public Service Commission.

(6) PERMIT. An anhydrous ammonia permit is the written authority of the State Fire Marshal, issued pursuant to these rules and regulations, to manufacture, sell, transport, or store for transportation or sale, anhydrous ammonia in the State of Georgia.

(7) PERSON. Any individual, firm, co-partnership, corporation, company, association, joint stock association, and including any trustee, receiver, assignee or personal representative thereof.

(8) BULK STORAGE. Storage of bulk liquids, 2,000-4,000 gallons or more received by a tank vessel, pipeline, tank car, or tank vehicle for the purpose of distributing.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.04 Special Provisions

(1) Reporting of fire or serious accidents:

(a) Every person required by these rules and regulations to have a permit and who suffers a fire or serious accident involving anhydrous ammonia shall make report thereof in writing as soon as possible to the State Fire Marshal. A serious accident shall be interpreted to mean one in which loss of life, hospitalization of persons, or loss or damage to property involving $100.00 or more results from the accident.

(2) Advising appropriate authorities of situations presenting a hazard to the public:

(a) Every person required by these rules and regulations to have a permit and having knowledge of a situation or condition involving anhydrous ammonia which creates a hazard to the public shall advise local authorities immediately and the State Fire Marshal as soon as practicable.

(3) Modification:
(a) Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal’s recommendation and grant the requested modification.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.05 Adoption of Standards for the Storage and Handling of Anhydrous Ammonia

(1) The standards recommended by “The Fertilizer Institute” (formerly the Agricultural Ammonia Institute) and as published in TFI-M-1-1981, ANSI K61.1-1981, shall be accepted as standards for this State and are hereby adopted.

Except to the extent modified herein, the following NFPA Codes and Standards are hereby adopted.

(1) ANSI / CGA G-2.1-2014, American National Standard Safety Requirements for the Storage and Handling of Anhydrous Ammonia

**Modifications:** None

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.06 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-12-.07 Forms

The following form is incorporated to implement this Chapter and O.C.G.A. Section 25-2-4.1.

<table>
<thead>
<tr>
<th>Title</th>
<th>Form Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anhydrous Ammonia Application</td>
<td>SFD 46</td>
</tr>
</tbody>
</table>

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.
NOTE:

1. A copy of the Standards, TFI-M-1-1981, ANSI k61.1-1981, is on file in the Office of the State Fire Marshal and is available for viewing
RULES OF SAFETY FIRE

COMMISSIONER

CHAPTER 120-3-13

RULES AND
REGULATIONS FOR
WELDING GASES

TABLE OF
CONTENTS

120-3-13-.01 Promulgation and Purpose
120-3-13-.02 Definitions
120-3-13-.03 Adopted Standards and Modifications
120-3-13-.04 Transportation of Fuel Gas for Welding and Cutting
120-3-13-.05 Request for Modification of Specific Requirements
120-3-13-.06 Penalties
120-3-13-.07 Severability

120-3-13-.01 Promulgation and Purpose

(1) These Rules and Regulations for Welding Gases are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. 25-2-4.

(2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation and handling of welding gases. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to welding gases when such are in conflict with these rules and regulations.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-13-.02 Definitions

The definitions contained herein are in addition to and in clarification of those contained in the adopted standards.

(1) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(2) COMMISSIONER. The Georgia Safety Fire Commissioner.
(3) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.

(4) DOT. The United States Department of Transportation.

(5) GPSC. The Georgia Public Service Commission.


Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.
120-3-13-.03 Adopted Standards and Modifications

Except to the extent modified herein, the following NFPA Codes and Standards are hereby adopted.

Modifications: None

(2) NFPA 51B, 2019 Edition, Standard for Fire Prevention During Welding, Cutting, and Other Hot Work
Modifications: None

Modifications: None

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-13-.04 Transportation of Fuel Gas for Welding and Cutting

(1) Only approved cylinders and containers as stated in NFPA Standard Number 51, shall be transported. Cylinders and containers loaded in or on vehicles shall be securely fastened to prevent slipping or overturning, and protective caps shall be securely fitted in place whether cylinders or containers are full, partially full or empty.

(2) Vehicles shall be in good operating condition and shall not be overloaded. Every vehicle regularly used for transporting fuel gas cylinders or containers shall be equipped with at least one fire extinguisher having a rating of 20-BC, permanently mounted and readily accessible to the driver.

(3) Drivers of vehicles transporting fuel gas for welding and cutting shall be physically able to perform the job, careful, capable, reliable, familiar with traffic laws and the provisions of this Chapter, and shall not be addicted to or under the influence of intoxicants, narcotics or other dangerous drugs.

(4) Vehicles transporting 1,000 pounds gross weight or more of flammable or nonflammable compressed fuel gas for welding and cutting shall carry placards on the front, rear and sides which meet DOT requirements.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-13-.05 Request for Modification of Specific Requirements

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA standards adopted herein be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-13-.06 Penalties

After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law or Regulation.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.
120-3-13-.07 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

NOTES: 1. The NFPA standards adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.

2. Copies of the NFPA standards may be obtained from:

   National Fire Protection Association
   Batterymarch Park
   Quincy, Massachusetts 02269
   Phone: 1-800-344-3555

A list of the standards is available at the Office of the State Fire Marshal for viewing.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
RULES OF SAFETY FIRE
COMMISSIONER
CHAPTER 120-3-13
RULES AND
REGULATIONS FOR
WELDING GASES

TABLE OF
CONTENTS

120-3-13-.01 Promulgation and Purpose
120-3-13-.02 Definitions
120-3-13-.03 Adopted Standards and Modifications
120-3-13-.04 Transportation of Fuel Gas for Welding and Cutting
120-3-13-.05 Request for Modification of Specific Requirements
120-3-13-.06 Penalties
120-3-13-.07 Severability

120-3-13-.01 Promulgation and Purpose

(3) These Rules and Regulations for Welding Gases are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. 25-2-4.

(4) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation and handling of welding gases. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to welding gases when such are in conflict with these rules and regulations.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-13-.02 Definitions

The definitions contained herein are in addition to and in clarification of those contained in the adopted standards.

(7) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(8) COMMISSIONER. The Georgia Safety Fire Commissioner.
(9) **AUTHORITY HAVING JURISDICTION.** The State Fire Marshal of Georgia.

(10) **DOT.** The United States Department of Transportation.

(11) **GPSC.** The Georgia Public Service Commission.

(12) **NFPA.** The National Fire Protection Association.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.
120-3-13-.03 Adopted Standards and Modifications

(1) The following NFPA standards are hereby adopted:

<table>
<thead>
<tr>
<th>NFPA NUMBER</th>
<th>YEAR EDITION</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>51A</td>
<td>1996</td>
<td>Standard for Acetylene Cylinder Charging Plants</td>
</tr>
<tr>
<td>51B</td>
<td>1994</td>
<td>Standard for Fire Prevention in Use of Cutting and Welding</td>
</tr>
</tbody>
</table>

(2) The provisions of NFPA 51 (1997 Edition), Chapter 7, Section 7-2.1 on Calcium Carbide Storage in Buildings is amended to include, A Areas devoted to calcium carbide storage, handling, and acetylene generation shall not be equipped with fire protection systems.

Except to the extent modified herein, the following NFPA Codes and Standards are hereby adopted.


Modifications: None

(2) **NFPA 51B, 2019 Edition, Standard for Fire Prevention During Welding, Cutting, and Other Hot Work**

Modifications: None


Modifications: None

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-13-.04 Transportation of Fuel Gas for Welding and Cutting

(5) Only approved cylinders and containers as stated in NFPA Standard Number 51, shall be transported. Cylinders and containers loaded in or on vehicles shall be securely fastened to prevent slipping or overturning, and protective caps shall be securely fitted in place whether cylinders or containers are full, partially full or empty.

(6) Vehicles shall be in good operating condition and shall not be overloaded. Every vehicle regularly used for transporting fuel gas cylinders or containers shall be equipped with at least one fire extinguisher having a rating of 20-BC, permanently mounted and readily accessible to the driver.

(7) Drivers of vehicles transporting fuel gas for welding and cutting shall be physically able to perform the job, careful, capable, reliable, familiar with traffic laws and the provisions of this Chapter, and shall not be addicted to or under the influence of intoxicants, narcotics or other dangerous drugs.

(8) Vehicles transporting 1,000 pounds gross weight or more of flammable or nonflammable compressed fuel gas for welding and cutting shall carry placards on the front, rear and sides which meet DOT requirements.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-13-.05 Request for Modification of Specific Requirements

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other
information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA standards adopted herein be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal’s recommendation and grant the requested modification.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-13-.06 Penalties

After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law or Regulation.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-13-.07 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**NOTES:**

1. The NFPA standards adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.

2. Copies of the NFPA standards may be obtained from:

   National Fire Protection Association
   Batterymarch Park
   Quincy, Massachusetts 02269
   Phone: 1-800-344-3555

   A list of the standards is available at the Office of the State Fire Marshal for viewing.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

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If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
120-3-14-.01 Promulgation and Purpose

These Rules and Regulations for Natural Gas Systems are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. 25-2-4.

120-3-14-.02 Definitions

(1) PERSONS. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(2) COMMISSIONER. The Georgia Safety Fire Commissioner.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.
(3) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.


Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.03 Reporting of Fires and Serious Accidents.

Every person who owns, operates or is responsible for a natural gas system or appliance covered by this Chapter and who suffers a fire or serious accident involving natural gas shall notify the State Fire Marshal’s Office as soon as possible but not later than eight hours of the incident occurring. In addition to the initial notification, every person who owns, operates or is responsible for a natural gas system or appliance covered by this Chapter and who suffers a serious accident involving natural gas shall make a written report thereof to the State Fire Marshal within 72 hours. A serious accident shall be one which results in loss of life, hospitalization, or damage to property involving $5,000.00 or more. This applies to piping systems as defined in NFPA 54 and CNG dispensing stations as defined in NFPA 52.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.04 Compliance with Local Codes

Whenever counties, municipalities or other local authorities have adopted recognized standards or codes such as the Georgia State Heating and Air Conditioning Code, Georgia State Gas Code or the Southern Standard Gas Code, compliance with such local standards or codes shall be in addition to compliance with the National Fuel Gas Code, NFPA Number 54 (2018 Edition) and NFPA 52 Compressed Natural Gas (CNG) Vehicular Natural Gas Fuel Systems (2019 Edition).

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.05 Adopted Codes and Modifications

Except to the extent modified herein, the following NFPA codes and standards are hereby adopted:

Modifications: None

(2) NFPA 54, 2018 Edition, National Fuel Gas Code:
Modifications: None

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.06 Permit Requirements for Dispensing Compressed Natural Gas for Vehicular Fuel

(1) It is prohibited for any person to dispense compressed natural gas in the state of Georgia except by authority of a written permit issued by the State Fire Marshal in conformance with these rules and regulations.

(2) An application for a permit to dispense compressed natural gas for vehicular fuel shall be submitted to the State Fire Marshal.

(3) Upon receipt of a properly executed application for a permit to dispense compressed natural gas, the State Fire
Marshal may make, or cause to be made, an investigation for the purpose of ascertaining if the requirements of these rules and regulations have been complied with, and issue the permit before the system may begin operation.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-.07 Submission of Plans/Fees

Complete plans and specifications for all systems involving the storage of motor fuel (CNG) shall be submitted in duplicate to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposed system and its compliance with this Chapter. One copy of the plans shall be retained by the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans for each storage facility shall be accompanied by a plan review fee payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-.08 Request for Modification of Specific Requirements

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes adopted herein be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-.09 Penalties

After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law or Regulation.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-.10 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-.11 Forms

The following form is incorporated to implement this Chapter and O.C.G.A.
Application for Compressed Natural Gas Storage/Dispensing Permit

NOTES: 1. The NFPA codes adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.

2. Copies of the NFPA codes may be obtained from: National Fire Protection Association
   Batterymarch Park
   Quincy, Massachusetts 02269
   Phone: 1-800-344-3555

A price list of NFPA codes and standards is available at the Office of the State Fire Marshal for viewing.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
COMMISSIONER CHAPTER 120-3-14

RULES AND REGULATIONS FOR
NATURAL GAS SYSTEMS

TABLE OF CONTENTS

120-3-14-.01 Promulgation and Purpose
120-3-14-.02 Definitions
120-3-14-.03 Reporting of Fires and Serious Accidents
120-3-14-.04 Compliance with Local Codes
120-3-14-.05 Adopted Codes
120-3-14-.06 Permit Requirements for Dispensing Compressed Natural Gas for Vehicular Fuel. 120-3-14-.07 Submission of Plans
120-3-14-.08 Request for Modification of Specific Requirements
120-3-14-.09 Penalties
120-3-14-.10 Severability
120-3-14-.11 Forms

120-3-14-.01 Promulgation and Purpose

(3) These Rules and Regulations for Natural Gas Systems are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. 25-2-4.

(4) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from fire and related hazards incident to the installation of natural gas appliances and piping and the use thereof. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to Natural Gas Systems and Vehicular Fuel Systems when such are in conflict with these rules and regulations.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.02 Definitions

The definitions contained herein are in addition to and in clarification of those contained in the adopted code.

(5) PERSONS. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(6) COMMISSIONER. The Georgia Safety Fire Commissioner.

(7) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-03 Reporting of Fires and Serious Accidents.

Every person who owns, operates or is responsible for a natural gas system or appliance covered by this Chapter and who suffers a fire or serious accident involving natural gas shall notify the State Fire Marshal’s Office as soon as possible but not later than eight hours of the incident occurring. In addition to the initial notification, every person who owns, operates or is responsible for a natural gas system or appliance covered by this Chapter and who suffers a serious accident involving natural gas shall make a written report thereof to the State Fire Marshal within 72 hours. A serious accident shall be one which results in loss of life, hospitalization, or damage to property involving $5,000.00 or more. This applies to piping systems as defined in NFPA 54 and CNG dispensing stations as defined in NFPA 52.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-04 Compliance with Local Codes

Whenever counties, municipalities or other local authorities have adopted recognized standards or codes such as the Georgia State Heating and Air Conditioning Code, Georgia State Gas Code or the Southern Standard Gas Code, compliance with such local standards or codes shall be in addition to compliance with the National Fuel Gas Code, NFPA Number 54 (1996 Edition) and NFPA 52 Compressed Natural Gas (CNG) Vehicular Natural Gas Fuel Systems Code (1995 Edition).

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-05 Adopted Codes and Modifications

Except to the extent modified herein, the following NFPA codes and standards are hereby adopted:


2. Amend NFPA 52, Section 4.4.3.12 to read as follows, A Indoor Fast Fill Fueling, Outdoor Storage and Compression Fast Fill fueling is permitted when storage and compression equipment is located outdoors complying with the provisions of NFPA 52, Sections 4.4.2.1, 4.4.2.2, 4.4.2.3, 4.4.2.4, 4.4.2.5, 4.4.2.6 and 4.4.2.7. (Added per recommendation of W. Peters of Atlanta Gas Light and the position of the NFPA 52 technical committee)

3. Amend NFPA 52, Section 4.4.3.13 to read as follows, A Where attended fast fill fueling is performed:

   a. An emergency manual shut down device shall be installed as required by Section 4.4.11.6.

   b. A gas detection system equipped to sound an alarm and visually indicate when a maximum of one-fifth of the lower flammable limit is reached shall be installed. The detector shall shut down the compressor and stop the flow of gas into the structure. (Added per recommendation of W. Peters of Atlanta Gas Light and the position of the NFPA 52 technical committee)

(1) **NFPA 52, 2019 Edition, Vehicular Natural Gas Fuel Systems Code:**

Modifications: None

(2) **NFPA 54, 2018 Edition, National Fuel Gas Code:**
Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.06 Permit Requirements for Dispensing Compressed Natural Gas for Vehicular Fuel

(4) It is prohibited for any person to dispense compressed natural gas in the state of Georgia except by authority of a written permit issued by the State Fire Marshal in conformance with these rules and regulations.

(5) An application for a permit to dispense compressed natural gas for vehicular fuel shall be submitted to the State Fire Marshal.

(6) Upon receipt of a properly executed application for a permit to dispense compressed natural gas, the State Fire Marshal may make, or cause to be made, an investigation for the purpose of ascertaining if the requirements of these rules and regulations have been complied with, and issue the permit before the system may begin operation.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.07 Submission of Plans/Fees

Complete plans and specifications for all systems involving the storage of motor fuel (CNG) shall be submitted in duplicate to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposed system and its compliance with this Chapter. One copy of the plans shall be retained by the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans for each storage facility shall be accompanied by a plan review fee payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.08 Request for Modification of Specific Requirements

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes adopted herein be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-14-.09 Penalties

After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as
authorized by law or Regulation.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-.10 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-14-.11 Forms

The following form is incorporated to implement this Chapter and O.C.G.A.

<table>
<thead>
<tr>
<th>Section 25-2-4.1: TITLE</th>
<th>FORM NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application for Compressed Natural Gas Storage/Dispensing Permit</td>
<td>SFD 389</td>
</tr>
</tbody>
</table>

**NOTES:**

1. The NFPA codes adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.

2. Copies of the NFPA codes may be obtained from: National Fire Protection Association Batterymarch Park Quincy, Massachusetts 02269 Phone: 1-800-344-3555

A price list of NFPA codes and standards is available at the Office of the State Fire Marshal for viewing.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
RULES OF SAFETY FIRE COMMISSIONER
CHAPTER 120-3-16
RULES AND REGULATIONS
FOR
LIQUEFIED PETROLEUM GASES

TABLE OF CONTENTS
120-3-16-.01 Promulgation and Purpose
120-3-16-.02 Definitions
120-3-16-.03 Licenses; Fees and Other Requirements
120-3-16-.04 Training Requirements for Georgia Liquefied Petroleum Gas Industry Workers
120-3-16-.05 Submission of Plans
120-3-16-.06 Reporting of Fires and Accidents
120-3-16-.07 Adopted Codes and Standards with Modifications
120-3-16-.08 Request for Modification of Specific Requirements
120-3-16-.09 Inspections
120-3-16-.10 Compliance with Rules and Regulations; Penalties
120-3-16-.11 Forms
120-3-16-.12 Notes
120-3-16-.13 Severability

120-3-16-.01 Promulgation and Purpose.

(1) These Rules and Regulations governing the distribution, sale, transportation, storage, handling and use of liquefied petroleum gases are promulgated jointly by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. Sections 25-2-4 and 25-2-16, and the State Fire Marshal pursuant to O.C.G.A. Section 10-1-263.

(2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation and handling of liquefied petroleum gases, and to provide reasonably necessary measures for the protection of the health, welfare, and safety of the public and persons using such materials.

(3) Pursuant to O.C.G.A. Section 10-1-270, no municipality or other political subdivision of this State shall adopt or enforce an ordinance, rule, or regulation in conflict with Article 10 of Chapter 1 of Title 10 of the Official Code of Georgia or with these Rules and Regulations.

(4) The Safety Fire Commissioner and/or the State Fire Marshal of Georgia shall have the authority to act in all matters related to this Chapter, pursuant to O.C.G.A. Sections 25-2-3, 25-2-4, 25-2-5, and 25-2-16.

120-3-16-.02 Definitions.

The definitions contained herein are in addition to and in clarification of those contained in the adopted codes and standards.

(1) ASME. The American Society of Mechanical Engineers.

(2) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.

(3) COMMISSIONER. The Georgia Insurance and Safety Fire Commissioner.

(4) CONFINED SPACE. For the purpose of this Chapter, a space whose volume is less than 50 cubic feet per 1000 Btu per hour (4.8 m³ per kW) of the aggregate input rating of all appliances installed in that space.

(5) CYLINDER EXCHANGE OPERATION. This operation, also referred to as cylinder staging racks or cages, requires specific approval. No product transfer takes place at these holding locations. All cylinders, empty or full, are secured in an approved rack or cage. The cylinder inspection, requalification, reconditioning and product transfer takes place at the licensed dealer's distribution plant (see definition in NFPA 58) by the dealer's properly trained personnel. All cylinders are provided with the required markings, labeling and each requalification is duly recorded for compliance with applicable DOT regulations and NFPA 58, Appendix C.

(6) DEALER IN LIQUEFIED PETROLEUM GAS. Any person who sells or offers to sell liquefied petroleum gas to an ultimate consumer for agricultural, industrial, commercial or domestic use.

(7) DISPENSING OPERATION. A dispensing facility or vehicle fuel dispenser as defined in NFPA 58 and used to dispense liquefied petroleum gas to the ultimate consumer.

(8) DOT. The United States Department of Transportation.

(9) INSTALLATION. The act of installing apparatus, piping, tubing, appliances, and equipment necessary for storing and converting liquefied petroleum gas into flame for light, heat, cooling or power for use by the ultimate consumer.

(10) NFPA. The National Fire Protection Association.

(11) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee or personal representative thereof.

(12) SAFETY FIRE DIVISION. The Safety Fire Division of the Office of Insurance and Safety Fire Commissioner, headed by the State Fire Marshal appointed by the Commissioner.

(13) ULTIMATE CONSUMER. Any person who is the last to purchase liquefied petroleum gas in its liquid or vapor state for agricultural, industrial, commercial or domestic use.
(14) **UNCONFINED SPACE.** For the purpose of this Chapter, a space whose volume is not less than 50 cubic feet per 1000 Btu per hour (4.8 m³ per kW) of the aggregate input rating of all appliances installed in that space. Rooms communicating directly with the space in which the appliances are installed, through openings not furnished with doors, are considered a part of the unconfined space. All the space that connects to the region that contains the appliance(s) can be combined to calculate the volume, provided there are no doors intervening.

(15) **WALLET CARD.** A picture identification card issued by the Georgia State Fire Marshal’s Office establishing an individual’s certification for a specific area of liquefied petroleum gas industry operations.


### 120-3-16-.03 Licenses; Fees and other Requirements.

(1) Except as provided herein, no person shall manufacture, distribute, sell or store for sale or transportation, liquefied petroleum gas without a license issued by the Safety Fire Division in accordance with this Chapter.

(2) Only Georgia dealers or owners with a valid license issued by the Safety Fire Division in accordance with this Chapter shall introduce liquefied petroleum gas into a container at any location in the state for storage or dispensing of liquefied petroleum for sale or transportation.

(3) The required one-time license fee pursuant to O.C.G.A. Section 25-2-4.1 shall be submitted with the license application and shall be payable to the Safety Fire Commissioner.

(4) No license shall be required for:

   (a) The sale or storage of liquefied petroleum gas in containers meeting DOT specifications and having a maximum water capacity of two and one half (2.5) pounds, such as those used with self-contained hand torches, camp stoves, and similar appliances.

   (b) Cylinder exchange and dispensing operations conducted by licensed Georgia Dealers at their bulk plants with a current license. Dealers shall provide a listing of locations of the cylinder exchange racks/cages for inspection and compliance with Chapter 8 of NFPA 58 and other applicable codes.

   (c) Ultimate consumer operations.

(5) Every entity who desires to be licensed to sell or distribute liquefied petroleum gas in this state shall have located within the state and within close proximity to the area serviced in Georgia storage capacity for a minimum of 30,000 water gallons, except that entities initially licensed prior to July 1, 1990, may continue to operate with the previously approved 18,000 gallons storage facility. If the 30,000 gallon capacity consists of more than one container, then no storage container used to meet this requirement shall be of a size less than 6,000 gallons. Any person who desires a liquefied petroleum gas dealer license as
authorized by O.C.G.A. Title 10, Chapter 1, Article 10 and who has not yet acquired the required storage facility may enter into a bulk storage lease agreement with such qualified person on the forms provided by the Safety Fire Division. Such agreement shall be made in triplicate and the license fee shall be the same as stated in subparagraph (3) of this rule. If the required storage facility is leased or rented, then such storage capacity must be dedicated to the exclusive use of the lessee and must include separate piping and loading/unloading facilities.

(6) Prior to obtaining a license for any of the activities listed in subsection (1) of this Rule, all persons shall furnish the Safety Fire Division with evidence of and shall thereafter maintain the following insurance coverage with an insurer authorized to do business in this State or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in this State:

(a) General liability including products and completed operations:
   1. $1,000,000 combined single limits if the capacity is more than 2,000 gallons.
   2. $500,000 combined single limits if the capacity is 2,000 gallons or less.

(b) Motor vehicle liability (when applicable): $1,000,000 combined single limits.

(c) An insurer which provided such coverage shall notify the Commissioner of any change in coverage.

(7) The name under which a person is licensed shall appear on all delivery tickets, delivery vehicles, and storage facilities. Nothing herein shall prohibit the use of trademarks, symbols or logos in addition to the licensee's name. Nothing herein shall prohibit the use of cash register receipts without the name of the business at portable DOT cylinder filling facilities.

(8) Any license issued pursuant to this Chapter may be suspended or revoked by the Safety Fire Division in accordance with O.C.G.A. Section 10-1-269.


**120-3-16-.04 Training Requirements for Georgia Liquefied Petroleum Gas Industry Workers**

(1) Each Georgia liquefied petroleum gas industry worker whose primary duties fall within the scope of Georgia Rules and Regulations 120-3-16 shall be trained in proper handling procedures and shall be certified by the Georgia State Fire Marshal’s Office for the particular job function that they perform. The training curriculum shall be the Certified Employee Training Program (CETP) or equivalent program approved by the Georgia State Fire Marshal’s Office to include employees engaged as delivery drivers and/or service and installation technicians.

(a) Existing industry workers whose primary duties fall within the scope of Georgia Rules and Regulations 120-3-16 shall be certified. The Georgia State Fire Marshal’s Office may define who is an existing industry worker, determine when an existing industry worker must be certified, and develop the criteria for certification of existing
industry workers when documentation of prior certification does not exist. One of the following methods will be used as certification criteria:

1. Written or oral examination
2. Work performance review
3. Observation during performance of the job
4. On the job training

(b) New industry workers including seasonal or part-time workers, employed after the effective date of this regulation must comply with certification requirements within 12 months of their original date of hire. Other workers that do not meet the requirements of existing industry workers listed in paragraph 120-3-16-.04 (1) (a) above or whose certification has expired as described in subsection 120-3-16-.04 (3) must comply with certification requirements within 12 months of the original date of hire, expiration of certification, or re-entry into the liquefied petroleum gas industry. Prior to certification, employees may perform duties for which they have been properly trained as per NFPA 58 and other appropriate regulatory agencies.

(2) Every Georgia liquefied petroleum gas industry worker must acquire a minimum of six hours of Continuing Education Units (CEU) every three years to maintain their certification.

(3) Certification belongs to the Georgia liquefied petroleum gas industry worker and follow the industry worker upon change of employment within the Georgia liquefied petroleum gas industry. A copy of the industry worker’s certificate shall be provided to their employer. Certification shall not expire unless:

(a) CEUs required by subsection 120-3-16-.04 (2) are not maintained
(b) Industry Worker’s employment within the liquefied petroleum gas industry has lapsed for a period of more than one year
(c) The Commissioner deems that revocation of the industry worker’s certification is necessary due to gross negligence or violation of this regulation

(4) A wallet card indicating valid certification shall be issued by the Georgia State Fire Marshal’s Office to the liquefied petroleum gas industry worker. This wallet card shall be kept with the industry worker at all times during which they are conducting business and shall be made available to authorities, State or Local, upon request. The wallet card shall be issued in the following classes:

(a) Class I: Basic Transfer and Handling
(b) Class II: Delivery
(c) Class III: Service /Installation
(d) Class IV: Bulk Operator
(e) Class V: Delivery and Service / Installation

(5) Certain records regarding certification shall be maintained by the appropriate party and maintained as current.

(a) The Georgia State Fire Marshal’s Office shall:
1. Maintain permanent certification records submitted by the Georgia liquefied petroleum gas industry worker
2. Maintain a database of CEU’s
3. Notify Certificate holder of upcoming CEU renewal requirements

(b) The Georgia liquefied petroleum gas industry worker shall:

1. Maintain personal CEU’s
2. Maintain their wallet card that is issued by the Georgia State Fire Marshal’s Office

(c) The licensed dealer in liquefied petroleum gas shall:

1. Maintain employee records indicating the status of certified employment base

(6) A Propane Industry Education Advisory Panel shall be appointed by the Commissioner and shall advise or recommend appropriate continuing education unit curriculum. The panel shall consist of five members: one independent propane marketer, one multi-state propane marketer, one propane industry supplier representative, one at-large member, all to be appointed by the executive committee of the Georgia Propane Gas Association and a representative of the State Fire Marshal. Each member of the advisory panel will serve a three year term. Members of the advisory panel will elect a chairman and vice chairman. The Vice Chairman shall succeed the Chairman.


120-3-16-.05 Submission of Plans.

(1) Complete plans and specifications for all systems involving the aggregate storage capacity of over 2,000 water gallons of liquefied petroleum gas shall be submitted in duplicate to, and receive approval by, the Safety Fire Division before installation is started. Complete plans and specifications for all systems involving storage of any capacity, used for the dispensing of liquefied petroleum gas as vehicular fuel, and located within 50 ft. of any facility dispensing flammable or combustible liquids as outlined in Georgia Rules and Regulations 120-3-11 shall be submitted in duplicate to, and receive approval by, the Safety Fire Division before installation is started. Pursuant to O.C.G.A. Sections 25-2-4.1 and 10-1-266, the plans shall be accompanied with the plan review fee payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Division.

(2) Plans shall be submitted in duplicate and shall include, at a minimum, the following:

(a) Scaled site plan (shall include all buildings and property lines)
(b) Storage container location(s)
(c) Container Drawings (shall include all piping connections, valves, and appurtenances)
(d) Container Pier Drawings (if applicable)
(e) Piping, valve, and associated equipment layout and arrangements
(f) Electrical conduit layout and arrangements
(g) Corrosion protection (if applicable)
(h) Equipment list and specifications (shall include make and model of equipment)
(i) A copy of the container data plate (picture, rubbing, marking, etc.)
(j) Other information necessary to show compliance

(3) Submissions for storage containers shall also include the following:

(a) A site approval by a representative of the State Fire Marshal
(b) A Fire Safety Analysis completed by the local fire authority

(4) One set of plans shall be retained by the State Fire Marshal and one copy returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.

(5) Construction or the storage container installation, or associated equipment, shall not commence until the plans have been approved and returned to the applicant.

(6) In lieu of plans, a final inspection shall be obtained from Safety Fire Division for the following:

(a) All other systems, which may or may not require a license but involve the storage of 2,000 water gallons or less of liquefied petroleum gas, such as, cylinder filling plants open to the public, or dispensing and filling locations at commercial, industrial or mercantile sites.

(b) Cylinder exchange racks or cages which do not require a license. Dealers shall provide a listing of locations of the cylinder exchange racks/cages for inspection and compliance with Chapter 8 of NFPA 58 and other applicable codes.


120-3-16-.06 Reporting of Fires and Accidents.

All owners, managers or operators of all vehicles and equipment covered under this Chapter shall as soon as possible, but in no event later than eight hours of the incident occurring, shall notify the Safety Fire Division of all fires involving such vehicles and equipment and all accidents involving the same that may create a hazard to the public. In addition to the initial notification, all owners, managers or operators of all vehicles and equipment covered under this Chapter shall submit a written report to the Safety Fire Division within seventy-two (72) hours of the incident occurring.

120-3-16.-07 Adopted Codes and Standards.
Except to the extent modified herein, the following NFPA codes and standards are hereby adopted:

(1) NFPA 54, 2018 Edition, National Fuel Gas Code:
Modifications:

(a) Modifications to Chapter 3:

1. Delete subsection 3.3.81 in its entirety and substitute in its place the following:
   "3.3.81 Qualified Agency. A Georgia licensed dealer in liquefied petroleum gas that is engaged in and is responsible for (1) the installation, testing, or replacement of gas piping or (2) the connection, installation, testing, repair, or servicing of appliances and equipment and that has complied with all the requirements of Georgia Rules and Regulations 120-3-16."

2. Add a new subsection 3.3.106 to read as follows:
   "3.3.106 Interruption of Service. Any time when there is a disruption in the flow of gas between the gas supply and the distribution piping, or any portion thereof."

(b) Modifications to Chapter 10:

1. Delete subsection 10.22.1 in its entirety and substitute in its place the following:
   "10.22.1 Prohibited Installations. Unvented room heaters shall not be installed in bathrooms or bedrooms.

   "Exception No. 1: One listed wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system shall be permitted to be installed in a bathroom provided that the input rating shall not exceed 6,000 Btu/hr (1760 W/hr) and combustion and ventilation air is provided as specified in 10.1.2.

   "Exception No. 2: One listed wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system shall be permitted to be installed in a bedroom provided that the input rating shall not exceed 10,000 Btu/hr (2930 W/hr) and combustion and ventilation air is provided as specified in 10.1.2.

   "NOTE: Exceptions No. 1 and No. 2 are acceptable installations to the Safety Fire Division [refer to 120-3-16-.02 12]."

(2) NFPA 58, 2020 Edition, Standard for the Storage and Handling of Liquefied Petroleum Gases:
Modifications:

(a) Modifications to Chapter 4:

1. Delete Section 4.4 in its entirety and substitute in its place the following:
“4.4 Qualifications of Personnel. Persons who transfer liquid LP-Gas, who are employed to transport LP-Gas, or whose primary duties fall within the scope of this code shall be trained in accordance with Section 120-3-16-.04 of this Rule. Prior to obtaining a license for any of the activities listed in Section 120-3-16-.01 of this Rule, new applicant(s) must provide verification that all responsible persons such as owner or manager, and any employee(s) handling LP-Gas, have received and successfully completed safety training in the proper handling and operating procedures of LP Gas. This training shall be maintained and be kept up to date for the applicant’s license to remain valid. The Applicant must be the owner or manager of the business applying for the LP-Gas license.”

2. Delete subsections 4.4.1 – 4.4.4 in its entirety.

(b) Modifications to Chapter 5:

1. Add a new paragraph 5.2.1.12 to read as follows:

“5.2.1.12 The design, fabrication, and marking provisions for containers and features normally associated with container fabrication, such as container openings, appurtenances required for these openings to make the containers gastight entities, physical damage protecting devices, and container supports attached to or furnished with the container by the manufacturer shall meet the requirements of this section. All tank distributors or firms who manufacture or sell ASME liquefied petroleum gas containers shall provide each Georgia dealer who purchases such containers with a manufacturer's data sheet for each container as set forth in Section VIII of ASME's Boiler and Pressure Vessel Code. All such data sheets shall be signed by an inspector regularly employed by an insurance company or authorized governmental unit who holds a Certificate of Competency and Commission from the National Board of Boiler and Pressure Vessel Inspectors. All dealers shall file such data sheets as part of their regular records, separated by name of manufacturer and serial number of the container. Such records shall be available during regular office hours for inspection by the Safety Fire Division or authorized agent thereof. This requirement shall also apply to containers which are utilized on trucks, semi-trailers, and trailers. When containers used in this State are purchased by control purchasing departments of companies, corporations, their subdivisions or individuals operating within this State, such records shall be retained by the department, subdivision or individual. Copies of the manufacturer's data sheets shall be available to the representative of the Safety Fire Division upon request.”

2. Delete subsection 5.23.2 in its entirety and substitute in its place the following:

“5.23.2 Any appliance originally manufactured for operation with a gaseous fuel other than LP-Gas shall not be used with LP-Gas unless it is converted to use LP-Gas, and is tested for performance with LP-Gas before being placed into use. No person shall use liquefied petroleum gas as a source of pressure in operating spray guns and other equipment not specifically designed or intended to use liquefied petroleum gas.”

(c) Modifications to Chapter 6:

1. Add a new subsection 6.1.4 to read as follows:

“6.1.4 General Provisions. Bulk storage facilities, cylinder filling facilities, and cylinder exchange staging areas shall have emergency contact information posted in a prominent location accessible to persons who might notice leaks, fires or other unsafe conditions. For bulk storage and cylinder filling facilities the letters shall be at least 2 inches high using approximately a 1/4 inch
stroke. At cylinder exchange staging areas the letters shall be 3/4 inches high using approximately a 1/8 inch stroke. ‘No smoking’ signs shall be conspicuously posted.”

2. Add a new paragraph 6.8.1.8 to read as follows:
   “6.8.1.8 Piping, tubing or regulators shall be considered well supported when they are rigidly fastened in their intended position.”

3. Add a new subsection 6.24.9 to read as follows:
   “6.24.9 Security and Protection Against Tampering. Vaporizers shall have fencing or protection against tampering in accordance with 6.21.4 and protection against vehicle collision.”

(d) Modifications to Chapter 7:

1. Add a new paragraph 7.2.2.20 to read as follows:
   “7.2.2.20 No person shall introduce LP Gas into a container, evacuate a container, or otherwise modify or tamper with a container without the written permission of the container owner.

   Exception: A Georgia dealer in LP-Gas may evacuate a container not owned by such dealer for the purpose of transferring the LP-Gas remaining in the container into a container which is owned by the dealer or the ultimate consumer, provided that the dealer owning the container to be evacuated is notified of the transfer. The Georgia dealer in LP-Gas evacuating the container shall document such notification and shall maintain a record of the notification for a period not less than three years.”

(e) Modifications to Chapter 8:

1. Add a new subsection 8.2.3 to read as follows:
   “8.2.3 When cylinders are stored in exchange or storage cages, the name of the lp-gas supplier and the supplier’s emergency contact information shall be posted on the front of the cage using letters 3/4 inches high using approximately a 1/8 inch stroke.”

(f) Modifications to Chapter 9:

1. Add a new subsection 9.1.3 to read as follows:
   “9.1.3 General Provisions.”

2. Add a new paragraph 9.1.3.1 to read as follows:
   “9.1.3.1 Drivers shall not be addicted to or under the influence of intoxicants or narcotics, and intoxicating beverages shall not be carried on or consumed in transport vehicles.”

3. Add a new paragraph 9.1.3.2 to read as follows:
   “9.1.3.2 Except during transfer operations, the liquid valve(s) of all tanks and cargo tank trucks shall be closed by means of self-closing shut-off valves.”

4. Add a new paragraph 9.1.3.3 to read as follows:
   “9.1.3.3 The transfer of L.P. Gas from vehicle to vehicle at any location which is open to and readily accessible to the public and on any public highway, road, street, or alley is allowed only with approval of the Safety Fire Division except in emergency situations.”
5. Add a new paragraph 9.4.6.3 to read as follows:

“9.4.6.3 In addition, the common name of the product or the words ‘LIQUEFIED PETROLEUM GAS’ shall be marked on the rear and sides of cargo tanks in letters at least 2 inches high using approximately a 1/4 inch stroke, with red letters upon a white background.”

6. Add a new paragraph 9.4.6.4 to read as follows:

“9.4.6.4 The name and telephone number of the owner or operator of any vehicle required to be marked shall be displayed on each side of the vehicle in legible lettering.”

Modifications: None


120-3-16-.08 Request for Modification of Specific Requirements.

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the Safety Fire Division may determine that specific requirements of this Chapter and the NFPA codes and standards adopted herein should be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. In their discretion, the Georgia Safety Fire Commissioner and the State Fire Marshal may jointly grant the requested modification.


120-3-16-.09 Inspections.

Authorized representatives of the Safety Fire Division may conduct inspections of all facilities subject to this Chapter. Upon determination by such inspection that a liquefied petroleum gas system or any part thereof is unsafe to the extent that it endangers life or adjacent properties, the inspector may red tag the entire system or a specified portion thereof. The red tag may be removed only by an authorized representative of the Safety Fire Division. Any system or portion of a system that has been red tagged may no longer be used until the red tag has been removed. In the event of a consumer complaint, fire, or explosion, all owners, managers or operators of all vehicles and equipment covered under this Chapter shall promptly and completely make available for inspection at the request of the Safety Fire Division all records regarding delivery receipts, inspections, installations, leak tests, maintenance, service calls, pressure tests, and tank lease agreements.


120-3-16-.10 Compliance with Rules and Regulations; Penalties.
All persons shall manufacture, distribute, sell, store, transport, use and otherwise handle liquefied petroleum gases in conformity with this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, or as provided in O.C.G.A. Section 10-1-269, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law or Regulation.


**120-3-16-.11 Forms.**

(1) Unless otherwise indicated, and to the extent provided, each filing required under this Regulation Chapter is to be made on forms or electronic format obtained from the Safety Fire Division.

(2) Forms may be reproduced and may be altered to accommodate manual or automated processing provided the same information is presented in the same order as in the forms or electronic format obtained from the Safety Fire Division.

(3) Any form filed electronically requiring a signature shall contain the electronic signature of the person filing the form, as defined in O.C.G.A. Section 10-12-3.

(4) The Safety Fire Division may approve a method or methods of electronic filing.


**120-3-16-.12 Notes.**

(1) The NFPA codes and standards adopted in this Chapter are on file in the Safety Fire Division and are available for viewing.

(2) Copies of the NFPA codes and standards may be obtained from:

National Fire Protection Association
Batterymarch Park
Quincy, Massachusetts 02269
Phone: 1-800-344-3555


**120-3-16-.13 Severability.**

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
RULES OF SAFETY FIRE COMMISSIONER

CHAPTER 120-3-16

RULES AND REGULATIONS FOR LIQUEFIED PETROLEUM GASES

TABLE OF CONTENTS

120-3-16-.01 Promulgation and Purpose
120-3-16-.02 Definitions
120-3-16-.03 Licenses; Fees and Other Requirements
120-3-16-.04 Training Requirements for Georgia Liquefied Petroleum Gas Industry Workers
120-3-16-.05 Submission of Plans
120-3-16-.06 Reporting of Fires and Accidents
120-3-16-.07 Adopted Codes and Standards with Modifications
120-3-16-.08 Request for Modification of Specific Requirements
120-3-16-.09 Inspections
120-3-16-.10 Compliance with Rules and Regulations; Penalties
120-3-16-.11 Forms
120-3-16-.12 Notes
120-3-16-.13 Severability

120-3-16-.01 Promulgation and Purpose.

(1) These Rules and Regulations governing the distribution, sale, transportation, storage, handling and use of liquefied petroleum gases are promulgated jointly by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. Sections 25-2-4 and 25-2-16, and the State Fire Marshal pursuant to O.C.G.A. Section 10-1-265.

(2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation and handling of liquefied petroleum gases, and to provide reasonably necessary measures for the protection of the health, welfare, and safety of the public and persons using such materials.

(3) Pursuant to O.C.G.A. Section10-1-270, no municipality or other political subdivision of this State shall adopt or enforce an ordinance, rule, or regulation in conflict with Article 10 of Chapter 1 of Title 10 of the Official Code of Georgia or with these Rules and Regulations.

(4) The Safety Fire Commissioner and/or the State Fire Marshal of Georgia shall have the authority to act in all matters related to this Chapter, pursuant to O.C.G.A. Sections 25-2-3, 25-2-4, 25-2-5, and 25-2-16.

120-3-16-.02 Definitions.

The definitions contained herein are in addition to and in clarification of those contained in the adopted codes and standards.

(1) ASME. The American Society of Mechanical Engineers.

(2) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.

(3) COMMISSIONER. The Georgia Insurance and Safety Fire Commissioner.

(4) CONFINED SPACE. For the purpose of this Chapter, a space whose volume is less than 50 cubic feet per 1000 Btu per hour (4.8 m³ per kW) of the aggregate input rating of all appliances installed in that space.

(5) CYLINDER EXCHANGE OPERATION. This operation, also referred to as cylinder staging racks or cages, requires specific approval. No product transfer takes place at these holding locations. All cylinders, empty or full, are secured in an approved rack or cage. The cylinder inspection, requalification, reconditioning and product transfer takes place at the licensed dealer's distribution plant (see definition in NFPA 58) by the dealer's properly trained personnel. All cylinders are provided with the required markings, labeling and each requalification is duly recorded for compliance with applicable DOT regulations and NFPA 58, Appendix C.

(6) DEALER IN LIQUEFIED PETROLEUM GAS. Any person who sells or offers to sell liquefied petroleum gas to an ultimate consumer for agricultural, industrial, commercial or domestic use.

(7) DISPENSING OPERATION. A dispensing facility or vehicle fuel dispenser as defined in NFPA 58 and used to dispense liquefied petroleum gas to the ultimate consumer.

(8) DOT. The United States Department of Transportation.

(9) INSTALLATION. The act of installing apparatus, piping, tubing, appliances, and equipment necessary for storing and converting liquefied petroleum gas into flame for light, heat, cooling or power for use by the ultimate consumer.

(10) NFPA. The National Fire Protection Association.

(11) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee or personal representative thereof.

(12) SAFETY FIRE DIVISION. The Safety Fire Division of the Office of Insurance and Safety Fire Commissioner, headed by the State Fire Marshal appointed by the Commissioner.

(13) ULTIMATE CONSUMER. Any person who is the last to purchase liquefied petroleum gas in its liquid or vapor state for agricultural, industrial, commercial or domestic use.
UNCONFINED SPACE. For the purpose of this Chapter, a space whose volume is not less than 50 cubic feet Per 1000 Btu per hour (4.8 m³ per kW) of the aggregate input rating of all appliances installed in that space. Rooms communicating directly with the space in which the appliances are installed, through openings not furnished with doors, are considered a part of the unconfined space. All the space that connects to the region that contains the appliance(s) can be combined to calculate the volume, provided there are no doors intervening.

WALLET CARD. A picture identification card issued by the Georgia State Fire Marshal’s Office establishing an individual’s certification for a specific area of liquefied petroleum gas industry operations.


120-3-16-.03 Licenses; Fees and other Requirements.

(1) Except as provided herein, no person shall manufacture, distribute, sell or store for sale or transportation, liquefied petroleum gas without a license issued by the Safety Fire Division in accordance with this Chapter.

(2) Only Georgia dealers or owners with a valid license issued by the Safety Fire Division in accordance with this Chapter shall introduce liquefied petroleum gas into a container at any location in the state for storage or dispensing of liquefied petroleum for sale or transportation.

(3) The required one-time license fee pursuant to O.C.G.A. Section 25-2-4.1 shall be submitted with the license application and shall be payable to the Safety Fire Commissioner.

(4) No license shall be required for:

(a) The sale or storage of liquefied petroleum gas in containers meeting DOT specifications and having a maximum water capacity of two and one half (2.5) pounds, such as those used with self-contained hand torches, camp stoves, and similar appliances.

(b) Cylinder exchange and dispensing operations conducted by licensed Georgia Dealers at their bulk plants with a current license. Dealers shall provide a listing of locations of the cylinder exchange racks/cages for inspection and compliance with Chapter 8 of NFPA 58 and other applicable codes.

(c) Ultimate consumer operations.

(5) Every entity who desires to be licensed to sell or distribute liquefied petroleum gas in this state shall have located within the state and within close proximity to the area serviced in Georgia storage capacity for a minimum of 30,000 water gallons, except that entities initially licensed prior to July 1, 1990, may continue to operate with the previously approved 18,000 gallons storage facility. If the 30,000 gallon capacity consists of more than one container, then no storage container used to meet this requirement shall be of a size less than 6,000 gallons. Any person who desires a liquefied petroleum gas dealer license as
authorized by O.C.G.A. Title 10, Chapter 1, Article 10 and who has not yet acquired the required storage facility may enter into a bulk storage lease agreement with such qualified person on the forms provided by the Safety Fire Division. Such agreement shall be made in triplicate and the license fee shall be the same as stated in subparagraph (3) of this rule. If the required storage facility is leased or rented, then such storage capacity must be dedicated to the exclusive use of the lessee and must include separate piping and loading/unloading facilities.

(6) Prior to obtaining a license for any of the activities listed in subsection (1) of this Rule, all persons shall furnish the Safety Fire Division with evidence of and shall thereafter maintain the following insurance coverage with an insurer authorized to do business in this State or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in this State:

(a) General liability including products and completed operations:
   1. $1,000,000 combined single limits if the capacity is more than 2,000 gallons.
   2. $500,000 combined single limits if the capacity is 2,000 gallons or less.

(b) Motor vehicle liability (when applicable): $1,000,000 combined single limits.

(c) An insurer which provided such coverage shall notify the Commissioner of any change in coverage.

(7) The name under which a person is licensed shall appear on all delivery tickets, delivery vehicles, and storage facilities. Nothing herein shall prohibit the use of trademarks, symbols or logos in addition to the licensee's name. Nothing herein shall prohibit the use of cash register receipts without the name of the business at portable DOT cylinder filling facilities.

(8) Any license issued pursuant to this Chapter may be suspended or revoked by the Safety Fire Division in accordance with O.C.G.A. Section 10-1-269.


120-3-16-.04 Training Requirements for Georgia Liquefied Petroleum Gas Industry Workers

(1) Each Georgia liquefied petroleum gas industry worker whose primary duties fall within the scope of Georgia Rules and Regulations 120-3-16 shall be trained in proper handling procedures and shall be certified by the Georgia State Fire Marshal’s Office for the particular job function that they perform. The training curriculum shall be the Certified Employee Training Program (CETP) or equivalent program approved by the Georgia State Fire Marshal’s Office to include employees engaged as delivery drivers and/or service and installation technicians.

(a) Existing industry workers whose primary duties fall within the scope of Georgia Rules and Regulations 120-3-16 have until 36 months from the effective date of this regulation to become shall be certified. The Georgia State Fire Marshal’s Office may define who is an existing industry worker, determine when an existing industry
worker must be certified, and develop the criteria for certification of existing industry workers when documentation of prior certification does not exist. One of the following methods will be used as certification criteria:

1. Written or oral examination
2. Work performance review
3. Observation during performance of the job
4. On the job training

(b) New industry workers including seasonal or part-time workers, employed after the effective date of this regulation must comply with certification requirements within 12 months of their original date of hire. Other workers that do not meet the requirements of existing industry workers listed in paragraph 120-3-16-.04 (1) (a) above or whose certification has expired as described in subsection 120-3-16-.04 (3) must comply with certification requirements within 12 months of the effective original date of this regulation hire, expiration of certification, or re-entry into the liquefied petroleum gas industry. Prior to certification, employees may perform duties for which they have been properly trained as per NFPA 58 and other appropriate regulatory agencies.

(2) Every Georgia liquefied petroleum gas industry worker must acquire a minimum of six hours of Continuing Education Units (CEU) every three years to maintain their certification.

(3) Certification belongs to the Georgia liquefied petroleum gas industry worker and follow the industry worker upon change of employment within the Georgia liquefied petroleum gas industry. A copy of the industry worker’s certificate shall be provided to their employer. Certification shall not expire unless:

(a) CEUs required by subsection 120-3-16-.04 (2) are not maintained
(b) Industry Worker’s employment within the liquefied petroleum gas industry has lapsed for a period of more than one year
(c) The Commissioner deems that revocation of the industry worker’s certification is necessary due to gross negligence or violation of this regulation

(4) A wallet card indicating valid certification shall be issued by the Georgia State Fire Marshal’s Office to the liquefied petroleum gas industry worker. This wallet card shall be kept with the industry worker at all times during which they are conducting business and shall be made available to authorities, State or Local, upon request. The wallet card shall be issued in the following classes:

(a) Class I: Basic Transfer and Handling
(b) Class II: Delivery
(c) Class III: Service /Installation
(d) Class IV: Bulk Operator
(e) Class V: Delivery and Service / Installation

(5) Certain records regarding certification shall be maintained by the appropriate party and maintained as current.
(a) The Georgia State Fire Marshal’s Office shall:

1. Maintain permanent certification records submitted by the Georgia liquefied petroleum gas industry worker
2. Maintain a database of CEU’s
3. Notify Certificate holder of upcoming CEU renewal requirements

(b) The Georgia liquefied petroleum gas industry worker shall:

1. Maintain personal CEU’s
2. Maintain their wallet card that is issued by the Georgia State Fire Marshal’s Office

(c) The licensed dealer in liquefied petroleum gas shall:

1. Maintain employee records indicating the status of certified employment base

(6) A Propane Industry Education Advisory Panel shall be appointed by the Commissioner and shall advise or recommend appropriate continuing education unit curriculum. The panel shall consist of five members: one independent propane marketer, one multi-state propane marketer, one propane industry supplier representative, one at-large member, all to be appointed by the executive committee of the Georgia Propane Gas Association and a representative of the State Fire Marshal. Each member of the advisory panel will serve a three year term. Members of the advisory panel will elect a chairman and vice chairman. The Vice Chairman shall succeed the Chairman.


120-3-16-.05 Submission of Plans.

(1) Complete plans and specifications for all systems involving the aggregate storage capacity of over 2,000 water gallons of liquefied petroleum gas shall be submitted in duplicate to, and receive approval by, the Safety Fire Division before installation is started. Complete plans and specifications for all systems involving storage of any capacity, used for the dispensing of liquefied petroleum gas as vehicular fuel, and located within 50 ft. of any facility dispensing flammable or combustible liquids as outlined in Georgia Rules and Regulations 120-3-11 shall be submitted in duplicate to, and receive approval by, the Safety Fire Division before installation is started. Pursuant to O.C.G.A. Sections 25-2-4.1 and 10-1-266, the plans shall be accompanied with the plan review fee payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Division.

(2) Plans shall be submitted in duplicate and shall include, at a minimum, the following:

(a) Scaled site plan (shall include all buildings and property lines)
(b) Storage container location(s)
(c) Container Drawings (shall include all piping connections, valves, and appurtenances)
(d) Container Pier Drawings (if applicable)
(e) Piping, valve, and associated equipment layout and arrangements
(f) Electrical conduit layout and arrangements
(g) Corrosion protection (if applicable)
(h) Equipment list and specifications (shall include make and model of equipment)
(i) A copy of the container data plate (picture, rubbing, marking, etc.)
(j) Other information necessary to show compliance

(3) Submissions for storage containers shall also include the following:

(a) A site approval by a representative of the State Fire Marshal
(b) A Fire Safety Analysis completed by the local fire authority

(4) One set of plans shall be retained by the State Fire Marshal and one copy returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.

(5) Construction or the storage container installation, or associated equipment, shall not commence until the plans have been approved and returned to the applicant.

(6) In lieu of plans, a final inspection shall be obtained from Safety Fire Division for the following:

(a) All other systems, which may or may not require a license but involve the storage of 2,000 water gallons or less of liquefied petroleum gas, such as, cylinder filling plants open to the public, or dispensing and filling locations at commercial, industrial or mercantile sites.

(b) Cylinder exchange racks or cages which do not require a license. Dealers shall provide a listing of locations of the cylinder exchange racks/cages for inspection and compliance with Chapter 8 of NFPA 58 and other applicable codes.


**120-3-16-.06 Reporting of Fires and Accidents.**

All owners, managers or operators of all vehicles and equipment covered under this Chapter shall as soon as possible, but in no event later than eight hours of the incident occurring, shall notify the Safety Fire Division of all fires involving such vehicles and equipment and all accidents involving the same that may create a hazard to the public. In addition to the initial notification, all owners, managers or operators of all vehicles and equipment covered under this Chapter shall submit a written report to the Safety Fire Division within seventy-two (72) hours of the incident occurring.

120-3-16.-07 Adopted Codes and Standards.

Except to the extent modified herein, the following NFPA codes and standards are hereby adopted:

Modifications:

(a) Modifications to Chapter 3:

1.Delete subsection 3.3.85 3.3.81 in its entirety and substitute in its place the following: “3.3.85 3.3.81 Qualified Agency. A Georgia licensed dealer in liquefied petroleum gas that is engaged in and is responsible for (1) the installation, testing, or replacement of gas piping or (2) the connection, installation, testing, repair, or servicing of appliances and equipment and that has complied with all the requirements of Georgia Rules and Regulations 120-3-16.”

2. Add a new subsection 3.3.112 3.3.106 to read as follows: “3.3.112 3.3.106 Interruption of Service. Any time when there is a disruption in the flow of gas between the gas supply and the distribution piping, or any portion thereof.”

(b) Modifications to Chapter 7:

1. Add a new paragraph 7.13.2.1 to read as follows: “7.13.2.1 Bonding in accordance with the manufacturer’s instructions shall be deemed as meeting the requirements of 7.13.2.”

(e) Modifications to Chapter 10:

1. Delete subsection 10.23.1 10.22.1 in its entirety and substitute in its place the following: “10.23.1 10.22.1 Prohibited Installations. Unvented room heaters shall not be installed in bathrooms or bedrooms.

“Exception No. 1: One listed wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system shall be permitted to be installed in a bathroom provided that the input rating shall not exceed 6,000 Btu/hr (1760 W/hr) and combustion and ventilation air is provided as specified in 10.1.2.

“Exception No. 2: One listed wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system shall be permitted to be installed in a bedroom provided that the input rating shall not exceed 10,000 Btu/hr (2930 W/hr) and combustion and ventilation air is provided as specified in 10.1.2.

“NOTE: Exceptions No. 1 and No. 2 are acceptable installations to the Safety Fire Division [refer to 120-3-16-.02 12].”

**Petroleum Gases:**

**Modifications:**

(a) Modifications to Chapter 4:

1. Delete Section 4.4 in its entirety and substitute in its place the following:

"**4.4 Qualifications of Personnel.** Persons who transfer liquid LP-Gas, who are employed to transport LP-Gas, or whose primary duties fall within the scope of this code shall be trained in accordance with Section 120-3-16-.04 of this Rule. Prior to obtaining a license for any of the activities listed in Section 120-3-16-.01 of this Rule, new applicant(s) must provide verification that all responsible persons such as owner or manager, and any employee(s) handling LP-Gas, have received and successfully completed safety training in the proper handling and operating procedures of LP Gas. This training shall be maintained and be kept up to date for the applicant’s license to remain valid. The Applicant must be the owner or manager of the business applying for the LP-Gas license."

2. Delete subsections 4.4.1 – 4.4.4 in its entirety.

(b) Modifications to Chapter 5:

1. Add a new paragraph 5.2.1.12 to read as follows:

"**5.2.1.12** The design, fabrication, and marking provisions for containers and features normally associated with container fabrication, such as container openings, appurtenances required for these openings to make the containers gastight entities, physical damage protecting devices, and container supports attached to or furnished with the container by the manufacturer shall meet the requirements of this section. All tank distributors or firms who manufacture or sell ASME liquefied petroleum gas containers shall provide each Georgia dealer who purchases such containers with a manufacturer’s data sheet for each container as set forth in Section VIII of ASME’s Boiler and Pressure Vessel Code. All such data sheets shall be signed by an inspector regularly employed by an insurance company or authorized governmental unit who holds a Certificate of Competency and Commission from the National Board of Boiler and Pressure Vessel Inspectors. All dealers shall file such data sheets as part of their regular records, separated by name of manufacturer and serial number of the container. Such records shall be available during regular office hours for inspection by the Safety Fire Division or authorized agent thereof. This requirement shall also apply to containers which are utilized on trucks, semi-trailers, and trailers. When containers used in this State are purchased by control purchasing departments of companies, corporations, their subdivisions or individuals operating within this State, such records shall be retained by the department, subdivision or individual. Copies of the manufacturer’s data sheets shall be available to the representative of the Safety Fire Division upon request."

2. Delete subsection 5.20.2 5.23.2 in its entirety and substitute in its place the following:

"**5.20.2 5.23.2** Any appliance originally manufactured for operation with a gaseous fuel other than LP-Gas shall not be used with LP-Gas unless it is converted to use LP-Gas, and is tested for performance with LP-Gas before being placed into use. No person shall use liquefied petroleum gas as a source of pressure in operating spray guns and other equipment not specifically designed or intended to use liquefied petroleum gas."

(c) Modifications to Chapter 6:
1. Add a new subsection 6.1.4 to read as follows:

“6.1.4 General Provisions. Bulk storage facilities, cylinder filling facilities, and cylinder exchange staging areas shall have emergency contact information posted in a prominent location accessible to persons who might notice leaks, fires or other unsafe conditions. For bulk storage and cylinder filling facilities the letters shall be at least 2 inches high using approximately a 1/4 inch stroke. At cylinder exchange staging areas the letters shall be 3/4 inches high using approximately a 1/8 inch stroke. ‘No smoking’ signs shall be conspicuously posted.”

2. Add a new paragraph 6.6.1.7 6.8.1.8 to read as follows:

“6.6.1.7 6.8.1.8 Piping, tubing or regulators shall be considered well supported when they are rigidly fastened in their intended position.”

3. Delete paragraph 6.7.2.7 in its entirety and substitute in its place the following:

“6.7.2.7 Pressure relief valve discharge on each aboveground container of more than 4,000 gal (7.6 m³) water capacity shall be piped vertically upward to a point at least 7 ft (2.1 m) above the top of the container, and the discharge opening shall be unobstructed to the open air.”

4. Delete subsection 6.10.1 in its entirety and substitute in its place the following:

“6.10.1 Where LP-Gas vapor is used as a pressure source for activating the remote shutoff mechanisms of internal valves and emergency shutoff valves, the following shall apply:

(1) Actuators and pressure supply line components shall be compatible with LP-Gas vapor.
(2) Supply line piping materials shall be limited to a maximum of 3/8 in. (9.0 mm) outside diameter.
(3) Supply pressure shall be controlled to prevent condensation of the LP-Gas vapor.
(4) The LP-Gas supply maximum flow rate to the system shall not exceed that from a No. 54 drill orifice.
(5) Non-metallic piping or tubing shall not be used.”

5. Add a new subparagraph subsection 6.22.9 6.24.9 to read as follows:

“6.22.9 6.24.9 Security and Protection Against Tampering. Vaporizers shall have fencing or protection against tampering in accordance with 6.18.4 6.21.4 and protection against vehicle collision.”

(d) Modifications to Chapter 7:

1. Add a new paragraph 7.2.2.15 7.2.2.20 to read as follows:

“7.2.2.15 7.2.2.20 No person shall introduce LP Gas into a container, evacuate a container, or otherwise modify or tamper with a container without the written permission of the container owner.”

Exception: A Georgia dealer in LP-Gas may evacuate a container not owned by such dealer for the purpose of transferring the LP-Gas remaining in the container into a container which is owned by the dealer or the ultimate consumer, provided that the dealer owning the container to be evacuated is notified of the transfer. The Georgia dealer in LP-Gas evacuating the container shall document such notification and shall maintain a record of the notification for a period not less than three years.”
(c) Modifications to Chapter 8:

1. Add a new subsection 8.2.3 to read as follows:

   “8.2.3 When cylinders are stored in exchange or storage cages, the name of the lp-gas supplier and the supplier’s emergency contact information shall be posted on the front of the cage using letters 3/4 inches high using approximately a 1/8 inch stroke.”

(f) Modifications to Chapter 9:

1. Add a new subsection 9.1.3 to read as follows:

   “9.1.3 General Provisions.”

2. Add a new paragraph 9.1.3.1 to read as follows:

   “9.1.3.1 Drivers shall not be addicted to or under the influence of intoxicants or narcotics, and intoxicating beverages shall not be carried on or consumed in transport vehicles.”

3. Add a new paragraph 9.1.3.2 to read as follows:

   “9.1.3.2 Except during transfer operations, the liquid valve(s) of all tanks and cargo tank trucks shall be closed by means of self-closing shut-off valves.”

4. Add a new paragraph 9.1.3.3 to read as follows:

   “9.1.3.3 The transfer of L.P. Gas from vehicle to vehicle at any location which is open to and readily accessible to the public and on any public highway, road, street, or alley is allowed only with approval of the Safety Fire Division except in emergency situations.”

5. Add a new paragraph 9.4.6.3 to read as follows:

   “9.4.6.3 In addition, the common name of the product or the words ‘LIQUEFIED PETROLEUM GAS’ shall be marked on the rear and sides of cargo tanks in letters at least 2 inches high using approximately a 1/4 inch stroke, with red letters upon a white background.”

6. Add a new paragraph 9.4.6.4 to read as follows:

   “9.4.6.4 The name and address telephone number of the owner or person operating operator of any vehicle required to be marked shall be displayed on each side of the vehicle in legible lettering.”


Modifications: None


120-3-16-.08 Request for Modification of Specific Requirements.

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the Safety Fire Division may determine that specific requirements of this Chapter and the NFPA codes and standards adopted herein should be
modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. In their discretion, the Georgia Safety Fire Commissioner and the State Fire Marshal may jointly grant the requested modification.


**120-3-16-.09 Inspections.**

Authorized representatives of the Safety Fire Division may conduct inspections of all facilities subject to this Chapter. Upon determination by such inspection that a liquefied petroleum gas system or any part thereof is unsafe to the extent that it endangers life or adjacent properties, the inspector may red tag the entire system or a specified portion thereof. The red tag may be removed only by an authorized representative of the Safety Fire Division. Any system or portion of a system that has been red tagged may no longer be used until the red tag has been removed. In the event of a consumer complaint, fire, or explosion, all owners, managers or operators of all vehicles and equipment covered under this Chapter shall promptly and completely make available for inspection at the request of the Safety Fire Division all records regarding delivery receipts, inspections, installations, leak tests, maintenance, service calls, pressure tests, and tank lease agreements.


**120-3-16-.10 Compliance with Rules and Regulations; Penalties.**

All persons shall manufacture, distribute, sell, store, transport, use and otherwise handle liquefied petroleum gases in conformity with this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, or as provided in O.C.G.A. Section 10-1-269, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law or Regulation.


**120-3-16-.11 Forms.**

(1) Unless otherwise indicated, and to the extent provided, each filing required under this Regulation Chapter is to be made on forms or electronic format obtained from the Safety Fire Division.

(2) Forms may be reproduced and may be altered to accommodate manual or automated processing provided the same information is presented in the same order as in the forms or electronic format obtained from the Safety Fire Division.

(3) Any form filed electronically requiring a signature shall contain the electronic signature of the person filing the form, as defined in O.C.G.A. Section 10-12-3.

(5) The Safety Fire Division may approve a method or methods of electronic filing.

120-3-16-.12 Notes.

(1) The NFPA codes and standards adopted in this Chapter are on file in the Safety Fire Division and are available for viewing.

(2) Copies of the NFPA codes and standards may be obtained from:

   National Fire Protection Association
   Batterymarch Park
   Quincy, Massachusetts 02269
   Phone: 1-800-344-3555


120-3-16-.13 Severability.

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.


If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
RULES OF SAFETY FIRE
COMMISSIONER CHAPTER 120-3-17

RULES AND REGULATIONS FOR LIQUEFIED NATURAL GAS AND COMPRESSED NATURAL GAS

TABLE OF CONTENTS

120-3-17-.01 Promulgation and Purpose
120-3-17-.02 Definitions
120-3-17-.03 Submission of Plans/Fees
120-3-17-.04 Reporting of Fires and Serious Accidents
120-3-17-.05 Adopted Standard
120-3-17-.06 Request for Modification of Specific Requirements
120-3-17-.07 Penalties
120-3-17-.08 Severability

120-3-17-.01 Promulgation and Purpose

(1) These Rules and Regulations for Liquefied Natural Gas are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. 25-2-4.

(2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from fire and related hazards incident to the storage and handling of liquefied natural gas and compressed natural gas.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.02 Definitions

The definitions contained herein are in addition to and in clarification of those contained in the adopted standard.

(1) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(2) COMMISSIONER. The Georgia Safety Fire Commissioner.

(3) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.
120-3-17-.03 Submission of Plans/Fees

(1) Complete plans and specifications for all systems involving the storage of liquefied natural or compressed natural gas shall be submitted to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposed system and its compliance with this Chapter. The plans shall be submitted to the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16 the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.04 Reporting of Fires and Serious Accidents

Every person who owns, operates or is responsible for storage and handling of liquefied natural gas as covered by this Chapter who suffers a fire or serious accident involving liquefied natural gas shall notify the State Fire Marshal’s Office as soon as possible but in no event later than eight hours of the incident occurring. In addition to the initial notification, every person who owns, operates or is responsible for storage of liquefied natural gas as covered by this Chapter shall make a written report thereof to the State Fire Marshal’s Office as soon as possible, but in no event later than seventy-two (72) hours. A serious accident shall be one which results in loss of life, hospitalization, or damage to property involving $5,000.00 or more.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.05 Adopted Standards

Except to the extent modified herein, the following NFPA codes and standards are hereby adopted:

Modifications: None

(2) NFPA 54, 2018 Edition, National Fuel Gas Code:
Modifications: None

Modifications: None

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.06 Request for Modification of Specific Requirements

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA code adopted herein be modified to allow alternative arrangements that will
secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-17-.07 Penalties

After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law or Regulation.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

### 120-3-17-.08 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**NOTES:**

1. The NFPA code adopted in this Chapter is on file in the Office of the State Fire Marshal and is available for viewing.

2. Copies of the NFPA code may be obtained from: National Fire Protection Association
   
   Batterymarch Park
   
   Quincy, Massachusetts 02269
   
   Phone 1-800-344-3555

A price list of NFPA codes and standards is available at the Office of the State Fire Marshal for viewing.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
RULES OF SAFETY FIRE

COMMISSIONER CHAPTER 120-3-17

RULES AND REGULATIONS FOR LIQUEFIED
NATURAL GAS AND COMPRESSED NATURAL GAS

TABLE OF CONTENTS

120-3-17-.01 Promulgation and Purpose
120-3-17-.02 Definitions
120-3-17-.03 Submission of Plans/Fees
120-3-17-.04 Reporting of Fires and Serious Accidents
120-3-17-.05 Adopted Standard
120-3-17-.06 Request for Modification of Specific Requirements
120-3-17-.07 Penalties
120-3-17-.08 Severability

120-3-17-.01 Promulgation and Purpose

(3) These Rules and Regulations for Liquefied Natural Gas are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. 25-2-4.

(4) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from fire and related hazards incident to the storage and handling of liquefied natural gas and compressed natural gas.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.02 Definitions

The definitions contained herein are in addition to and in clarification of those contained in the adopted standard.

(5) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(6) COMMISSIONER. The Georgia Safety Fire Commissioner.

(7) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.
120-3-17-.03 Submission of Plans/Fees

(1) Complete plans and specifications for all systems involving the storage of liquefied natural or compressed natural gas shall be submitted to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposed system and its compliance with this Chapter. The plans shall be submitted to the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16 the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.04 Reporting of Fires and Serious Accidents

Every person who owns, operates or is responsible for storage and handling of liquefied natural gas as covered by this Chapter who suffers a fire or serious accident involving liquefied natural gas shall notify the State Fire Marshal's Office as soon as possible but in no event later than eight hours of the incident occurring. In addition to the initial notification, every person who owns, operates or is responsible for storage of liquefied natural gas as covered by this Chapter shall make a written report thereof to the State Fire Marshal's Office as soon as possible, but in no event later than seventy-two (72) hours. A serious accident shall be one which results in loss of life, hospitalization, or damage to property involving $5,000.00 or more.

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.05 Adopted Standards

Except to the extent modified herein, the following NFPA codes and standards are hereby adopted:


Modifications: None

(2) NFPA 54, 2018 Edition, National Fuel Gas Code:
Modifications: None

Modifications: None

Authority: O.C.G.A. Sections 25-2-4 and 25-2-16.
120-3-17-.06 Request for Modification of Specific Requirements

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA code adopted herein be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal’s recommendation and grant the requested modification.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.07 Penalties

After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law or Regulation.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

120-3-17-.08 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**NOTES:**
1. The NFPA code adopted in this Chapter is on file in the Office of the State Fire Marshal and is available for viewing.

   2. Copies of the NFPA code may be obtained from: National Fire Protection Association
      Batterymarch Park
      Quincy, Massachusetts 02269
      Phone 1-800-344-3555

A price list of NFPA codes and standards is available at the Office of the State Fire Marshal for viewing.

**Authority:** O.C.G.A. Sections 25-2-4 and 25-2-16.

If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.
RULES AND REGULATIONS OF THE SAFETY FIRE COMMISSIONER
CHAPTER 120-3-22 RULES AND REGULATIONS FOR THE MANUFACTURING, STORAGE, SALES, EXHIBITIONS AND DISPLAYS OF FIREWORKS AND PYROTECHNICS, USE OF FLAME EFFECTS BEFORE A PROXIMATE AUDIENCE

TABLE OF CONTENTS

120-3-22-.01 Promulgation and Purpose.
120-3-22-.02 Definitions.
120-3-22-.03 Submission of Plans for Storage Installations.
120-3-22-.04 Submission of Plans and Licensing of Fireworks Manufacturers.
120-3-22-.05 Submission of Plans for Consumer Fireworks Retail Sales Facilities
120-3-22-.06 Inspections
120-3-22-.07 Reporting of Fires and Accidents
120-3-22-.08 State Minimum Fire Safety Codes and Standards
120-3-22-.09 Licensing Requirements for Fireworks or Pyrotechnics Exhibitions or Displays before a Proximate Audience.
120-3-22-.10 Licensing Requirements for Distributors of Consumer Fireworks
120-3-22-.11 Sales of Consumer Fireworks.
120-3-22-.12 Purchase of Consumer Fireworks.
120-3-22-.13 Use of Fireworks
120-3-22-.14 Unlawful Activity
120-3-22-.15 Compliance with Rules and Regulations; Penalties.
120-3-22-.16 Requests for Modification of Specific Requirements.
120-3-22-.17 Forms
120-3-22-.18 Notes
120-3-22-.19 Severability

120-3-22-.01 Promulgation and Purpose.

(1) These Rules and Regulations for Fireworks are promulgated by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. Sections 25-2-4 and 25-10-5.

(2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the retail sales, distribution, manufacturing, storage, transportation, and use of Consumer Fireworks, Display Fireworks, and Pyrotechnic Articles as authorized pursuant to Chapter 10 of Title 25 of the Official Code of Georgia Annotated.


120-3-22-.02 Definitions. The definitions contained herein are in addition to and in clarification of the definitions contained in the adopted codes and standards.
(1) “Commissioner” means the Georgia Safety Fire Commissioner.

(2) “Consumer fireworks” shall have the same meaning as set forth in O.C.G.A. § 25-10-1(a)(1). Consumer fireworks do not include those items listed in O.C.G.A. § 25-10-1(b).

(3) “Consumer fireworks retail sales facility” shall have the same meaning as provided for by NFPA 1124; provided, however, that such term shall not include a tent, canopy, or membrane structure.

(4) “Distributor” means any person, firm, corporation, association, or partnership which sells consumer fireworks directly to the consumer or to other distributors.

(5) “Fireworks distributor license” means the license issued by the Safety Fire Commissioner that a distributor must maintain in order to legally sell consumer fireworks.

(6) “Fireworks or Pyrotechnics Exhibitions or Displays before a Proximate Audience” means any exhibition or display of fireworks, or any use of pyrotechnic special effects, that occurs within a building or structure or before an audience closer to the pyrotechnic devices than permitted by NFPA 1123, Code for Fireworks Display.

(7) “NFPA” means the National Fire Protection Association.

(8) “Nonprofit group” means any entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, any entity incorporated under Chapter 3 of Title 14, the ‘Georgia Nonprofit Corporation Code,’ or a sponsored organization of a public or private elementary school or secondary school in the state.

(9) “Person” means any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(10) “Proper Identification” means a document issued by a governmental agency containing a description of the person or such person’s photograph, or both, and giving such person’s date of birth, including a passport, military identification card, driver’s license, or identification card authorized under Code Sections 40-5-100 through 40-5-104.

(11) “Public exhibition or display of fireworks” means the use of pyrotechnics, display fireworks, consumer fireworks, or any combination of these for any purpose relating to the amusement or entertainment of the public that does not occur within a building or structure or before a proximate audience; provided that such term shall not include the private, personal use of consumer fireworks by the public.

(12) “Qualified Individual” means an individual including but not limited to a Georgia registered architect, a Georgia registered fire protection engineer, a Georgia registered professional engineer, a local building official, a local fire official, an individual certified as a Georgia certified fire inspector or an individual who has a national certification from a national codes organization acceptable to the State Fire Marshal.
“State Fire Marshal” means the State Fire Marshal of Georgia or his or her designee.

“Store” shall have the same meaning as provided for by NFPA 1124; provided, however, that such term shall only include such buildings with at least 4,000 square feet of retail display space and wherefrome:

(a) No more that 25 percent of the retail display space is used for consumer fireworks and items or products as provided for under O.C.G.A. § 25-10-1(b); and

(b) Other items or products which are not consumer fireworks or items or products as provided for under O.C.G.A. § 25-10-1(b) are sold; and provided, further, that such term means a person, firm, corporation, association, or partnership with more than one mercantile location, where all such mercantile locations are collectively known to the public by the same name or share central management.

“Wholesale” means the sale of consumer fireworks within the State of Georgia for resale by others.


120-3-22-.03 Submission of Plans for Storage Installations.
Plans for all proposed storage facilities of fireworks or modifications of any existing storage facility shall be submitted to the Commissioner as required in Chapter 10 of Title 25 of the Official Code of Georgia Annotated.

(1) At least two sets of plans for storage facilities shall be submitted, drawn to scale and shall be of sufficient clarity and detail to indicate the location, setting, construction, distances and such other information as necessary to indicate compliance with the requirements of this Chapter.

(2) The plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner or his designee.

(3) Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee payable to the Commissioner.

(4) One set of plans shall be retained by the Commissioner and one copy shall be returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the Commissioner.

(5) Construction shall not commence until the plans have been approved and returned to the applicant.

120-3-22-.04 Submission of Plans and Licensing of Fireworks Manufacturers.

(1) Manufacturing operations shall be permitted only after a fireworks manufacturer's license has been issued by the Commissioner in accordance with this rule. A manufacturer's license shall not exempt the holder thereof from obtaining any other permits or licenses that may be required by other government agencies.

(2) Application for a fireworks manufacturer's license shall be made to the Commissioner annually on the form provided and shall be accompanied by a license fee pursuant to O.C.G.A. Section 25-2-4.1.

(3) Plans for all proposed manufacturing facilities or modification of any existing manufacturing facilities shall be submitted to the Commissioner with the fireworks manufacturer's application as provided in O.C.G.A. Section 25-10-3.

(a) At least two sets of plans for fireworks manufacturing facilities shall be submitted, drawn to scale, and shall include a general arrangement layout, location, safety control devices or arrangements, electrical and ventilation arrangements, construction details, emergency control arrangements and such other details, information and specifications as necessary to indicate safe operations.

(b) The plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner or his designee.

(c) Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee payable to the Commissioner.

(d) One set of plans shall be retained by the Commissioner and one copy shall be returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the Commissioner.

(e) Construction shall not commence until the plans have been approved and returned to the applicant.

(4) Upon receipt of a fireworks manufacturer's license application, the Commissioner shall direct his authorized representative to inspect the facility. If the authorized representative determines that all requirements for the manufacturing of fireworks contained in this Chapter have been satisfied, he may recommend that the license be processed.

(5) Upon receipt of the inspection report, the Commissioner shall examine the application and inspection report. If all requirements contained in this Chapter have been satisfied, he shall issue a fireworks manufacturer's license that shall be posted by the applicant in a conspicuous location on the premises. The manufacturer's license is nontransferable and shall expire on December 31 of each year or upon a change in the name, ownership or location of the facility. The current license number shall be recorded on all
invoices, shipments, and similar transactions. The license authorizes the manufacture of any fireworks not prohibited by Congress or any federal agency; the possession, transportation, and storage of any such fireworks by any manufacturer thereof; the possession, transportation, or distribution of any such fireworks to a distributor located outside the State; the sale of such fireworks by any such manufacturer to a distributor located outside this State; or the possession and transportation of such fireworks by any manufacturer or contractor or common carrier from the point of manufacture within this State to any point outside this State.

(6) A fireworks manufacturer's license may be revoked for cause after notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner; provided, however, that the Commissioner may revoke any license prior to notice and hearing if he determines that the situation involves an imminent peril to the public health, safety and welfare and that the situation therefore requires emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held if and only if the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.


120-3-22-.05 Submission of Plans for Consumer Fireworks Retail Sales Facilities

1. Plans for all proposed consumer fireworks retail sales facilities or major modifications of any existing consumer fireworks retail sales facility in which the total quantity of consumer fireworks on hand at any time will exceed 1,000 pounds gross packaged product weight shall be submitted to, and receive the approval of, the State Fire Marshal prior to consumer fireworks being sold or offered for sale at retail in accordance with the following:

   (a) Plans shall be submitted in duplicate.

   (b) Plans shall be drawn to scale, shall be of sufficient clarity and detail, and shall include all information necessary to indicate compliance with the requirements of this Chapter and NFPA 1124 entitled, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles.

   (c) The plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner or his designee.

   (d) Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee payable to the Commissioner.

   (e) One set of plans shall be retained by the Commissioner and one copy shall be returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the CFRS facility and shall be made available to
authorized representatives of the State Fire Marshal or qualified individual at the time of inspection.


120-3-22-.06 Inspections.

The Commissioner and his authorized representatives may conduct periodic inspections of fireworks storage installations, manufacturer's facilities, consumer fireworks retail sales facilities, consumer fireworks retail sales stands, consumer fireworks stores, and transportation vehicles to ascertain whether the owners or operators are in compliance with this Chapter.


120-3-22-.07 Reporting of Fires and Accidents.

(1) All owners, managers or operators of all vehicles, equipment, consumer fireworks retail sales facilities, consumer fireworks retail sales stands, consumer fireworks stores, and manufacturing and storage facilities covered under this Chapter shall, as soon as possible but in no event later than eight hours of such incident occurring, notify the Commissioner’s Office of all fires involving such manufacturer’s vehicles, equipment or facilities and all accidents involving the same that may create a hazard to the public from fire, explosion or related risk. In addition to the initial notification, but in no event later than seventy-two (72) hours, all owners, managers or operators of all vehicles, equipment, consumer fireworks retail sales facilities, consumer fireworks retail sales stands, consumer fireworks stores, and manufacturing and storage facilities covered under this Chapter shall submit a written report to the Commissioner’s Office of all fires involving such vehicles, equipment, consumer fireworks retail sales facilities, consumer fireworks retail sales stands, consumer fireworks stores, manufacturing or storage facilities, and all accidents involving the same that may create a hazard to the public from fire, explosion or related risk.

(2) All holders of permits for display or exhibitions of fireworks or pyrotechnics shall, as soon as possible but in no event later than eight hours of such incident occurring, notify the Commissioner’s Office of all fires, explosions, or other incidents of any type which result in personal injuries or property damage occurring at a display or exhibition of fireworks or pyrotechnics pursuant to the permit.


120-3-22-.08 State Minimum Fire Safety Codes and Standards.

Unless otherwise stated in this Chapter, the following editions of the codes, standards, recommended practices, guides and methods, as published in the National Fire Codes (NFC) by the National Fire Protection Association (NFPA), as adopted and modified herein shall be the State’s minimum fire safety standards related to the manufacturing, storage, transportation, and use of display fireworks and consumer fireworks, the retail sales of consumer fireworks, and fireworks or pyrotechnics exhibitions and displays, and the use of flame effects before a proximate audience.

Modifications:

(a) Modifications to Chapter 5:

1. Delete subsection 5.1.1 in its entirety and substitute in its place the following:

"5.1.1 Permit Required. A use permit issued by the authority having jurisdiction shall be required for the use of flame effects before a proximate audience or within any building or structure.


Modifications:

(a) Modifications to Chapter 3:

1. Delete subsection 3.3.15 in its entirety and substitute in its place the following:

"3.3.15 Fireworks. Any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, including blank cartridges, firecrackers, torpedoes, skyrockets, bombs, sparklers, and other combustibles and explosives of like construction, as well as articles containing any explosive or flammable compound and tablets and other devices containing an explosive substance. The term ‘fireworks’ shall not include:

(a) Model rockets and model rocket engines designed, sold, and used for the purpose of propelling recoverable aero models, toy pistol paper caps in which the explosive content averages 0.25 grains or less of explosive mixture per paper cap or toy pistols, toy cannons, toy cans, toy guns, or other devices using such paper caps; nor shall the term ‘consumer fireworks’ or ‘fireworks’ include ammunition consumed by weapons used for sporting and hunting purposes; and,

(b) Wire or wood sparklers of 100 grams or less of mixture per item; other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical compound per tube or a total of 500 grams or less for multiple tubes; snake and glow worms; smoke devices; or trick noise makers which include paper streamers, party peppers, string peppers, snappers, and drop pops each consisting of 0.25 grains or less of 81 explosive mixture.”

2. Delete subsection 3.3.15.1 in its entirety and substitute in its place the following:

"3.3.15.1 Consumer Fireworks. Any small fireworks devices containing restricted amounts of pyrotechnic composition, designed primarily to produce visible or audible effects by combustion, that comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission as provided for in Parts 1500 and 1507 of Title 16 of the Code of Federal Regulations, the United States Department of Transportation as provided for in Part 172 of Title 49 of the Code of Federal Regulations, and the American Pyrotechnics Association as provided for in
the 2001 American Pyrotechnics Association Standard 87-1, and additionally shall mean
Roman candles. The term ‘consumer fireworks’ shall not include:

(a) Model rockets and model rocket engines designed, sold, and used for the purpose
of propelling recoverable aero models, toy pistol paper caps in which the explosive content
averages 0.25 grains or less of explosive mixture per paper cap or toy pistols, toy cannons,
toy canes, toy guns, or other devices using such paper caps; nor shall the term ‘consumer
fireworks’ or ‘fireworks’ include ammunition consumed by weapons used for sporting and
hunting purposes; and,

(b) Wire or wood sparklers of 100 grams or less of mixture per item; other sparkling
items which are nonexplosive and nonaerial and contain 75 grams or less of chemical
compound per tube or a total of 500 grams or less for multiple tubes; snake and glow
worms; smoke devices; or trick noise makers which include paper streamers, party peppers,
string peppers, snappers, and drop pops each consisting of 0.25 grains or less of 81
explosive mixture.”

3. Delete subsection 3.3.15.2 in its entirety and substitute in its place the following:

**3.3.15.2 Display Fireworks.** Any large fireworks devices that are explosive
materials intended for use in fireworks displays and designed to produce visible or audible
effects by combustion, deflagration, or detonation, as set forth in Part 555 of Title 27 of the
Code of Federal Regulations, Part 172 of Title 49 of the Code of Federal Regulations, and
American Pyrotechnics Association Standard 87-1. Display fireworks are described as
Fireworks, UN0335 and are classified as Explosives, 1.3G by the U.S. Department of
Transportation.

**(b) Modifications to Chapter 8:**

1. Add a new paragraph 8.1.3.6 to read as follows:

**8.1.3.6 The operator shall be present and shall personally supervise all phases of
the public exhibition or display of fireworks.”**

2. Add a new subsection **8.1.9.3** to read as follows:

**8.1.9.3 The pyrotechnics operator shall be present and shall personally supervise
all phases of the public exhibition or display of fireworks.”**

**(c) Modifications to Chapter 10:**

1. Delete subsection 10.1.1 in its entirety and substitute in its place the following:

**10.1.1 The operator shall be at least 21 years old. Prior to performing the public
exhibition or display of fireworks, the operator or the operator's employer shall obtain a
permit issued by the judge of the probate court of the county in which the public exhibition
or display of fireworks is to be held in accordance with all applicable state laws.”**

2. Delete subsection 10.1.2 in its entirety and substitute in its place the following:

**10.1.2 An operator shall provide evidence of actual experience as an operator or
assistant to the authority having jurisdiction. This evidence shall include the following:**
“(a) At least five different affidavits signed by the local fire official or officials responsible for the area or areas that the operator has actively participated in all phases of a public exhibition or display of fireworks in which there were no personal injuries or property damage.

“(b) A statement providing full details of any such public exhibitions or displays of fireworks in which said operator has participated which resulted in personal injuries or property damage, or an affidavit by the operator certifying that said operator has never participated in any such public exhibition or display of fireworks which resulted in personal injuries or property damage.”

3. Delete subsection 10.1.3 in its entirety and substitute in its place the following:

10.1.3 An operator shall provide evidence to the authority having jurisdiction that he/she possess at least one of the following:

“(a) Certificate(s) of training totaling 20 hours related to fireworks from national organization(s) that promote safety in fireworks displays, or

“(b) Licensure for fireworks displays by another state which administers a competency test accepted by the Commissioner, or

“(c) Other training, testing and/or experience acceptable to the Commissioner.”

4. Add a new subsection 10.1.4 to read as follows:

10.1.4 The individual pyrotechnic operator who will actually conduct the public exhibition or display of fireworks must provide to the authority having jurisdiction proof of employment by said person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks.”

5. Delete section 10.2 in its entirety and substitute in its place the following:

10.2 All assistants shall be at least 18 years old. Each operator shall complete a form on each assistant for each permit being applied for that provides the assistant’s age, date of birth, and states the operator’s satisfaction as to the qualifications of that assistant.”

6. Delete subsection 10.3.1 in its entirety and substitute in its place the following:

10.3.1 Prior to performing the public exhibition or display of fireworks, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall obtain and provide a copy of a display permit to conduct a firework(s) display issued by the judge of the probate court of the county in which the public exhibition or display of fireworks is to be held, pursuant to O.C.G.A. Section 25-10-4(a) to the authority having jurisdiction.”

7. Delete subsection 10.3.2 in its entirety and substitute in its place the following:

10.3.2 Proof of a bond in the principal sum of $10,000.00, payable to the county in which the public exhibition or display of fireworks is being held and conditioned for the payment of damages which may be caused either to persons or to property by reason of the public exhibition or display of fireworks must be provided or, alternatively, evidence be provided that the applicant carries proper liability insurance for bodily injury in the amount of not less than $25,000.00 for each person and $50,000.00 for each accident and for property damage in the amount of not less than $25,000.00 for each accident and $50,000.00 aggregate, purchased from an insurer authorized to do business in Georgia, or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in Georgia.”
8. Delete subsection 10.3.4 in its entirety with no substitution.

9. Add a new section 10.4 to read as follows:

"10.4 Prior to performing the public exhibition or display of fireworks, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall provide to the authority having jurisdiction the name and qualifications of every operator and assistant who will participate in the."

10. Add a new subsection 10.4.1 to read as follows:

"10.4.1 Prior to performing the public exhibition or display of fireworks, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall provide to the authority having jurisdiction a statement signed by the individual pyrotechnic operator who will actually conduct the public exhibition or display of fireworks certifying the operator's satisfaction with the qualifications of each such assistant."

(3) NFPA 1124, 2006 Edition, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles
Modifications:

(a) Modifications to Chapter 7:

1. Add a new subsection 7.3.25 to read as follows:

"7.3.25 Required Signs"

2. Add a new paragraph 7.3.25.1 to read as follows:

"7.3.25.1 Every licensed distributor selling consumer fireworks shall have within the retail display area for consumer fireworks at least one sign which reads as follows:

PLEASE CHECK YOUR LOCAL ORDINANCES PRIOR TO USING OR IGNITING CONSUMER FIREWORKS
PLEASE USE CONSUMER FIREWORKS IN ACCORDANCE WITH THEIR AFFIXED CAUTION AND WARNING LABELS
PLEASE BE A GOOD NEIGHBOR AND BE MINDFUL THAT UNANNOUNCED IGNITION NEAR SOME MILITARY VETERANS AND OTHER PERSONS AND NEAR SOME PETS CAN BE TRAUMATIC"

3. Add a new subparagraph 7.3.25.1.1 to read as follows:

"7.3.25.1.1 Such signs shall be at least 22 inches by 28 inches in size, be printed in at least 40 point boldface type in a color contrasting from such sign’s background color, and kept free from obstruction and in plain sight of customers."

4. Add a new paragraph 7.3.25.2 to read as follows:

"7.3.25.2 Signs shall be posted throughout the retail display area and shall read:

Pursuant to O.C.G.A. 25-10-2, it is unlawful to:
Sell consumer fireworks to any person under 18 years of age. Persons purchasing consumer fireworks must provide the seller proper identification at the time of purchase
Use consumer fireworks indoors or within the right of way of a public road, street, highway, or railroad of this state. Use or ignite, possess, and transport consumer fireworks by any person under 18 years of age.”

(4) NFPA 1126, 2016 Edition, Standard for the Use of Pyrotechnics before a Proximate Audience

Modifications:

(a) Modifications to Chapter 3:

1. Delete subsection 3.3.39 in its entirety and substitute in its place the following: “3.3.43 Proximate Audience. An audience closer to pyrotechnic devices than permitted by NFPA 1123, Code for Fireworks Display or an audience within a building or structure where pyrotechnic devices are used.

(b) Modifications to Chapter 6:

1. Add a new subsection 6.1.5 to read as follows: "6.1.5 Prior to performing the fireworks or pyrotechnics exhibition or display before a proximate audience, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall obtain and provide a copy of a display permit to conduct a proximate audience firework(s) display issued by the judge of the probate court of the county in which the public exhibition or display is to be held, pursuant to O.C.G.A. Section 25-10-4(b) to the authority having jurisdiction."

2. Add a new subsection 6.1.6 to read as follows: "6.1.6 Proof of a bond in the principal sum of $10,000.00, payable to the county in which the display is being held and conditioned for the payment of damages which may be caused either to persons or to property by reason of the display must be provided or, alternatively, evidence be provided that the applicant carries proper liability insurance for bodily injury in the amount of not less than $25,000.00 for each person and $50,000.00 for each accident and for property damage in the amount of not less than $25,000.00 for each accident and $50,000.00 aggregate, purchased from an insurer authorized to do business in Georgia, or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in Georgia."

3. Add a new subsection 6.1.7 to read as follows: "6.1.7 The person, firm, corporation, association or partnership desiring to conduct a fireworks or pyrotechnics exhibition or display before a proximate audience must provide a copy of the license or amended license issued by the Commissioner to the authority having jurisdiction that indicates that the individual pyrotechnic operator(s) who will actually conduct the proximate audience display or exhibition is licensed under the person, firm, corporation, association or partnership."

4. Delete subsection 6.5.1 in its entirety and substitute in its place the following:

"6.5.1 All pyrotechnic operators shall be at least 21 years old. Prior to performing the fireworks or pyrotechnics exhibition or display before a proximate audience, the operator
or the operator’s employer shall obtain a permit issued by the judge of the probate court of the county in which the public exhibition or display is to be held in accordance with all applicable state laws. In addition, each operator shall provide evidence of actual experience as an operator or assistant to the authority having jurisdiction. This evidence shall include the following:

“(a) At least five different affidavits signed by the local fire official or officials responsible for the area or areas that the pyrotechnic operator has actively participated in all phases of a fireworks or pyrotechnics exhibition or display before proximate audiences in which there were no personal injuries or property damage.

“(b) A statement providing full details of any fireworks or pyrotechnics exhibitions or displays before proximate audiences in which said pyrotechnic operator has participated which resulted in personal injuries or property damage, or an affidavit by the pyrotechnic operator certifying that said operator has never participated in any such displays or exhibitions which resulted in personal injuries or property damage.”

5. Delete paragraph 6.5.1.1 in its entirety and substitute in its place the following:

“6.5.1.1 Each operator shall provide evidence to the authority having jurisdiction that he/she possess at least one of the following:

“(a) Certificate(s) of training totaling 20 hours related to fireworks from national organization(s) that promote safety in fireworks displays, or

“(b) Licensure for fireworks displays by another state which administers a competency test accepted by the Commissioner, or

“(c) Other training, testing and/or experience acceptable to the Commissioner.”

6. Delete paragraph 6.5.1.2 in its entirety.

7. Delete subsection 6.5.2 in its entirety and substitute in its place the following:

“6.5.2 All assistants shall be at least 18 years old. In addition, a form shall be completed on each assistant for each permit being applied for that provides the assistant’s full name, age, date of birth, address, previous experience, and certifies in writing the operator’s satisfaction as to the qualifications of that assistant.”

8. Add a new subsection 6.5.3 to read as follows:

“6.5.3 Prior to performing the fireworks or pyrotechnics exhibition or display before a proximate audience, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall provide to the authority having jurisdiction the name and qualifications of every operator and assistant who will participate in the display or exhibition.”

9. Add a new subsection 6.5.4 to read as follows:

“6.5.4 Prior to performing the fireworks or pyrotechnics exhibition or display before a proximate audience, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall provide to the authority having jurisdiction a statement signed by the individual pyrotechnic operator who will actually
conduct the display or exhibition certifying the operator’s satisfaction with the qualifications of each such assistant.”

(c) Modifications to Chapter 8:

1. Add a new subsection 8.6.7 to read as follows:

“8.6.7 The pyrotechnics operator shall be present and shall personally supervise all phases of the proximate audience display or exhibition.”

(4) International Fire Code (IFC)
 Modifications:

(a) Refer to Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

120-3-22-.09 Licensing Requirements for Fireworks or Pyrotechnics Exhibitions or Displays before a Proximate Audience.

(i) The applicant for a license must satisfy the Commissioner that all of the following requirements are met before the Commissioner issues a license for fireworks or pyrotechnic exhibitions or displays before a proximate audience:

(a) The applicant shall submit a completed application on a form prescribed by the Commissioner.

(b) The applicant shall submit to the Commissioner proof of a valid comprehensive liability insurance policy purchased from an insurer authorized to do business in Georgia, or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in Georgia. The coverage must include bodily injury and property damage, products liability, completed operations, and contractual liability. The proof of insurance must also be provided before any license can be renewed. The minimum amount of said coverage shall be $1 million or such other amount as specified by the Commissioner. An insurer which provided such coverage shall notify the Commissioner of any change in coverage in writing which falls below the minimal insurance requirements of this regulation.

(c) The applicant shall submit to the Commissioner a list naming each pyrotechnic operator that shall use pyrotechnics or pyrotechnic special effects before a proximate audience or within a building or structure pursuant to the license. Each pyrotechnic operator listed on the application for a license shall give his or her full name, age, date of birth, address, and written permission for a criminal background investigation. The applicant must submit evidence that each such pyrotechnic operator is qualified in accordance with NFPA 1126, Standard for the Use of Pyrotechnics before a Proximate Audience as adopted and modified herein.

(d) Any natural person applying for a license, and each pyrotechnic operator listed on the application for a license, must give their permission for a criminal background investigation.
(e) The applicant shall pay the required licensing fee as prescribed in Code Section 25-10-5.

(f) The applicant shall comply with all other applicable portions of these regulations and standards adopted hereunder.

(g) The applicant shall provide any other information deemed necessary by the Commissioner.

(2) The licensee must apply for, and receive, an amended license issued by the Commissioner for any additional pyrotechnic operator employed by a person, firm, corporation, association, or partnership and who is not listed on the original license application. The applicant for an amended license must comply with the requirements of subsections (c) and (d), above, as to the additional pyrotechnic operator.

(3) The licensee must notify the Commissioner in writing within 10 days of the date the licensee withdraws sponsorship of a pyrotechnic operator who is listed on the license application. The reason for the licensee’s withdraw of sponsorship must be stated.


120-3-22-10 Licensing Requirements for Distributors of Consumer Fireworks

(1) An applicant for a fireworks distributor license must submit a completed application before a license will be issued.

(2) An application for initial license or annual license renewal must be received by the State Fire Marshal’s office and contain the following items before the license application will be considered complete:

(a) The appropriate application on a form prescribed by the Commissioner;
(b) Proper identification showing that said applicant is at least 18 years of age;
(c) Proof of a valid public liability and product liability insurance policy which provides coverage limits of at least $2 million to cover losses, damages, or injuries which might result from the selling of consumer fireworks and which is provided by an insurer authorized to do business in Georgia or procured through a surplus line broker licensed to pursuant to Title 33;
(d) The appropriate license fee as required by Code Sections 25-10-5.1(b)(1) or 25-10-5.1(d)(1), whichever is applicable, payable to the Safety Fire Commissioner; and
(e) Documentation, in the form of an inspection report on a form approved by the State Fire Marshal, that an inspection has been conducted by a qualified individual indicating the consumer fireworks retail sales facility or consumer fireworks retail sales store for which an application for license has been received meets the minimum fire safety and construction requirements of the 2006 edition of the National Fire Protection Association (NFPA) 1124 entitled, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles and as modified herein this chapter. An application for initial license or annual license renewal for distributors selling consumer
fireworks from a store shall identify each store location to which an initial or annual license is applicable; and

(f) Signed and notarized Citizenship Affidavit Form (GID-276-EN); and

(g) A copy of the front and back of a secure and verifiable form of identification (list of acceptable forms can be found on the Commissioner’s website)

(3) The initial license fee for a fireworks distributor license for a consumer fireworks retail sales facility or wholesale distribution facility shall be $5,000.00, payable to the Safety Fire Commissioner. Such initial license shall expire on January 31 of the year after such initial license was issued or as provided for in O.C.G.A. Section 25-10-5.1(b)(2).

(4) The annual renewal license fee for a fireworks distributor license for a consumer fireworks retail sales facility or wholesale distribution facility shall be $1,000.00, payable to the Safety Fire Commissioner. Such annual license shall expire on January 31 of the year after such annual license was issued or as provided for in O.C.G.A. Section 25-10-5.1(b)(2).

(5) The initial license fee for a fireworks distributor license for a store shall be $1,500.00 in addition to $250.00 per store location, payable to the Safety Fire Commissioner. Additional store locations may be added to the initial license prior to the expiration of such license upon payment of $250.00 per added store location. The initial license shall expire on January 31 of the year after the initial license was issued or as provided for in O.C.G.A. Section 25-10-5.1(d)(1).

(6) The annual renewal license fee for a fireworks distributor license for a store shall be $1,000.00 in addition to $100.00 per store location, payable to the Safety Fire Commissioner. Additional store locations may be added to the annual license prior to the expiration of such license upon payment of $250.00 per added store location. The annual license shall expire on January 31 of the year after the annual license was issued or as provided for in O.C.G.A. Section 25-10-5.1(d)(2).

(7) A distributor shall not submit a completed application for annual renewal of license by December 1 in the year preceding the expiration date of such initial or annual license. When an initial license is issued to a distributor on or after December 1, then such distributor shall apply for an annual license by the first business day of the next year.

(8) A fireworks distributor license shall be nontransferable.

(9) A fireworks distributor license shall be void upon a change in the ownership or upon a change of location of the consumer fireworks retail sales facility or store location.

Authority: O.C.G.A. Sections 25-2-4, 25-2-16, and 25-10-5.1

120-3-22-.11 Sales of Consumer Fireworks.

(1) Except as provided for herein, the sale of consumer fireworks at retail or wholesale locations shall be permitted only after the seller has obtained a fireworks distributor license.
(2) The fireworks distributor license shall be posted at a prominent location within each location which sells consumer fireworks.

(3) The wholesale sale of consumer fireworks shall be conducted from a distribution facility as defined in NFPA 1124, 2006 edition entitled, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, and shall not be conducted from a consumer fireworks retail sales facility, store, or temporary stand.

(4) A consumer fireworks retail sales facility or store shall meet the minimum fire safety and construction requirements of the 2006 edition of the National Fire Protection Association (NFPA) 1124 entitled, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles and as modified herein this chapter. In accordance with the International Building Code (IBC), consumer fireworks retail sales facilities and stores having a maximum quantity of consumer fireworks on hand exceeding 500 pounds gross packaged product weight shall have installed an NFPA 13 compliant automatic sprinkler system designed as an Ordinary Hazard Group 2 hazard facility. Where consumer fireworks retail sales facilities and stores have both a maximum quantity of consumer fireworks on hand exceeding 500 pounds gross packaged product weight and a ceiling height exceeding 16 feet, the required NFPA 13 compliant automatic sprinkler system shall be designed as an Extra Hazard Group 1 hazard facility.

(5) It shall be unlawful for any person, firm, corporation, association, or partnership to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person under 18 years of age.

(6) Any person selling any consumer fireworks at the consumer fireworks retail sales facility or store shall be at least 18 years of age; provided however, it shall be lawful for any person who is 16 or 17 years of age to sell or to offer for sale at retail any consumer fireworks, provided that such person is serving as an to a distributor selling consumer fireworks from a temporary consumer fireworks retail sales stand or the nonprofit group directly participating in the operation of a temporary consumer fireworks retail sales stand.

(7) The holder of a wholesale consumer fireworks distributor license shall provide to the Commissioner the names and addresses of all fireworks retailers located in the State of Georgia to which that license holder sells consumer fireworks.


120-3-22-.12 Purchase of Consumer Fireworks.

Any individual purchasing fireworks from a consumer fireworks retail sales facility, consumer fireworks retail sales store or a temporary consumer fireworks retail sales stand shall:

(1) Make all purchases in-person and through a face-to-face sale;

(2) Be a minimum of 18 years of age; and
(3) Provide proper identification to the seller at the time of such purchase. Such identification shall contain at a minimum the following:

(a) A description of the person or such person's photograph, or both; and

(b) The individuals' date of birth.


120-3-22-.13 Use of Fireworks.

Consumer fireworks may be used, ignited, or caused to be ignited on any day between the hours of 10:00 A.M. and 11:59 P.M. unless during such times the noise from such use or ignition is not in compliance with a noise ordinance of a county or municipal corporation.

Exception 1: Consumer fireworks may be used, ignited, or caused to be ignited on January 1, the last Saturday and Sunday in May, July 3, July 4, the first Monday in September, and December 31 of each year after the time of 10:00 A.M. and up to and including the time of 11:59 P.M.; and on January 1 of each year beginning at the time of 12:00 Midnight and up to and including the ending time of 1:00 A.M..

Exception 2: After having obtained a special use permit as provided for in O.C.G.A. § 25-10-2(a)(3)(D)


120-3-22-.14 Unlawful Activity

(1) It shall be unlawful to use fireworks, consumer fireworks, or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 indoors or within the right of way of a public road, street, highway, or railroad of this state.

(2) It shall be unlawful for any person, firm, corporation, association, or partnership to sell or offer for sale consumer fireworks at a consumer fireworks retail sales facility, consumer fireworks retail sales store or a temporary consumer fireworks retail sales stand or wholesale distribution facility without maintaining the appropriate license.

(3) It shall be unlawful for any person, firm, corporation, association, or partnership to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person under 18 years of age.

(4) It shall be unlawful to sell consumer fireworks from any motor vehicle or from a trailer towed by a motor vehicle, or from a tent, canopy, or membrane structure.

(5) It shall be unlawful for any person under 18 years of age to use or ignite or cause to be ignited or to possess, manufacture, transport, or store consumer fireworks, except that it shall be lawful for any person who is 16 or 17 years of age to possess or transport...
consumer fireworks, provided that such person is serving as an assistant to a distributor
selling consumer fireworks from a temporary consumer fireworks retail sales stand or the
nonprofit group directly participating in the operation of a temporary consumer fireworks
retail sales stand and is not transporting such consumer fireworks on a highway which
constitutes a part of The Dwight D. Eisenhower System of Interstate and Defense
Highways.

(6) It shall be unlawful to release or cause to be released any balloon, bag, parachute,
or other similar device which requires fire underneath for propulsion or to release or cause
to be released any floating water lantern or wish lantern which uses a flame to create a
lighting effect in any public waterway, lake, pond, stream, or river.


120-3-22-.4615 Compliance with Rules and Regulations; Penalties.

(1) All persons shall, manufacture, transport, and store fireworks in conformity with
this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the
Rules of Safety Fire Commissioner, any person who is found to have violated any of the
rules contained in this Chapter shall be subject to such penalties as authorized by law and
regulation.

(2) Any person who knowingly and willfully makes a false, fictitious, or fraudulent
statement of representation in an application executed pursuant to Code section 25-10-5.1
shall be guilty of a violation of Code Section 16-10-20.

(3) Any and all consumer fireworks distributors licenses may be suspended, revoked,
refused, or be subject to nonrenewal if the Commissioner finds that a licensee or applicant
has:

(a) Violated any provision of this Chapter and O.C.G.A. 25-10; or failed to comply
with a cease and desist order issued by the Commissioner or his or her authorized
representative

(b) Failed to maintain the minimum insurance coverage as set forth in O.C.G.A. 25-
10-5.1(a)(B);

(c) Made a material misstatement or misrepresentation or committed a fraud in
obtaining or attempting to obtain a license; or

(d) Failed to notify the Safety Fire Commissioner, in writing, within 30 days after a
change of residence, principal business address, or name.


120-3-22-.16 Requests for Modification of Specific Requirements.

Upon receipt of a sworn affidavit from the owner stating all relevant facts and
circumstances and such other information as may be required, the State Fire Marshal may
recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements which will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.


120-3-22-.17 Forms.

(1) Unless otherwise indicated, and to the extent provided, each filing required under this Regulation Chapter is to be made on forms or electronic format approved by the Commissioner.

(2) Forms may be reproduced to accommodate manual or automated processing.

(3) Any form filed electronically requiring a signature shall contain the electronic signature of the person filing the form, as defined in O.C.G.A. Section 10-12-3.


120-3-22-.18 Notes.

(1) The National Fire Protection Association (NFPA) codes, standards and recommended practices adopted in this Chapter are on file in the office of the State Fire Marshal and are available for viewing.

(2) Copies of the National Fire Protection Association codes and standards may be obtained from:
National Fire Protection Association
1 Batterymarch Park
Quincy, Massachusetts 02269-9101
Main 617-770-3000
Phone: 800-344-3555
http://www.nfpa.org/catalog/
Main 617-770-3000
Phone: 800-344-3555
http://www.nfpa.org/catalog/

(3) Copies of the International Code Council codes are on file in the Office of the State Fire Marshal and are available for viewing. Copies may be obtained from:
International Code Council
1-888-ICC-SAFE (422-7233) or
http://www.iccsafe.org/


120-3-22-.19 Severability.
If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.


If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031
RULES AND REGULATIONS OF
THE SAFETY FIRE COMMISSIONER
CHAPTER 120-3-22 RULES AND REGULATIONS FOR THE MANUFACTURING,
STORAGE, SALES, EXHIBITIONS AND DISPLAYS OF FIREWORKS AND
PYROTECHNICS, USE OF FLAME EFFECTS BEFORE A PROXIMATE
AUDIENCE

TABLE OF CONTENTS
120-3-22-.01 Promulgation and Purpose.
120-3-22-.02 Definitions.
120-3-22-.03 Submission of Plans for Storage Installations.
120-3-22-.04 Submission of Plans and Licensing of Fireworks Manufacturers.
120-3-22-.05 Inspections, Submission of Plans for Consumer Fireworks Retail
Sales Facilities
120-3-22-.06 Reporting of Fires and Accidents, Inspections
120-3-22-.07 State Minimum Fire Safety Codes and Standards, Reporting of
Fires and Accidents
120-3-22-.08 Licensing Requirements for Fireworks or Pyrotechnics Displays
before a
Proximate Audience. State Minimum Fire Safety Codes and
Standards
120-3-22-.09 Licensing Requirements for Distributors of Consumer Fireworks
Licensing Requirements for Fireworks or Pyrotechnics Exhibitions or Displays
before a Proximate Audience.
120-3-22-.10 Transportation of Consumer Fireworks, Licensing Requirements
for Distributors of Consumer Fireworks
120-3-22-.11 Sales of Consumer Fireworks.
120-3-22-.12 Purchase of Consumer Fireworks.
120-3-22-.13 Use of Fireworks
120-3-22-.14 Requests for Modification of Specific Requirements. Unlawful
Activity
120-3-22-.15 Compliance with Rules and Regulations; Penalties.
120-3-22-.16 Forms, Requests for Modification of Specific Requirements.
120-3-22-.17 Forms
120-3-22-.18 Notes
120-3-22-.19 Severability

120-3-22-.01 Promulgation and Purpose.

(1) These Rules and Regulations for Fireworks are promulgated by the Georgia Safety
Fire
Commissioner pursuant to O.C.G.A. Sections 25-2-4 and 25-10-5.

(2) The purpose of these rules and regulations is to provide precautionary and
protective techniques that are reasonable and practical measures for the prevention of
injury to persons and property from the retail sales, distribution, manufacturing, storage,
transportation, and use of Consumer Fireworks, Display Fireworks, and Pyrotechnic
Art​icles as authorized pursuant to Chapter 10 of Title 25 of the Official Code of Georgia Annotated.


**120-3-22-.02 Definitions.** The definitions contained herein are in addition to and in clarification of the definitions contained in the adopted codes and standards.

(1) “Commissioner” means the Georgia Safety Fire Commissioner.

(2) “Consumer fireworks” shall have the same meaning as set forth in O.C.G.A. § 25-10-1(a)(1). Consumer fireworks do not include those items listed in O.C.G.A. § 25-10-1(b).

(3) “Consumer fireworks retail sales facility” shall have the same meaning as provided for by NFPA 1124; provided, however, that such term shall not include a tent, canopy, or membrane structure.

(4) “Distributor” means any person, firm, corporation, association, or partnership which sells consumer fireworks directly to the consumer or to other distributors.

(5) “Fireworks distributor license” means the license issued by the Safety Fire Commissioner that a distributor must maintain in order to legally sell consumer fireworks.

(6) “Fireworks or Pyrotechnics Exhibitions or Displays before a Proximate Audience” means any exhibition or display of fireworks, or any use of pyrotechnic special effects, that occurs within a building or structure or before an audience closer to the pyrotechnic devices than permitted by NFPA 1123, *Code for Fireworks Display*.

(7) “NFPA” means the National Fire Protection Association.

(8) “Nonprofit group” means any entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, any entity incorporated under Chapter 3 of Title 14, the ‘Georgia Nonprofit Corporation Code,’ or a sponsored organization of a public or private elementary school or secondary school in the state.

(9) “Person” means any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

(10) “Proper Identification” means a document issued by a governmental agency containing a description of the person or such person’s photograph, or both, and giving such person’s date of birth, including a passport, military identification card, driver’s license, or identification card authorized under Code Sections 40-5-100 through 40-5-104.

(11) “Public exhibition or display of fireworks” means the use of pyrotechnics, display fireworks, consumer fireworks, or any combination of these for any purpose relating to the amusement or entertainment of the public that does not occur within a building or structure.
or before a proximate audience; provided that such term shall not include the private, personal use of consumer fireworks by the public.

(10)(12) “Qualified Individual” means an individual including but not limited to a Georgia registered architect, a Georgia registered fire protection engineer, a Georgia registered professional engineer, a local building official, a local fire official, an individual certified as a Georgia certified fire inspector or an individual who has a national certification from a national codes organization acceptable to the State Fire Marshal.

(11) “Retail Chain” means a person, firm, corporation, association, or partnership with more than one store, where all such stores are collectively known to the public by the same name or share central management.

(12)(13) “State Fire Marshal” means the State Fire Marshal of Georgia or his or her designee.

(14) "Store" shall have the same meaning as provided for by NFPA 1124; provided, however, that such term shall only include such buildings with at least 4,000 square feet of retail display space and wherefrom:

(a) No more that 25 percent of the retail display space is used for consumer fireworks and items or products as provided for under O.C.G.A. § 25-10-1(b); and
(b) Other items or products which are not consumer fireworks or items or products as provided for under O.C.G.A. § 25-10-1(b) are sold; and provided, further, that such term means a person, firm, corporation, association, or partnership with more than one mercantile location, where all such mercantile locations are collectively known to the public by the same name or share central management.

(15) "Wholesale" means the sale of consumer fireworks within the State of Georgia for resale by others.


120-3-22-.03 Submission of Plans for Storage Installations.
Plans for all proposed storage facilities of fireworks or modifications of any existing storage facility shall be submitted to the Commissioner as required in Chapter 10 of Title 25 of the Official Code of Georgia Annotated.

(1) At least two sets of plans for storage facilities shall be submitted, drawn to scale and shall be of sufficient clarity and detail to indicate the location, setting, construction, distances and such other information as necessary to indicate compliance with the requirements of this Chapter.

(2) The plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner or his designee.
(3) Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee payable to the Commissioner.

(4) One set of plans shall be retained by the Commissioner and one copy shall be returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the Commissioner.

(5) Construction shall not commence until the plans have been approved and returned to the applicant.


120-3-22-.04 Submission of Plans and Licensing of Fireworks Manufacturers.

(1) Manufacturing operations shall be permitted only after a fireworks manufacturer's license has been issued by the Commissioner in accordance with this rule. A manufacturer's license shall not exempt the holder thereof from obtaining any other permits or licenses that may be required by other government agencies.

(2) Application for a fireworks manufacturer's license shall be made to the Commissioner annually on the form provided and shall be accompanied by a license fee pursuant to O.C.G.A. Section 25-2-4.1.

(3) Plans for all proposed manufacturing facilities or modification of any existing manufacturing facilities shall be submitted to the Commissioner with the fireworks manufacturer’s application as provided in O.C.G.A. Section 25-10-3.

(a) At least two sets of plans for fireworks manufacturing facilities shall be submitted, drawn to scale, and shall include a general arrangement layout, location, safety control devices or arrangements, electrical and ventilation arrangements, construction details, emergency control arrangements and such other details, information and specifications as necessary to indicate safe operations.

(b) The plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner or his designee.

(c) Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee payable to the Commissioner.

(d) One set of plans shall be retained by the Commissioner and one copy shall be returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the Commissioner.

(e) Construction shall not commence until the plans have been approved and returned to the applicant.
(4) Upon receipt of a fireworks manufacturer’s license application, the Commissioner shall direct his authorized representative to inspect the facility. If the authorized representative determines that all requirements for the manufacturing of fireworks contained in this Chapter have been satisfied, he may recommend that the license be processed.

(5) Upon receipt of the inspection report, the Commissioner shall examine the application and inspection report. If all requirements contained in this Chapter have been satisfied, he shall issue a fireworks manufacturer’s license that shall be posted by the applicant in a conspicuous location on the premises. The manufacturer's license is nontransferable and shall expire on December 31 of each year or upon a change in the name, ownership or location of the facility. The current license number shall be recorded on all invoices, shipments, and similar transactions. The license authorizes the manufacture of any fireworks not prohibited by Congress or any federal agency; the possession, transportation, and storage of any such fireworks by any manufacturer thereof; the possession, transportation, or distribution of any such fireworks to a distributor located outside the State; the sale of such fireworks by any such manufacturer to a distributor located outside this State; or the possession and transportation of such fireworks by any manufacturer or contractor or common carrier from the point of manufacture within this State to any point outside this State.

(6) A fireworks manufacturer’s license may be revoked for cause after notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner; provided, however, that the Commissioner may revoke any license prior to notice and hearing if he determines that the situation involves an imminent peril to the public health, safety and welfare and that the situation therefore requires emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held if and only if the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.


120-3-22-.05 Submission of Plans for Consumer Fireworks Retail Sales Facilities

1. Plans for all proposed consumer fireworks retail sales facilities or major modifications of any existing consumer fireworks retail sales facility in which the total quantity of consumer fireworks on hand at any time will exceed 1,000 pounds gross packaged product weight shall be submitted to, and receive the approval of, the State Fire Marshal prior to consumer fireworks being sold or offered for sale at retail in accordance with the following:

(a) Plans shall be submitted in duplicate.

(b) Plans shall be drawn to scale, shall be of sufficient clarity and detail, and shall include all information necessary to indicate compliance with the requirements of this
Chapter and NFPA 1124 entitled, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles.

(c) The plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner or his designee.

(d) Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee payable to the Commissioner.

(e) One set of plans shall be retained by the Commissioner and one copy shall be returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the CFRS facility and shall be made available to authorized representatives of the State Fire Marshal or qualified individual at the time of inspection.


120-3-22-.0506 Inspections.

The Commissioner and his authorized representatives may conduct periodic inspections of fireworks storage installations, manufacturer's facilities, consumer fireworks retail sales facilities, consumer fireworks retail sales stands, consumer fireworks stores, and transportation vehicles to ascertain whether the owners or operators are in compliance with this Chapter.


120-3-22-.0607 Reporting of Fires and Accidents.

(1) All owners, managers or operators of all vehicles, equipment, consumer fireworks retail sales facilities, consumer fireworks retail sales stands, consumer fireworks stores, and manufacturing and storage facilities covered under this Chapter shall, as soon as possible but in no event later than eight hours of such incident occurring, notify the Commissioner’s Office of all fires involving such manufacturer’s vehicles, equipment or facilities and all accidents involving the same that may create a hazard to the public from fire, explosion or related risk. In addition to the initial notification, but in no event later than seventy-two (72) hours, all owners, managers or operators of all vehicles, equipment, consumer fireworks retail sales facilities, consumer fireworks retail sales stands, consumer fireworks stores, and manufacturing and storage facilities covered under this Chapter shall submit a written report to the Commissioner’s Office of all fires involving such vehicles, equipment, consumer fireworks retail sales facilities, consumer fireworks retail sales stands, consumer fireworks stores, manufacturing or storage facilities, and all accidents involving the same that may create a hazard to the public from fire, explosion or related risk.

(2) All holders of permits for display or exhibitions of fireworks or pyrotechnics shall, as soon as possible but in no event later than eight hours of such incident occurring, notify the Commissioner’s Office of all fires, explosions, or other incidents of any type which result
in personal injuries or property damage occurring at a display or exhibition of fireworks or pyrotechnics pursuant to the permit.


**120-3-22-.0708 State Minimum Fire Safety Codes and Standards.**

Unless otherwise stated in this Chapter, the following editions of the codes, standards, recommended practices, guides and methods, as published in the *National Fire Codes (NFC)* by the National Fire Protection Association (NFPA), as adopted and modified herein shall be the State’s minimum fire safety standards related to the manufacturing, storage, transportation, and use of display fireworks and consumer fireworks, the retail sales of consumer fireworks, and fireworks or pyrotechnics exhibitions and displays, and the use of flame effects before a proximate audience.

(1) **NFPA 160, 2016 Edition, Standard for the Use of Flame Effects Before a Proximate Audience**

Modifications:

(a) Modifications to Chapter 5:

1. Delete subsection 5.1.1 in its entirety and substitute in its place the following:

   "5.1.1 Permit Required. A use permit issued by the authority having jurisdiction shall be required for the use of flame effects before a proximate audience or within any building or structure.


Modifications:

(a) Modifications to Chapter 3:

1. Delete subsection 3.3.15 in its entirety and substitute in its place the following:

   "3.3.15 Fireworks. Any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, including blank cartridges, firecrackers, torpedoes, skyrockets, bombs, sparklers, and other combustibles and explosives of like construction, as well as articles containing any explosive or flammable compound and tablets and other devices containing an explosive substance. The term ‘fireworks’ shall not include:

   (a) Model rockets and model rocket engines designed, sold, and used for the purpose of propelling recoverable aero models, toy pistol paper caps in which the explosive content averages 0.25 grains or less of explosive mixture per paper cap or toy pistols, toy cannons, toy canes, toy guns, or other devices using such paper caps; nor shall the term 'consumer fireworks' or 'fireworks' include ammunition consumed by weapons used for sporting and hunting purposes; and,

   (b) Wire or wood sparklers of 100 grams or less of mixture per item; other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical
compound per tube or a total of 500 grams or less for multiple tubes; snake and glow worms; smoke devices; or trick noise makers which include paper streamers, party peppers, string peppers, snappers, and drop pops each consisting of 0.25 grains or less of 81 explosive mixture.”

2. Delete subsection 3.3.15.1 in its entirety and substitute in its place the following:

**3.3.15.1 Consumer Fireworks.** Any small fireworks devices containing restricted amounts of pyrotechnic composition, designed primarily to produce visible or audible effects by combustion, that comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission as provided for in Parts 1500 and 1507 of Title 16 of the Code of Federal Regulations, the United States Department of Transportation as provided for in Part 172 of Title 49 of the Code of Federal Regulations, and the American Pyrotechnics Association as provided for in the 2001 American Pyrotechnics Association Standard 87-1, and additionally shall mean Roman candles. The term ‘consumer fireworks’ shall not include:

(a) Model rockets and model rocket engines designed, sold, and used for the purpose of propelling recoverable aero models, toy pistol paper caps in which the explosive content averages 0.25 grains or less of explosive mixture per paper cap or toy pistols, toy cannons, toy canes, toy guns, or other devices using such paper caps; nor shall the term ‘consumer fireworks’ or ‘fireworks’ include ammunition consumed by weapons used for sporting and hunting purposes; and,

(b) Wire or wood sparklers of 100 grams or less of mixture per item; other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical compound per tube or a total of 500 grams or less for multiple tubes; snake and glow worms; smoke devices; or trick noise makers which include paper streamers, party peppers, string peppers, snappers, and drop pops each consisting of 0.25 grains or less of 81 explosive mixture.”

3. Delete subsection 3.3.15.2 in its entirety and substitute in its place the following:

**3.3.15.2 Display Fireworks.** Any large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as set forth in Part 555 of Title 27 of the Code of Federal Regulations, Part 172 of Title 49 of the Code of Federal Regulations, and American Pyrotechnics Association Standard 87-1. Display fireworks are described as Fireworks, UN0335 and are classified as Explosives, 1.3G by the U.S. Department of Transportation.

**8.1.9.3** The pyrotechnics operator shall be present and shall personally supervise all phases of the display or exhibition public exhibition or display of fireworks.”
(c) Modifications to Chapter 10:

1. Delete subsection 10.1.1 in its entirety and substitute in its place the following:
   "10.1.1 The operator shall be at least 21 years old. Prior to performing the fireworks display, public exhibition or display of fireworks, the operator or the operator’s employer shall obtain a permit issued by the judge of the probate court of the county in which the public exhibition or display of fireworks is to be held in accordance with all applicable state laws."

2. Delete subsection 10.1.2 in its entirety and substitute in its place the following:
   "10.1.2 An operator shall provide evidence of actual experience as an operator or assistant to the authority having jurisdiction. This evidence shall include the following:
   (a) At least five different affidavits signed by the local fire official or officials responsible for the area or areas that the operator has actively participated in all phases of a fireworks display, public exhibition or display of fireworks in which there were no personal injuries or property damage.
   (b) A statement providing full details of any such displays, public exhibitions or displays of fireworks in which said operator has participated which resulted in personal injuries or property damage, or an affidavit by the operator certifying that said operator has never participated in any such displays, public exhibitions or displays of fireworks which resulted in personal injuries or property damage."

3. Delete subsection 10.1.3 in its entirety and substitute in its place the following:
   "10.1.3 An operator shall provide evidence to the authority having jurisdiction that he/she possesses at least one of the following:
   (a) Certificate(s) of training totaling 20 hours related to fireworks from national organization(s) that promote safety in fireworks displays, or
   (b) Licensure for fireworks displays by another state which administers a competency test accepted by the Commissioner, or
   (c) Other training, testing and/or experience acceptable to the Commissioner."

4. Add a new subsection 10.1.4 to read as follows:
   "10.1.4 The individual pyrotechnic operator who will actually conduct the display or exhibition of fireworks must provide to the authority having jurisdiction proof of employment by said person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks."
which the public exhibition or display of fireworks is to be held, pursuant to O.C.G.A. Section 25-10-4(a) to the authority having jurisdiction."

7. Delete subsection 10.3.2 in its entirety and substitute in its place the following:

"10.3.2 Proof of a bond in the principal sum of $10,000.00, payable to the county in which the display, public exhibition or display of fireworks is being held and conditioned for the payment of damages which may be caused either to persons or to property by reason of the display, public exhibition or display of fireworks must be provided or, alternatively, evidence be provided that the applicant carries proper liability insurance for bodily injury in the amount of not less than $25,000.00 for each person and $50,000.00 for each accident and for property damage in the amount of not less than $25,000.00 for each accident and $50,000.00 aggregate, purchased from an insurer authorized to do business in Georgia, or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in Georgia."

8. Delete subsection 10.3.4 in its entirety with no substitution.

9. Add a new section 10.4 to read as follows:

"10.4 Prior to performing the fireworks display, public exhibition or display of fireworks, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall provide to the authority having jurisdiction the name and qualifications of every operator and assistant who will participate in the display or exhibition public exhibition or display of fireworks."

10. Add a new subsection 10.4.1 to read as follows:

"10.4.1 Prior to performing the fireworks display, public exhibition or display of fireworks, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall provide to the authority having jurisdiction a statement signed by the individual pyrotechnic operator who will actually conduct the display or exhibition public exhibition or display of fireworks certifying the operator’s satisfaction with the qualifications of each such assistant.”

Modifications:

(a) Modifications to Chapter 7:

1. Add new paragraph 7.3.15.2.3 to read as follows:

"7.3.15.2.3 Signs shall be posted throughout the display area and shall read:

Pursuant to O.C.G.A. 25-10-2, it is unlawful to:
Sell consumer fireworks to any person under 18 years of age. Persons purchasing consumer fireworks must provide the seller proper identification at the time of purchase.
Use consumer fireworks indoors
Explode or cause to be exploded any consumer fireworks on any day after 12:00 midnight or before 10:00 am; except on January 1, July 3, July 4, and December 31, on which days it is
unlawful to explode or cause to be exploded any consumer fireworks after 2:00 am or before 10:00 am.

1. Add a new subsection 7.3.25 to read as follows:
   "7.3.25 Required Signs"

2. Add a new paragraph 7.3.25.1 to read as follows:
   "7.3.25.1 Every licensed distributor selling consumer fireworks shall have within the retail display area for consumer fireworks at least one sign which reads as follows:
   PLEASE CHECK YOUR LOCAL ORDINANCES PRIOR TO USING OR IGNITING CONSUMER FIREWORKS
   PLEASE USE CONSUMER FIREWORKS IN ACCORDANCE WITH THEIR AFFIXED CAUTION AND WARNING LABELS
   PLEASE BE A GOOD NEIGHBOR AND BE MINDFUL THAT UNANNOUNCED IGNITION NEAR SOME MILITARY VETERANS AND OTHER PERSONS AND NEAR SOME PETS CAN BE TRAUMATIC"

3. Add a new subparagraph 7.3.25.1.1 to read as follows:
   "7.3.25.1.1 Such signs shall be at least 22 inches by 28 inches in size, be printed in at least 40 point boldface type in a color contrasting from such sign's background color, and kept free from obstruction and in plain sight of customers."

4. Add a new paragraph 7.3.25.2 to read as follows:
   "7.3.25.2 Signs shall be posted throughout the retail display area and shall read:
   Pursuant to O.C.G.A. 25-10-2, it is unlawful to:
   Sell consumer fireworks to any person under 18 years of age. Persons purchasing consumer fireworks must provide the seller proper identification at the time of purchase
   Use consumer fireworks indoors or within the right of way of a public road, street, highway, or railroad of this state.
   Use or ignite, possess, and transport consumer fireworks by any person under 18 years of age."

(3)(4) NFPA 1126, 2016 Edition, Standard for the Use of Pyrotechnics before a Proximate Audience
Modifications:
(a) Modifications to Chapter 3:

1. Delete subsection 3.3.43 3.3.39 in its entirety and substitute in its place the following:
   "3.3.43 Proximate Audience. An audience closer to pyrotechnic devices than permitted by NFPA 1123, Code for Fireworks Display or an audience within a building or structure where pyrotechnic devices are used.

(b) Modifications to Chapter 6:
1. Add a new subsection 6.1.5 to read as follows:

"6.1.5 Prior to performing the proximate audience fireworks display, fireworks or pyrotechnics exhibition or display before a proximate audience, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall obtain and provide a copy of a display permit to conduct a proximate audience firework(s) display issued by the judge of the probate court of the county in which the public exhibition or display is to be held, pursuant to O.C.G.A. Section 25-10-4(b) to the authority having jurisdiction."

2. Add a new subsection 6.1.6 to read as follows:

"6.1.6 Proof of a bond in the principal sum of $10,000.00, payable to the county in which the display is being held and conditioned for the payment of damages which may be caused either to persons or to property by reason of the display must be provided or, alternatively, evidence be provided that the applicant carries proper liability insurance for bodily injury in the amount of not less than $25,000.00 for each person and $50,000.00 for each accident and for property damage in the amount of not less than $25,000.00 for each accident and $50,000.00 aggregate, purchased from an insurer authorized to do business in Georgia, or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in Georgia."

3. Add a new subsection 6.1.7 to read as follows:

"6.1.7 The person, firm, corporation, association or partnership desiring to conduct a proximate audience public exhibition or display of fireworks or pyrotechnics exhibition or display before a proximate audience must provide a copy of the license or amended license issued by the Commissioner to the authority having jurisdiction that indicates that the individual pyrotechnic operator(s) who will actually conduct the proximate audience display or exhibition is licensed under the person, firm, corporation, association or partnership."

4. Delete subsection 6.5.1 in its entirety and substitute in its place the following:

"6.5.1 All pyrotechnic operators shall be at least 21 years old. Prior to performing the proximate audience fireworks display, fireworks or pyrotechnics exhibition or display before a proximate audience, the operator or the operator's employer shall obtain a permit issued by the judge of the probate court of the county in which the public exhibition or display is to be held in accordance with all applicable state laws. In addition, each operator shall provide evidence of actual experience as an operator or assistant to the authority having jurisdiction. This evidence shall include the following:

(a) At least five different affidavits signed by the local fire official or officials responsible for the area or areas that the pyrotechnic operator has actively participated in all phases of a fireworks or pyrotechnics exhibition or display before proximate audiences in which there were no personal injuries or property damage.

(b) A statement providing full details of any fireworks or pyrotechnics exhibitions or displays before proximate audiences in which said pyrotechnic operator has participated which resulted in personal injuries or property damage, or an affidavit by the pyrotechnic operator certifying that said operator has never participated in any such displays or exhibitions which resulted in personal injuries or property damage."
5. Delete paragraph 6.5.1.1 in its entirety and substitute in its place the following:

**6.5.1.1** Each operator shall provide evidence to the authority having jurisdiction that he/she possess at least one of the following:

“(a) Certificate(s) of training totaling 20 hours related to fireworks from national organization(s) that promote safety in fireworks displays, or

“(b) Licensure for fireworks displays by another state which administers a competency test accepted by the Commissioner, or

“(c) Other training, testing and/or experience acceptable to the Commissioner.”

6. Delete paragraph 6.5.1.2 in its entirety.

7. Delete subsection 6.5.2 in its entirety and substitute in its place the following:

**6.5.2** All assistants shall be at least 18 years old. In addition, a form shall be completed on each assistant for each permit being applied for that provides the assistant’s full name, age, date of birth, address, previous experience, and certifies in writing the operator’s satisfaction as to the qualifications of that assistant.”

8. Add a new subsection 6.5.3 to read as follows:

**6.5.3** Prior to performing the proximate audience fireworks display or pyrotechnics exhibition or display before a proximate audience, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall provide to the authority having jurisdiction the name and qualifications of every operator and assistant who will participate in the display or exhibition.

9. Add a new subsection 6.5.4 to read as follows:

**6.5.4** Prior to performing the proximate audience fireworks display or pyrotechnics exhibition or display before a proximate audience, the person, firm, corporation, association or partnership desiring to conduct a public exhibition or display of fireworks shall provide to the authority having jurisdiction a statement signed by the individual pyrotechnic operator who will actually conduct the display or exhibition certifying the operator’s satisfaction with the qualifications of each such assistant.”

**(c) Modifications to Chapter 8:**

1. Add a new subsection 8.6.7 to read as follows:

**8.6.7** The pyrotechnics operator shall be present and shall personally supervise all phases of the proximate audience display or exhibition.”

**(4) International Fire Code (IFC)**

Modifications:

(a) Refer to Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

120-3-22-.0809 Licensing Requirements for Fireworks or Pyrotechnics Exhibitions or Displays before a Proximate Audience.

(1) The applicant for a license must satisfy the Commissioner that all of the following requirements are met before the Commissioner issues a license for fireworks or pyrotechnic exhibitions or displays before a proximate audience:

(a) The applicant shall submit a completed application on a form prescribed by the Commissioner.

(b) The applicant shall submit to the Commissioner proof of a valid comprehensive liability insurance policy purchased from an insurer authorized to do business in Georgia, or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in Georgia. The coverage must include bodily injury and property damage, products liability, completed operations, and contractual liability. The proof of insurance must also be provided before any license can be renewed. The minimum amount of said coverage shall be $1 million or such other amount as specified by the Commissioner. An insurer which provided such coverage shall notify the Commissioner of any change in coverage in writing which falls below the minimal insurance requirements of this regulation.

(c) The applicant shall submit to the Commissioner a list naming each pyrotechnic operator that shall use pyrotechnics or pyrotechnic special effects before a proximate audience or within a building or structure pursuant to the license. Each pyrotechnic operator listed on the application for a license shall give his or her full name, age, date of birth, address, and written permission for a criminal background investigation. The applicant must submit evidence that each such pyrotechnic operator is qualified in accordance with NFPA 1126, Standard for the Use of Pyrotechnics before a Proximate Audience as adopted and modified herein.

(d) Any natural person applying for a license, and each pyrotechnic operator listed on the application for a license, must give their permission for a criminal background investigation.

(e) The applicant shall pay the required licensing fee as prescribed in Code Section 25-10-5.

(f) The applicant shall comply with all other applicable portions of these regulations and standards adopted hereunder.

(g) The applicant shall provide any other information deemed necessary by the Commissioner.

(2) The licensee must apply for, and receive, an amended license issued by the Commissioner for any additional pyrotechnic operator employed by a person, firm, corporation, association, or partnership and who is not listed on the original license application. The applicant for an amended license must comply with the requirements of subsections (c) and (d), above, as to the additional pyrotechnic operator.
(3) The licensee must notify the Commissioner in writing within 10 days of the date the licensee withdraws sponsorship of a pyrotechnic operator who is listed on the license application. The reason for the licensee’s withdraw of sponsorship must be stated.


120-3-22-.0910 Licensing Requirements for Distributors of Consumer Fireworks

(1) An applicant for a fireworks distributor license must submit a completed application before a license will be issued.

(2) An applicant application for a fireworks distributor license initial license or annual license renewal must be received by the State Fire Marshal’s office and contain the following items before the license application will be considered complete:

(a) The appropriate application on a form prescribed by the Commissioner;
(b) Proper identification showing that said applicant is at least 18 years of age;
(c) Proof of a valid public liability and product liability insurance policy which provides coverage limits of at least $2 million to cover losses, damages, or injuries which might result from the selling of consumer fireworks and which is provided by an insurer authorized to do business in Georgia or procured through a surplus line broker licensed to pursuant to Title 33;
(d) The appropriate license fee as required by Code Sections 25-10-5.1(a)(2) 25-10-5.1(b)(1) or 25-10-5.1(d)(1), whichever is applicable, payable to the Safety Fire Commissioner;
(e) Documentation, acceptable to in the form of an inspection report on a form approved by the State Fire Marshal, that an inspection has been conducted by a qualified individual indicating the consumer fireworks retail sales facility or consumer fireworks retail store for which an application for license has been received meets the minimum fire safety and construction requirements of the 2006 edition of the National Fire Protection Association (NFPA) 1124 entitled, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles and as modified herein this chapter. An application for initial license or annual license renewal for distributors selling consumer fireworks from a store shall identify each store location to which an initial or annual license is applicable; and
(f) Signed and notarized Citizenship Affidavit Form (GID-276-EN); and
(g) A copy of the front and back of a secure and verifiable form of identification (list of acceptable forms can be found on the Commissioner’s website)

(3) The initial license fee for a fireworks distributor license for a consumer fireworks retail sales facility or wholesale distribution facility shall be $5,000.00, payable to the Safety Fire Commissioner. Such initial license shall expire on January 31 of the year after such initial license was issued or as provided for in O.C.G.A. Section 25-10-5.1(b)(2).

(4) The annual renewal license fee for a fireworks distributor license for a consumer fireworks retail sales facility or wholesale distribution facility shall be $1,000.00, payable to the Safety Fire Commissioner. Such initial annual license shall expire on January 31 of the
year after such initial annual license was issued or as provided for in O.C.G.A. Section 25-10-5.1(b)(2).

(5) The initial license fee for a fireworks distributor license for a store shall be $1,500.00 in addition to $250.00 per store location, payable to the Safety Fire Commissioner. Additional store locations may be added to the initial license prior to the expiration of such license upon payment of $250.00 per added store location. The initial license shall expire on January 31 of the year after the initial license was issued or as provided for in O.C.G.A. Section 25-10-5.1(d)(1).

(6) The annual renewal license fee for a fireworks distributor license for a store shall be $1,000.00 in addition to $100.00 per store location, payable to the Safety Fire Commissioner. Additional store locations may be added to the annual license prior to the expiration of such license upon payment of $250.00 per added store location. The annual license shall expire on January 31 of the year after the annual license was issued or as provided for in O.C.G.A. Section 25-10-5.1(d)(2).

(5)(7) A distributor shall not submit a completed application for annual renewal of license earlier than January 1 of each calendar year by December 1 in the year preceding the expiration date of such initial or annual license. When an initial license is issued to a distributor on or after December 1, then such distributor shall apply for an annual license by the first business day of the next year.

(6)(8) A fireworks distributor license shall be nontransferable.

(7)(9) A fireworks distributor license shall be void upon a change in the ownership or upon a change of location of the consumer fireworks retail sales facility or store location.

120-3-22-.10 Registration of Retail Chain Locations

1. Prior to selling fireworks at branch locations of a retail chain, a licensee must complete a registration on the Safety Fire Commissioner’s website. That registration shall include the following for each location:

(a) The name of the business that will be selling fireworks;

(b) The street address; and

(c) An attestation by the licensee that each location has been inspected by a qualified individual and meets the minimum safety requirements required by law. A copy of such inspection report completed by the qualified individual shall be provided to the State Fire Marshal’s office.

2. Upon completion of the registration, the State Fire Marshal’s office shall electronically provide a certificate for each branch location.

Authority: O.C.G.A. Sections 25-2-4, 25-2-16, and 25-10-5.1

120-3-22-.11 Sales of Consumer Fireworks.
(1) Except as provided for herein, the sale of consumer fireworks at retail or wholesale locations shall be permitted only after the seller has obtained a fireworks distributor license.

(2) Each retail location association with a licensed retail chain shall register each location where fireworks will be sold by completing the process set forth in 120-3-22-10.

(3) The fireworks distributor license shall be posted at a prominent location within each location which sells consumer fireworks except that each branch location which sells fireworks shall display the registration certificate provided by the State Fire Marshal’s office.

(4) The wholesale sale of consumer fireworks shall be conducted from a distribution facility as defined in NFPA 1124, 2006 edition entitled, Code for the Manufacture, Transportation, and Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, and shall not be conducted from a consumer fireworks retail sales facility, store, or temporary stand.

(5) A consumer fireworks retail sales facility or store shall meet the minimum fire safety and construction requirements of the 2006 edition of the National Fire Protection Association (NFPA) 1124 entitled, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles and as modified herein this chapter. In accordance with the International Building Code (IBC), consumer fireworks retail sales facilities and stores having a maximum quantity of consumer fireworks on hand exceeding 500 pounds gross packaged product weight shall have installed an NFPA 13 compliant automatic sprinkler system designed as an Ordinary Hazard Group 2 hazard facility. Where consumer fireworks retail sales facilities and stores have both a maximum quantity of consumer fireworks on hand exceeding 500 pounds gross packaged product weight and a ceiling height exceeding 16 feet, the required NFPA 13 compliant automatic sprinkler system shall be designed as an Extra Hazard Group 1 hazard facility.

(6) It shall be unlawful for any person, firm, corporation, association, or partnership to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person under 18 years of age.

(7) Any person selling any consumer fireworks at the consumer fireworks retail sales facility or store shall be at least 18 years of age; provided however, it shall be lawful for any person who is 16 or 17 years of age to sell or to offer for sale at retail or wholesale any consumer fireworks, provided that such person is serving as an assistant to the holder of a fireworks distributor license to a distributor selling consumer fireworks from a temporary consumer fireworks retail sales stand or the nonprofit group directly participating in the operation of a temporary consumer fireworks retail sales stand.

(8) The holder of a wholesale consumer fireworks distributor license shall provide to the Commissioner the names and addresses of all fireworks retailers located in the State of Georgia to which that license holder sells consumer fireworks.

120-3-22-.12 Purchase of Consumer Fireworks.

Any individual purchasing fireworks from a consumer fireworks retail sales facility, consumer fireworks retail sales store or a temporary consumer fireworks retail sales stand shall:

(1) Make all purchases in-person and through a face-to-face sale;

(2) Be a minimum of 18 years of age; and

(3) Provide proper identification to the seller at the time of such purchase. Such identification shall contain at a minimum the following:

(a) A description of the person or such person’s photograph, or both; and

(b) The individuals’ date of birth.


120-3-22-.13 Use of Fireworks.

No person shall use, explode, or cause to be exploded any consumer fireworks between the hours of 10:00 A.M. and 12:00 Midnight except:

(1) Between the hours 12:00 Midnight and 2:00 A.M. on January 1, July 3, July 4, and December 31; or

(2) After having obtained a special use permit as provided for in O.C.G.A. § 25-10-2(a)(3)(D)

Consumer fireworks may be used, ignited, or caused to be ignited on any day between the hours of 10:00 A.M. and 11:59 P.M. unless during such times the noise from such use or ignition is not in compliance with a noise ordinance of a county or municipal corporation.

Exception 1: Consumer fireworks may be used, ignited, or caused to be ignited on January 1, the last Saturday and Sunday in May, July 3, July 4, the first Monday in September, and December 31 of each year after the time of 10:00 A.M. and up to and including the time of 11:59 P.M.; and on January 1 of each year beginning at the time of 12:00 Midnight and up to and including the ending time of 1:00 A.M.

Exception 2: After having obtained a special use permit as provided for in O.C.G.A. § 25-10-2(a)(3)(D)


120-3-22-.14 Requests for Modification of Specific Requirements.
Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements which will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.

120-3-22-.4514 Unlawful Activity

(1) It shall be unlawful to use fireworks, consumer fireworks, or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 indoors or within the right of way of a public road, street, highway, or railroad of this state.

(2) It shall be unlawful for any person, firm, corporation, association, or partnership to sell or offer for sale consumer fireworks at a consumer fireworks retail sales facility, consumer fireworks retail sales store or a temporary consumer fireworks retail sales stand or wholesale distribution facility without maintaining the appropriate license.

(3) It shall be unlawful for any person, firm, corporation, association, or partnership to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person under 18 years of age.

(4) It shall be unlawful to sell consumer fireworks from any motor vehicle or from a trailer towed by a motor vehicle, or from a tent, canopy, or membrane structure.

(5) It shall be unlawful for any person under 18 years of age to use or ignite or cause to be ignited or to possess, manufacture, transport, or store consumer fireworks, except that it shall be lawful for any person who is 16 or 17 years of age to possess or transport consumer fireworks, provided that such person is serving as an assistant to a distributor selling consumer fireworks from a temporary consumer fireworks retail sales stand or the nonprofit group directly participating in the operation of a temporary consumer fireworks retail sales stand and is not transporting such consumer fireworks on a highway which constitutes a part of The Dwight D. Eisenhower System of Interstate and Defense Highways.

(6) It shall be unlawful to release or cause to be released any balloon, bag, parachute, or other similar device which requires fire underneath for propulsion or to release or cause to be released any floating water lantern or wish lantern which uses a flame to create a lighting effect in any public waterway, lake, pond, stream, or river.


120-3-22-.4615 Compliance with Rules and Regulations; Penalties.

(1) All persons shall, manufacture, transport, and store fireworks in conformity with this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the
rules contained in this Chapter shall be subject to such penalties as authorized by law and regulation.

(2) Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an application executed pursuant to Code section 25-10-5.1 shall be guilty of a violation of Code Section 16-10-20.

(3) Any and all consumer fireworks distributors licenses may be suspended, revoked, refused, or be subject to nonrenewal if the Commissioner finds that a licensee or applicant has:

(a) Violated any provision of this Chapter and O.C.G.A. 25-10; or failed to comply with a cease and desist order issued by the Commissioner or his or her authorized representative

(b) Failed to maintain the minimum insurance coverage as set forth in O.C.G.A. 25-10-5.1(a)(B);

(c) Made a material misstatement or misrepresentation or committed a fraud in obtaining or attempting to obtain a license; or

(d) Failed to notify the Safety Fire Commissioner, in writing, within 30 days after a change of residence, principal business address, or name.

Authority: §25-10-5.1(2) O.C.G.A. Sections 25-2-4, 25-2-16, and 25-10-2

120-3-22-.16 Requests for Modification of Specific Requirements.

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements which will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.


120-3-22-.17 Forms.

(1) Unless otherwise indicated, and to the extent provided, each filing required under this Regulation Chapter is to be made on forms or electronic format approved by the Commissioner.

(2) Forms may be reproduced to accommodate manual or automated processing.

(3) Any form filed electronically requiring a signature shall contain the electronic signature of the person filing the form, as defined in O.C.G.A. Section 10-12-3.

120-3-22-.18 Notes.

(1) The National Fire Protection Association (NFPA) codes, standards and recommended practices adopted in this Chapter are on file in the office of the State Fire Marshal and are available for viewing.

(2) Copies of the National Fire Protection Association codes and standards may be obtained from:
National Fire Protection Association
1 Batterymarch Park
Quincy, Massachusetts 02269-9101
Main 617-770-3000
Phone: 800-344-3555
http://www.nfpa.org/catalog/
Main 617-770-3000
Phone: 800-344-3555
http://www.nfpa.org/catalog/

(3) Copies of the International Code Council codes are on file in the Office of the State Fire Marshal and are available for viewing. Copies may be obtained from:
International Code Council
1-888-ICC-SAFE (422-7233) or
http://www.iccsafe.org/


120-3-22-.19 Severability.

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.


If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031