

CHAPTER 25 THREE-FAMILY DWELLINGS

25.1 General Requirements

25.1.1 Application

25.1.1.1 The requirements of this chapter shall apply to all three-family dwellings as defined in Section 3.3.32.3.1, which shall include those buildings containing three separate dwelling units in which each dwelling unit contains separate cooking and bathroom facilities.

25.1.1.2 The local Authority Having Jurisdiction (AHJ) certified by the State Fire Marshal as prescribed in RIGL 23-28.2-4(2) shall enforce the provisions of this Code. The State Fire Marshal's Office may enforce the provisions of this chapter when so requested to do so by the local AHJ or when the local authority is either unwilling or unable to fulfill its obligations under this chapter.

25.1.1.3 Installation of fire alarm devices shall be in accordance with Section 9.6.

25.1.1.4 Approved configurations of smoke alarm systems:

- (1) Conventional hard-wired smoke alarms with hard-wire interconnection
- (2) Low-power radio battery-powered smoke alarms with wireless interconnection

25.1.1.5 All smoke alarm systems, installed between January 1, 2011 and until the new fire code is adopted, shall be considered to be previously approved smoke alarm systems and shall be permitted to remain in use.

25.2 Installation of Smoke and Carbon Monoxide Alarms

25.2.1 General Requirements.

25.2.1.1 All three-family dwellings shall, at the responsibility of the seller before title is transferred, be provided with smoke and carbon monoxide alarms, installed in accordance with NFPA 72 and NFPA 720, 2007 edition.

25.2.1.2 The above smoke alarms shall be interconnected by either wired or wireless means of communication within each separate living unit. Smoke alarms in the common spaces, if hardwired, shall be interconnected separately from the living spaces. Detectors meeting

25.1.1.4(2) shall be part of a low power radio system.

25.2.1.3 Combination smoke/heat or fire/burglar systems, hard-wired or low-power radio, meeting the requirements of N.F.P.A. Standard 72, 2007 edition may be used.

25.2.1.4 Compliance with the provisions of this chapter shall be considered a prerequisite to the approval, by the fire authority, of any certificate of occupancy issued by the building official pursuant to RIGL 23-27.3-120.

25.2.1.5 It shall be the responsibility of the building owner to maintain in operable condition any smoke and carbon monoxide detection systems installed as required pursuant to this chapter.

25.2.1.6 If any impairment is discovered during any test or inspection, the owner of the building shall make the necessary repairs within seven (7) days after being notified by certified mail by the occupant and/or the AHJ.

25.2.1.7 If the owner fails to make the system operable within the required seven (7) days, the tenant may cause the system to be made operable if the cost of making repairs is less than \$50 (fifty dollars), and the tenant may deduct from the rent the actual reasonable cost of repairs, not to exceed \$50.

25.2.2 Power Requirements

25.2.2.1 All wired smoke alarms in dwelling units shall be equipped with an AC primary power source as described in 11.6.3 of NFPA 72, 2007 edition. The wiring to each alarm shall be taken from a branch lighting circuit serving a habitable area. The power source for the alarms shall be on the supply side ahead of any switches and not on circuits protected by a ground fault circuit interrupter, and shall meet Chapter 11.6.1(1) – Power Supplies; Smoke and Heat Alarms of NFPA 72, 2007 edition.

25.2.2.2 All wired smoke alarms in common spaces shall be equipped with an AC primary power source as described in 11.6.3 of NFPA 72, 2007 edition. The wiring to each alarm shall be taken from a branch lighting circuit serving a common area. The power source for the alarms shall be on the supply side ahead of any switches and not on circuits protected by a ground fault circuit interrupter, and shall meet Chapter

11.6.1(1) – Power Supplies; Smoke and Heat Alarms of NFPA 72, 2007 edition.

25.2.2.3 All wired smoke alarms shall also be equipped with secondary power source as described in Chapter 11.6.4 – Power Supplies; Secondary (Stand-by) Power Source of NFPA 72, 2007 edition.

25.2.2.4 All low-power radio devices shall be equipped with a DC primary power source as described in 11.6.6 of NFPA 72, 2007 edition.

25.2.3 Location of Smoke Alarms

25.2.3.1 Common Areas. Smoke alarms shall be located in common areas as follows:

- (1) On each floor level landing of the common stairways.
- (2) In common corridors.
- (3) Common basements.

25.2.3.2 Dwelling Units. Smoke alarms shall be

located inside each dwelling unit as follows:

- (1) Inside each sleeping room and guest room.
- (2) Outside of each separate sleeping area, within 6.4 m (21 ft.) of any door to a sleeping room, the distance measured along a path of travel.
- (3) On every level of a dwelling unit, including individually-accessed basement areas.

Exception: Rate of rise heat alarms, fixed temperature heat alarms or other type of alarms, listed for these applications, may be installed in situations where physical, environmental or other conditions would render smoke alarms impractical.

25.2.3.3 In basements or cellars, smoke alarms shall be located on the ceiling within twenty-four inches (24") of the base of stairways. On an unfinished ceiling, the detector shall be mounted to the bottom of the floor joist.

25.2.3.4 Where the interior floor area for a given level of a dwelling unit, excluding garage areas, is greater than one thousand square feet (1000 sq. ft.), one approved smoke alarm shall be provided for each five-hundred square feet (500 sq. ft.) or portion thereof as specified in NFPA 72:11.5.1.3.1 – Detection and Notification.

25.2.3.5 All required smoke alarms shall be provided with a visible intermittent or steady "power on" indicator.

25.2.3.6 A carbon monoxide alarm shall be located inside each individual dwelling unit outside each separate sleeping area in the immediate vicinity of the bedrooms. Bedrooms, or sleeping rooms, separated by other use areas, such as kitchens or living rooms, but not bathrooms, shall require a separate carbon monoxide alarm.

25.2.4 Notification

25.2.4.1 Fire-warning equipment for a dwelling unit shall emit an audible signal having a minimum rating of eighty-five (85) dBA at ten (10) ft., and shall provide a sound that is audible in all occupiable areas within the dwelling unit.

25.2.4.2 Fire-warning equipment for the common areas shall emit an audible signal having a minimum rating of eighty-five (85) dBA at ten (10) ft., and provide a sound that is audible in all occupiable areas within the common areas and dwelling units.

Exception: Smoke detectors as part of a system shall cause separate notification appliances to sound within the protected area.

25.3 Smoke Alarm Interconnection

25.3.1 All smoke alarms located inside the common areas, stairways and common basements shall be interconnected to each other. They shall not be connected to the individual dwelling units.

25.3.2 All smoke alarms located inside each separate living unit shall be interconnected to each other. They shall not be connected to the common area units.

Exception: These devices shall be permitted to be a part of a fire alarm system.

25.4 Low-Power Radio Systems

25.4.1 All low-power radio systems shall be installed in accordance with 6.17 of NFPA 72, 2007 Ed.

Exception: NFPA 72, Chapter 6.17.3.5 and Chapter 6.17.5 (5) shall not apply.

25.4.2 All low-power radio devices located inside three-family dwellings shall be supervised for tampering and unauthorized removal.

25.4.3 All low-power radio devices located inside each separate dwelling unit shall be supervised for tampering and unauthorized removal.

25.4.4 All single and multiple-station wireless smoke and CO alarms installed in the dwelling unit that are not part of a fire alarm system shall be supervised for tampering and unauthorized removal.

25.5 Smoke Alarm Inspections

25.5.1 The local fire authority that performs smoke and carbon monoxide alarm inspections in all existing three family dwellings shall, at the time of the inspection, be allowed to charge a fee for the inspection of any residential occupancy pursuant to the fee schedule in 25.5.2. The responsibility of this charged fee will be borne by the seller on each occurrence before title to the property is transferred. An additional fee will be allowed for any subsequent re-inspection of the same residential occupancy due to improper installation, wrong location, improper wiring method, or the seller's failure to maintain a mutually agreed upon appointment with the local fire authority that performs the inspection function. The fees collected by the local fire authority shall be used for fire prevention purposes in that particular city, town, fire district, or other municipal subdivision.

25.5.2 The fee for a resale inspection of a three family dwelling shall be \$60.00. The fee for any subsequent re-inspection needed for certification shall be \$60.00.

25.5.3 At the time of the transfer of title, the seller must provide the purchaser with a single certificate from the fire department for the community in which the dwelling is located stating that the smoke and carbon monoxide alarm systems have been inspected within one hundred twenty (120) days prior to the date of the sale and has been determined to be in good working order. The fire department for the community in which the dwelling is located must inspect the smoke and carbon monoxide alarm systems of the dwelling within ten (10) days of a request from the owner. If the ten (10) days are exceeded, the inspection may be conducted by qualified personnel of the department or the State Fire Marshal's Office with consultation with the local AHJ. Neither the fire department nor the State Fire Marshal shall be liable for any damage

caused by the subsequent malfunction of a smoke detection system or carbon monoxide alarm system which it inspected, as specified in RIGL 23-28.2-17 - Relief of Responsibility.

25.5.4 Transfers of real property are exempt from compliance with the provisions of sections RILSC 25.5 through 25.5.4 if:

- 1.) The property being transferred does not contain residential dwellings;
- 2.) Within the past six months a certificate of use or occupancy has been issued, in accordance with section 25.6, for the property being transferred;
- 3.) The property being transferred is uninhabitable without the issuance of a certificate of use and occupancy referenced in section 25.2.1.4;
- 4.) The property is vacant and being transferred pursuant to a foreclosure sale, a tax sale, as a redemption of a tax sale, or in lieu of foreclosure, and provided further that the requirements of this Chapter 25 shall be met prior to the re-occupancy of the property.
- 5.) The property is being transferred by operation of law, or pursuant to an order of any United States court, or any superior or family court of the State of Rhode Island, and provided further that such court order specifically directs non-compliance with this Chapter 25; or
- 6.) The property is being acquired by the state for demolition and will not be sold, used, leased or sublet by the state for residential purposes.