

*New MGL c. 148, s. 26G eff. as of 1-1-2010 as amended by c. 508 of the acts of 2008*

***Note: This is an unofficial copy of the applicable law. It merges the new amendments into s. 26G and contains additional sections of c. 508 of the Acts of 2008, which are not included in the statute.***

Chapter 148: Section 26G. Automatic sprinkler systems required for buildings and structures totaling more than 7,500 gross square feet

*Every building or structure, including any additions or major alterations thereto, which totals, in the aggregate, more than 7,500 gross square feet in floor area shall be protected throughout with an adequate system of automatic sprinklers in accordance with the provisions of the state building code. No such sprinkler system shall be required unless sufficient water and water pressure exists. For purposes of this section, the gross square footage of a building or structure shall include the sum total of the combined floor areas for all floor levels, basements, sub-basements and additions, in the aggregate, measured from the outside walls, irrespective of the existence of interior fire resistive walls, floors and ceilings. This section shall not apply to buildings used for agricultural purposes as defined in section 1A of chapter 128.*

In such buildings or structures, or in certain areas of such buildings or *structures*, where the discharge of water would be an actual danger in the event of fire, the head of the fire department shall permit the installation of such other fire suppressant systems as are prescribed by the state building code in lieu of automatic sprinklers. Automatic suppressant or sprinkler systems shall not be required in rooms or areas of a telephone central office equipment building when such rooms or areas are protected with an automatic fire alarm system. Sprinkler systems shall not be required in open-air parking structures, defined as: buildings, structures, or portions thereof, used for parking motor vehicles and having not less than twenty-five per cent of the total wall area open to atmosphere at each level, utilizing at least two sides of the structure. This section shall not apply to buildings or additions used for residential purposes.

The head of the fire department shall enforce the provisions of this section.

Whoever is aggrieved by the head of the fire department's interpretation, order, requirement, direction or failure to act under the provisions of this section, may, within forty-five days after the service of notice thereof, appeal from such interpretation, order, requirement, direction or failure to act to the automatic sprinkler appeals board as provided in section two hundred and one of chapter six. *The board may grant a reasonable waiver from the provisions of this section, or may allow the installation of a reasonable alternative or modified system of automatic sprinklers upon reviewing the characteristics of buildings that have architectural or historical significance.*

***Note: The following language is contained in the Act but not contained in the actual statute.***

**SECTION 5.** Nothing in this act shall be construed as limiting any requirement for buildings, less than 7,500 gross square feet, in the aggregate, from installing automatic sprinklers as otherwise may be required by the state building code.

*SECTION 6.* This act shall apply to construction of buildings, structures or additions or major modifications thereto which total, in the aggregate, more than 7,500 gross square feet permitted after January 1, 2010.