

527 CMR: BOARD OF FIRE PREVENTION REGULATIONS

527 CMR 38.00: MINIMUM STANDARDS FOR MOTION PICTURE AND TELEVISION PRODUCTION STUDIO SOUNDSTAGES, PRODUCTION FACILITIES, PRODUCTION LOCATIONS AND ACTIVITIES RELATING THERETO

Section

38.01: Adoption of NFPA 140 (2008 Edition) by Reference with Modifications

38.02: Scope

38.03: Purpose

38.04: Additional Modifications to NFPA 140 (2008 Edition)

38.01: Adoption by Reference with Modifications

(1) 527 CMR 38.00 adopts and incorporates by reference National Fire Protection Association (NFPA) Standard 140 (2008 Edition) entitled: *Motion Picture and Television Production Studio Soundstages, Production Facilities, Production Locations and Activities*, with modifications as noted in 527 CMR 38.00.

(2) In the event of a conflict between the provisions of 527 CMR 38.00, and any other provision of 527 CMR, the standard that requires the greater level of safety shall prevail.

38.02: Scope

Delete section 1.1 of NFPA 140 (2008) Edition and insert in place thereof the following:

1.1 Scope. This Standard establishes minimum requirements for motion picture and television production studio soundstages, production facilities, production locations and activities relating thereto, in order to reduce the incidents of fire and explosion. The provisions here are in addition to the related provisions of the Massachusetts State Building Code, 780 CMR, including, but not limited to 780 CMR 428.00.

38.03: Purpose

Delete section 1.2 of NFPA 140 (2008) Edition and insert in place thereof the following:

1.2 Purpose. The provisions of 527 CMR 38.00 establish minimum standards for motion picture and television production studio soundstages, production facilities, production locations and activities relating thereto, in order to reduce the incidents of fire and explosion. The provisions of 527 CMR 38.00 are in addition to the related provisions of the Massachusetts State Building Code, 780 CMR, including, but not limited to 780 CMR 428.00.

38.04: Additional Modifications to NFPA 140 (2008 Edition)

Additional modifications to NFPA 140 (2008 Edition) hereby incorporated in 527 CMR 38.00, shall be as follows:

3.2.2* Authority Having Jurisdiction (AHJ). Head of the Fire Department or designee.

Add a new section 3.3.9

3.3 On-site Personnel. Cast, crew, vendors, contractors, and any other personnel servicing the production.

4.2 Delete this section in its entirety and insert in place thereof:

4.2 Permits. A permit shall be obtained for any of the following activities:

- (1) Use of pyrotechnic special effects (527 CMR 2.00 and 13.00).
- (2) Use of open flames (527 CMR 10.00).
- (3) Welding and cutting (527 CMR 39.04).
- (4) Storage and use of flammable or combustible liquids of gases (527 CMR 14.03).
- (5) Use of aircraft.

38.04: continued

- (6) Presence of motor vehicles within a building.
- (7) Productions with live audiences.
- (8) Change of use or change of occupancy classification.
- (9) Storage and use of liquefied petroleum gases (527 CMR 6.08).

4.3.2 Delete this section and insert in place thereof:

4.3.2. 527 CMR 2.00 shall be used to regulate any pyrotechnic use.

4.3.3 Delete this section

4.3.3. 527 CMR 10.03 (6) shall be used to regulate any open flame use.

4.5.2 Delete this section and insert in place thereof:

4.5.2. Combustible drapes, drops, and any other similar combustible hanging or vertically placed material shall be in accordance with 527 CMR 21.00 and must be maintained in a flame-retardant condition.

4.6.1 Delete this section and insert in place thereof:

4.6.1. There shall be no smoking in any soundstage, production studio, or approved production facility unless allowed by NFPA 140 (2008 Edition) 4.6.2.

4.6.3 Delete this section and insert in place thereof:

4.6.3. The AHJ may prescribe areas outside of the building as designated smoking areas where hazardous materials are not present, and approved ashtrays or receivers are provided.

4.7.1 Delete this section and insert in place thereof:

4.7.1. Approved production facilities and soundstages shall be designed, constructed or altered to sustain all collateral dead loads and other loads specified in 780 CMR.

4.7.2 Delete this section and insert in place thereof:

4.7.2. Where the anticipated loads exceed those specified in 780 CMR for the purpose of suspending sets, ceilings, backings, and other heavy production set pieces, the building shall be designed and constructed for the additional loads.

4.8.1 Delete this section and insert in place thereof:

4.8.1. Electrical equipment shall be in accordance with 527 CMR 12.00: *The Massachusetts Electrical Code*.

4.9 Delete this section and insert in place thereof:

4.9 Fire Department Access. A minimum of 18' wide, unobstructed access roadway shall be provided within 50' of the building on all sides of the building. The access roadway shall be suitable to provide all weather access to the fire apparatus. The head of the local fire department shall approve the access roadway's placement, grade, turning radii and construction.

4.10. Sections .1, .2 and .3 delete these sections and insert in place thereof:

4.10 Means of Egress.

4.10.1. Means of Egress shall be in accordance with 780 CMR 428.0 and 527 CMR 10.03(13)

4.10.2. A clear unobstructed aisle height of 7' shall be maintained at all times. *

4.10.3. Means of Egress shall be kept clear of obstructions and tripping hazards at all times.*

38.04: continued

4.11 Delete this section and insert in place thereof

4.11 Fire Protection. Fire protection shall be provided in accordance with 780 CMR 428.0.

5.2 Add two new sections, section 5.2.1 and section 5.2.2 to read as follows:

5.2.1. Notification and Permits. Notification shall be made to the Head of the local fire department, or designee, on a form prescribed by the State Fire Marshal for production locations where 15 to 30 on-site personnel are present, providing permits are not required by Section 5.2.2 Sub-sections (2) - (10).

5.2.2. A permit shall be obtained for all production locations, except as defined in Section 5.2.1. Additionally, separate permits shall be required for any of the activities that follow:

- (1) Use of the site as a production location where more than 30 on-site personnel are present
- (2) Use of Pyrotechnic special effects (527 CMR 2.00 and 13.00)
- (3) Use of open flames (527 CMR 10.03 (6))
- (4) Welding and cutting (527 CMR 39.04)
- (5) Storage and use of flammable or combustible liquids of gasses (527 CMR 14.03)
- (6) Storage and use of liquefied petroleum gases (527 CMR 6.08)
- (7) Productions with a live audience
- (8) Use of Fog and Haze
- (9) Use of Aircraft
- (10) Presence of motor vehicles within a building.

5.3.2 Delete this section and insert in place thereof:

5.3.2. 527 CMR 2.00 shall be used to regulate any pyrotechnic use.

5.3.3 Delete this section and insert in place thereof:

5.3.3. 527 CMR 10.03(6) shall be used to regulate any open flame effect use.

5.6 Delete this section and insert in place thereof:

5.6. There shall be no smoking in any production location unless allowed by NFPA 140 (2008 Edition) 4.6.2.

5.6.3 Delete this section and insert in place thereof:

5.6.3. The AHJ may prescribe areas outside of the building as designated smoking areas where hazardous materials are not present, and approved ashtrays or receivers are provided.

5.7.1 Delete this section and insert in place thereof:

5.7.1. Sets, scenery, and other equipment shall not impact the structural integrity of existing buildings. Additional loads applied onto the building shall be in accordance with 780 CMR.

5.7.2 Delete

5.8.1 Delete this section and insert in place thereof:

5.8.1. Electrical power connections made to the site electrical service shall be in accordance with 527 CMR 12.00: *The Massachusetts Electrical Code.*

5.10* Delete this section and insert in place thereof:

5.10*. The production location shall be provided with the means of egress per 780 CMR.

38.04: continued

5.11 Delete this section and insert in place thereof:

5.11 Fire Protection. Fire protection shall be provided in accordance with 780 CMR 428.0

6.2.1 Delete this section and insert in place thereof:

6.2.1. The storage and use of flammable and combustible liquids shall be in accordance with 527 CMR 6.00

6.2.2 Delete this section and insert in place thereof

6.2.2. The storage and use of liquefied petroleum gases shall be in accordance with 527 CMR 6.00

6.3 Delete this section and insert in place thereof:

6.3. All welding and cutting shall be in accordance with 527 CMR 39.00

REGULATORY AUTHORITY

527 CMR 38.00: M.G.L. c. 22D, § 4 and c. 148, §§ 9, 10, 28 and 39A.