The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services
P.O. Box 1025 ~ State Road
Stow, Massachusetts 01775
(978) 567-3100 Fax: (978) 567-3121
www.mass.gov/dfs

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LT. GOVERNOR

DANIEL BENNETT
SECRETARY

STEPHEN D. COAN
STATE FIRE MARSHAL

MEMORANDUM

To: Heads of Fire Department and Building Officials

From: Stephen D. Coan, State Fire Marshal
Thomas G. Gatzunis, Commissioner, Department of Public Safety

Date: **February 6, 2015**

RE: **Fire Protection Permit as of January 1, 2015 - REVISED**
Adoption of Revised Comprehensive Fire Safety Code

This memorandum was originally distributed on December 1, 2014 by the State Fire Marshal. This revised memorandum has been updated to include the current edition of 780 CMR (dated 4/11/14) and to include the Department of Public Safety for authorship and distribution. In addition, clarification has been added regarding acceptance testing to alleviate confusion based on comments received since the original distribution of the memorandum.

The revised Comprehensive Fire Safety Code, 527 CMR 1.00, is in effect as of January 1, 2015 and as a result, many questions have been raised regarding the permitting of the installation of fire protection systems.

The revised fire code has limited permitting requirements with respect to the installation of fire protection systems. These former permitting requirements were not carried forward since the Massachusetts State Building Code (MSBC) currently requires fire department review under 780 CMR 107.1.2. The text of 780 CMR 107.1.2 reads as follows:

> **107.1.2 Fire Department Review.** For permits that include fire protection systems under Chapters 4: Special Detailed Requirements Based on Use and Occupancy, or 9: Fire Protection Systems, or 34: Existing Structures, construction documents shall be filed with the building official who shall cause them to be filed with the head of the local fire department for review. The fire department shall have ten-working days after receiving the documents to complete its review. Upon the fire department's written request, the building official may grant one or more extensions up to a total review period maximum of 30-days. If the fire department review is not received within the allowed time frame the building official may upon review deem the documents in compliance with 780 CMR. If the head of the local fire department

> believes such construction documents to be noncompliant with this code or reference standards, he or she shall notify the building official (refer to M.G.L. c. 148 § 28A) in writing **citing relevant sections** of noncompliance with this code or the section of the referenced standards of Chapter 35: Referenced Standards.

After installation of the fire protection system, but prior to witnessing the acceptance testing, certain documentation shall be submitted to the building official and fire official in accordance with 780 CMR 901.5.1. The documentation includes:

- Certification from the registered design professional, responsible for the construction documents, stating that the fire protection systems have been installed in accordance with applicable codes and standards and with the construction documents, and that record drawings indicate any deviations.
- Confirmation from the owner or owner's representative that they have received as-built drawings.
- Material, Test, Performance, and Completion Certificates, properly executed by the installing contractor in accordance with the applicable NFPA standards.

After receipt of the documentation, both the building official and the fire official shall witness the acceptance testing in accordance with 780 CMR 901.5.

> **901.5 Acceptance Tests.** Fire protection systems shall be tested in accordance with the requirements of this code and NFPA Standards and approved testing criteria and operational sequence as submitted in section 901.2.1, Tier One, Item a. When required, the tests shall be conducted in the presence of the building official and fire official or their designee.

The revised fire code will still require permitting for the impairment and/or shutdown of any fire protection or carbon monoxide equipment and for fire protection systems required under 527 CMR 1.00, which codifies M.G.L. c. 148, § 27A.

The elimination of the permit was based on the assumption that the fire official has reviewed and approved the project through the MSBC. If a Certificate of Occupancy was issued and the building did not comply with the provisions outlined in the MSBC, the possibility exists that there could be violations of 527 CMR 1.00 immediately after the issuance of the Certificate of Occupancy. Therefore, please continue efforts to ensure review under the MSBC.

The fire department review (under 780 CMR 107.1.2) is for work involving 780 CMR Chapter 4: *Special Detailed Requirements Based on Use and Occupancy*, Chapter 9: *Fire Protection Systems*, and/or Chapter 34: *Existing Structures*.

If you have any questions contact Jake Nunnemacher (a community on or south of the MA pike) at (978) 567-3377 or Jen Hoyt (north of MA pike) at (978) 567-3376; or Tom Riley at the Department of Public Safety at (617) 826-5250.