

**“ARTICLE 60  
FIRE AND LIFE SAFETY REGULATIONS**

**Section 1 Orders, Rules, Investigations, and Inspections**

For the purpose of ensuring compliance and reasonable safety of the public and firefighters, as authorized by Massachusetts General Laws (MGL) Chapter 148 “Fire Prevention Laws,” 527CMR “Fire Protection Regulations,” and, where authorized, by 780CMR “State Building Code,” or this By-Law, the Chief of the Fire Department (the Chief) or his designee may:

1. Enter, at any reasonable hour, any building, structure, or premises to make investigation and inspection;
  
2. Make rules or orders consistent with laws and regulations cited in this By-Law.

**Section 2 Definitions**

*Fire Protection Systems*      Systems, devices, and equipment used to detect a fire and its by-products, actuate an alarm, or suppress or control a fire and its by-products, or any combination thereof.

*Life Safety Systems*              Systems that enhance or facilitate evacuation of smoke, or devices and alarms that detect and notify the presence of carbon monoxide.

*Auxiliary Fire Alarm Systems, (Municipal Master-Boxes), Central Station and Remote Stations*              As defined by the latest edition of the National Fire Alarm Code, NFPA-72, as published by the National Fire Protection Association, Quincy, MA.

**Section 3 Regulatory Policies**

The Chief may promulgate regulatory policies for the purpose of clarifying the intent of any sections of the By-Laws, MGL, regulations, or codes stipulated in Section 1. Regulatory policies and promulgations under this section shall be approved by the Board of Selectmen (the Board).

Regulatory policies may include, but are not limited to:

- A.      Obstruction or blockage of a public or private way to prevent access by fire apparatus or equipment to any building.
  
- B.      Fire lanes, markings, postings, and maintenance.
  
- C.      Fire Department vehicle access to private roadways.
  
- D.      Method of supervision (Fire Department notification) of fire protection and life safety systems within all buildings by means of auxiliary fire alarm systems (municipal master-boxes), central station systems, remote station, or combination of both, including testing, maintenance and maintaining operational readiness.

- E. Fire protection and life safety systems, functions, equipment, and component locations.
- F. Fire hydrant location and placement, public and private.
- G. Inspection, testing, and maintenance of fire protection systems.
- H. Impairments affecting fire-protection-life-safety-systems' function and Fire Department notification.
- I. Issuance of permits for the use of open flames in or around buildings or structures.
- J. Conditions for the permitted use of open flames in or around buildings or structures.

#### **Section 4 Appeals**

Anyone aggrieved by the Chief's interpretation, order, requirement, direction, or failure to act under the provisions of this By-Law may, within ten (10) days of such action, file an appeal in writing with the Board. Once the appeal is filed with the Board, there is a stay of all proceedings until a decision is reached. The Board shall notify the appellant and the Chief in writing at least ten (10) days prior to the hearing date. The Board shall render a decision within thirty (30) days following the hearing. The appellant, if aggrieved by the decision of the Board, may seek further review by a court of appropriate jurisdiction.

#### **Section 5 Adoption of Local Option Law**

The Chief or his designee shall enforce the following local option MGLs adopted by the Town and any other MGLs subsequently adopted by the Town.

MGL 148, 26C "Certain Public Accommodations": automatic smoke or heat detectors.  
Date of adoption: ATM April 12, 1988, Art. 42.

MGL 148, 26G "Non-residential Buildings or Additions": automatic suppressant or sprinkler systems. Date of adoption: ATM April 12, 1988, Art. 43.

MGL 148, 26H "Lodging or Boarding Houses": Automatic sprinkler systems. Date of adoption: ATM April 12, 1988, Art. 44.

MGL 148, 26I "Multiple Dwelling Units": New construction: Automatic Sprinkler Systems. Date of adoption: ATM October 19, 2006, Art. 12.

#### **Section 6 Fire Department Radio Communication**

The Chief may require the installation of two-way in-building radio communication systems within any new or existing building to enhance communication among Fire Department personnel. Such two-way in-building radio communication systems shall comply with Fire Department specifications and installation requirements.

#### **Section 7 Fire Department Building Access**

The Chief may require the installation of specialized, secured lock-boxes on any building or structure to permit emergency access during non-occupied or normal business hours.

Specialized, secured lock-boxes shall comply with Fire Department specifications and installation requirements.

### **Section 8 Fees**

The Chief may recommend to the Board reasonable fees for the issuance or renewal of licenses, permits, the supervision of auxiliary fire alarm systems (municipal master-box), and temporary impairments of auxiliary fire alarm systems (municipal master-box) affected by installation, testing, inspection, or maintenance of fire protection and life safety systems.

### **Section 9 Fire Alarm System Malfunctions (False Alarms) and Fines Structure**

9.1 In order to reduce the number of unnecessary responses by the Fire Department due to faulty fire alarm systems, the Chief may assess a fine against a fire alarm system owner for each fire alarm system malfunction per calendar year according to the following schedule:

- a. First through third malfunction. No Charge. Upon receipt of the third such false alarm by the Fire Department, the Chief shall notify the owner of the fire alarm system in writing, and by registered mail, return receipt requested, of such fact, and inform the owner of the Department's policy relative to charging for false fire alarms. A copy of the By-Law shall be enclosed with the formal notice.
- b. Fourth malfunction: \$100.00.
- c. Fifth malfunction: \$200.00.
- d. Each malfunction after the fifth: \$300.00 per call.

9.2 Private fire alarm systems connected to the Fire Department by other automatic means or through a central station system shall be subject to the aforementioned fee structure (subsection 9.1).

9.3 Any false fire alarm which is the result of the failure of the property owner, occupant, or their agent(s) to notify the Fire Department of repair, maintenance, or testing of the internal fire alarm system within the protected premises shall cause a penalty to be assessed in accordance with subsection 9.1.

9.4 For the purposes of this regulation, a false fire alarm shall be defined as any alarm caused by:

- a. The operation of a faulty smoke, heat, or water flow detection device.
- b. A faulty control panel or associated equipment.
- c. A water pressure surge in an automatic sprinkler system.
- d. Accidental operation of an automatic sprinkler system.

- e. Any action causing accidental activation of an internal fire alarm system by:
  - 1. An owner of the protected premises;
  - 2. An occupant of the protected premises;
  - 3. Any employee or contractor of an owner or occupant of the protected premises;
  - 4. Any agent of an owner or occupant of the protected premises;
  - 5. Any agent of an employee or contractor of the owner or occupant of the protected premises.

9.5 Property owners will be billed once a month for the previous month's malfunction activity. All fines assessed shall be paid to the Town Treasurer for deposit in the general fund. If the bill is not paid within thirty (30) days, a second notice will be sent; if the bill is not paid after another thirty (30-day) period, a final notice will be sent informing the owner and/or occupant that the master box will be disconnected and the insurance company notified after thirty (30) days of said final notice.”