

Chapter 6

FIRE PREVENTION AND PROTECTION*

* **Cross References:** Buildings and building regulations, Ch. 4; national building code adopted, § 4-2; fire limits, § 4-11; health, Ch. 7; housing, Ch. 8; fireworks prohibited, § 9-1; mobile homes and manufactured housing and mobile home parks, Ch. 10; streets, sidewalks and other public places, Ch. 13; subdivisions, Ch. 14; utilities, Ch. 16; zoning and land use, Ch. 17.

[Art. I. In General](#), §§ 6-1--6-20

[Art. II. Administration](#), §§ 6-21--6-60

[Div. 1. Generally](#), §§ 6-21--6-40

[Div. 2. Bureau of Fire Prevention](#), §§ 6-41--6-60

[Art. III. Standards](#), §§ 6-61--6-103

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[Div. 2. Fire Code](#), §§ 6-81--6-100

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ARTICLE I.

IN GENERAL

Secs. 6-1--6-20. Reserved.

ARTICLE II.

ADMINISTRATION

DIVISION 1.

GENERALLY

Secs. 6-21--6-40. Reserved.

DIVISION 2.

BUREAU OF FIRE PREVENTION

Sec. 6-41. Establishment and duties of bureau of fire prevention; officers.

(a) The Fire Prevention Code adopted in section 6-81 shall be enforced by the bureau of fire prevention in the fire department which is hereby established and which shall be operated under the supervision of the chief of the fire department.

(b) The chief of the fire department shall recommend and the city manager shall appoint an assistant chief of fire prevention and training and such other members of the bureau of fire prevention as shall from time to time be necessary.

(c) The chief of the fire department may request and shall receive so far as may be necessary, in the discharge of his duties, the assistance and cooperation of other officials of the municipality.

Secs. 6-42--6-60. Reserved.

ARTICLE III.

STANDARDS

DIVISION 1.

GENERALLY

Secs. 6-61--6-80. Reserved.

DIVISION 2.

FIRE CODE

Sec. 6-81. Adoption of standard code.

Under the authority of RSA [49-B:8](#), [155:1](#) et seq., 156:1 et seq. and 156-A:1 et seq., the city hereby adopts the Basic/National Fire Prevention Code recommended by Building Officials and Code Administrators International, Inc., being particularly the 1987 Edition thereof and the whole thereof, for

the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, save and except such portions as are hereinafter deleted, modified, or amended by this chapter. The code is hereby adopted and incorporated as fully as if set out at length, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

Sec. 6-82. Interpretation of terms.

(a) Wherever the word "municipality" is used in the Fire Prevention Code adopted in section 6-81, it shall be held to mean the City of Berlin.

(b) Wherever the term "Corporation Counsel" is used in the Fire Prevention Code adopted in section 6-81, it shall be held to mean the attorney for the City of Berlin.

Sec. 6-83. Amendments to standard code.

The fire prevention code adopted in section 6-81 is amended as follows:

(1) The assistant chief of the bureau of fire prevention and training or his designee may survey each assembly, educational, industrial, institutional, mercantile, business, office, including professional offices, storage, new or existing residential occupancy, regardless of the numbers of units and shall specify suitable fire extinguishing appliances and fire detecting devices as may be necessary to provide reasonable safety to persons and property.

(2) The fire prevention code is amended by the deletion of section F-103.6 and the following inserted in place thereof.

F-103.6. Payment of fees: The city council shall be authorized to establish a fee schedule for permits issued under the authority of this code.

(3) The fire prevention code is amended by the deletion of section 104.1. and the following inserted in place thereof:

F-104.1. Appeals. Whenever the bureau of fire prevention shall disapprove an application or refuse to grant a permit applied for or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted or that the applicant is otherwise entitled to a variance under RSA 156:4-1, the applicant may appeal in writing from the decision of the bureau of fire prevention to the zoning board of adjustment within fifteen (15) days from the date of the decision appealed.

(4) The fire prevention code is amended by the deletion of sections F-104.2 and F-104.2.1.

(5) The fire prevention code is amended by the deletion of section F-105.5.1. and the following inserted in place thereof:

F-105.5.1. Penalty for violations. Any person who shall violate any of the provisions of the code or this chapter hereby adopted or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of

specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the board of adjustment or by a court of competent jurisdiction, with the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be punished by a fine of not more than one thousand dollars (\$1,000.00), but not less than one hundred dollars (\$100.00). The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day that prohibited conditions are maintained and each separate violation shall constitute a separate offense.

(6) The fire prevention code is amended by the addition of section F-108.0. which shall read as follows:

F-108.0. Review of plans and/or construction by a licensed fire protection engineer.

F-108.1. When, in his opinion it is deemed necessary, the assistant chief of the bureau of fire prevention may require:

- a. That proposed building construction plans bear the seal of a licensed fire protection engineer, indicating that a total life safety and fire protection system design has been incorporated into the proposed building; or
- b. That a licensed fire protection engineer of the city's choosing be hired to review all construction aspects pertaining to life safety and fire protection. All costs incurred for these services shall be reimbursed to the city by the property owner.

(7) The fire prevention code is amended by the addition of section F-109.0. which shall read as follows:

F-109.0. Plans for review.

F-109.1. Construction plans. A copy of all construction plans for new construction, remodeling, or additions to all assembly, educational, industrial, institutional, mercantile, business, office and storage buildings, and residential occupancy of more than two (2) units shall be submitted to the bureau of fire prevention for review of all design and construction aspects pertaining to life safety and building construction.

F-109.2. Site and subdivision plans. A copy of all proposed site plans and all proposed major subdivision plans over three (3) lots, shall be submitted to the bureau of fire prevention for review of all aspects pertaining to fire protection.

(8) The fire prevention code is amended by the addition of section F-400.7. which shall read as follows:

F-400.7. Plans. Two (2) complete sets of plans of all fire protection and detection systems shall be submitted to the bureau of fire prevention for approval before installation of the systems begins.

- (9) The fire prevention code is amended by the deletion of sections F-2800.2. and F-2900.2.
- (10) The fire prevention code is amended by the deletion of F-3000.2 and the following inserted in place thereof:

A permit shall be obtained from the bureau of fire prevention for the following installations:

- a. For every aboveground installation of liquefied petroleum gas employing a contained or aggregate or interconnected containers of two thousand (2,000) or more gallons of water capacity.
 - b. For every underground installation of LPG, irrespective of container size and capacity.
 - c. For every installation of LPG, irrespective of container size and capacity, made at buildings considered to be "places of assembly" with a capacity of twenty (20) or more persons. Such buildings include schools, churches, hospitals, institutions, hotels and restaurants.
- (11) The fire prevention code is amended by the addition of article 35 which shall read as follows:

Before any fuel oil burner is installed in any structure, application shall first be made to the chief of the department and a permit obtained thereof.

Sec. 6-84. Modifications.

The chief of the fire department shall have authority to modify any of the provisions of the fire prevention code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the chief of the fire department thereon shall be entered upon the records of the department, and a signed copy shall be furnished to the applicant.

Secs. 6-85--6-100. Reserved.

DIVISION 3.

LIFE SAFETY CODE

Sec. 6-101. Adoption of standards.

The city hereby adopts, for the purpose of establishing safety to life from fire in buildings and structures, that certain codes known as the "Life Safety Code, 1988 Edition," published by the National Fire Protection Association, as fully as if set out at length herein, except for the amendments set forth in this division and from the date on which this division shall take effect. The provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the city.

Sec. 6-102. Amendments to standard code.

The Life Safety Code adopted in section 6-101 is amended as follows:

- (1) The Life Safety Code is amended by providing that the authority having jurisdiction under this code shall be the fire chief and/or building official.
- (2) As defined in the Life Safety Code sections 18.1.3.1. and 19.1.3.1, the term "apartment buildings" includes apartment type condominiums.
- (3) Townhouse-type condominium units with their own exit directly to grade level shall be considered one- and two-family dwellings in determining the requirements imposed by the Life Safety Code, only when each unit is separated by a wall within a two-hour fire resistance rating and extending from the floor of the lowest level to the underside of the roof deck. If the roof is constructed of combustible material the two-hour wall shall extend above the roof by at least two (2) feet.

Sec. 6-103. Penalty for violations.

Any person who shall violate any of the provisions of the code adopted in section 6-101 or this division hereby adopted or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the board of adjustment or by a court of competent jurisdiction, with the time fixed herein, shall severely for each and every such violation and noncompliance, respectively be punished by a fine of not more than one thousand dollars (\$1,000.00), but not less than one hundred dollars (\$100.00). The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained, and each separate violation, shall constitute a separate offense.

DIVISION 4

BLIGHTED VACANT BUILDINGS

Sec. 6-104 Scope

This Code shall apply to all blighted vacant buildings and premises thereof in the City of Berlin now existing or hereafter becoming vacant and blighted.

Sec. 6-105 Intent

It is the intent of this code to protect the public health, safety, and welfare by establishing a registration process for blighted vacant buildings and requiring responsible parties to implement a maintenance plan for such buildings and remedy any blighted vacant premises in order to minimize and prevent deterioration, blight and consequent adverse impact on the value of nearby property and to keep such properties from becoming a public nuisance.

Sec. 6-106 Other Laws Codes, Ordinances, and Regulations.

This code shall not be construed to prevent the enforcement of other laws, codes, ordinances, and regulations, which prescribe standards other than are provided herein. In the event of conflict, the most restrictive laws, codes, ordinances and regulations shall apply.

Sec. 6-107 Definitions:

A. Blighted Vacant Premises - shall mean any vacant building or structure which is not being maintained. The following factors will be considered in determining whether a structure or building is not being maintained; missing or improperly boarded windows or doors; a collapsing or missing wall; sagging or collapsed roof or floor; siding that is seriously damaged or missing; fire damage; a foundation that is seriously deteriorated or missing; a foundation that is structurally faulty; garbage, rubbish or abandoned cars or vehicle parts situated on the premises (unless the premises is a legal junk yard), or weed growth on exterior property areas of more than 12".

B. Building - Any structure used or intended for supporting or sheltering any use or occupancy. (National Fire Protection Association NFPA 1 Uniform Fire Code 2003 edition, NFPA 101 Life Safety Code 2003 Edition and the International Building Code 2006 Edition.)

C. Exterior Property Areas - The open space on the premises and on adjoining property under the control of owners or operators of such premises.

D. Maintenance - Acts of repair and other acts to prevent a decline in the condition of grounds, structures, and equipment; such that the condition does not fall below the standards established by this code and other statutes, codes and ordinances.

E. Occupant - Any person (including domestic service employees) living and/or sleeping in a dwelling unit or having possession of a space within a building.

F. Operator - Any person who has charge, care or control of a structure or premises which is let or offered for occupancy. Any person having charge, care, management, or control of any premises, dwelling or part of it, in which dwelling units or rooming units are let.

G. Owner - Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate or any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by court.

H. Person - Includes a corporation or co-partnership as well as an individual.

- I. Premises - A lot, plot or parcel of land including the building or structure thereon.
- J. Public Nuisance - Includes the following:
 - 1. The physical condition, or use of any premises regarded as a public nuisance at common law; or
 - 2. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children or other parties, including but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
 - 3. Any premises which has unsanitary sewerage or plumbing facilities; or
 - 4. Abandoned buildings under construction; or any premises which are manifestly capable of being a fire hazard, or are manifestly unsafe or unsecure as to endanger life, limb, or property. Any premises which are unsanitary, or which are littered with rubbish, garbage, tires or appliances. Any structure or building that is vacant and not properly secured and boarded up, or is damaged by fire to the extent as not to provide shelter, or is in danger of collapse or failure and dangerous to anyone on/or near the premises.
- K. Renovation - A building and its facilities made to conform to present day minimum standards of sanitation, fire and life safety.
- L. Rubbish - Combustible and noncombustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust and other similar materials.
- M. Vacant - shall mean a building or structure or a portion thereof which is not legally occupied.
- N. Legal Occupancy - shall mean occupancy that is legal by virtue of compliance with State Building Codes, State Fire Safety Codes, local zoning codes, housing codes, and all other pertinent codes, which must be substantiated by an ownership, a mortgage, a lease agreement, or a rent statement.
- O. Workmanlike - Whenever the words "workmanlike state of maintenance and repair" are used in this code, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.
- P. Yard - An open unoccupied space on the same lot with a building extending along the entire length of the street, or rear or interior lot line.

Sec. 6-108 Obligation to Register Vacant Buildings

Whenever any building in the City of Berlin is vacant and such building or premises is determined to be a blighted premises as defined herein, then the owner of such building or premises shall, within fifteen (15) days of notification from the Berlin Fire Chief or his/her designee, register such building as a vacant blighted building and submit a vacant building plan.

Sec. 6-109 Notice of Blighted Vacancy.

The Fire Chief or his /her designee shall provide notice to the owner of record and person who last paid the general real estate taxes on the blighted vacant building by certified mail, return receipt requested, address correction requested, directing the owner of the building to register the building and submit a blighted vacant building plan with the Fire Department.

Sec. 6-110 Notice of Public Nuisance.

In the event, any public nuisance exists in connection with the building or premises thereto then the Fire Chief or his/her designee shall specify in the notice the existence of such nuisance(s).

Sec. 6-111 Registration of Blighted Vacant Buildings.

The owner registering a blighted vacant building shall supply the following information:

- A. Name, address, and telephone number of owner.
- B. Address of vacant building
- C. Name, address, and telephone number of any local agent or representative.
- D. Name, address and telephone number of all persons with any legal interest in the property, building, and premises.
- E. Copy of any insurance policy insuring the property and name address and telephone number of the insurance representative.
- F. The common address of the building.
- G. Date on which the building became vacant.
- H. Within fifteen (15) days, a vacant building plan.

The blighted vacant building plan shall be filed with the Fire Department accompanied by a One Hundred and Fifty Dollar (\$150.00) fee upon submittal of a vacant blighted building plan.

Registration of a blighted vacant building shall be valid for a period of six (6) months. If the building is vacant at the expiration of any registration period and requirements of the blighted vacant building plan are not completed, then the ordinance may be enforced in accordance with Section 6-122.

Sec. 6-112 Blighted Vacant Building Plan.

When a building is registered as required herein, the owner or agent shall submit a blighted vacant building plan. The plan shall contain the following:

- A. A plan of action to either board up the building in accordance with the requirements below for boarding up buildings, or repair any doors, windows, or other openings which are boarded up or otherwise secured by any means other than conventional methods used in the design of the building or permitted for new construction of similar type in accordance with applicable codes. The proposed repair shall result in openings secured by conventional methods used in the design of the building or by methods permitted for new construction of similar type.
- B. For buildings and premises thereof which are identified as being or containing public nuisances, then the vacant building plan shall contain a plan of action to remedy such public nuisance(s).
- C. For each required plan, a time schedule shall be submitted which includes a date of commencement of repair and date of completion of repair for each improperly secured opening and identified nuisance.
- D. When the owner proposes to demolish the vacant building, then the owner shall apply for a demolition permit, submit a plan and time schedule for such demolition.

Sec. 6-113 Blighted Vacant Building Plan Fundamental Requirements

A. Disconnect all utilities at the street

1. Turn off water at the street & drain the plumbing system at its lowest point. Open all faucets and put anti-freeze in all traps containing water.
2. Have the utility company disconnect (unless owner plans to have the area illuminated during hours of darkness) the electricity at street and remove and cap meters.
3. Shut off gas supply at the street if applicable. Remove outside propane gas tanks.
4. Remove all heating fuels from the premises interior and exterior.

B. Remove all flammables and combustibles from inside and outside

1. Remove all upholstered furniture, combustible materials and trash from the building, including the basement and attic.
2. Remove rubbish and garbage containers and combustible furniture from exterior stairwells, porches, fire escapes and outbuildings.
3. Remove cut or uncut weeds, grass, vines and other vegetation determined by the Fire Chief or his/her designee to be a fire hazard

C. Secure the building to prevent entry/vandalism/weather damage/fire.

1. Search the entire building to insure that it is unoccupied.
2. Remove doors and storm windows and place inside.
3. Post the building according to local law with "No Trespassing" signs.
4. Construct entrance barriers using the materials & methods hereinafter described under Section 6-122. Boarding Up: Required Methods and Materials.

Sec. 6-114 Approval of Plan.

The Fire Chief or his/her designee shall determine, in the first instance, when a blighted vacant building plan is required and will approve the proposed vacant building plan. This approval or disapproval of either the Chief's or his/her designee's decision to require a blighted vacant building plan or the approval or disapproval of the blighted vacant building plan itself may be appealed to the Berlin Housing/Building Appeals Board in accordance with the standards governing this Housing/Building Board of Appeals for a final determination at the City level. If the Fire Chief or his/her designee approves or disapproves a proposed blighted vacant building plan, he/she shall in either case provide notice of that approval/disapproval to the owner of record and any known agent of the blighted vacant building. Such appeal shall be filed with the Board of Appeals within ten (10) days of receipt of the Chief's or his or her designee's notice that a blighted vacant building plan is required or within ten (10) days of the Chief's or his/her designee's notice that a plan is disapproved.

Sec. 6-115 Authority to Modify Plan and Appeal Right.

The Fire Chief or his/her designee shall, upon notice to the building owner or agent, have the right to modify the blighted vacant building plan by altering the dates of performance or the proposed methods of action. If the owner or agent of the building objects to the modifications made by the Fire Chief or his/her designee, such owner shall have the right of appeal to the City Housing/Building Board of Appeals for final determination. Such appeal shall be filed with the Board of Appeals within ten (10)

days of receipt of the Berlin Fire Department's notice of modification. Before going through the Board of appeals process, a meeting may be scheduled with the Fire Chief or his/her designee.

Sec. 6-116 Standards Governing Housing/Building Board of Appeals Review.

In considering the appropriateness of a decision to require a blighted vacant building plan, the blighted vacant building plan itself or the modification of a blighted vacant building plan, the Housing/Building Board of Appeals shall consider the following:

- A. The purpose of this ordinance and intent of the City of Berlin is to minimize blight and prevent a public nuisance.
- B. The degree to which the requirement of a plan is in keeping with the stated blight considerations in the ordinance.
- C. The effect of the proposed plan on adjoining properties.
- D. The cost to implement the proposed plan weighed against the public safety and welfare obtained from the plan.
- E. The length of time the building has been vacant.
- F. The presence of any public nuisance on the property and the potential for impact to the general public health and safety and overall property values.

Sec. 6-117 Decision by Housing/Building Board of Appeal.

The Housing/Building Board of Appeals, after considering the testimony of the Fire Chief or his/her designee, the building owner and any interested persons, shall render its decision on the owner's appeal of the Berlin Fire Department's requirement of a vacant building plan, the approval or disapproval of the submitted vacant building plan itself or any required modifications to the proposed vacant building plan. The Housing/Building Board of Appeals shall have authority to fashion its own vacant building plan or approve the plan submitted by the owner or the plan modified by the Berlin Fire Department or some appropriate combination thereof. The decision of the Housing/Building Board of Appeals shall be final at the City level.

Sec. 6-118 Failure to Comply With Plan.

Failure to comply with the approved plan shall constitute violation of City Ordinances subjecting the owner of the building to penalties upon conviction as provided in this chapter.

Sec. 6-119 Change of Ownership.

The blighted vacant building plan shall remain in effect notwithstanding a change in ownership. The new owner is required to file a new registration with the Fire Department, and supply the name, address, and telephone number of the new owner(s). Any plan change proposed by the new owner shall require another \$150 plan and fee.

Sec. 6-120 Maintenance Standards.

The owner of a blighted vacant building shall comply with Chapter 3 - General Requirements of the 2000 Edition of the International Property Maintenance Code as adopted in Chapter 8, Housing, of this Code, as amended from time to time, with specific additions, deletions, insertions, and

modifications are hereby adopted by reference and incorporated as fully as if set out at length. A copy of this code is on file in the office of the City Clerk of the City of Berlin.

Sec. 6-121 Boarding Up: Required Methods and Materials

The plan to board up the building and secure the property must be approved by the Fire Chief or his/her designee as listed above. The minimum methods and materials for such action are listed below. No less than this required standard for boarding up or securing a property will be acceptable

Materials Needed

- a. 1/2" (4 ply) plywood, exterior grade CDX and 2" by 4" by 8' construction grade lumber
- b. 3/8" (course thread) by 12" carriage bolts (rounded head on weather side)
- c. 3/8"(course thread) construction grade nuts
- d. 1/2" (USS Standard) Flat washers with an inside diameter large enough to bypass the wrench neck inside the carriage bolt head so no lift edge is available beneath an installed carriage bolt head.
- e. 3/8" (USS Standard) diameter flat washers for installation beneath the nut inside the building
- f. 1-5/8" (6d) galvanized or stainless steel ring-shank nails or comparable deck nails.

Security Measures

1. Openings in the basement, first floor doors and windows and any point of entry accessible from a porch, fire escape or other potential climbing point require additional security measures. These openings should be barricaded with plywood, 2x4s braces, carriage bolt sets and nails.
2. Openings that are at least 10' from ground level which are not accessible from a porch, fire escape, roof, or other climbing point can be secured with nails in each brace, and every 12" around the perimeter. For all openings the plywood should be fitted so that it rests snugly against the exterior frame, butting up to the siding on wood frame buildings and up to the brick molding edge on brick buildings. It may be necessary to remove the staff bead so this fit can be flush and tight. If possible carpenters should plywood & stub brace over the edge of the trimmer studs on each window and door casing and meeting the header board.

Barrier Procedure

1. Applying barriers is easiest with a inside & outside carpenter with appropriate tools & supplies. The inside carpenter will need a light. Exit is made over a ladder when the last window is boarded.
2. Cut plywood to fit over the window and door openings, flush with outside of the molding/trimmer stud. Avoid creating or leaving a lift surface if possible.
3. Cut the 2x4s to fit the horizontal dimension of the plywood. You will need two exterior and two interior 2x4 braces for each window and three sets for each door.
4. Drill two 3/8" holes in each brace, approximately 1/3 of the length of the brace from the outside edge of the door and window jams.
5. Prior to installation stack both 2x4 braces on the plywood as they will be installed & drilling through all for ease in installation.
6. The two window braces will be placed 1/3 of the distance from the top and the bottom of the window.
7. The three door braces will be placed: one in the center of the doorway and one 1/2 the distance from the center to the top and one 1/2 distance from the center to the bottom of the doorway.
8. Place the plywood over the exterior opening and nail every 12" along the perimeter to the window/door frame.

9. Place the 2x4 braces over the interior and exterior of the door or window.
10. Place the large washer over the carriage bolt and slide the bolt through the holes.
11. Place washer and nut inside and tighten securely. Torque the nut so that it slightly compresses the interior 2x4.
12. Paint said barriers the same color as the structure to minimize the appearance.

Sec. 6-122 Enforcement

This ordinance may be enforced in accordance with the citation authority, citation process and citation penalties as outlined in Chapter 18, Code Enforcement, of the City of Berlin Code of Ordinances. Failure of the owner to follow this ordinance or lack of response from the owner of the property to the registration process will constitute abandonment and the building will therefore be considered hazardous as defined in Chapter 155 -B hazardous and Dilapidated Buildings under RSA 155-B:1 II "Hazardous buildings" means any building which because of inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard or a hazard to public safety of health. The City will then order the building to be either repaired or razed and removed and petition the court for the enforcement of the order.

Sec. 6-123 Other Enforcement.

The registration of a blighted vacant building shall not preclude action by the City to enforce other City or State laws or codes or to demolish or force rehabilitation of the building pursuant to other provisions of this code or other laws.

Under the provision of this ordinance enforcement action may proceed without regard to a period of vacancy whenever any unoccupied building attracts criminal activity, is a health risk because of rubbish, garbage disposal or other unsanitary condition.

Sec. 6-124 Severability

If any provision of this ordinance or the application thereof shall be held invalid or unenforceable, the remainder of this ordinance, or the application of such terms or provisions to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each remaining term and provision thereof shall be deemed valid and be enforceable to the fullest extent permitted by law."

(Ord. 10/20/2008)

Sec. 6-125-6-140 Reserved.

**DIVISION 5
FEES AND CHARGES**

Sec. 6-141. Fees and Charges

Fees charged by the Fire Department for specific services shall be as follows:

FIRE SYSTEM PLAN REVIEW FEES

<u>SPRINKLER SYSTEMS</u>	
NFPA 13D	55.00
NFPA 13R	165.00
NFPA 13 Up to 10,000 sq. ft. of protected area	330.00
10,001 sq. ft. to 25,000 sq. ft.	712.50
25,001 and above sq. ft.	825.00
Other Fire Suppression Systems	277.50 Eng.
Modifications to Existing Systems	205.50re-Eng.
	112.50lat fee
<u>FIRE ALARM SYSTEMS</u>	
1-10 Devices	112.50
11-49 Devices	165.00
50-99 Devices	300.00
> 99 Devices	495.00

FIRE INSPECTION AND FALSE ALARM FEES

Oil Burner (residential)	\$30.00
Oil Burner (commercial)	165.00
Propane Furnace (residential)	\$30.00
Propane Furnace (commercial)	150.00
Underground Storage Tank (up to 500 gal.)	37.50
Underground Storage Tank (>500 gal.)	150.00
L.P. Gas [tank] Installation	30.00
L.P. Gas Tank Swap	\$10.00

Place of Assembly	45.00
Family Day Care Homes (1-6 children)	41.25
Group Day Care Homes (7-12 children)	60.00
Day Care Centers (13+ children)	82.50
Foster Care Inspection	41.25
New Construction	75.00
Industrial	150.00
Multi-Family	100.00
Re-inspection fee for L.P. Gas	\$10.00 Per occurrence
Re-inspection fee for all but L.P. Gas	\$45.00 Per occurrence
False Alarm (second occurrence within Cal. Year)	150.00
False Alarm (subsequent occurrence within Cal. Year)	300.00

PERMIT FEES

Blasting Permit (per site)	165.00
Master Box Application fee	75.00
Master Box Annual fee	450.00
Master Box Connection Fee	450.00

(Ord. 4/5/2010) (Ord. 5/7/13) (Ord. 3/2/2020)

* **Cross References:** Buildings and building regulations, Ch. 4; national building code adopted, § 4-2; fire limits, § 4-11; health, Ch. 7; housing, Ch. 8; fireworks prohibited, § 9-1; mobile homes and manufactured housing and mobile home parks, Ch. 10; streets, sidewalks and other public places, Ch. 13; subdivisions, Ch. 14; utilities, Ch. 16; zoning and land use, Ch. 17.
