

State of Nebraska Amendments to the 2012 Edition of

NFPA 101 (3-11-19)

Green highlighted sections are those that only a portion of the section has been altered. The original language has been ~~struck through~~ and the new language has been underlined.

Yellow highlighted sections are those that contain new language.

Chapter 3 Definitions

3.3.165 Lodging or Rooming House. A building or portion thereof that does not qualify as a one- or two-family dwelling, that provides sleeping accommodations for more than six but not more than 16 ~~16 or fewer~~ people on a transient or permanent basis, without personal care services, with or without meals, but without separate cooking facilities for individual occupants.

Chapter 6 Classification of Occupancy and Hazard of Contents

6.1.8.1.2 Definition — Lodging or Rooming House. A building or portion thereof that does not qualify as a one- or two- family dwelling, that provides sleeping accommodations for more than six but not more than 16 ~~total of 16 or fewer~~ people on a transient or permanent basis, without personal care services, with or without meals, but with- out separate cooking facilities for individual occupants.

7.7 Discharge from Exits.

7.7.1.1.1* In other than Chapters 24, 26, 32, 40, 42 a sidewalk shall be provided to a public way for all new occupancies. The sidewalk shall provide a stable, hard surface that is free of obstructions or impediments as required by 7.1.10.1.

9.2 Heating, Ventilating, and Air-Conditioning.

9.2.3 Commercial Cooking Equipment Operations. Commercial cooking equipment operations shall be in accordance with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, unless such installations are approved existing installations, which shall be permitted to be continued in service.

9.2.3.1 Where limited commercial cooking operations are conducted utilizing residential cooking equipment that does not include deep fat frying, a fire suppression system tested and meeting the requirements of UL 300A, *Extinguishing System Units for Residential Range Top Cooking Surfaces* shall be permitted to be used.

9.4.2 Code Compliance.

9.4.2.1 Except as modified herein, new elevators, escalators, dumbwaiters, and moving walks shall be in accordance with the requirements of ASME A17.1/CSA B44, *Safety Code for EI elevators and Escalators*.

9.4.2.2 Except as modified herein, existing elevators, escalators, dumbwaiters, and moving walks shall be in accordance with the requirements of ASME A17.3, *Safety Code for Existing Elevators and Escalators*.

9.4.2.3 Elevators in accordance with ASME A17.7/CSA B44.7, *Performance-Based Safety Code for Elevators and Escalators*, shall be deemed to comply with ASME A17.1/CSA B44, *Safety Code for Elevators and Escalators*, or ASME A17.3, *Safety Code for Existing Elevators and Escalators*.

~~9.4.2.4 For other than elevators used for occupant controlled evacuation in accordance with Section 7.14 and other than existing elevators, the elevator corridor call station pictograph specified in 2.27.9 of ASME A17.1/CSA B44, Safety Code for Elevators and Escalators, shall be provided at each elevator landing.~~

~~9.4.6 Elevator Testing.~~

~~9.4.6.1 Elevators shall be subject to periodic inspections and tests as specified in ASME A17.1/CSA B44, Safety Code for Elevators and Escalators.~~

~~9.4.6.2 All elevators equipped with fire fighters' emergency operations in accordance with 9.4.3 shall be subject to a monthly operation with a written record of the findings made and kept on the premises as required by ASME A17.1/CSA B44, Safety Code for Elevators and Escalators.~~

~~9.4.6.3 The elevator inspections and tests required by 9.4.6.1 shall be performed at frequencies complying with one of the following:~~

- ~~(1) Inspection and test frequencies specified in Appendix N of ASME A17.1/CSA B44, Safety Code for Elevators and Escalators~~
- ~~(2) Inspection and test frequencies specified by the authority having jurisdiction~~

9.6 Fire Detection, Alarm, and Communications Systems.

9.6.1.3.1 Where a new fire alarm control panel is installed to an existing fire alarm system, all initiation and notification appliances shall meet the requirements of *NFPA 72, National Fire Alarm and Signaling Code*.

9.6.2.10.1.3* The interconnection of smoke alarms shall apply ~~only~~ to new construction and change of occupancy classification as provided in 9.6.2.10.3.

12.3.5 Extinguishment Requirements.

~~12.3.5.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1):~~

- ~~(1) Dance halls~~
- ~~(2) Discotheques~~
- ~~(3) Nightclubs~~
- ~~(4) Assembly occupancies with festival seating~~

12.3.5.3 The requirements of 12.3.5.2 shall not apply to the following:

(5)* Where all of the following are met:

- (a) Fire barriers having a minimum fire resistance rating of two hours are provided so that the occupant load on either side of the fire barrier does not exceed 300 persons.
- (b) Independent egress is provided from each side of the fire barrier.
- (c) All other applicable requirements of the code are met for the combined occupant load of the building.

12.4.7* Special Amusement Buildings.

12.4.7.1* General. Special amusement buildings excluding Haunted Houses as defined in the adopted NFPA 1 with Nebraska amendments, regardless of occupant load, shall meet the requirements for assembly occupancies in addition to the requirements of 12.4.7, unless the special amusement building is a multilevel play structure that is not more than 10 ft (3050 mm) in height and has aggregate horizontal projections not exceeding 160 ft² (15 m²).

~~12.3.5.1 Where the occupant load exceeds 100, the following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1):~~

- ~~(1) Dance halls~~
- ~~(2) Discotheques~~

~~(3) Nightclubs~~

~~(4) Assembly occupancies with festival seating~~

13.4.7* Special Amusement Buildings.

13.4.7.1* General. Special amusement buildings excluding Haunted Houses as defined in the adopted NFPA 1 with Nebraska amendments, regardless of occupant load, shall meet the requirements for assembly occupancies in addition to the requirements of 13.4.7, unless the special amusement building is a multilevel play structure that is not more than 10 ft (3050 mm) in height and has aggregate horizontal projections not exceeding 160 ft² (15 m²).

13.4.7.2.1 Previously approved special amusement buildings are not required to comply with 13.4.7.2

16.3.5 Extinguishment Requirements.

~~16.3.5.3 Buildings with unprotected openings in accordance with 8.6.6 shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7.~~

16.6.1.7 Occupant Load.

16.6.1.7.1 In family day-care homes, both of the following shall apply:

- (1) The minimum staff-to-client ratio shall be not less than one staff for up to six clients, including the caretaker's own children under age six.
- (2) There shall be not more than ~~two~~ four clients incapable of self-preservation.

16.6.1.7.2 In group day-care homes, all of the following shall apply:

- (1) The minimum staff-to-client ratio shall be not less than two staff for up to 12 clients.
- (2) There shall be not more than ~~3~~ four clients incapable of self-preservation.
- (3) The staff-to-client ratio shall be permitted to be modified by the authority having jurisdiction where safeguards in addition to those specified by Section 16.6 are provided.

16.6.3.1 Protection of Vertical Openings.

16.6.3.1.3 When smoke alarms meeting the requirements of 9.6.2.10.1 are placed at the top and bottom of an unenclosed vertical opening of group and family day-care homes located in a one -and two-family dwelling, the requirements of 16.6.3.1.1 and 16.6.3.1.2 are not required to be met.

17.3.5 Extinguishment Requirements.

~~17.3.5.3 Buildings with unprotected openings in accordance with 8.6.6 shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7.~~

17.6.1.7 Occupant Load.

17.6.1.7.1 In family day-care homes, both of the following shall apply:

- (1) The minimum staff-to-client ratio shall be not less than one staff for up to six clients, including the caretaker's own children under age six.
- (2) There shall be not more than ~~two~~ four clients incapable of self-preservation.

17.6.1.7.2 In group day-care homes, all of the following shall apply:

- (1) The minimum staff-to-client ratio shall be not less than two staff for up to 12 clients.
- (2) There shall be not more than ~~3~~ four clients incapable of self-preservation.

(3) The staff-to-client ratio shall be permitted to be modified by the authority having jurisdiction where safeguards in addition to those specified by Section 17.6 are provided.

17.6.3.1 Protection of Vertical Openings.

17.6.3.1.4 When smoke alarms meeting the requirements of 9.6.2.10.1 are placed at the top and bottom of an unenclosed vertical opening of group and family day-care homes located in a one –and two-family dwelling, the requirements of 17.6.3.1.1, 17.6.3.1.2 and 17.6.3.1.3 are not required to be met.

22.7.2* **Combustible Personal Property.** Books, clothing, and other combustible personal property allowed in sleeping rooms shall be stored in closable metal lockers or an approved fire-resistant container, be stored in accordance with one of the following:

a. The items shall be stored in a closeable metal locker.

b. The items shall be stored in an approved fire-resistant container.

c. The quantity of books, clothing, and combustible personal property does not exceed a maximum of 4 cubic feet per sleeping room and the building is protected by an approved automatic sprinkler system.

22.7.4.5.1 The requirements of 22.7.4.5 are not required to be met when both of the following are met:

a. There are sleeping facilities for not more than 20 residents.

b. The entire building is fire sprinkler protected.

23.7.2 **Combustible Personal Property.** Books, clothing, and other combustible personal property allowed in sleeping rooms shall be stored in closable metal lockers or an approved fire-resistant container be stored in accordance with one of the following:

a. The items shall be stored in a closeable metal locker.

b. The items shall be stored in an approved fire-resistant container.

c. The quantity of books, clothing, and combustible personal property does not exceed a maximum of 4 cubic feet per sleeping room and the building is protected by an approved automatic sprinkler system.

23.7.4.5.1 The requirements of 23.7.4.5 are not required to be met when both of the following are met:

a. There are sleeping facilities for not more than 20 residents.

b. The entire building is fire sprinkler protected.

24.1 General Requirements.

24.1.1 Application.

24.1.1.1* The requirements of this chapter shall apply to one- and two-family dwellings, which shall include those buildings containing not more than two dwelling units in which each dwelling unit is occupied by members of a single family with not more than ~~three~~ six outsiders, if any, accommodated in rented rooms.

24.3.5* Extinguishment Requirements.

24.3.5.1 All new one –and two family dwellings shall be protected throughout by an approved automatic sprinkler system in accordance with 24.3.5.2.

26.1 General Requirements.

26.1.1 Application.

26.1.1.1* The requirements of this chapter shall apply to buildings that provide sleeping accommodations for more than six but not more than 16 ~~16~~ or fewer persons on either a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants, except as provided in Chapter 24.

31.3.4 Detection, Alarm, and Communications Systems.

31.3.4.1 General.

31.3.4.1.1 Apartment buildings four or more stories in height or with more than 44 12 dwelling units, other than those meeting the requirements of 31.3.4.1.2, shall be provided with a fire alarm system in accordance with Section 9.6, except as modified by 31.3.4.2 through 31.3.4.5

32.2.3.5* Extinguishment Requirements.

32.2.3.5.2* In conversions, sprinklers shall not be required in small board and care homes serving eight or fewer residents when all occupants have the ability as a group to move reliably to a point of safety within 3 minutes

42.3.5 Extinguishment Requirements. (No requirements.) An automatic fire sprinkler system shall be installed throughout all occupancies containing areas greater than 100,000ft² for the storage of combustible materials

43.10 Historic Buildings.

43.10.1 General Requirements. Historic buildings undergoing rehabilitation shall comply with the requirements of one of the following:

- (1) Section 43.10
- (2) Sections 43.3, 43.4, 43.5, 43.6, and 43.7, as they relate, respectively, to repair, renovation, modification, reconstruction, and change of use or occupancy classification
- (3) NFPA 914, *Code for Fire Protection of Historic Structures*

Annex

A.7.7.1.1.1 Although a concrete sidewalk is the preferred method to meet this requirement, other materials such as asphalt, brick or other stable surface may be acceptable with the approval of the authority having jurisdiction.

A.9.6.2.10.1.3 NFPA 72, *National Fire Alarm and Signaling Code*, mandates smoke alarms in all sleeping rooms, and interconnection of smoke alarms is required for both new and existing installations. Per, 9.6.2.10.1.2, the residential occupancy chapters determine whether smoke alarms are needed within sleeping rooms. Paragraph 9.6.2.10.1.3 limits the requirement for interconnection of smoke alarms to those in new construction and/or change of occupancy classification. This Code does not intend to require compliant, existing smoke alarm installations to be interconnected. This Code is periodically revised to add retrospective requirements only where the need is clearly substantiated.

A.12.3.5.4.5 2-hour fire barriers are used for the purpose of creating separate "buildings", thereby limiting the occupant load on each side of the barrier below the threshold to require an automatic fire sprinkler system.

A.22.7.2 Personal property provides combustible contents for fire development. Therefore, adequate controls are needed to limit the quantity and combustibility of the fuels available to burn to reduce the probability of room flashover. The provisions of 22.7.2 will not, by themselves, prevent room flashover if personal property controls are not provided. The intent of this language is that an occupant could have a locker or fire resistive container and the sleeping room could also have 4 cubic feet outside the locker or container if the building is sprinkler protected, or, if the occupant did not have a locker, the sleeping room could have 4 cubic feet of personal property as long as the building is sprinkler protected. If no sprinkler protection is present, all personal property must be in a closeable metal locker or a fire resistive container. The 4 cubic foot maximum is per sleeping room, not per occupant. One occupant, 4 cubic feet; 2 occupants, 2 cubic feet each; 3 occupants, 1.3 cubic feet each, etc.

A.24.1.1.1 The *Code* specifies that, wherever there are three or more living units in a building, the building is considered an apartment building and is required to comply with either Chapter 30 or Chapter 31, as appropriate. A townhouse unit is considered to be an apartment building if there are three or more units in the building. The type of wall required between units in order to consider them as separate buildings is normally established by the authority having jurisdiction. If the units are separated by a wall of sufficient fire resistance and structural integrity to be considered as separate buildings, the provisions of Chapter 24 apply to each townhouse. Condominium status is a form of ownership, not occupancy; for example, there are condominium warehouses, condominium apartments, and condominium offices.

The provisions of 24.1.1.1 state that, in one- and two-family dwellings, each dwelling unit can be “occupied by members of a single family with not more than ~~three~~ 6 outsiders.” The *Code* does not define the term *family*. The definition of *family* is subject to federal, state, and local regulations and might not be restricted to a person or a couple (two people) and their children. The following examples aid in differentiating between a single-family dwelling and a lodging or rooming house:

- (1) An individual or a couple (two people) who rent a house from a landlord and then sublease space for up to ~~three~~ six individuals should be considered a family renting to a maximum of ~~three~~ 6 outsiders, and the house should be regulated as a single-family dwelling in accordance with Chapter 24.
- (2) A house rented from a landlord by an individual or a couple (two people) in which space is subleased to 4 6 or more individuals, but not more than 16, should be considered and regulated as a lodging or rooming house in accordance with Chapter 26.
- (3) A residential building that is occupied by 4 6 or more individuals, but not more than 16, each renting from a landlord, without separate cooking facilities, should be considered and regulated as a lodging or rooming house in accordance with Chapter 26.

A.26.1.1.1 Bed and breakfast occupancies with more than ~~3~~ 6, but ~~fewer than 17~~, not more than 16 occupants are considered lodging and rooming houses.