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**MEMO**

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**TO: Planning Board**  
**CC: Town Planner**  
**FROM: Code Enforcement**  
**DATE: November 16, 2016**  
**RE: Short Term Rentals**

The purpose of this memo is to review the issues the Code Office deals with regarding short term rentals in York. In July, a meeting was hosted by the Code Officers which included Fire and Police Department representatives as well as the Town Planners. The focus of the meeting was to review the reoccurring problems and potential solutions for the growing number of unlicensed, uninspected short term rentals.

The current Zoning and Business License Ordinances lack the appropriate definitions, zoning, regulations, and appeals language that would enable the aforementioned departments to more efficiently and effectively process, approve, inspect, and respond to short term rentals. The Code Enforcement office alone has spent numerous hours following up on complaints and site visits at short term rental properties and have engaged the State Subsurface Wastewater Department, the Department of Environmental Protection, the legal services and determinations of the Legal Department of the Maine Municipal Association, Town Council, and the Board of Appeals.

The complaints received and addressed include: lack of parking, lack of appropriate trash removal, insufficient subsurface wastewater facilities, and insufficient life safety standards (i.e. smoke/carbon monoxide detectors, proper egress, labeled/directional egress, etc.). Excess use of the subsurface wastewater facilities often results in system failures and environmental contamination. The attached photo shows the green dye used to track the bacteria leaking from a failed system at a short term rental house in Cape Neddick.

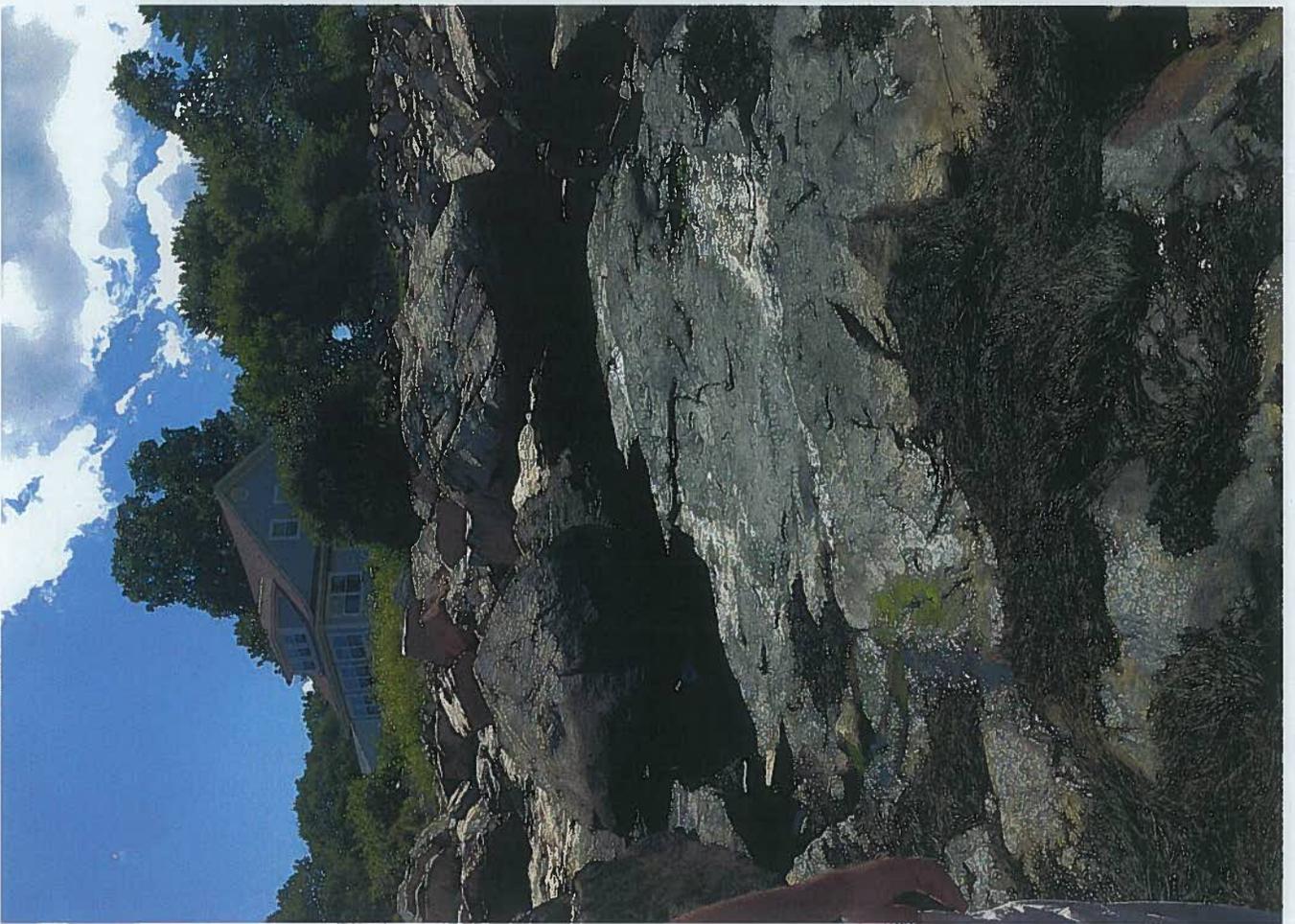
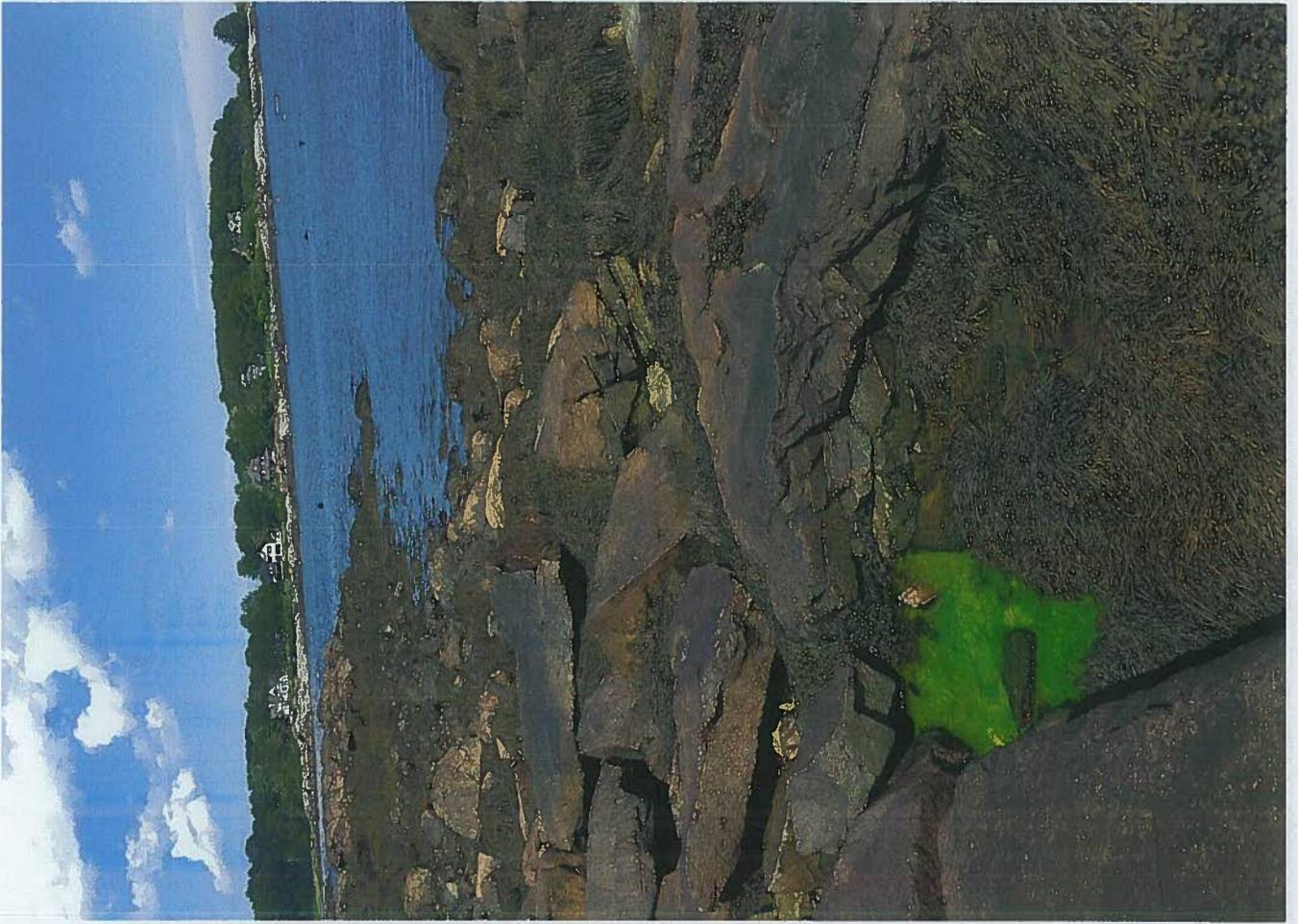
The Police Department receives numerous noise complaints and nuisance calls (i.e. parking), from abutters of short term rental properties. In order for the Code Office to adequately ensure that the building, plumbing, septic, life safety, and zoning requirements are met, yearly licensing and inspections must occur at these properties, and be coordinated with the Police and Fire Departments. Input from

the Fire and Police Departments should be garnered with regards to these reoccurring problems.

The attached short term rental permit application from the Town of Cape Elizabeth serves as a reasonable example of the type of permitting process the Code Office could adopt if the Zoning Ordinance is amended. With this type of permitting, the Code Office would be involved and able to ensure that yearly inspections are completed and the appropriate level of building and life safety codes are adhered to while coordinating efforts with the Fire and Police Departments. We look forward to beginning the licensing and inspection process on the ever increasing number of short term rentals.



Amber L. Harrison  
Director of Code Enforcement







# TOWN OF CAPE ELIZABETH

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## SHORT TERM RENTAL PERMIT APPLICATION # \_\_\_\_\_

MAP \_\_\_\_\_ LOT \_\_\_\_\_ LOT SIZE \_\_\_\_\_

LOCATION (If not located on a public road, also include directions from a public road)

\_\_\_\_\_

Cape Elizabeth residents prize the peace and quiet of their residential neighborhoods. Some property owners have capitalized on the desirability of their neighborhood by renting out their property, especially during the summer months and holidays. Neighborhood residents are concerned that these short-term rentals take on the character of a business operating in a residential neighborhood. The purpose of establishing short term rental standards is to balance the desire of property owners to rent their properties to short-term tenants and the desire of residents to preserve the peaceful quiet and enjoyment of their single-family neighborhoods.

A short term rental is defined by Ordinance as: The use of a dwelling offered for rent for transient occupancy by tenants for a tenancy of less than 30 days, excluding motels, hotels, and bed and breakfasts.

OWNER \_\_\_\_\_

OWNER ADDRESS \_\_\_\_\_

TELEPHONE HOME \_\_\_\_\_ WORK \_\_\_\_\_ CELL \_\_\_\_\_

EMAIL \_\_\_\_\_

CONTACT PERSON (IF DIFFERENT THAN OWNER) \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE WORK \_\_\_\_\_ CELL \_\_\_\_\_ EMAIL \_\_\_\_\_

AVAILABILITY (When during the calendar year will the short term rental be available):

\_\_\_\_\_

(If availability changes, please notify the Code Enforcement Officer)

FLOOR PLANS OF SHORT TERM RENTAL ATTACHED: \_\_\_\_\_

CERTIFICATION OF COMPLIANCE WITH FOLLOWING CODES: (see code references)

- IRC Section R314, Smoke Alarms \_\_\_\_\_
- IRC Section R315, Carbon Monoxide Alarms \_\_\_\_\_
- IBC Section 906, Portable Fire Extinguishers (R-1 Boarding House Occupancy) \_\_\_\_\_
- IBC Section 1006.2, 1006.3, 1006.4, Means of Illumination) \_\_\_\_\_

BUILDING EVACUATION PLAN ATTACHED: \_\_\_\_\_

SANITARY WASTE DISPOSAL: PUBLIC SEWER \_\_\_\_\_ or PRIVATE SEPTIC SYSTEM \_\_\_\_\_

# OF EXISTING BEDROOMS \_\_\_\_\_ # OF ADDITIONAL SLEEPING SPACES \_\_\_\_\_

IF SEPTIC SYSTEM, GALLONS PER DAY DESIGN CAPACITY \_\_\_\_\_

TOTAL # OF TENANTS PROPOSED \_\_\_\_\_ (Short term rentals located on lots of less than 30,000 sq. ft. where the owner does not live on the same lot or an abutting lot are limited to 8 tenants)

TOTAL # ALLOWED \_\_\_\_\_ (Every 2 tenants = 1 bedroom)

PARKING PLAN SKETCH ATTACHED: \_\_\_\_\_ (Short term rentals located on lots of less than 30,000 sq. ft. where the owner does not live on the same lot or an abutting lot are limited to 4 parking spaces)

RENTAL AGREEMENT ADDENDUM ATTACHED: \_\_\_\_\_  
(Rental agreement addendum must include: (a) Contact person; b) Emergency responder contact information; c) building evacuation plan; d) Maximum number of tenants and guests; e) Parking arrangements; f) Good neighbor guidelines; and (g) Miscellaneous Offenses Ordinance. (Short term rentals located on lots of less than 30,000 sq. ft. where the owner does not live on the same lot or an abutting lot are limited to 8 guests)

I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE NAMED PROPERTY, OR THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS THEIR AGENT. I AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THIS JURISDICTION. IN ADDITION, IF THIS PERMIT IS ISSUED, I CERTIFY THAT THE CODE OFFICIAL OR HIS REPRESENTATIVE SHALL HAVE THE AUTHORITY TO ENTER ALL AREAS COVERED BY SUCH PERMIT AT ANY REASONABLE HOUR FOR THE PURPOSES OF INSPECTING FOR COMPLIANCE

PRINTED NAME \_\_\_\_\_ OWNER / AUTHORIZED AGENT

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_  
OWNER / AUTHORIZED AGENT

PERMIT FEE \$ \_\_\_\_\_ PAID: CASH \_\_\_\_\_ CHECK # \_\_\_\_\_

**Exception:** An automatic residential fire sprinkler system shall not be required for *additions* or *alterations* to existing buildings that are not already provided with an automatic residential sprinkler system.

**R313.2.1 Design and installation.** Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.

## \* SECTION R314 SMOKE ALARMS

**R314.1 Smoke detection and notification.** All smoke alarms shall be listed in accordance with UL 217 and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.

**R314.2 Smoke detection systems.** Household fire alarm systems installed in accordance with NFPA 72 that include smoke alarms, or a combination of smoke detector and audible notification device installed as required by this section for smoke alarms, shall be permitted. The household fire alarm system shall provide the same level of smoke detection and alarm as required by this section for smoke alarms. Where a household fire warning system is installed using a combination of smoke detector and audible notification device(s), it shall become a permanent fixture of the occupancy and owned by the homeowner. The system shall be monitored by an *approved* supervising station and be maintained in accordance with NFPA 72.

**Exception:** Where smoke alarms are provided meeting the requirements of Section R314.4.

**R314.3 Location.** Smoke alarms shall be installed in the following locations:

1. In each sleeping room.
2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
3. On each additional *story* of the *dwelling*, including *basements* and habitable attics but not including crawl spaces and uninhabitable *attics*. In *dwellings* or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full *story* below the upper level.

When more than one smoke alarm is required to be installed within an individual *dwelling unit* the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit.

**R314.3.1 Alterations, repairs and additions.** When *alterations*, repairs or *additions* requiring a *permit* occur, or when one or more sleeping rooms are added or created in existing *dwellings*, the individual *dwelling unit* shall be equipped with smoke alarms located as required for new *dwellings*.

### Exceptions:

1. Work involving the exterior surfaces of *dwellings*, such as the replacement of roofing or siding, or the *addition* or replacement of windows or doors, or

the *addition* of a porch or deck, are exempt from the requirements of this section.

2. Installation, *alteration* or repairs of plumbing or mechanical systems are exempt from the requirements of this section.

**R314.4 Power source.** Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarms shall be interconnected.

### Exceptions:

1. Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
2. Interconnection and hard-wiring of smoke alarms in existing areas shall not be required where the *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an *attic*, crawl space or *basement* available which could provide access for hard wiring and interconnection without the removal of interior finishes.

## \* SECTION R315 CARBON MONOXIDE ALARMS

**R315.1 Carbon monoxide alarms.** For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in *dwelling units* within which fuel-fired *appliances* are installed and in *dwelling units* that have attached garages.

**R315.2 Where required in existing dwellings.** Where work requiring a *permit* occurs in existing *dwellings* that have attached garages or in existing *dwellings* within which fuel-fired *appliances* exist, carbon monoxide alarms shall be provided in accordance with Section R315.1.

**R315.3 Alarm requirements.** Single station carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed in accordance with this code and the manufacturer's installation instructions.

## SECTION R316 FOAM PLASTIC

**R316.1 General.** The provisions of this section shall govern the materials, design, application, construction and installation of foam plastic materials.

**R316.2 Labeling and identification.** Packages and containers of foam plastic insulation and foam plastic insulation components delivered to the job site shall bear the *label* of an *approved agency* showing the manufacturer's name, the product listing, product identification and information sufficient to determine that the end use will comply with the requirements.

**FIRE PROTECTION SYSTEMS**

connections shall be located on each side of any stage, on each side of the rear of the auditorium, on each side of the balcony and on each tier of dressing rooms.

**[F] 905.5.2 Protection.** Fire-resistance-rated protection of risers and laterals of Class II standpipe systems is not required.

**[F] 905.5.3 Class II system 1-inch hose.** A minimum 1-inch (25 mm) hose shall be permitted to be used for hose stations in light-hazard occupancies where investigated and listed for this service and where approved by the fire code official.

**[F] 905.6 Location of Class III standpipe hose connections.** Class III standpipe systems shall have hose connections located as required for Class I standpipes in Section 905.4 and shall have Class II hose connections as required in Section 905.5.

**[F] 905.6.1 Protection.** Risers and laterals of Class III standpipe systems shall be protected as required for Class I systems in accordance with Section 905.4.1.

**[F] 905.6.2 Interconnection.** In buildings where more than one Class III standpipe is provided, the standpipes shall be interconnected in accordance with NFPA 14.

**[F] 905.7 Cabinets.** Cabinets containing fire-fighting equipment such as standpipes, fire hoses, fire extinguishers or fire department valves shall not be blocked from use or obscured from view.

**[F] 905.7.1 Cabinet equipment identification.** Cabinets shall be identified in an approved manner by a permanently attached sign with letters not less than 2 inches (51 mm) high in a color that contrasts with the background color, indicating the equipment contained therein.

**Exceptions:**

1. Doors not large enough to accommodate a written sign shall be marked with a permanently attached pictogram of the equipment contained therein.
2. Doors that have either an approved visual identification clear glass panel or a complete glass door panel are not required to be marked.

**[F] 905.7.2 Locking cabinet doors.** Cabinets shall be unlocked.

**Exceptions:**

1. Visual identification panels of glass or other approved transparent frangible material that is easily broken and allows access.
2. Approved locking arrangements.
3. Group I-3.

**[F] 905.8 Dry standpipes.** Dry standpipes shall not be installed.

**Exception:** Where subject to freezing and in accordance with NFPA 14.

**[F] 905.9 Valve supervision.** Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

**Exceptions:**

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.
2. Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system.

**[F] 905.10 During construction.** Standpipe systems required during construction and demolition operations shall be provided in accordance with Section 3311.

**\* SECTION 906**

**PORTABLE FIRE EXTINGUISHERS**

**[F] 906.1 Where required.** Portable fire extinguishers shall be installed in the following locations.

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

**Exception:** In new and existing Group A, B and E occupancies equipped throughout with quick response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6.

2. Within 30 feet (9144 mm) of commercial cooking equipment.
3. In areas where flammable or combustible liquids are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1 of the *International Fire Code*.
5. Where required by the *International Fire Code* sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

**[F] TABLE 906.1**

**ADDITIONAL REQUIRED PORTABLE FIRE EXTINGUISHERS IN THE INTERNATIONAL FIRE CODE**

IFC SECTION	SUBJECT
303.5	Asphalt kettles
307.5	Open burning
308.1.3	Open flames—torches
309.4	Powered industrial trucks
1105.2	Aircraft towing vehicles
1105.3	Aircraft welding apparatus
1105.4	Aircraft fuel-servicing tank vehicles
1105.5	Aircraft hydrant fuel-servicing vehicles
1105.6	Aircraft fuel-dispensing stations

(continued)

[F] TABLE 906.1—continued  
 ADDITIONAL REQUIRED PORTABLE FIRE EXTINGUISHERS IN  
 THE INTERNATIONAL FIRE CODE

IFC SECTION	SUBJECT
1107.7	Heliports and helistops
1208.4	Dry cleaning plants
1415.1	Buildings under construction or demolition
1417.3	Roofing operations
1504.4.1	Spray-finishing operations
1505.4.2	Dip-tank operations
1506.4.2	Powder-coating areas
1904.2	Lumberyards/woodworking facilities
1908.8	Recycling facilities
1909.5	Exterior lumber storage
2003.5	Organic-coating areas
2106.3	Industrial ovens
2205.5	Motor fuel-dispensing facilities
2210.6.4	Marine motor fuel-dispensing facilities
2211.6	Repair garages
2306.1	Rack storage
2404.12	Tents and membrane structures
2508.2	Tire rebuilding/storage
2604.2.6	Welding and other hot work
2903.6	Combustible fibers
3403.2.1	Flammable and combustible liquids, general
3404.3.3.1	Indoor storage of flammable and combustible liquids
3404.3.7.5.2	Liquid storage rooms for flammable and combustible liquids
3405.4.9	Solvent distillation units
3406.2.7	Farms and construction sites—flammable and combustible liquids storage
3406.4.10.1	Bulk plants and terminals for flammable and combustible liquids
3406.5.4.5	Commercial, industrial, governmental or manufacturing establishments—fuel dispensing
3406.6.4	Tank vehicles for flammable and combustible liquids
3606.5.7	Flammable solids
3808.2	LP-gas
4504.4	Marinas

[F] 906.2 General requirements. Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.

**Exceptions:**

1. The travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.

2. Thirty-day inspections shall not be required and maintenance shall be allowed to be once every three years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:

- 2.1. Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.
- 2.2. Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
- 2.3. The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.
- 2.4. Electronic monitoring devices and supervisory circuits shall be tested every three years when extinguisher maintenance is performed.
- 2.5. A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10.

3. In Group I-3 occupancies, portable fire extinguishers are permitted to be located at staff locations.

[F] 906.3 Size and distribution. The size and distribution of portable fire extinguishers shall be in accordance with Sections 906.3.1 through 906.3.4.

[F] 906.3.1 Class A fire hazards. The minimum sizes and distribution of portable fire extinguishers for occupancies that involve primarily Class A fire hazards shall comply with Table 906.3(1).

[F] TABLE 906.3(1)  
 FIRE EXTINGUISHERS FOR CLASS A FIRE HAZARDS

	LIGHT (Low) HAZARD OCCUPANCY	ORDINARY (Moderate) HAZARD OCCUPANCY	EXTRA (High) HAZARD OCCUPANCY
Minimum Rated Single Extinguisher	2-A <sup>c</sup>	2-A	4-A <sup>a</sup>
Maximum Floor Area Per Unit of A	3,000 square feet	1,500 square feet	1,000 square feet
Maximum Floor Area for Extinguisher <sup>b</sup>	11,250 square feet	11,250 square feet	11,250 square feet
Maximum Travel Distance to Extinguisher	75 feet	75 feet	75 feet

- For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929m<sup>2</sup>, 1 gallon = 3.785 L.
- Two 2½-gallon water-type extinguishers shall be deemed the equivalent of one 4-A rated extinguisher.
  - Annex E.3.3 of NFPA 10 provides more details concerning application of the maximum floor area criteria.
  - Two water-type extinguishers each with a 1-A rating shall be deemed the equivalent of one 2-A rated extinguisher for Light (Low) Hazard Occupancies.

[F] 906.3.2 Class B fire hazards. Portable fire extinguishers for occupancies involving flammable or combustible liquids with depths less than or equal to 0.25-inch

(6.35 mm) shall be selected and placed in accordance with Table 906.3(2).

Portable fire extinguishers for occupancies involving flammable or combustible liquids with a depth of greater than 0.25-inch (6.35 mm) shall be selected and placed in accordance with NFPA 10.

[F] TABLE 906.3(2)  
FLAMMABLE OR COMBUSTIBLE LIQUIDS WITH DEPTHS LESS THAN OR EQUAL TO 0.25 INCH

TYPE OF HAZARD	BASIC MINIMUM EXTINGUISHER RATING	MAXIMUM TRAVEL DISTANCE TO EXTINGUISHERS (feet)
Light (Low)	5-B	30
	10-B	50
Ordinary (Moderate)	10-B	30
	20-B	50
Extra (High)	40-B	30
	80-B	50

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

Note: For requirements on water-soluble flammable liquids and alternative sizing criteria, see Section 5.5 of NFPA 10.

[F] 906.3.3 Class C fire hazards. Portable fire extinguishers for Class C fire hazards shall be selected and placed on the basis of the anticipated Class A or B hazard.

[F] 906.3.4 Class D fire hazards. Portable fire extinguishers for occupancies involving combustible metals shall be selected and placed in accordance with NFPA 10.

[F] 906.4 Cooking grease fires. Fire extinguishers provided for the protection of cooking grease fires shall be of an approved type compatible with the automatic fire-extinguishing system agent and in accordance with Section 904.11.5 of the *International Fire Code*.

[F] 906.5 Conspicuous location. Portable fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from normal paths of travel.

[F] 906.6 Unobstructed and unobscured. Portable fire extinguishers shall not be obstructed or obscured from view. In rooms or areas in which visual obstruction cannot be completely avoided, means shall be provided to indicate the locations of extinguishers.

[F] 906.7 Hangers and brackets. Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions.

[F] 906.8 Cabinets. Cabinets used to house portable fire extinguishers shall not be locked.

**Exceptions:**

1. Where portable fire extinguishers subject to malicious use or damage are provided with a means of ready access.

2. In Group I-3 occupancies and in mental health areas in Group I-2 occupancies, access to portable fire extinguishers shall be permitted to be locked or to be located in staff locations provided the staff has keys.

[F] 906.9 Extinguisher installation. The installation of portable fire extinguishers shall be in accordance with Sections 906.9.1 through 906.9.3.

[F] 906.9.1 Extinguishers weighing 40 pounds or less. Portable fire extinguishers having a gross weight not exceeding 40 pounds (18 kg) shall be installed so that their tops are not more than 5 feet (1524 mm) above the floor.

[F] 906.9.2 Extinguishers weighing more than 40 pounds. Hand-held portable fire extinguishers having a gross weight exceeding 40 pounds (18 kg) shall be installed so that their tops are not more than 3.5 feet (1067 mm) above the floor.

[F] 906.9.3 Floor clearance. The clearance between the floor and the bottom of installed hand-held portable fire extinguishers shall not be less than 4 inches (102 mm).

[F] 906.10 Wheeled units. Wheeled fire extinguishers shall be conspicuously located in a designated location.

**SECTION 907  
FIRE ALARM AND DETECTION SYSTEMS**

[F] 907.1 General. This section covers the application, installation, performance and maintenance of fire alarm systems and their components.

[F] 907.1.1 Construction documents. Construction documents for fire alarm systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code, the *International Fire Code*, and relevant laws, ordinances, rules and regulations, as determined by the fire code official.

[F] 907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation, and shall include, but not be limited to, all of the following:

1. A floor plan that indicates the use of all rooms.
2. Locations of alarm-initiating devices.
3. Locations of alarm notification appliances, including candela ratings for visible alarm notification appliances.
4. Location of fire alarm control unit, transponders and notification power supplies.
5. Annunciators.
6. Power connection.
7. Battery calculations.
8. Conductor type and sizes.
9. Voltage drop calculations.

Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, *means of egress* requirements for the building shall be based on the sum of the *occupant loads* of the building plus the outdoor areas.

**Exceptions:**

1. Outdoor areas used exclusively for service of the building need only have one *means of egress*.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.

**1004.9 Multiple occupancies.** Where a building contains two or more occupancies, the *means of egress* requirements shall apply to each portion of the building based on the occupancy of that space. Where two or more occupancies utilize portions of the same *means of egress* system, those egress components shall meet the more stringent requirements of all occupancies that are served.

## SECTION 1005 EGRESS WIDTH

**1005.1 Minimum required egress width.** The *means of egress* width shall not be less than required by this section. The total width of *means of egress* in inches (mm) shall not be less than the total *occupant load* served by the *means of egress* multiplied by 0.3 inch (7.62 mm) per occupant for stairways and by 0.2 inch (5.08 mm) per occupant for other egress components. The width shall not be less than specified elsewhere in this code. Multiple *means of egress* shall be sized such that the loss of any one *means of egress* shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required from any *story* of a building shall be maintained to the termination of the *means of egress*.

**Exception:** *Means of egress* complying with Section 1028.

**1005.2 Door encroachment.** Doors, when fully opened, and handrails shall not reduce the required *means of egress* width by more than 7 inches (178 mm). Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features shall be permitted to project into the required width a maximum of 1 1/2 inches (38 mm) on each side.

**Exception:** The restrictions on a door swing shall not apply to doors within individual dwelling units and sleeping units of Group R-2 and dwelling units of Group R-3.

**1005.3 Door hardware encroachment.** Surface-mounted latch release hardware shall be exempt from inclusion in the 7-inch (178 mm) maximum projection requirement of Section 1005.2 when:

1. The hardware is mounted to the side of the door facing the corridor width when the door is in the open position; and
2. The hardware is mounted not less than 34 inches (865 mm) or more than 48 inches (1220 mm) above the finished floor.

## \*SECTION 1006 MEANS OF EGRESS ILLUMINATION

**1006.1 Illumination required.** The *means of egress*, including the *exit discharge*, shall be illuminated at all times the building space served by the *means of egress* is occupied.

**Exceptions:**

1. Occupancies in Group U.
2. *Aisle accessways* in Group A.
3. Dwelling units and sleeping units in Groups R-1, R-2 and R-3.
4. Sleeping units of Group I occupancies.

**1006.2 Illumination level.** The *means of egress* illumination level shall not be less than 1 footcandle (11 lux) at the walking surface.

**Exception:** For auditoriums, theaters, concert or opera halls and similar assembly occupancies, the illumination at the walking surface is permitted to be reduced during performances to not less than 0.2 footcandle (2.15 lux), provided that the required illumination is automatically restored upon activation of a premises' fire alarm system where such system is provided.

**1006.3 Illumination emergency power.** The power supply for *means of egress* illumination shall normally be provided by the premises' electrical supply.

In the event of power supply failure, an emergency electrical system shall automatically illuminate all of the following areas:

1. *Aisles* and unenclosed egress *stairways* in rooms and spaces that require two or more *means of egress*.
2. *Corridors*, *exit enclosures* and *exit passageways* in buildings required to have two or more *exits*.
3. Exterior egress components at other than their *levels of exit discharge* until *exit discharge* is accomplished for buildings required to have two or more *exits*.
4. Interior *exit discharge* elements, as permitted in Section 1027.1, in buildings required to have two or more *exits*.
5. Exterior landings as required by Section 1008.1.6 for *exit discharge* doorways in buildings required to have two or more *exits*.

The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Chapter 27.

**1006.4 Performance of system.** Emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1 footcandle (11 lux) and a minimum at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 footcandle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded.

